

State of Vermont
State Fiscal Recovery Fund
Process and Policy Guidance

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(updates since v4 are highlighted in yellow)

COVID-19 Financial Office



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I. Introduction

The Agency of Administration has established the COVID-19 Financial Office (CFO) to oversee the distribution of money for the State Fiscal Recovery (SFR) Fund. The CFO is charged with warranting Vermont's compliance with federal and state eligibility guidelines, documentation, and auditing conditions of COVID-19 federal funding.

This document is intended for Agencies and Departments that received SFR appropriations. It details the process and policies associated with obtaining and managing SFR funds. All SFR appropriation recipients that intend to use SFR funds for grant programs, beneficiary programs, and Agency or Department administrative expenses (including contracts and direct payments) are required to follow the outlined process, reporting, and record-retention requirements described in this document. SFR funds are generally subject to the requirements set forth in the Uniform Guidance (2 CFR 200). A summary of the federal requirements that apply to SFR funds will be updated [here](#), to account for the latest guidance from Treasury.

Please check AOA's [COVID-19 Finance Related Guidance](#) page regularly for the most updated versions of State issued guidance and templates referenced in this policy.

II. Important Terms Used in this Guidance

Appropriation: Funding outlined for a specific purpose in Vermont legislation or through the Excess Receipts process.

Program: Vermont SFR appropriations constitute SFR programs. SFR eligibility determinations, performed through the questionnaire process, are done at the program level by the CFO. In some cases, agencies and departments may receive multiple appropriations for the same program (if, for example, an additional tranche funding is appropriated for an existing program in subsequent legislation).¹

Project: A project is a set of closely related activities directed toward a common purpose, often (especially in the case of infrastructure projects) in a specific geographic region. Treasury reporting and the Federally Funded Projects (FFP) Team review occur at the *project* level.

Treasury provides states flexibility in defining projects, as long as they are at a sufficient level of granularity to enable required programmatic reporting and translate to a single expenditure category (see definition below). The State has determined that the most appropriate way to define projects, consistent with the Treasury guidance, is based on projects as outlined in agencies' FFP forms. This creates a standard way to define projects across appropriations, minimizes terminology confusion for

¹ In most cases, an appropriation will fund a single program. In rare instances, an appropriation may provide funding for several programs, that have different program design details, warranting the submission of multiple questionnaires for a single appropriation. If this case applies to your appropriation, please contact the CFO for further assistance.

agencies across their various State and Federal reporting requirements, and aligns with the Treasury definition to group similar activities that also correspond to a single expenditure category.²

Programs may contain one or many projects, depending on the purpose of the appropriation. For example:

- An appropriation to the Agency of Commerce and Community Development for the purpose of establishing a statewide Economic Recovery Bridge Program to small businesses would be a *program* with one *project*
- An appropriation of \$50 million to the Department of Mental Health to improve mental health services in the State is one *program*, and it may include funding for a statewide mental health call center *project* and two additional *projects* for facilities improvements at two different mental health providers in the State.

Expenditure Categories (EC): Categories that relate to uses of SFR funds as established by Treasury. Expenditure Categories are used in Treasury reports to categorize projects based on allowable final rule categories of use. ECs are essential for tracking performance at the project level and understanding the SFR reporting requirements specific to your project. ECs are associated with specific output measures, key performance indicators, and other required programmatic data associated with the type of expenditure. As your appropriation is organized into individual projects, please coordinate with the CFO if you have questions about the EC assigned to your project. There may be multiple projects assigned to a single EC, but a single project will only map to one EC. Please see *Appendix 2* for a full list of Expenditure Categories.

III. Vermont Policy Regarding Prioritization of Funding

It is State policy, and the best practice for fellow Vermonters needing COVID-19 assistance, that SFR may only be used to cover expenses that are not eligible for FEMA-Public Assistance. If costs are FEMA-eligible and meet the minimum threshold required (\$3,300), Vermont entities should apply for FEMA funding before using any other federal funding sources. Consistent with this policy, SFR funds shall not be used to cover expenses that are FEMA eligible, unless explicitly authorized by the CFO. This policy is in place to ensure that SFR and other less restrictive funding sources are available for those COVID-19 needs that are not eligible for other, more restrictive sources of funding. For additional details, please refer to the most recently issued FEMA Prioritization Memo on AOA's webpage for [COVID-19 Finance Related Guidance](#).

This funding prioritization policy is required for state agencies, departments, component units, and hospitals and medical providers. Other Vermont entities may leverage federal funding sources directly available to them for their expenses without the requirement to leverage FEMA funding first.

² For appropriations that do not require FFP review, if the use of funds requires reporting via separate projects (uses falling under different expenditure categories or including activities directed towards different purposes, etc.), agencies or departments should contact the CFO to coordinate the project breakdown.

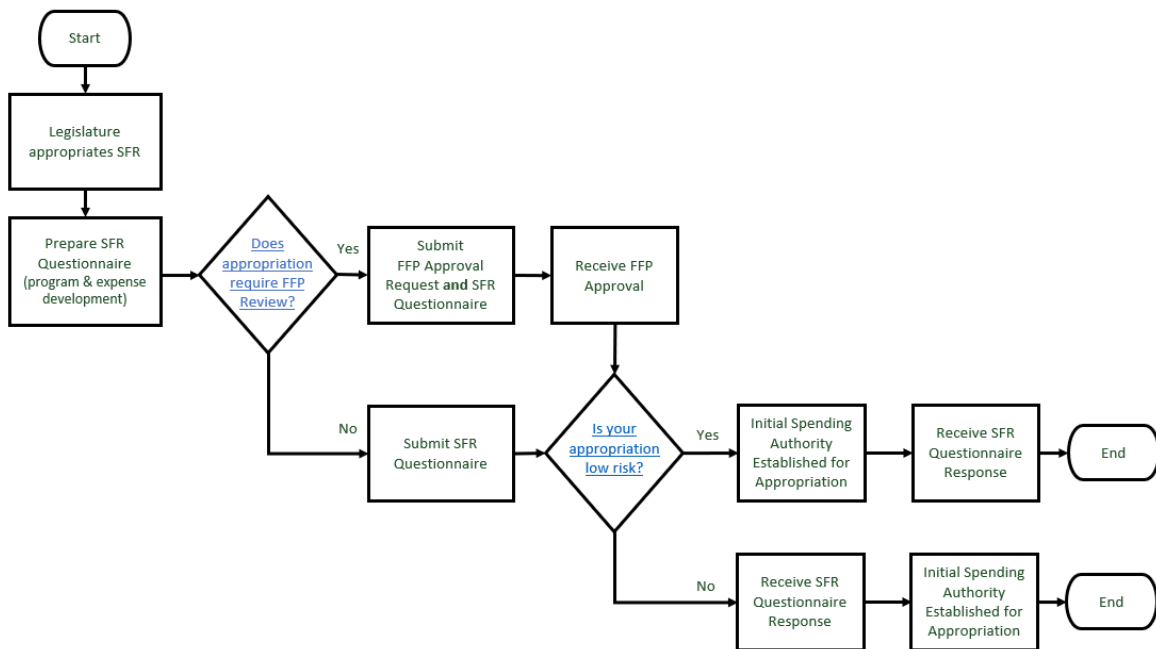
IV. Initial SFR Appropriation Approval and Release Process

The funding release and risk remediation for an SFR appropriation requires that agencies and departments follow the below process. As shown in the process map below, the steps include:

- Obtaining Federally Funded Projects (FFP) Team approval (if necessary),
- Submitting the SFR Questionnaire, and
- Receiving spending authority through the SFR Questionnaire process.

This section will detail the necessary actions in each step, including the differences in processes depending on the appropriation risk. A more concise step-by-step explanation can be found in the [SFR Process Map Outline](#).

