

PLACE ON STATE LETTERHEAD

Date

RE: Letter of Conditions – Rural Energy for America Program (REAP)  
Technical Assistance Grant Program  
Project Description:  
Grant Amount: \$

Dear :

This letter establishes conditions which must be understood and agreed to by your organization (the Grantee) before further consideration can be given to your organization's application. The grant will be administered on behalf of the Rural Business-Cooperative Service (RBS) by the State staff of USDA Rural Development (Agency). All terms and conditions outlined in the Notice of Funding Opportunity for Rural Energy for America Program Technical Assistance Grant Program for Fiscal Year 2024 published in the Federal Register (Tuesday, February 20, 2024, Volume 89, No 34).

**This letter does not constitute grant approval, nor does it ensure that funds are or will be available for the project.**

Any changes in project cost, scope of services, or any other significant changes in the project or applicant must be reported to and pre-approved by the Agency, by written amendment to this letter. If significant changes are made without obtaining such approval, the Agency may discontinue processing the application.

If all conditions in the Letter of Conditions are met, there have been no adverse changes in the Grantee's financial condition or eligibility, and no change in the project's purpose, the Agency will issue the Financial Assistance Agreement.

**Please complete and return the following forms, attached, by **DATE** if your organization desires further consideration of your organization's application:**

- Form RD 1942-46, "Letter of Intent to Meet Conditions"
- Form RD 1940-1, "Request for Obligation of Funds"
- Form SF-LLL, "Disclosure of Lobbying Activities", if applicable.

The docket may be completed based on the following:

#### **1. PROJECT FUNDS**

The Project Funds must be utilized in accordance with the Notice of Funding Opportunity and as outlined in the application's scope of work.

(As applicable) The following REAP projects were targeted in the application's scope of work and deliverables must reflect said targeting:

- 1) Projects requesting \$20,000 or less in REAP funds.

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- 2) Projects located in disadvantaged or distressed communities as defined in the Section E of the NOSA for the REAP program that published in the Federal Register on February 20, 2024.
- 3) Projects submitted by Tribes and/or proposing to serve primarily Tribal entities.
- 4) Project submitted by Agricultural Producers.
- 5) Projects seeking funding for Underutilized Technologies as defined in Section A.3 of the TAG NOFO.

(As applicable) The application contains ineligible use of funds that must be redirected to eligible uses. Please work with the Agency to revise the application budget.

Any revisions in this financing plan must have the Agency's concurrence. All documented funding must total the project amount. The Project Funds must be disbursed in accordance with Section F of the REAP TAG Notice of Funding Opportunity published in the Federal Register (Tuesday, February 20, 2024, Volume 89, No 34).

The Grantee must maintain all receipts and other documentation for all transactions where grant and matching funds, if applicable, are used for the project cost and provide copies of these documents to the Agency.

## 2. GRANT AMOUNT

The application may be completed based on a grant not to exceed \$ . Grant funds will be used for only eligible costs as identified in Section C of the Notice of Funding Opportunity for REAP Technical Assistance Grant Program for Fiscal Year 2024, (Tuesday, February 20, 2024, Volume 89, No 34).

## 3. MATCHING FUNDS/ PROJECT FUNDS (If applicable)

Your organization's application identified \$XX as matching funds. (If applicable)

## 4. FINANCIAL ASSISTANCE AGREEMENT: Form RD 4280-2, "Rural Business-Cooperative Service Financial Assistance Agreement," is attached for your convenience and describes the use of grant funds and requirements of grantees.

## 5. TRAINING AND DELIVERABLES

To ensure nationwide consistency within the REAP program all TAG grantees are encouraged to complete training with Agency staff as applicable to the technical assistance being delivered to ensure consistent and adequate content per 7 C.F.R. 4280-B.

The Agency may, after reviewing recipient assistance provided, determine that training is required. If training is required the recipient agrees to work with the Agency to complete said training.

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Grantee will submit to the Agency for review and approval copies of deliverables intended to be used for RES/EEI grant applications to ensure they meet Agency standards. These may include but are not limited to: Energy Audit training documents; Energy Audits; Energy Assessments; Renewable Energy Technical Merit documents; REAP grant application packages; Guidance on SAM registration; and Guidance on NEPA Requirements.

