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**UNITED STATES DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY**

**Energy Cooperatives to support the
National Coal Resources Data System
(NCRDS)**

PROGRAM ANNOUNCEMENT G15AS00051

**For Fiscal Years 2015 to 2019
ISSUE DATE: March 10, 2015**

**CLOSING DATE & TIME:
April 14, 2015 4:00 p.m. EDT**

PAPERWORK REDUCTION ACT STATEMENT: The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et. seq.) requires us to inform you that this information is being conducted for the National Coal Resources Data System (NCRDS) to receive and review proposals to provide geologic data and conduct research. The response to this request is required to obtain and retain benefits. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number. Direct comments regarding the burden estimate or any other aspect of this collection of information should be directed to: Information Collection Clearance Officer, U.S. Geological Survey, gs-info_collections@usgs.gov.

TABLE OF CONTENTS

	Page
Funding Opportunity	3
Award Description	3
Application Topic Eligibility	4
Applicant Eligibility and Timetables.....	4
Application Submission Procedure	5
Application Instructions and Format.....	6
Application Evaluation Procedure and Criteria	11
Reporting Requirements and Instructions	12
Reporting Requirements and Agency Contacts	13
Attachment A: Award Terms and Conditions	15
Attachment B: General Provisions	29

HELP!

For all technical questions about applying through *Grants.gov*, call the *Grants.gov* Help Desk at: 1-800-518-GRANTS

For questions concerning this Program Announcement, please see page 14.

**Energy Cooperatives to support the National Coal Resources
Data System
Announcement for Fiscal Years 2015 to 2019
CFDA 15.819**

I. Funding Opportunity Description

The Energy Resources Program (ERP) of the U.S. Geological Survey (USGS) is offering a five-year cooperative agreement opportunity, renewed annually based on available funds, to State agencies and institutions of higher education. The purpose of this Program Announcement is to help fund States' ability to conduct research on United States (US) solid-fuel, conventional, and geothermal energy resources at the State level and assist in dissemination of results to the US public through USGS provision of technical expertise, scientific equipment and facilities otherwise not available to the States. Legal authority for this program is provided under 43 USC 36d and 30 USC208-1. Funded work includes the generation of stratigraphic, geochemical, geotechnical and Geographic Information System (GIS) data on solid-fuel, conventional, and geothermal energy resources. Assessment of energy resources at the State level serves the public purpose of wise resource stewardship. Reports resulting from the agreements, in many cases co-authored by USGS staff, are disseminated to the public through multiple avenues, the most prominent being USGS National Coal Resources Data System (NCRDS) national databases and ERP energy assessment projects that are regional and national in scope. Joint recipient and USGS research on coal and other solid-fuel, conventional, and geothermal energy is conducted within the context of environmental concerns and economic framework. Results of energy resource assessments and energy-derived environmental impact assessments in the US assist in formulation of public policy and sound use of energy resources by industry.

II. Award Description

The total amount of funding available for this Program Announcement is expected to be about \$300,000 annually for fiscal years FY 2015 through FY 2019, subject to the availability of funds. As of the posting date of this Announcement the Federal appropriations process for FY 2015 was not complete. If changes are required because of the appropriations process, notice will be distributed by the same means as this notice. If no further notice is received, the dates and amounts reported here should be taken as firm.

Individual applications are restricted to a maximum annual funding level of \$15,000. Work performance under these awards must be completed within the five-year cycle from the start date. The start date will be determined by the timing of funds availability and the signing of the award, although July 1, 2015 is the anticipated start date for work proposed under this program announcement. Substantial involvement of the USGS is anticipated to integrate project products into national databases, collaborate in the

analysis and publishing of results, and provide final dissemination of the data to the public; therefore awards will be cooperative agreements.

III. Eligibility Information

A. Topic eligibility

The USGS Energy Resources Program's use of the National Coal Resources Data System (NCRDS) since 1975 has focused on compiling digital information at a national scale on the occurrence and distribution of coal and its chemical attributes. Information is stored in databases, the most active being the U.S. Stratigraphy (USTRAT) database - a point source database on coal occurrence that currently has more than 400,000 entries. The USTRAT database provides the geologic knowledge base for coal resource assessments at both Federal and State levels. Priority objectives for USTRAT are to collect, interpret, and correlate stratigraphic coal data, as well as to acquire or generate related chemical and GIS data. Priority GIS data include outcrop, areas of mining, and other relevant societal or environmental energy-related GIS layers. Point-source data from energy exploration activities across the country will continue to be added to USTRAT for compilation in national databases. Historically, the submission of data in a wide range of formats has been problematic and standardization of information on the location, quality, quantity, and availability of U.S. energy resources is necessary. Therefore submittal of digital information under this Announcement must follow data format guidelines provided by the USGS.