Figure 1: Process Flow for Establishing Initial SFR Appropriation Spending Authority



A. SFR Questionnaire—New Programs Approval

In order to obtain spending authority for an appropriation from AOA, agencies and departments which have received an appropriation of SFR funds will complete the [SFR Questionnaire](#). For each SFR appropriation involving a new program (in contrast to an appropriation providing additional SFR funding to an existing program), please identify whether the appropriation will be used to launch a **grant/beneficiary program** and/or to cover **Agency or Department expenses** (including contracts and direct payments).³

³ For more guidance on funding administrative expenses, please refer to the [Statewide Promotional Services Vendor Selection Process](#)

Definitions

Grant/beneficiary program: A program that provides funding to non-State entities/individuals for their own demonstrated COVID-19 needs (beneficiary) or to carry out a SFR program on behalf of the State that ultimately benefits other impacted entities, households, or industries (subrecipient).

Agency or department expenses: An agency or department's own operating COVID-19 costs and contracts.

1. The SFR Questionnaire

The [SFR Questionnaire](#) is intended to capture agencies' and departments' planned use of SFR, with sufficient program design and expenditure plan details to inform a CFO review of funding risk and remediation based on Treasury guidelines.

Please follow the instructions outlined in the SFR Questionnaire template for more detailed guidance on the information required for each section of the SFR Questionnaire. For grant/beneficiary programs, please include one program per questionnaire and identify the appropriation(s) for this program in Section 1. For Agency or Department expenses, expenses that fall within multiple appropriations can be combined into one questionnaire, with the appropriation Act/Section numbers and/or Excess Receipts Numbers identified in Section 1 of the SFR Questionnaire.

The SFR Questionnaire is intended to capture the Agency or Department's use of funds across the identified appropriations. As such, the Use of Funds section of the SFR Questionnaire should be filled out to capture the intended use of funds for any identified programs and expenses included in the SFR Questionnaire.

Please submit your SFR Questionnaire only after you work through the details of your program design and expenditure plans, to ensure that your questionnaire accurately captures your use of funds. This is critical to help ensure that the CFO review and risk remediation is tailored to your use of funds and program design.

2. Federal Award Classification Checklist and Uniform Guidance

As part of the SFR Questionnaire process, AOA is also including a [Federal Award Classification Checklist](#), which helps determine whether a program involves a contract, grant, or beneficiary relationship. This checklist is optional and is recommended for programs in which the relationship between the State and the entity/individuals receiving funds could be classified as a beneficiary relationship. **Without a Classification Checklist submission and approval of the CFO, AOA policy defaults classifications to "grant" programs and "subrecipient" relationships, rather than "beneficiary" relationships. CFO approval is required for beneficiary designations.**

Please complete the [Federal Award Classification Checklist](#) and send it to ADM.COVID@vermont.gov with your SFR Questionnaire. Programs which fill an important short-term need should request expedited review through AOA.

Recipient Designations

Based on the information provided, local governments, businesses, non-profits, educational institutions, or individuals could fall under any of the three categories: subrecipient, beneficiary, or contractor. The designation of an entity/individual as a subrecipient, contractor, or beneficiary determines if Treasury will subject the entity to the administrative and monitoring requirements of the Single Audit Act.

When filling out the checklist to determine these designations, oversight agencies should determine if:

- a) SFR payments are provided to individuals or entities for the purpose of directly benefitting the individual or entity as a result of experiencing a public health impact or negative economic impact of the pandemic **(beneficiary relationship)**
- b) The entity will be hired to provide property, goods, or services according to terms and conditions set by the State **(contractor relationship)**
- c) The entity will receive funding from the State to carry out an SFR program or project on behalf of the State **(subrecipient relationship)**

The final rule summarizes the distinction between subrecipients and beneficiaries as follows:

“The distinction between a subrecipient and a beneficiary, therefore, is contingent upon the rationale for why a recipient is providing funds to the individual or entity. If the recipient is providing funds to the individual or entity for the purpose of carrying out a SLFRF program or project on behalf of the recipient, the individual or entity is acting as a subrecipient. Acting as a subrecipient, the individual or entity is subject to subrecipient monitoring and reporting requirements. Conversely, if the recipient is providing funds to the individual or entity for the purpose of directly benefitting the individual or entity as a result of experiencing a public health impact or negative economic impact of the pandemic, the individual or entity is acting as a beneficiary. Acting as a beneficiary, the individual or entity is not subject to subrecipient monitoring and reporting requirements.”⁴

The State will need to adhere to the Single Audit Act and 2 CFR 200, Uniform Guidance, for its subrecipient relationships. In addition to these requirements, the State also needs to track subrecipient awards and entities in the VISION Grant Tracker. For more information on reporting requirements, see Section VIII, *Reporting Requirements*.

3. SFR Questionnaire Submission

After completing the questionnaire (and checklist, if applicable), please send them to ADM.COVID@vermont.gov a minimum of two weeks prior to using SFR appropriations or excess receipts. Programs which fill an important short-term need should request expedited review through AOA.

⁴ Federal Register, Vol. 87, No. 18, Rules and Regulations. January 27, 2022 (p. 4394).

4. SFR Questionnaire Approval Process

After reviewing an Agency or Department's questionnaire and checklist (if necessary), AOA will provide a SFR Questionnaire Response Memo to all entities regarding grant programs, beneficiary programs, contracts, and/or other administrative expenses detailed in the SFR Questionnaire. Response Memos will outline alignment of the proposed use of SFR funds with Treasury SFR guidance and suggest, where necessary, risk mitigation processes for entities to follow. For appropriations requiring Federally Funded Projects (FFP) Team review, Response Memos will only be issued after FFP approval.

Upon receiving the Response Memo from AOA, Departments or Agencies must sign and acknowledge that they will conduct the program as described (including any risk mitigations required) and complete a set of attestations.

B. Initial FFP Team Approval to Establish Spending Authority

(Applies to a subset of appropriations – see *Appendix 1 - FFP Review by Appropriation* to determine if your appropriation requires FFP approval).

To facilitate coordination between Projects, especially infrastructure Projects, and ensure agencies and departments maximize the unique opportunity presented by the SFR, some appropriations require that their component projects receive a recommendation for funding from the FFP Team⁵ to the Governor. *Appendix 1* includes the full list of appropriations requiring FFP and Gubernatorial approval. This step aims to align SFR programs and projects with both the strategic goals of making Vermont more affordable, growing the economy, protecting the vulnerable, modernizing state government, and ensuring we are maximizing the value of every federal dollar for lasting transformative change. Having interagency collaboration and coordination, especially on the critical, wide-reaching infrastructure, climate, and economic development SFR programs is critical to receiving FFP and Gubernatorial approval.

If an appropriation is on the list as requiring FFP review, Agencies and Departments must identify one or more projects that will be funded by that appropriation. These initial projects may be administrative or foundational in nature (i.e., hiring staff). Agencies must then complete an [FFP Approval Request](#), which collects data on the specific proposed project(s), and submit it to your Governor's Office liaison and cc Douglas.Farnham@vermont.gov and Kendal.Smith@vermont.gov. For some projects, presentations to the FFP on the project's demographics, economic and environmental impact, or other project considerations may be required.

⁵ Federally Funded Projects Team: This group is comprised of leadership from agencies/departments that received the lion share of physical infrastructure funds – ACCD, ANR, AHS-DCF, PSD, AOT, DPS-VEM, AOA, and VAAF. AOE also participates if there are intersecting school infrastructure projects. ADS via VCGI is supporting the work with mapping projects & grant applications as a way to share information. The Governor's core principles for infrastructure projects are those that are tangible, transformative, timely and transparent. Funds/projects shall be prioritized to communities with the greatest population, workforce, and student declines over the past 20 years.