The Agency will provide feedback to the grantee and will advise once documents have been determined acceptable.

## **6. EQUAL OPPORTUNITY AND NON-DISCRIMINATION REQUIREMENTS**

The Grantee will comply with Title VI of the Civil Rights Act of 1964, "Nondiscrimination in Federally Assisted Programs, "42 U.S.C. 2000d, Section 504 of the Rehabilitation Act for Federally Conducted Programs and Activities, the Age Discrimination Act of 1975 and the Americans with Disabilities Act, Executive Order 13166 and Executive Order 11246. RD Forms 400-1, "Equal Opportunity Agreement" and 400-4, "Assurance Agreement", must be completed by the Grantee. The Grantee will be subject to Agency compliance reviews.

Prior to the obligation of funds, RD Instruction 2006-P 2006.754(a) and (b), requests certifying officials to identify and address major civil rights impacts of proposed policy actions and the potential for negative effects based on race, color, sex, national origin, religion, age, disability, or marital and/or familial status; and to complete Form RD 2006-38 to assure the Agency that a civil rights impact analysis has been completed and the potential effects of each proposed policy action have been considered before the proposed policy action is approved and implemented.

The policies contained in subpart E of part 1901 apply to grantees. As recipients of Federal financial assistance, RBCS grant and loan program recipients are required to comply with the applicable Federal, State and local laws. Title VI of the Civil Rights Act of 1964 prohibits discrimination by recipients of Federal financial assistance. Grant recipients are required to adhere to specific outreach activities. These outreach activities include, contacting community organizations and leaders that include minority leaders, advertising in local newspapers and other media throughout the entire service area, and including the nondiscrimination slogan. "This is an Equal Opportunity Program. Discrimination is prohibited by Federal Law, "in methods that may include, but not be limited to, advertisements, public broadcasts, and printed materials, such as brochures and pamphlets.

The recipient will maintain the race and ethnic data on the board members and beneficiaries of the program. The recipient will provide alternative forms of communication to persons with Limited English Proficiency.

## **7. COMPLIANCE REVIEWS**

In addition to the "Equal Opportunity and Non-Discrimination Requirements" stated above, each grantee must keep and provide data on race, gender, national origin, and any such records, accounts, and other sources of information and facilities as may be pertinent for USDA RBS to determine whether the Grantee has complied or are complying with the regulations. Grantees should have available, for USDA RBS review, racial and ethnic data showing the extent to which members of minority groups are beneficiaries of Federal assistance program. In addition, the

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compliance review will ensure that equal access to the Program benefits and activities are provided for persons with disabilities and language barriers.

## **8. CLOSING**

By acceptance of these conditions, it is agreed that your organization will provide and sign all evidence, forms, documents, and agreements necessary to complete the application.

## **9. GRANT DISBURSEMENT**

The grant disbursement period will encompass the **36 months** immediately following the date of the signed Financial Assistance Agreement. If the project exceeds this timeframe, the Agency reserves the right to discontinue processing grant funds, unless the timeframe has been extended in writing. A written request for extension must be submitted to the Agency no later than 30 days before the expiration date of the Financial Assistance Agreement.

Grantee will incur costs within the timeframe scheduled after funds have been obligated and the Financial Assistance Agreement executed.

The Agency will disburse grant funds on a reimbursement basis per Section F of the REAP TAG Notice of Funding Opportunity published in the Federal Register (Tuesday, February 20, 2024, Volume 89, No 34).

Requests for reimbursement may be submitted no more than monthly to the Agency. Ordinarily, payment will be made within 30 days after receipt of a proper request for reimbursement.

Standard Form (SF) 270, "Outlay Report and Request for Advance or Reimbursement," with supporting documentation, shall be used to request Grant reimbursements. Detailed records, such as tasks performed, recorded hours per task, wage rate per hour, etc. or detailed invoices with payment dates and proof of payment should accompany each reimbursement request. The Agency may request additional information as required prior to payout to ensure grant fund disbursements comply with 2 CFR 200 Subpart E.

Supporting documentation must be sufficient to show the non-Federal entity's financial management system complies with 2 CFR 200.302 and 2 CFR 200.303.