Other acceptable application topics include information related to coal beds, along with environmental, unconventional oil and gas, conventional oil and gas and geothermal energy that can be used to support regional or national studies (such as gas occurrence, gas storage potential, produced gas and water chemical attributes, well completion and production data, and geotechnical data related to coal conversion processes). Also considered are projects that characterize organic-rich shales (i.e. hydrocarbon-, gas-, kerogen-rich shales), through geophysical or seismic data, sample collection for generation of thermal maturity data, and other geologic information that can be used to support resource assessments.

B. Applicant eligibility

Applicants can be affiliated (but are not required to be affiliated) with State agencies, universities, Tribal governments or organizations. Applicants must have the ability to conduct research consistent with the Energy Resources Program goals (see 'Application Topic Eligibility' section above). Applicants must not be employed by a U.S. Federal agency.

Discussion and coordination between internal and external researchers is encouraged; however, USGS personnel are prohibited from helping an external organization prepare its application for competitive funding.

Application announcement date: **March 10, 2015**

Applications must be submitted by the closing date of **April 14, 2015**

All work must be completed by the end of the five-year cycle (dependent upon actual project period of performance) and final reports generated within 90 days of completion.

IV. Application Submission Procedure

Applicant must be registered at <http://www.grants.gov>. Start with the Applicants > Applicant Resources on the menu bar at the top of the home page. Once registered, go to the Applicants > Applicant Actions on the menu bar at the top of the home page and search for this Program Announcement. You may be required to download free Adobe Reader software to open the application forms. Information and download links are available at <http://www.grants.gov/web/grants/support/technical-support/recommended-software.html>

Applicants are to submit applications electronically at <http://www.grants.gov> no later than April 14, 2015 @ 4:00 p.m. EDT. If you have questions concerning the submission process, please contact Lillian Cephas, at (703) 648-7202, lcephas@usgs.gov. Applicants will receive an automated email response from Grants.gov to acknowledge receipt of submitted applications. Although no changes to the program announcement are anticipated, check back periodically at www.grants.gov to make certain no modifications have been issued.

Applications submitted through <http://www.grants.gov> after the closing date and time may not be considered for award. If it is determined that an application will not be considered due to lateness, the applicant will be so notified immediately.

NOTE: An award grant issued by the USGS Office of Acquisition and Grants is required for the recipient agency to obligate USGS funds. Costs may be incurred only after the receipt of an award signed by the Contracting Officer of the USGS (see Appendix A. 'Award Terms and Conditions').

Submit the following documents and forms:

- Standard Form 424 Application for Federal Assistance
 - Mandatory form provided in grants.gov. The person who electronically submits the SF-424 must have the authority to bind the organization to the terms of the assistance award.
- Standard Form 424A Budget Information Non-Construction Programs
 - Mandatory form provided in grants.gov
- Standard Form 424B Assurances Non-Construction Programs
 - Mandatory form provided in grants.gov
- Project Narrative
 - For five-year period (see format and content below)

- Budget Breakdown Sheet
 - Attach one sheet for each year to project narrative. Please read section “Budget Sheets” below for more information.
- Negotiated Rate Agreement
 - Most States and universities have an indirect cost rate agreement. They are usually titled “State and Local Rate Agreement” or “Colleges and Universities Rate Agreement.” The document provides the rates approved for use on grants, contracts, and other agreements with the Federal Government that apply to the indirect cost rate listed in the project budget. This should be included as an attachment at the end of the project narrative.
- Mandatory or other optional documents such as letters of support can be submitted as a single file at the end of the project narrative.

V. Application Instructions and Format

Please prepare your application according to the format provided below, following the detailed instructions provided. Following this format ensures that every application contains all essential information and is evaluated equitably. **Failure to follow these guidelines may result in your application not being considered.**

Applicants need to complete the following required forms: SF-424, SF-424a, and SF-424b. Instructions are attached to these forms and more detailed instructions follow.