C. Initial Appropriation Spending Authority and FFP-Approved Amount

Funding release and spending authority timelines vary depending on the risk level of the appropriation and whether it requires FFP review. Agencies and Departments can confirm which appropriations require FFP review and the associated initial risk designation from *Appendix 1*.

1. For low-risk appropriations that require FFP review

AOA will release funding to the Agency or Department when at least one of the appropriation's projects receives FFP approval and the SFR Questionnaire is **submitted**. However, the Agency or Department is only authorized to spend the funding amount approved by the FFP Team for the associated projects reviewed and approved by the FFP Team.

2. For low-risk appropriations that do not require FFP review

AOA will release funding to the Agency or Department once a complete SFR Questionnaire is submitted for the appropriation. Spending is authorized for the entire appropriation amount.

3. For moderate- and high-risk appropriations that require FFP review

AOA requires that a SFR Questionnaire is submitted and a SFR Questionnaire Response Memo is issued by the CFO and accepted by the Agency or Department. Spending authority can only be established for the appropriation once the Agency or Department (1) receives FFP approval and (2) accepts the SFR Questionnaire Response Memo issued by the CFO. While spending authority is established at the appropriation level, the Agency or Department is only authorized to spend the funding amount approved by the FFP Team for the associated projects reviewed and approved by the FFP Team.

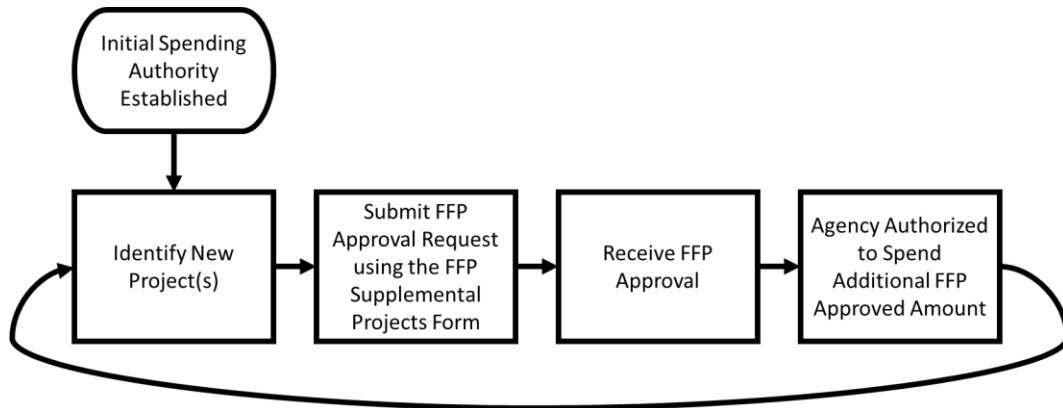
4. For moderate- and high-risk appropriations that do not require FFP review

AOA requires that a SFR Questionnaire is submitted and a SFR Questionnaire Response Memo is issued by the CFO and accepted by the Agency or Department. Spending authority can only be established for the appropriation once the Agency or Department accepts the SFR Questionnaire Response issued by the CFO. Spending is authorized for the entire appropriation amount.

V. Spending Authority for Additional Projects Under a Released Appropriation

Agencies and Departments with multiple projects under one appropriation will need to propose each new project (or set of projects) to the FFP Team to receive FFP approval before spending additional funding associated with the FFP-approved projects under the established appropriation. After the initial FFP approval, to request FFP approval for additional projects, Agencies and Departments should submit the [FFP Supplemental Projects Request Template](#).

Figure 2: Process Flow for Spending Authorization for Additional Projects Under an Appropriation/Program with Released Spending Authority



VI. Launching Grant Projects, Beneficiary Projects, and Contracts

After an Agency or Department receives and accepts AOA’s SFR Questionnaire Response Memo and FFP project approval, where applicable, it should include the following additional information and requirements when launching a grant program, beneficiary program, or contracting process. Please note that the guidance depends on the type of program or expense as outlined below. This section does not apply to Agency or Department administrative expenses without grant projects, beneficiary projects, or contracts.

A. Launching Grant Projects

Agencies and departments launching grant projects must comply with [Bulletin 5](#) and the [October 1, 2021 addendum](#) on solicitation requirements.⁶

1. Award Letter

The granting entity must provide an Award Letter or Award Notification to the grant recipient. This letter/notification must include appropriate information on the subrecipient, the award amount or in-kind award, and the responsibilities of the subrecipient, as shown in the State of Vermont Grant Agreement Template ([Part 1](#), [Part 2](#)). In addition, granting entities must review the [1099-G Reporting Requirements](#) prior to initiating any grant payment in VISION to determine whether the grant payment must be reported on a 1099-G as a taxable grant and the required process.

2. Exhaustion of Funds

For grants designed on a first come/first served basis, when available funds are exhausted, the granting entity must notify the Commissioner of Finance and Management and the Deputy Secretary of Administration immediately, identifying any remaining unmet need.

⁶ More information on Bulletin 5 can be found on AOA’s [Grant Guidelines and Procedures](#)

3. Grant Tracker

Unless the CFO has approved an entity as a SFR “beneficiary” according to the Classification Checklist, all Departments, Agencies, and SFR funding recipients must use the VISION Grant Tracker for their grant program. Entry into the Grant Tracker module is critical to the State’s compliance with the Federal requirement to track and review Single Audits for all subrecipients triggering the Single Audit threshold in a given fiscal year.

4. Assurances

Agencies and Departments are required to include a signed copy of the State of Vermont SFR Assurances in their SFR grant program applications and/or awards. Unless otherwise specified, all SFR assurances included in the [SFR Fund Program Assurances](#) document apply to grant applications and/or awards. Agencies and Departments can add to these assurances, but please do not alter or remove any of the listed assurances without prior approval from the COVID-19 Financial Office (ADM.COVID@vermont.gov).

B. Launching Beneficiary Projects

1. Award Letter

Agencies or Departments must provide an Award Letter or Award Notification to each beneficiary in the program. This letter/notification must include appropriate information on the beneficiary, the award amount or in-kind award, and the responsibilities of the beneficiary, as shown in the [Beneficiary Notice of Payment template](#).

2. Assurances

Agencies and Departments are required to include a signed copy of the State of Vermont SFR Assurances in their SFR program applications and/or awards. Unless otherwise specified, all SFR assurances included in the [SFR Fund Program Assurances](#) document apply to all applications and/or awards. Agencies and Departments can add to these assurances, but please do not alter or remove any of the listed assurances without prior approval from the COVID-19 Financial Office (ADM.COVID@vermont.gov).

C. Launching Contracts

Agencies and Departments launching contracts to perform State-commissioned work with SFR funds must be in compliance with all requirements of [Bulletin 3.5](#), including the [October 1, 2021 addendum](#) on solicitation requirements, and Uniform Guidance.

VII. Reporting Requirements

A. Equity Impact Assessment

All SFR-funded appropriations/programs are new programs and require an Equity Impact Assessment. This must be submitted to the CFO by the end of the fiscal year in which the program is established.

B. Required Treasury Reports

This section provides an overview of reporting requirements for the SFR funds and details the CFO reporting process for each report. Additional reporting guidance, including templates, will be provided separately by the CFO as needed.

The required reporting for SFR funding includes: **the Recovery Plan Performance Report (annually on July 31), the Interim Report (one time, September 20, 2021)⁷, and the Project and Expenditure Report (quarterly through the end of the SFR fund administration).** These reports will be prepared and submitted by the Agency of Administration, but agencies and departments must track and submit the necessary program and/or project level information according to Treasury guidelines.