Grant funds will be transferred to the Grantee via Electronic Funds Transfer (EFT). The Grantee will complete and deliver to the Grantor/Agency, Form SF 3881, "Electronic Funds Transfer Payment Enrollment Form."

## **10. REPORTING REQUIREMENTS**

### **a. Semi-Annual Reports**

Form SF-425, "Financial Status Report" and a Project Performance Report will be required on a semi-annual basis. The financial status report must show how grant funds and leveraged funds have been used to date and indicate the funds needed and their

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purposes for the next quarter. A final report may serve as the last semi-annual report. Grantees shall constantly monitor performance to ensure that the time schedules are being met and the projected goals by time periods are being accomplished. The semi-annual project performance reports will also:

- (i) A description of the activities that the funds reflected in the financial status report were used for including:
  - a. The number of recipients (Agricultural Producers and Rural Small Businesses) assisted, and type of assistance provided
  - b. A list of recipients with each recipient's North American Industry Classification System (NAICS) code
  - c. The location of each recipient
  - d. Renewable Energy technology that would be used or Energy Efficiency Improvement if the projects were implemented.
  - e. Also provide the number of and identify the recipients who submitted REAP grant applications and the recipients receiving REAP grant awards (noting those with distressed or disadvantaged community status and underutilized technology status)
- (ii) A comparison of actual accomplishments to the objectives for that period
- (iii) Reasons why established objectives were not met, if applicable
- (iv) Problems, delays, or adverse conditions which will affect attainment of overall program objectives, prevent meeting time schedules or objectives, or preclude the attainment of objectives during established time periods. This disclosure shall be accomplished by a Statement of the action taken or planned to resolve the situation
- (v) Objectives and timetables established for the next reporting period
- (vi) A demographic summary of the of the agricultural producers and business owners receiving the technical assistance

**b. Final Performance Reports**

A final project and Financial Status Report within 90 days after the expiration or termination of the grant

**c. Outcome Project Performance Report**

Outcome project performance report. One year after project completion, awardees must provide a project performance report describing their outcomes as related to REAP TAG Program goals as identified in your Financial Assistance Agreement. The final report will also address the following:

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- (i) The most challenging or unexpected aspects of this grant.
- (ii) What advice you would give to other organizations applying for this grant.
- (iii) The strengths and limitations of this grant.
- (iv) If you had the opportunity, what would you have done differently?
- (iv) Are there any post-grant plans for this Project? The report is due 60 days after the first full year following the year in which the expansion project was completed.

## 11. SYSTEM FOR AWARD MANAGEMENT REQUIREMENT

Unless your organization is exempt from this requirement under 2 CFR 25.110, your organization, as the recipient, must be fully registered with the System for Award Management (SAM) before the Agency will reimburse grant funds throughout the grant period.

Your organization must maintain the accuracy of your information in the SAM until your organization submits the Final Performance Report required under this award or receives the final payment, whichever is later. This requires that your organization review and update the information at least annually after the initial registration, and more frequently if required by changes in your organization's information or another award terms.

Additional information about registration procedures may be found at the SAM Internet site at: (<http://www.sam.gov> ).

## 12. OTHER REQUIREMENTS

The Grantee will be responsible for any additional requirements of federal, state, or local governments that may apply in accordance with 7 CFR 4280 Subpart B.

The grantee must maintain in their file satisfactory documentation to evidence that all officers of grantee organization authorized to receive and/or disburse Federal funds are covered by bonding and/or insurance requirements as are normally required by the grantee.

The Grantee will follow the requirements in the Letter of Conditions and the Grant Agreement. No further processing will occur on this application until the attached Forms RD 1942-46 and 1940-1 are signed and returned.

Sincerely,

Name  
Title

Enclosures:  
Form RD 1942-46, "Letter of Intent to Meet Conditions"

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Form RD 1940-1, "Request for Obligation of Funds"

Form RD 4280-2, "Rural Business-Cooperative Service Financial Assistance Agreement"

Form SF 270, "Request for Advance or Reimbursement"

Form SF 3881, "Electronic Funds Transfer Payment Enrollment Form"

Form SF-425, "Federal Financial Report"

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