A. Completing Forms

1. SF-424 Application for Federal Assistance

Follow instructions provided with SF-424. All blocks in yellow must be filled out or the application submission will be rejected by grants.gov. In addition please note the below:

Item 2. Type of Application - **New**

Item 11. Catalog of Federal Domestic Assistance Number - **15.819. Title – Energy Cooperatives to support the National Coal Resources Data System**

Item 15. Descriptive Title of Applicant's Application - Please make your title both descriptive and unique.

Item 17. Proposed Project Start and End Dates – The start date should be July 1, 2015. The end date should be one day short of five years after the start date, June 30, 2020.

Item 18 Estimated Funding – provide numbers for the five-year total

Item 19. Is Application Subject to Review By State Under Executive Order 12372 Process? **Select C.** Program is not covered by E.O. 12372.

2. SF-424A Budget Information

Follow instructions provided with SF-424A. In addition please note the below:

Section B - Budget Categories

In Column 1 indicate cost category allocation of Federal funds.

In Column 2 indicate cost category allocation of applicant in-kind match.

Section E- Budget Estimates of Federal Funds Needed for Balance of the Project

Fill in federal budget totals for the remaining four years. Funding for future years is dependent on availability.

3. SF-424B Assurances – Non-Construction Programs

Please read the form, which will be pre-populated with the authorized representative information from Grants.gov at the point of submission.

B. Project Narrative

1. Cover Sheet

The first page of the application must contain the following information:

Project Title:

Principal Investigator(s) (person we can contact, if needed):

Name:

Name of university, state agency, or other organization:

Address:

Phone:

FAX:

Email:

Total Funds Requested: \$ _____

2. Project Text. The text (a-f below, including figures and tables), should be ***no longer than 10 pages*** when printed on letter-size paper, with 1-inch margins and a font size no smaller than 12 points. All geographic-based applications should include an index map showing the location of the proposed study area(s).

Applications not following these guidelines will not be considered. Please include the following sections:

- a. Statement of Problem. Give a brief introduction to the research problem or need for the work to be performed.
- b. Objectives. Clearly define goals and objectives of project.
- c. Relevance and Impact. Explain why the work is important. Specify the contribution relative to regional or national energy resource issues.

- d. Work Plan. This section should include a fairly detailed discussion of the work plan, accomplishments schedule, and technical approach. Identify types of data to be generated or collected and the geographic areas and stratigraphic intervals to be covered and the time frame over the multi-year period.
 - e. Prior Work, On-going Work, and Preliminary Results. If relevant, provide a brief summary of findings or outcomes of any prior work you or others have completed in this area. If on-going work is being funded through another source of funds, specify what work is already funded and what work will be conducted with funds requested in this application.
 - f. Planned Products – Dissemination of Findings. List intended product(s) (reports, analyses, digital data, etc.) that will be delivered at the end of the project period to satisfy the Final Technical Report requirement (see ‘Reporting Requirements and Instructions’ section below). Identify customers other than the USGS that would benefit from the results of your research and describe any plan for dissemination of project data and results beyond the requirements for a Final Technical Report.
 - g. References Cited. List all references to which you refer in text and recent references from your past work in the field that the research problem addresses.
 - h. Project Personnel. List the Principal Investigator first, followed by the names and titles of other individuals. Indicate the role for each participant in the project (geologist, geochemist, field assistant, etc.). Include a **brief** vita for each person. Emphasize previous experience in the field of study that the application addresses.
3. Budget Sheets. A budget sheet for each year is required that provides more detail than what is entered under the SF-424A form. In this budget breakdown sheet please separate federal from cost-sharing funds (see ‘In-kind Resource Match’ section below). It is understood that this information is estimated; therefore, prior approval of the Contracting Officer is not required for transfer of funds between direct cost categories when the cumulative amount of the transfers during the performance period does not exceed ten percent (10%) of the total USGS cash award. Prior written approval is required from the Contracting Officer for transfers of funds in excess of the ten percent limitation.