Treasury has outlined the State’s reporting requirements in the [Coronavirus State and Local Fiscal Recovery Funds Guidance on Recipient Compliance and Reporting Responsibilities](#) document. In addition, Treasury has provided a [Project and Expenditure Report User Guide](#)⁸ for submitting the required quarterly SFR reports using Treasury’s Portal.

1. Project and Expenditure Reports (quarterly)

The Project and Expenditure Report (quarterly). The first Project and Expenditure Report covered spending from the date a recipient receives funds to December 31, 2021 and was due January 31, 2022. Subsequent submissions are due 30 days after the end of each quarter.⁹ Table 1 outlines the Treasury reporting periods, along with the state and federal due dates for the Project and Expenditure reports.

Table 1: Key dates for quarterly Project and Expenditure Reports

Treasury Reporting Period	Agency/Department Submission Date	Treasury Due Date
March 3 – December 31, 2021	March 18, 2022	January 31, 2022 ¹⁰
January 1 – March 31, 2022	April 15, 2022	April 30, 2022
April 1 – June 30, 2022	July 8, 2022	July 31, 2022
July 1 – September 30, 2022	October 7, 2022	October 31, 2022
October 1 – December 31, 2022	January 6, 2023	January 31, 2023

During each reporting cycle, as necessary, the CFO will conduct webinars to facilitate the reporting process and update agencies/departments with the latest Treasury guidance. The CFO will also circulate customized reporting tools to assist agencies and departments with their data

⁷ As the Interim Report has already been submitted, this document does not provide further guidance on this reporting requirement.

⁸ Treasury has issued separate Project and Expenditure Report User Guides for the January and April reports. The link provided in this document is for the April Project and Expenditure Report.

⁹ [Coronavirus State and Local Fiscal Recovery Funds Guidance on Recipient Compliance and Reporting Responsibilities](#) (p. 15)

¹⁰ Submissions for the January 31, 2022 report were corrected with additional project information during the April 30, 2022 submission cycle.

collection efforts for the quarterly reports. The reporting tool will include pre-populated expenditure categories, project names and project identification numbers for each project. For each cycle, agencies and departments should populate the applicable sections of the reporting tool with relevant project information and send a complete, populated tool to ADM.COVID@vermont.gov by the Agency/Department Submission Date listed in Table 1.

Please note that depending on your project EC, Treasury may require additional programmatic data to be reported. These are built into the reporting tools that have been circulated to agencies/departments and should be tracked to ensure alignment with Treasury reporting requirements. Appendix 3 also outlines additional programmatic data requirements to allow agencies/departments to track these across the project cycle.

Please reference the [SFR Project and Expenditure Reporting Webinar](#) slides and the circulated reporting tools for more information on the data required for the Treasury reports.

2. The Recovery Plan Performance Report (annual)

The Recovery Plan Performance Report is due to the Treasury annually by July 31st.¹¹ Treasury has not released updated guidance on the Recovery Plan Performance Report after the issuance of the final rule. CFO will establish the in-depth reporting process for the Recovery Plan Performance Report as Treasury releases updated guidance.

The Recovery Plan Performance Report includes key performance indicators (KPIs) for program and project success measurements. For each program they administer, agencies must track the Treasury-required KPIs. In addition to Treasury-required KPIs, agencies and departments must track and report on metrics required by the Legislature or FFP team. Agencies and departments should also identify appropriate performance measurements to determine program success and track progress. The report requires the identification of projects that are being used for evidence-based interventions and evaluated through rigorous program evaluations designed to build evidence. [For more information on use of evidence, please see Appendix 2.](#)

Mandatory Key Performance Indicators

Treasury provides a set of mandatory performance indicators but allows recipients discretion to include additional measures as needed. For projects designated under the specified Expenditure Categories, agencies and departments are required to report the following Key Performance Indicators for their Recovery Plan Performance Report (annual data):

- i. Household Assistance (EC 2.2 & 2.5) and Housing Support (EC 3.10-3.12):
 - o Number of people or households receiving eviction prevention services (including legal representation)
 - o Number of affordable housing units preserved or developed
- ii. Negative Economic Impacts (EC 2):
 - o Number of workers enrolled in sectoral job training programs
 - o Number of workers completing sectoral job training programs
 - o Number of people participating in summer youth employment programs

¹¹ [Coronavirus State and Local Fiscal Recovery Funds Guidance on Recipient Compliance and Reporting Responsibilities](#)

- iii. Education Assistance (EC 3.1-3.5):
 - o Number of students participating in evidence-based tutoring programs
- iv. Healthy Childhood Environments (EC 3.6-3.9):
 - o Number of children served by childcare and early learning (pre-school/pre-K/ages 3- 5)
 - o Number of families served by home visiting

VIII. Records Maintenance

These record retention requirements are applicable to all prime recipients and their grantees and subgrant recipients, contractors, and other levels of government or non-profit entities that received transfers of SFR payments from prime recipients. Recipients of SFR Funds must maintain the following materials for 5 (five) years after all funds have been expended or returned to Treasury, whichever is later:

1. General ledger and subsidiary ledgers used to account for (a) the receipt of SFR payments and (b) the disbursements from such payments to meet eligible expenses related to the public health emergency due to COVID-19.
2. Budget records;
3. Payroll, time records, human resource records to support costs incurred for payroll expenses related to addressing the public health emergency due to COVID-19;
4. Receipts of purchases made related to addressing the public health emergency due to COVID-19;
5. Contracts and subcontracts entered into using SFR payments and all documents related to such contracts;
6. Grant agreements and grant subaward agreements entered into using SFR payments and all documents related to such award;
7. All documentation of reports, audits, and other monitoring of contractors, including subcontractors, and grant recipient and subrecipients;
8. All documentation supporting the performance outcomes of contracts, subcontracts, grant awards, and grant recipient subawards;
9. All internal and external email/electronic communications related to use of SFR payments;
10. All investigative files and inquiry reports involving State Fiscal Recovery Fund payments.

Treasury may request transfer of records of long-term value at the end of the five-year period. Wherever practicable, such records should be collected, transmitted, and stored in open and machine-readable formats. Records must be provided or made available to Treasury upon request, and to the Government Accountability Office (“GAO”), Treasury’s Office of Inspector General (“OIG”), and their authorized representative in order to conduct audits or other investigations.¹²

¹² [Coronavirus State and Local Fiscal Recovery Funds Guidance on Recipient Compliance and Reporting Responsibilities](#) (p. 12)

IX. Appendices and Links

Appendices

1. FFP Review by Appropriation
 - a. Appropriations That Require FFP Review
 - b. Appropriations That Do Not Require FFP Review
2. Expenditure Categories
3. Required Data for the Project and Expenditure Report
4. Labor Requirements for SFR Construction Projects

Links

The files linked below are regularly updated to reflect the latest versions.

1. Additional guidance and templates related to the SFR will be routinely added to [COVID-19 Finance Related Guidance](#)
2. [SFR Process Map Outline](#)
3. [SFR Questionnaire](#)
4. [Statewide Promotional Services Vendor Selection Process](#)
5. [Federal Award Classification Checklist](#)
6. [FFP Approval Request Template](#)
7. [FFP Supplemental Projects Request Template](#)
8. [Bulletin 3.5](#)
9. [Bulletin 5](#)
10. [October 1, 2021 Addendum to Bulletin 5 and Bulletin 3.5 on Solicitation Requirements](#)
11. Grant Agreement Template ([Part 1](#), [Part 2](#))
12. [Buildings and General Services website \(for updates to procurement templates\)](#)
13. [1099-G Reporting Requirements](#)
14. [SFR Fund Program Assurances](#)
15. AOA's [Grant Guidelines and Procedures](#)
16. [Beneficiary Notice of Payment](#)
17. [Coronavirus State and Local Fiscal Recovery Funds Guidance on Recipient Compliance and Reporting Responsibilities](#)
18. [Project and Expenditure Report User Guide – April 2022](#)
19. [SFR Project and Expenditure Reporting Webinar](#)
20. [Applicability of Federal Requirements to Vermont State Fiscal Recovery Fund Projects](#)

Appendix 1 - FFP Review by Appropriation

1. Appropriations That Require FFP Review

Agency/Entity	Appropriation Name	Original Act Number	Original Section Number	Total Appropriation Amount	Consolidated Risk
Agency of Commerce & Community Development	Economic Recovery Grants Program	Act 74	G.300(a)(13)	\$20,000,000	Low
Agency of Human Services - Department for Children & Families, Office of Economic Opportunity	Microbusiness Development Program	Act 74	G.300(a)(14)	\$2,000,000	Low
Vermont Housing & Conservation Board	Housing Recovery Program	Act 74	G.400(a)(1)	\$89,000,000 ¹³	Low
Agency of Commerce & Community Development	Vermont Housing Incentive Program	Act 74	G.400(a)(2)	\$5,000,000	Low
Department of Public Service	Broadband Infrastructure Projects	Act 74	G.500(a)	\$150,000,000	Low
Agency of Human Services - Department for Children & Families, Office of Economic Opportunity	Vermont Low Income Home Weatherization Assistance Program	Act 74	G.600(a)(1)	\$4,000,000	Low
Department of Public Service	Efficiency Vermont Weatherization Incentives	Act 74	G.600(a)(3)	\$5,000,000	Low
Agency of Natural Resources - Department of Environmental Conservation	Supporting Vermont Businesses and Landowners to Control Phosphorus Pollution from Developed Lands	Act 74	G.700(a)(1)(A)	\$5,500,000	Low

¹³ A supplemental appropriation of \$25,000,000 was included in Act 83 Sec.69 amending G.400(a)(1).

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Agency of Natural Resources - Department of Forests, Parks & Recreation	Three-acre Stormwater Rule	Act 74	G.700(a)(1)(B)	\$1,000,000	Low
Agency of Transportation	Three-acre Implementation and Flow Restoration Protection	Act 74	G.700(a)(1)(C)	\$3,500,000	Low
Agency of Natural Resources - Department of Environmental Conservation	Village Water and Wastewater Initiative	Act 74	G.700(a)(2)(A)	\$8,000,000	Low
Agency of Natural Resources - Department of Environmental Conservation	Preserving Wastewater Treatment Facility Capacity While Enabling Economic Development	Act 74	G.700(a)(2)(B)	\$2,000,000	Low
Agency of Natural Resources - Department of Environmental Conservation	Statewide Combined Sewer Overflow Elimination and Abatement	Act 74	G.700(a)(3)	\$10,000,000	Low
Agency of Natural Resources - Department of Environmental Conservation	Clean Water Projects as Recommended by the Clean Water Board (FY23 and FY24)	Act 74	G.700(a)(6)(A)	\$20,000,000	Low
Department of Public Safety - Division of Emergency Management	Flood Resilient Communities Fund	Act 74	G.700(a)(7)(A)	\$4,880,000	Low
Agency of Natural Resources - Department of Environmental Conservation	Flood Resilient Communities Fund Technical Assistance	Act 74	G.700(a)(7)(B)	\$120,000	Low
Agency of Human Services - Department of Mental Health	Expanded Capacity and Accessibility for Mental Health Services and Facilities	Act 9	7	\$4,000,000	Low

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Agency of Human Services - Department for Children & Families, Office of Economic Opportunity	Economic Microbusiness Recovery Assistance	Act 9	3(a)	\$500,000	Low
Agency of Commerce & Community Development	Economic Recovery Bridge Program	Act 9	3(b)(1)	\$10,000,000	Low
Agency of Commerce & Community Development - Department of Economic Development	Capital Investment Grant Program	Act 74	G.300(a)(12)	\$10,580,000	Moderate
Department of Public Service	Efficiency Vermont Workforce Development Initiatives and NeighborWorks of Western Vermont's Heat Squad	Act 74	G.600(a)(4)	\$2,000,000	Moderate
Department of Public Service	Affordable Community-Scale Renewable Energy Program and Clean Energy Development Board	Act 74	G.600(a)(5)	\$20,000,000	Moderate
Agency of Commerce & Community Development - Department of Housing & Community Development	Water System Efficiency Improvements for Housing	Act 74	G.700(a)(4)(A)	\$750,000	Moderate
Agency of Natural Resources - Department of Environmental Conservation	Mobile Home Park Water/Wastewater Solutions and Healthy Homes: Funding for Installation or Replacement of Water or Wastewater Systems	Act 74	G.700(a)(4)(B)	\$4,250,000	Moderate

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Agency of Natural Resources - Department of Environmental Conservation	Water Infrastructure Funding	Act 74	G.700(a)(6)(B)	\$30,000,000	Moderate
Department of Public Service	Broadband Infrastructure Program	Act 9	21(b)	\$1,800,000	Moderate

2. Appropriations That Do Not Require FFP Review

Agency/Entity	Appropriation Name	Original Act Number	Original Section Number	Total Appropriation Amount	Consolidated Risk
Agency of Human Services - Department of Disabilities, Aging & Independent Living	Adult Day Service Provider Grants	Act 74	G.300(a)(1)	\$6,001,913 ¹⁴	Low
University of Vermont	Offset Impact from Level Room and Board	Act 74	G.300(a)(10)	\$2,200,000	Low
Agency of Human Services - Department of Mental Health	Mobile Crisis Intervention Program	Act 74	G.300(a)(2)	\$600,000	Low
University of Vermont	Matching Research Grant Funding	Act 74	G.300(a)(7)	\$1,000,000	Low
Vermont State Colleges	Workforce Upskill	Act 74	G.300(a)(8)(A)	\$2,000,000	Low
Vermont State Colleges	Degree Completion Scholarships	Act 74	G.300(a)(8)(B)	\$3,000,000	Low
Vermont State Colleges	Offset Pandemic-related Deficits	Act 74	G.300(a)(9)	\$21,000,000	Low
Department of Labor	Funding to complete UI modernization and Joblink replacement	Act 74	G.501(a)(10)	\$4,500,000	Low
Agency of Education	Education Strategic IT Projects	Act 74	G.501(a)(11)	\$4,010,000	Low
Agency of Natural Resources - Department of Environmental Conservation	Permit Navigator Portal	Act 74	G.501(a)(2)	\$1,100,000	Low
Natural Resources Board	Act 250 Scanning Project	Act 74	G.501(a)(3)	\$500,000	Low
Department of State's Attorneys and Sheriffs	Criminal Case Management System Upgrade	Act 74	G.501(a)(7)	\$1,700,000	Low

¹⁴ A supplemental appropriation of \$1,001,913 was included in Act 83 Sec.68 amending G.300(a)(26).