A set cost-sharing percentage for the recipient is not mandated, but a 50 percent match of in-kind services is encouraged and should be denoted within the budget as cost sharing. Please include the following categories for both federal and cost-sharing funds:

- a. Salaries and Wages. List names, titles of positions, and rate of compensation of personnel. If contract employees are hired, include their total time, rate of compensation, job titles, and roles.
- b. Fringe benefits/labor overhead. Indicate the rates/amounts in conformance with normal accounting procedures. Explain what costs are covered in this

category, the basis of the rate computations and audit agency if rates are audit-approved.

- c. Field Expenses. Briefly itemize the estimated travel costs (i.e., number of people, number of travel days, lodging and transportation costs, and other travel costs such as mileage and per diem).
- d. Lab Analyses. Briefly itemize cost of all analytical work. Include geochemical analyses, geotechnical analyses, etc.
- e. Supplies. Enter the cost for all tangible property less than \$5,000 acquisition cost. Separate the cost of office, laboratory, computing, and field supplies.
- f. Equipment. Show the cost of all special-purpose equipment necessary for achieving the objectives of the project. "Special-purpose equipment" means scientific equipment having a useful life of more than 1 year and having an acquisition cost of \$5,000 or more per item. Each item should be itemized and include a full justification and a dealer or manufacturer quote, if available. General-purpose equipment must be purchased from the applicant's operating funds. Title to non-expendable personal property shall be vested solely with the Recipient. Under no circumstances shall property title be vested in a sub-tier recipient. If new equipment is critical for conducting the proposed research, then cost-sharing with the PI's institution or a third party for equipment purchases is encouraged.
- g. Services or consultants. Identify the tasks or problems for which such services would be used. Identify proposed contractors by name (including consultants), the estimated amount of time required, and the quoted rate per day or hour.
- h. Travel (non-field related). State the purpose and destination of the trip and estimate travel costs to show the number of trips required, the number of people traveling, the per diem rates, and the cost of transportation. Calculations of other special transportation costs (such as charges for use of applicant-owned vehicles or vehicle rental costs) should also be shown.
- i. Publication costs. Show the estimated cost of publishing the results of the research, including the final report. Include costs of drafting or graphics, reproduction, page or illustration charges, and a minimum number of reprints. Publication costs covered by the recipient should be included under cost-sharing.
- j. Other direct costs. Itemize the different types of costs not included elsewhere; such as, shipping, computing, equipment-use charges, or other services.
- k. Total Direct Charges. Total of direct charges (a through j) for federal and cost-sharing.
- l. Indirect Charges (Overhead). Indirect cost/general and administrative (G&A) cost. Show the proposed rate, cost base, and proposed amount for indirect costs based on the cost principles applicable to the Applicant's organization. If the Applicant has separate rates for recovery of labor overhead and G&A costs, each charge should be shown. A copy of the negotiated indirect cost rate agreement should be included. Be sure that indirect charges apply only to those direct cost items allowable under the negotiated cost rate agreement.

- Usually, sub-contract direct costs are either excluded from indirect charges, or there is a cap on the amount of subcontract costs eligible for indirect charges.
- m. Amount proposed. Total direct and indirect costs to be requested of the USGS and those that are cost-sharing.
 - n. Multi-year projects. The Applicant shall provide a detailed budget for each of the five years. Future years will depend on availability of funds.

In-Kind Resource Match

- Examples of in-kind resource match are: salaries, contract support, student assistance fees, travel expenses, venue costs, software purchase equipment dedicated to the project, computer servers hosting data, production of outreach materials, and indirect costs or overhead charges. All contributions, including cash and third party in-kind, will be accepted as part of the recipients' in-kind match when such contributions meet all of the following criteria:
 - verifiable from the recipients' records.
 - not included as contributions for any other federally-assisted project or program.
 - necessary and reasonable for proper and efficient accomplishment of project or program objectives.
 - allowable under the applicable cost principles.
 - not paid by the Federal Government under another award, except where authorized by Federal statute to be used for cost matching.
 - provided for in the approved budget when required by the Federal awarding agency.
 - Conform to the provision of the appropriate OMB Circular, as applicable.

- Unrecovered indirect costs may be included as part of the in-kind match.

- Volunteer services furnished by professional and technical personnel, consultants, and other skilled and unskilled labor may be counted as in-kind match if the service is an integral and necessary part of the project. Rates for volunteer services shall be consistent with those paid for similar work in the recipient's organization. In those instances in which the required skills are not found in the recipient organization, rates shall be consistent with those paid for similar work in the labor market in which the recipient competes for the kind of services involved. In either case, paid fringe benefits that are reasonable, allowable, and allocable may be included in the valuation.