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Office of the Defender General	Criminal Case Management System Upgrade	Act 74	G.501(a)(8)	\$140,000	Low
Secretary of State	Vermont Business Portal	Act 74	G.501(a)(9)	\$250,000	Low
Agency of Administration	Administration costs for ARPA Funds	Act 74	G.801(a)	\$6,500,000	Low
Agency of Human Services - Department for Children & Families	Vermont Foodbank	Act 83	Sec.68 am. G.300(a)(23)	\$6,000,000	Low
Agency of Human Services -Department of Corrections	Collective Bargaining Unit Retention and Shift Differential Costs	Act 83	Sec.68 am. G.300(a)(27)	\$4,934,590	Low
Vermont Veterans' Home	Vermont Veterans' Home	Act 83	Sec.68 am. G.300(a)(29)	\$373,680	Low
Agency of Human Services - Department for Children & Families	Childcare Workforce Retention	Act 83	Sec.68 am. G.300(a)(30)	\$6,000,000	Low
Agency of Human Services	Workforce Recruitment and Retention Incentive Grant Program	Act 83	Sec.68 am. G.300(a)(31)	\$30,000,000	Low
Agency of Natural Resources - Department of Environmental Conservation	ANR Clean Water Projects as Recommended by the Clean Water Board (FY22)	Act 83	Sec.71 am. G.700(a)(5)(A)	\$6,500,000	Low
Agency of Agriculture, Food, and Markets	AAFM Clean Water Projects as Recommended by the Clean Water Board (FY22)	Act 83	Sec.71 am. G.700(a)(5)(B)	\$3,500,000	Low
Agency of Education	School Indoor Air Quality Grant Program	Act 9	15	\$15,000,000	Low
Vermont Student Assistance Corporation	Green Mountain Grad Program	Act 9	19	\$2,800,000	Low
Vermont State Colleges	Practical Nurse Program	Act 9	17(a)	\$1,400,000	Low
Vermont State Colleges	Workforce Upskill	Act 9	18(a)	\$3,000,000	Low

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Agency of Commerce & Community Development	Salesforce Grant Management System Upgrade	Act 74	G.501(a)(6)	\$1,000,000	Low
Agency of Administration - Department of Buildings and General Services	Statehouse Expansion Planning	Act 83	Sec.68 am. G.300(a)(32)	\$1,500,000	Moderate
Agency of Agriculture, Food, and Markets	Working Lands Enterprise Initiative	Act 83	Sec.68 am. G.300(a)(25)	\$2,000,000	Moderate
Department of Labor	Pandemic-Related Operating Costs	Act 83	Sec.68 am. G.300(a)(28)	\$12,803,996	Moderate
Agency of Agriculture, Food, and Markets	Dairy Risk Management	Act 83	Sec.68 am. G.300(a)(33)	\$2,600,000	Moderate
University of Vermont	Workforce Upskill	Act 83	Sec.68 am. G.300(a)(7)(B)	\$1,000,000	Moderate
University of Vermont	Workforce Upskill	Act 9	18(b)	\$1,000,000	Moderate
Vermont State Colleges	Critical Occupation Scholarships	Act 74	G.300(a)(8)(C)	\$14,700,000 ¹⁵	High
Agency of Transportation - Department of Motor Vehicles	DMV IT System Replacement	Act 74	G.501(a)(1)	\$14,120,000	High
Agency of Digital Services	Cybersecurity Core Infrastructure and Router Replacements	Act 74	G.501(a)(5)	\$1,500,000	High

¹⁵ A supplemental appropriation of \$9,700,000 was included in Act 83 Sec.68 amending Section G.300(a)(8)(c).

Appendix 2 - Expenditure Categories

The Expenditure Categories (EC) listed below will be provided to Agencies and Departments in their AOA Response Memo. The term “Expenditure Category” refers to the detailed level (e.g., 1.1 COVID-10 Vaccination). When referred to as a category (e.g., EC 1) it includes all Expenditure Categories within that level. The ECs have been updated to reflect the expanded list under the final rule. Please refer to the end of Appendix 2 for more information on reporting of Project Demographic Distribution and Use of Evidence.

1. Public Health

COVID-19 Mitigation & Prevention

- 1.1 COVID-19 Vaccination ^
- 1.2 COVID-19 Testing ^
- 1.3 COVID-19 Contact Tracing
- 1.4 Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, etc.) *^
- 1.5 Personal Protective Equipment ^
- 1.6 Medical Expenses (including Alternative Care Facilities) ^
- 1.7 Other COVID-19 Public Health Expenses (including Communications, Enforcement, Isolation/Quarantine) ^
- 1.8 COVID-19 Assistance to Small Businesses ^
- 1.9 COVID 19 Assistance to Non-Profits ^
- 1.10 COVID-19 Aid to Impacted Industries ^

Community Violence Interventions

- 1.11 Community Violence Interventions *^

Behavioral Health

- 1.12 Mental Health Services *^
- 1.13 Substance Use Services *^

Other

- 1.14 Other Public Health Services^

2. Negative Economic Impacts

Assistance to Households

- 2.1 Household Assistance: Food Programs* ^
- 2.2 Household Assistance: Rent, Mortgage, and Utility Aid* ^
- 2.3 Household Assistance: Cash Transfers* ^
- 2.4 Household Assistance: Internet Access Programs* ^
- 2.5 Household Assistance: Paid Sick and Medical Leave ^
- 2.6 Household Assistance: Health Insurance* ^
- 2.7 Household Assistance: Services for Un/Unbanked*^
- 2.8 Household Assistance: Survivor's Benefits^
- 2.9 Unemployment Benefits or Cash Assistance to Unemployed Workers*^
- 2.10 Assistance to Unemployed or Underemployed Workers (e.g., job training, subsidized employment, employment supports or incentives) *^
- 2.11 Healthy Childhood Environments: Child Care*^
- 2.12 Healthy Childhood Environments: Home Visiting*^
- 2.13 Healthy Childhood Environments: Services to Foster Youth or Families Involved in Child Welfare System*^

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- 2.14 Healthy Childhood Environments: Early Learning*^
- 2.15 Long-term Housing Security: Affordable Housing*^
- 2.16 Long-term Housing Security: Services for Unhoused Persons*^
- 2.17 Housing Support: Housing Vouchers and Relocation Assistance for Disproportionately Impacted Communities*^
- 2.18 Housing Support: Other Housing Assistance*^
- 2.19 Social Determinants of Health: Community Health Workers or Benefits Navigators*^
- 2.20 Social Determinants of Health: Lead Remediation*^
- 2.21 Medical Facilities for Disproportionately Impacted Communities^
- 2.22 Strong Healthy Communities: Neighborhood Features that Promote Health and Safety^
- 2.23 Strong Healthy Communities: Demolition and Rehabilitation of Properties^
- 2.24 Addressing Educational Disparities: Aid to High-Poverty Districts^
- 2.25 Addressing Educational Disparities: Academic, Social, and Emotional Services*^
- 2.26 Addressing Educational Disparities: Mental Health Services*^
- 2.27 Addressing Impacts of Lost Instructional Time^
- 2.28 Contributions to UI Trust Funds^

Assistance to Small Businesses

- 2.29 Loans or Grants to Mitigate Financial Hardship^
- 2.30 Technical Assistance, Counseling, or Business Planning*^
- 2.31 Rehabilitation of Commercial Properties or Other Improvements^
- 2.32 Business Incubators and Start-Up or Expansion Assistance*^
- 2.33 Enhanced Support to Microbusinesses*^

Assistance to Non-Profits

- 2.34 Assistance to Impacted Nonprofit Organizations (Impacted or Disproportionately Impacted) ^

Aid to Impacted Industries

- 2.35 Aid to Tourism, Travel, or Hospitality^
- 2.36 Aid to Other Impacted Industries^

Other

- 2.37 Economic Impact Assistance: Other*^

3. Public Health- Negative Economic Impact: Public Sector Capacity

General Provisions

- 3.1 Public Sector Workforce: Payroll and Benefits for Public Health, Public Safety, or Human Services Workers
- 3.2 Public Sector Workforce: Rehiring Public Sector Staff
- 3.3 Public Sector Workforce: Other
- 3.4 Public Sector Capacity: Effective Service Delivery
- 3.5 Public Sector Capacity: Administrative Needs

4. Premium Pay

- 4.1 Public Sector Employees
- 4.2 Private Sector: Grants to Other Employers

5. Infrastructure

Water and Sewer¹⁶

- 5.1 Clean Water: Centralized Wastewater Treatment
- 5.2 Clean Water: Centralized Wastewater Collection and Conveyance
- 5.3 Clean Water: Decentralized Wastewater
- 5.4 Clean Water: Combined Sewer Overflows
- 5.5 Clean Water: Other Sewer Infrastructure
- 5.6 Clean Water: Stormwater
- 5.7 Clean Water: Energy Conservation
- 5.8 Clean Water: Water Conservation
- 5.9 Clean Water: Nonpoint Source
- 5.10 Drinking water: Treatment
- 5.11 Drinking water: Transmission & Distribution
- 5.12 Drinking water: Lead Remediation, including in Schools and Daycares
- 5.13 Drinking water: Source
- 5.14 Drinking water: Storage
- 5.15 Drinking water: Other water infrastructure
- 5.16 Water and Sewer: Private Wells
- 5.17 Water and Sewer: IJA Bureau of Reclamation Match
- 5.18 Water and Sewer: Other

Broadband

- 5.19 Broadband: “Last Mile” projects
- 5.20 Broadband: IJA Match
- 5.21 Broadband: Other projects

6. Revenue Replacement

- 6.1 Provision of Government Services
- 6.2 Non-federal Match for Other Federal Programs

7. Administrative Expenses

- 7.1 Administrative Expenses
- 7.2 Transfers to Other Units of Government

^Denotes areas where agencies and departments must report on Project Demographic Distribution. For projects with the designated ECs (EC 1.1-2.37), recipients will be asked to respond to the following questions on the quarterly Project and Expenditure Reporting tool:

- What Impacted and/or Disproportionally Impacted population does this project primarily serve? Please select the population primarily served.

¹⁶ Definitions for water and sewer Expenditure Categories can be found in the EPA’s handbooks. For “clean water” expenditure category definitions, please see: <https://www.epa.gov/sites/production/files/2018-03/documents/cwdefinitions.pdf>

For “drinking water” expenditure category definitions, please see: https://www.epa.gov/sites/default/files/2017-06/documents/dwsrf_eligibility_handbook_june_13_2017_updated_508_version.pdf

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- If this project primarily serves more than one Impacted and/or Disproportionately Impacted population, please select up to two additional populations served

*Denotes areas where agencies and departments must identify the amount of the total funds that are allocated to evidence-based interventions. For projects with the designated ECs, recipients will be asked to respond to the following prompts on the quarterly Project and Expenditure Reporting tool:

- The dollar amount of the total project spending that is allocated towards evidence-based interventions
- Indicate if a program evaluation of the project is being conducted

In addition to the quarterly Project and Expenditure reporting, agencies and departments will provide information on SFR funds that are being used for evidence-based interventions and/or being evaluated through rigorous program evaluations designed to build evidence through the annual Recovery Plan Performance Report. Treasury encourages recipients to invest SFR funds in evidence-based interventions, but based on guidance as of April 2022, there are no targets or required amounts specified to be spent on evidence-based interventions. For SFR purposes, evidence-based¹⁷ refers to interventions with strong or moderate evidence. Appendix 2 of the SLFRF Compliance and Reporting Guidance (page 40) describes Treasury's definitions for strong, moderate, and preliminary evidence.

Agencies and departments are exempt from reporting on evidence-based interventions in cases where a program evaluation is being conducted. In such cases where a program evaluation is being conducted, in lieu of reporting the amount of spending on evidence-based interventions, agencies/departments must describe the evaluation design including whether it is a randomized or quasi-experimental design; the key research questions being evaluated; whether the study has sufficient statistical power to disaggregate outcomes by demographics; and the timeframe for the completion of the evaluation. For more information on program evaluation and use of evidence, please see pages 31-32 of the SLFRF Compliance and Reporting Guidance for reporting under the annual Recovery Plan Performance report.

¹⁷ For investments in educational services, "evidence-based", consistent with the American Rescue Plan Act, has the meaning in section 8101(21) of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 6301 et seq.). Please see page 16 of this [Frequently Asked Questions resource](#) on the Department of Education's Elementary and Secondary School Emergency Relief Programs and Governor's Emergency Education Relief Programs for more information.

Appendix 3 - Required Data for the Project and Expenditure Report

Required Programmatic Data for Non-Infrastructure Projects

For projects assigned to the following Expenditure Categories, the information listed must be provided in each report.¹⁸

1. Public Health and Negative Economic Impact (EC 1.1-3.5)

- Brief description of structure and objectives of assistance program(s), including public health or negative economic impact experienced
- Brief description of how a recipient's response is related and reasonably and proportional to a public health or negative economic impact of COVID-19

Note: The final rule presumes that all enumerated eligible uses for programs and services, including COVID-19 mitigation and prevention programs and services, are reasonably proportional responses to the harm identified unless a response is grossly disproportionate to the type or extent of harm experienced. Between these two fields above, recipients should provide enough information to identify the type of enumerated eligible use being provided within the EC, the public health or economic impact experienced, who the program and/or service is being provided to, and what services are being provided. For enumerated eligible uses, recipients are not required to provide substantive documentation that the response is related and reasonably proportional in the Project and Expenditure Report.

2. Capital Expenditures (EC 1.1-3.5)

- Does this project include a capital expenditure?
- Total expected capital expenditure, including pre-development costs, if applicable
- Type of capital expenditure, based on the enumerated uses listed on pages 23-24 of the SLFRF Compliance and Reporting Guidance
- For projects with total expected capital expenditures for an enumerated eligible use of \$10 million or more, as well as projects with total expected capital expenditures for an "other" use of \$1 million or more, a written justification should be provided
- For projects with total expected capital expenditures of over \$10 million, labor reporting should be provided as outlined for infrastructure projects on pages 26 and 27 of the SLFRF Compliance and Reporting Guidance (also outlined under the Required Programmatic Data for Infrastructure Projects (EC 5) section below)

3. Use of Evidence (for projects assigned to ECs listed with an asterisk in Appendix 2)

- The dollar amount of the total project spending that is allocated towards evidence-based interventions
- Indicate if a program evaluation of the project is being conducted

4. Assistance to Small Businesses (EC 1.8, 2.29-2.33):

- Number of small businesses served (by program if recipient establishes multiple separate small businesses assistance programs)

¹⁸ [Coronavirus State and Local Fiscal Recovery Funds Guidance on Recipient Compliance and Reporting Responsibilities](#) (p. 23-28)

5. Assistance to Non-profits (EC 1.9, 2.34):

- Number of non-profits served (by program if recipient establishes multiple separate nonprofit assistance programs)

6. Household Assistance (EC 2.1-2.8):

- Number of households served (by program if recipient establishes multiple separate household assistance programs)

7. Education Assistance (EC 2.14, 2.24-2.27):

- The National Center for Education Statistics (“NCES”) School ID or NCES District ID. List the School District if all schools within the school district received some funds. If not all schools within the school district received funds, list the School ID of the schools that received funds. These can allow evaluators to link data from the NCES to look at school-level demographics and, eventually, student performance.¹⁹

8. Aid to Travel, Tourism, and Hospitality or Other Impacted Industries (EC 1.10, 2.35-2.36):

- If aid is provided to industries other than travel, tourism, and hospitality (EC 2.36), please describe if the industry experienced at least 8 percent employment loss from pre-pandemic levels, or the industry is experiencing comparable or worse economic impacts as the national tourism, travel, and hospitality industries as of the date of the Final Rule, and rationale for providing aid to the industry.²⁰
- For each subaward:
 - Sector of employer (Note: additional detail, including list of sectors, to be provided in the user guide)
 - Purpose of funds (e.g., payroll support, safety measure implementation)

9. Public Sector Workforce: Payroll and Benefits for Public Health, Public Safety, or Human Services Workers (EC 3.1):

- Number of government FTEs responding to COVID-19 supported under this authority

10. Public Sector Workforce: Rehiring Public Sector Staff (EC 3.2):

- Number of FTEs rehired by governments under this authority

11. Premium Pay (both Public Sector EC 4.1 and Private Sector EC 4.2):

- List of sectors designated as critical to protecting the health and well-being of residents by the chief executive of the jurisdiction, if beyond those included in the final rule
- Number of workers to be served
- Employer sector for all subawards to third-party employers (i.e., employers other than the State, local, or Tribal government)
- Number of workers to be served with premium pay in K-12 schools
- For groups of workers (e.g., an operating unit, a classification of worker, etc.) or, to the extent applicable, individual workers, that do not meet **one** of the following criteria, recipient must submit a written justification to Treasury describing how the premium

¹⁹ For more information on NCES identification numbers see <https://nces.ed.gov/ccd/districtsearch/> (districts) and <https://nces.ed.gov/ccd/schoolsearch/> (schools).