- Match calculation: For example, with a request for an award of \$5,000 of Federal assistance, a 50% in-kind match contribution by the applicant would be \$2,500 in value for a total of \$7,500 value committed to the project (\$5,000 and \$2,500 Federal and applicant, respectively).

- Applicant must document the amount and type of in-kind resource that will be contributed to the fulfillment of the project and include this information in the detail budget breakdown.
- (The DI-2010 U.S. Department of the Interior Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying is required but is not yet available through Grants.gov. This form will be completed when the grant/cooperative agreement is awarded).

VI. Application Evaluation Procedure and Criteria

Applications will be reviewed by an ad-hoc panel. All reviewers will have expertise in energy resources and familiarity with the objectives of the ERP and NCRDS and will provide a written evaluation.

A set cost-sharing percentage for the recipient is not mandated, but a 50 percent match of in-kind services is encouraged and should be denoted within the budget as cost sharing.

All applications will be considered in accordance with the criteria written below:

A. Scientific Quality and Impact

1. How well does this work (1) advance the understanding of (a) the occurrence, quality, quantity, and environmental characteristics of solid-fuel energy resources, (b) the fundamental processes that create and modify them, or (c) the life cycle of solid –fuel energy materials; or (2) contribute to assessing energy resources; or interpreting the potential environmental impact of development?
2. To what extent does this work contribute to resolution of issues involving the economy, sustainable use, land stewardship, environmental impact, or public health with regard to energy?

B. Work Plan and Technical Approach

1. How clear are the objectives and scientific strategy for completion?
2. How appropriate is the time frame for the proposed scientific objectives?
3. How appropriate are the geographic areas selected for study?
4. How appropriate are the proposed deliverables?

C. Experience/Competence of Research Personnel

1. For previous NCRDS award recipients:
 - a. Was publication or data generation achieved in a timely manner?
 - b. Were reporting requirements from previous NCRDS awards satisfied?
 - c. Was the work completed in a competent fashion?
2. Has the applicant demonstrated (through bibliographic references, previous experience, awards, etc.) that they are capable of doing the proposed research?

3. Has the applicant demonstrated a thorough knowledge of the scientific problem?

D. Budget Justification and Clarity

1. Is staff sufficient to accomplish the proposed goals?
2. Are field expenses, supplies, lab work, and other expenses appropriate?
3. Are expenses adequately itemized?
4. Is cost-sharing proposed?
5. Appropriateness and reasonableness of the budget. This factor considers whether the proposed budget is commensurate with the level of effort needed to accomplish project objectives and whether the cost of the project is reasonable relative to the value of the anticipated results.

E. Planned Products and Dissemination of Results

1. How clearly defined are the final products?
2. How likely are these products to be produced in the proposed time frame with resources requested?
3. What kind of plan is provided for dissemination of the project results to the scientific community and general user community (i.e., appropriate professional organizations; local, State, regional and federal agencies; and the general public)?

F. Report Preparation Instructions

1. Final Technical Report: A final report that summarizes findings or data submittal progress is due within 90 days following the expiration of the grant agreement. Data submittal progress should include the number of points, analyses, or GIS layers and their geographic distribution. The final report may be mailed electronically, but should also be submitted as a PDF file or WORD doc on a CD-ROM or DVD-ROM to:

NCRDS Technical Officer
Joseph A. East
U.S. Geological Survey
956 National Center
12201 Sunrise Valley Drive
Reston, VA 20192
E-Mail: jeast@usgs.gov

Format for Final Technical Report

- a. Title page must contain the following information:
 - Award number
 - Name of principal investigator(s)
 - Title of the report
 - Date of report

- Statement that reads as follows:
“Research supported by the U.S. Geological Survey (USGS), Department of the Interior, under USGS award number [recipient insert award number]. The views and conclusions contained in this document are those of the authors and should not be interpreted as necessarily representing the official policies, either expressed or implied, of the U.S. Government.”

b. It is recommended that the final report follow the format used by the USGS for Open-File Reports (WORD template available on the NCRDS WIKI or through the USGS Technical Officer). Any figures, tables, or equations should be embedded in the report and included in the PDF or WORD file. Provide alternative text for each figure, table, and equation; this text, combined with the caption or title, should convey to the non-sighted person what the image or equation conveys to the sighted person.