²⁰ [Project and Expenditure Report User Guide](#) - April 22

pay or grant is responsive to workers performing essential work during the public health emergency:

- the eligible worker(s) receiving premium pay is earning (with the premium included) below 150 percent of their residing state or county's average annual wage for all occupations, as defined by the Bureau of Labor Statistics Occupational Employment and Wage Statistics; whichever is higher, on an annual basis **or**
- the eligible worker(s) receiving premium pay is not exempt from the Fair Labor Standards Act overtime provisions.
- A **brief written narrative** justification describes how the premium pay or grant is responsive to workers performing essential work during the public health emergency. This could include a description of the essential workers' duties, health or financial risks faced due to COVID-19, and why the recipient government determined that the premium pay was responsive to workers performing essential work during the pandemic. This description should not include personally identifiable information; when addressing individual workers, recipients should be careful not to include this information. Recipients may consider describing the workers' occupations and duties in a general manner as necessary to protect privacy.

Required Programmatic Data for Infrastructure Projects (EC 5):

Each project will be required to report the following expenditure:

1. All infrastructure projects (EC 5):

- Projected/actual construction start date (month/year)
- Projected/actual initiation of operations date (month/year)
- Location type and location details (for broadband projects, there will be a field for upload of a geo location data file, including latitude and longitude).
- For projects over \$10 million (based on expected total cost):
 - a. A recipient may provide a certification that, for the relevant project, all laborers and mechanics employed by contractors and subcontractors in the performance of such project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the "Davis-Bacon Act"), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed, or by the appropriate State entity pursuant to a corollary State prevailing-wage-in-construction law (commonly known as "baby Davis-Bacon Acts"). If such certification is not provided, a recipient must provide a project employment and local impact report detailing:
 - The number of employees of contractors and sub-contractors working on the project;
 - The number of employees on the project hired directly and hired through a third party;
 - The wages and benefits of workers on the project by classification; and

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- Whether those wages are at rates less than those prevailing.²¹
 - Recipients must maintain sufficient records to substantiate this information upon request.
- b. A recipient may provide a certification that a project includes a project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)). If the recipient does not provide such certification, the recipient must provide a project workforce continuity plan, detailing:
- How the recipient will ensure the project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure high-quality construction throughout the life of the project, including a description of any required professional certifications and/or in-house training;
 - How the recipient will minimize risks of labor disputes and disruptions that would jeopardize timeliness and cost-effectiveness of the project;
 - How the recipient will provide a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities, including descriptions of safety training, certification, and/or licensure requirements for all relevant workers (e.g., OSHA 10, OSHA 30);
 - Whether workers on the project will receive wages and benefits that will secure an appropriately skilled workforce in the context of the local or regional labor market; **and**
 - Whether the project has completed a project labor agreement.
- c. Whether the project prioritizes local hires.
- d. Whether the project has a Community Benefit Agreement, with a description of any such agreement.

For all projects listed under the Water, Sewer, and Broadband Expenditure Categories, more detailed project-level information is required as follows:

2. **Water and sewer projects (EC 5.1-5.18):**

- National Pollutant Discharge Elimination System (NPDES) Permit Number (if applicable; for projects aligned with the Clean Water State Revolving Fund)
- Public Water System (PWS) ID number (if applicable; for projects aligned with the Drinking Water State Revolving Fund)
- Median Household Income of Services Area
- Lowest Quintile Income of the service area
 - For median income and lowest quintile income of Census Tracts and other geographic areas, recipients should refer to the most recent American Community Survey 5-year estimates available through the Census website.²²

²¹ As determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed.

²² [Project and Expenditure Report User Guide](#) - April 22

3. Broadband projects (EC 5.19-5.21):

- Confirm that the project is designed to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds. If the project is not designed to reliably meet or exceed symmetrical 100 Mbps download and upload speeds, explain why not. Confirm that the project is designed to, upon completion, meet or exceed symmetrical 100 Mbps download speed and between at least 20 Mbps and 100 Mbps upload speed, and be scalable to a minimum of 100 Mbps download speed and 100 Mbps upload speed.
- Please note: additional programmatic data will be required for broadband projects beginning in July 2022 and will be defined in a subsequent version of the Reporting Guidance

Appendix 4 – Labor Requirements for SFR Construction Projects

State Prevailing Wage Requirements (projects with SFR funding of \$200,000 or more)

Vermont Act 83, Section 71a outlines prevailing wage requirements for all contracts awarded for maintenance, construction, or improvement projects receiving \$200,000 or more in SFR funding.

State agencies and departments should refer to the [Buildings and General Services website](#) for further details on navigating applicable state labor requirements for SFR construction projects. This page will be updated soon to provide guidance on the application of this state requirement.

Federal Requirements (for projects with an expected total cost above \$10,000,000)

For all capital or infrastructure projects with an expected total cost over \$10 million, agencies and departments should ensure that the outlined labor requirements below are met for any grants, contracts, and subcontracts that are associated with these projects. (Note that “recipient,” as used below, refers to the State agencies and departments that oversee the SFR infrastructure and capital projects subject to these requirements). Please refer to the [Buildings and General Services website](#) for updates on navigating the state and federal labor requirements for SFR construction projects.

“For projects over \$10 million (based on expected total cost):

a. A recipient may provide a certification that, for the relevant project, all laborers and mechanics employed by contractors and subcontractors in the performance of such project are paid wages at rates not less than those prevailing, as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed, or by the appropriate State entity pursuant to a corollary State prevailing-wage-in-construction law (commonly known as “baby Davis-Bacon Acts”). **If such certification is not provided**, a recipient must provide a project employment and local impact report detailing:

- The number of employees of contractors and sub-contractors working on the project;
- The number of employees on the project hired directly and hired through a third party;
- The wages and benefits of workers on the project by classification; **and**
- Whether those wages are at rates less than those prevailing.²³

Recipients must maintain sufficient records to substantiate this information upon request.

b. A recipient may provide a certification that a project includes a project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act

²³ As determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed.

(29 U.S.C. 158(f)). **If the recipient does not provide such certification**, the recipient must provide a project workforce continuity plan, detailing:

- How the recipient will ensure the project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure high-quality construction throughout the life of the project, **including a description of any required professional certifications and/or in-house training;**
- How the recipient will minimize risks of labor disputes and disruptions that would jeopardize timeliness and cost-effectiveness of the project;
- How the recipient will provide a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities, **including descriptions of safety training, certification, and/or licensure requirements for all relevant workers (e.g., OSHA 10, OSHA 30);**
- Whether workers on the project will receive wages and benefits that will secure an appropriately skilled workforce in the context of the local or regional labor market; **and**
- Whether the project has completed a project labor agreement.

c. [Report] whether the project prioritizes local hires.

d. [Report] whether the project has a Community Benefit Agreement, with a description of any such agreement.²⁴

²⁴ [Coronavirus State and Local Fiscal Recovery Funds Guidance on Recipient Compliance and Reporting Responsibilities](#) (p. 27)