c. The report should contain a list of citations for all publications (including abstracts) that may have resulted from work funded by the USGS. Publication means any book, report, photograph, map, chart, or recording published or disseminated to the scientific community. Preprints of any articles submitted for publications can be accepted as final reports. All publications that contain work performed during the project period shall include the following statements:

“Research supported by the U.S. Geological Survey (USGS), Department of the Interior, under USGS award number (recipient, insert award number). The views and conclusions contained in this document are those of the authors and should not be interpreted as necessarily representing the official policies, either expressed or implied, of the U.S. Government.”

2. Progress Report: Recipients shall submit an annual progress report within 30 days after the end of the funding period. Work that was proposed for the first year should have been completed in that year. Page 1 of the report should include (a) the award number, (b) the Principal Investigator’s name, and (c) the title of the research project. The progress report shall consist of accomplishments, unanticipated problems encountered, plans for solving unanticipated problems, and any other information pertinent to the progress of the project. Funding not expended by the award recipient during the year must also be explained in the Progress Report. The Progress Report should be submitted as an Adobe Acrobat PDF file or WORD document via e-mail attachment to the USGS Technical Officer with “Progress Report for NCRDS award [recipient insert award number]” in the subject line.

VII. Notification and Agency Contacts

A. Notification

The contact person listed on the first page of the SF-424 will be notified via postal mail whether or not a proposal was selected for award or an explanation as to why it was not selected. The formal authorizing notice of award will come from the USGS Grants Specialists in the form of the Assistance Award document. This document contains the

project start and end dates, the funding amount, and all the administrative details for the project. When this is received the project can commence.

B. Award Terms and Conditions

Award Recipient must comply with award Terms and Conditions (Attachment A) and General Provisions (Attachment B). Submittal of an application constitutes the applicant's acceptance of the terms and conditions for inclusion on any award resulting from their application. Any concerns with the requirements of the Special Terms and Conditions shall be presented to the Contracting Officer at least three (3) days prior to the closing date of the Announcement.

C. Grants.gov

For technical questions concerning the application process at *Grants.gov*:

Grants.gov Help Desk at:
Phone: 1-800-518-GRANTS
E-Mail: support@grants.gov

USGS Grants.gov contact:
Laura Mahoney
(703) 648-7344 Phone
E-Mail: lmahoney@usgs.gov

D. Program Announcement

Direct questions concerning this Program Announcement to:

Lillian Cephas, Grant Specialist
U.S. Geological Survey
Office of Acquisition and Grants
National Center, Mail Stop 205
Reston, VA 20192
Phone: (703) 648-7202
E-Mail: lcephas@usgs.gov

E. National Coal Resources Data System

Direct questions for contents, goals, and objectives of the NCRDS program to:

Joseph A. East
U.S. Geological Survey
Mail Stop 956
12201 Sunrise Valley Drive
Reston, Virginia 20192
E-Mail: jeast@usgs.gov
Phone: 703-648-6450

Fax: 703-648-6419

Attachment A
Award Terms and Conditions
(This information applies to awarded cooperative agreements)

Progress Reports

- a) The Recipient shall submit two copies of each Progress Report to the USGS Project Officer and one copy of the transmittal letter to the USGS Contracting Officer. Unless otherwise specified in this Agreement, annual progress reports should be submitted at least sixty (60) days prior to the end of the current budget period to allow adequate time for the designated office to review the report. In the case of multi-year Agreements, failure to submit timely reports may delay processing of funding increments. For Agreements with a total anticipated performance period of twelve months (12) months or less, only a Final Technical Report will be required. A progress report is not required in the final budget year, unless the Recipient requests an extension to the project period.

- b) The progress reports shall include the following information:
 - (i) A comparison of actual accomplishments to the objectives of the Agreement established for the budget period and overall progress in response to the performance metrics.
 - (ii) The reasons why established goals were not met, if appropriate.
 - (iii) Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.
 - (iv) An outline of anticipated activities and adjustments to the program during the next budget period.

- c) Between the required reporting dates, events may occur which have significant impact upon the project or program. In such cases, the Recipient shall inform the USGS as soon as the following types of conditions become known:
 - (i) Problems, delays, or adverse conditions which will materially impair the ability to meet the objective of the Agreement. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation.
 - (ii) Favorable developments which enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

Final Technical Report

- a) The Recipient shall submit two copies of the final technical report to the USGS Project Officer and one copy of the transmittal letter to the USGS Contracting Officer. The final performance report will be due 90 calendar days after the period of performance end date.

- b) The final technical report shall document and summarize the results of Recipient's work. The report shall include a quantitative description of activities and overall progress in response to the performance metrics which documents and summarizes the results of the entire Agreement. The final report shall include tables, graphs, diagrams, sketches, etc., as required to explain the results achieved under the Agreement. The report shall also include recommendations and conclusions based upon both the experience and the results obtained.

Annual Financial Reports

- a) The Recipient will submit an annual SF 425, Federal Financial Report, for each individual USGS award. The SF 425 is available at http://www.whitehouse.gov/omb/grants_forms. The SF 425 will be due ninety (90) calendar days after the grant year (i.e., 12 months after the approved effective date of the Agreement and every 12 months thereafter until the expiration date of the Agreement). USGS acknowledges that this annual reporting schedule may not always correspond with a specific budget period.
- b) The SF 425 must be submitted electronically through the FedConnect Message Center (www.fedconnect.net) or, if FedConnect is not available, by e-mail to SF425@usgs.gov with a cc to the Contracting Officer. Recipient must include the USGS award number in the subject line of all correspondence. If, after 90 days, Recipient has not submitted a report, the Recipient's account in ASAP will be placed in a manual review status until the report is submitted.

Final Financial Report

- a) The Recipient will liquidate all obligations incurred under the award and submit a final SF 425, Federal Financial Report in accordance with D.3.b. no later than 90 calendar days after the Agreement completion date.
- b) Recipient will promptly return any unexpended federal cash advances or will complete a final draw from ASAP to obtain any remaining amounts due. Once 120 days has passed since the Agreement completion date, USGS shall unilaterally deobligate federal funds as reflected in the Final SF425.
- c) Subsequent revision to the final SF 425 will be considered only as follows:
 - i. When the revision results in a balance due to the Government, the Recipient must submit a revised final SF 425, Federal Financial Report, and refund the excess payment whenever the overcharge is discovered, no matter how long the lapse of time since the original due date of the report.
 - ii. When the revision represents additional reimbursable costs claimed by the Recipient, a revised final SF 425 may be submitted to the USGS Contracting Officer with an explanation. If approved, the USGS will

either request and pay a final invoice or reestablish the ASAP subaccount to permit the Recipient to make a revised final draw. Any revised final report representing additional reimbursable amounts must be submitted no later than 1 year from the due date of the original report, i.e., 15 months following the Agreement completion date. USGS will not accept any revised SF 425 covering additional expenditures after that date and will return any late request for additional payment to the Recipient.

Publications

a) Acknowledgement

Recipient is required to place an acknowledgment of USGS support and a disclaimer, as appropriate, on any publication written or published with such support and, if feasible, on any publication reporting the results of, or describing, a grant-supported activity. An acknowledgment shall be to the effect that:

The project described in this publication was supported by Grant/Cooperative Agreement Number (insert agreement number) from the United States Geological Survey. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the USGS.

b) Publication

Publication of the results of any project carried out under this assistance award is authorized in professional journals, trade magazines, or may be made by the USGS. Any publications which do not contain an USGS endorsement do not require prior Government approval. Such manuscripts or publications submitted to journals or professional publications for publication shall be accompanied by the following notation:

This manuscript is submitted for publication with the understanding that the United States Government is authorized to reproduce and distribute reprints for Governmental purposes.

One copy of each article planned for publication shall be submitted to the USGS Project Officer simultaneously with its submission for publication. One reprint of each published article shall be submitted to the USGS Project Office immediately following publication.

c) Department of the Interior Requirements

Two copies of each publication produced under a Grant or Cooperative Agreement shall be sent to the Natural Resources Library with a transmittal that identifies the sender and the publication. The address of the library is:

U.S. Department of the Interior

Natural Resources Library
Division of Information and Library Services
Gifts and Exchange Section
18th and C Streets, NW
Washington, DC 20240

Publications issued on the work performed under this agreement must acknowledge the support and collaboration of the Department of the Interior, USGS and the Recipient under Assistance Award Number (insert agreement number).

Payment

Insert the following for domestic recipients:

Payments under financial assistance awards must be made using the Department of the Treasury Automated Standard Application for Payments (ASAP) system (www.asap.gov).

- a) The Recipient agrees that it has established or will establish an account with ASAP. USGS will initiate enrollment in ASAP. If the Recipient does not currently have an ASAP account, they must designate an individual (name, title, address, phone and e-mail) who will serve as the Point of Contact (POC).
- b) With the award of each grant/cooperative agreement, a sub-account will be set up from which the Recipient can draw down funds. After Recipients complete enrollment in ASAP and link their banking information to the USGS ALC (14080001), it may take up to 10 days for sub-accounts to be activated and for funds to be authorized for drawdown in ASAP.
- c) Inquiries regarding payment should be directed to ASAP at 855-868-0151.
- d) Payments may be drawn in advance only as needed to meet immediate cash disbursement needs.

Insert the following for foreign recipients:

A waiver has been granted by the Associate Director for Administrative Policy and Services because this award involves payments to a foreign Recipient.

- a) Payment will be made by Treasury Check upon receipt of a properly prepared SF 270, Request for Advance or Reimbursement. Submit the SF 270 form to the address specified in E.1. Requests should be submitted on a quarterly basis. Request for the entire award amount will be denied.
- b) Payments may be drawn in advance only as needed to meet immediate cash disbursement needs.

Revisions and Prior Approvals

Modifications to this Agreement shall generally be executed by mutual written consent of the parties, with the exception of certain purely administrative changes that may be executed unilaterally by the USGS. Recipients may make certain limited budgetary and programmatic changes without prior USGS approval as outlined in 2 CFR 200.308 and 200.407. Any proposed change which requires prior written approval of the USGS shall be submitted in writing to the address at E.1 at least thirty (30) days prior to the requested effective date of the proposed change. The USGS will respond to the change request within thirty (30) days of receipt.

- a) **Extensions**. Recipients are specifically advised that requests for extension or other change to the budget or project period(s) require prior written approval. Such requests must be submitted as outlined above and be accompanied by a statement supporting the extension and a revised budget indicating the planned use of all unexpended funds during the proposed extension period.
- b) **Transfer of Funds**. Recipients are specifically advised that prior written approval of the USGS Contracting Officer is not required for transfer of funds between direct cost categories when the cumulative amount of the transfer during the performance period does not exceed ten percent (10%) of the total USGS award. Prior written approval is required from the USGS Contracting Officer for transfers of funds in excess of the ten percent limitation.
- c) **Carry Forward of Funds**. Recipients are specifically advised that prior written approval by the USGS Contracting Officer is required to carry forward unobligated balances to subsequent budget periods. It is expected that funds be expended during the budget period for which they are obligated. The request must include the amount of funds to be carried over, why the carry-over of funds is necessary, and for how long the funds should be carried over.

Attachment B

General Provisions

(This information applies to awarded cooperative agreements)

Cost Principles, Audit, And Administrative Requirements

The Recipient shall be subject to the following regulations, which are incorporated herein by reference. Copies of these regulations can be obtained from the Internet at:

http://www.whitehouse.gov/omb/grants_docs

(select a box below based on type of recipient)

Educational Institutions / State and Local Governments / Non-Profit Organizations

2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards*, as implemented by the Department of the Interior in 2 CFR Part 1402 and 43 CFR Part 12.

Foreign Entities

- **Administrative Requirements**

Foreign entities are subject to the requirements applicable to non-Federal entities in 2 CFR Part 200, Subparts A through D and:

Foreign public entities are also subject to the requirements specific to States, with the following exceptions:

- The State payment procedures in 200.305(a) do not apply. Foreign public entities must follow the payment procedures in 200.305(b).
- The requirements in 200.321 “Contracting with small and minority businesses, women’s business enterprises, and labor surplus area firms” do not apply.
- The requirements in 200.322 “Procurement of recovered materials” do not apply.

Foreign non-profit organizations (see definition in 2 CFR 200.70) are also subject to the requirements specific to non-profit organizations.

Foreign Institutions of Higher Education (IHEs) (i.e., institutions located outside the United States that meet the definition in 20 U.S.C. 1001) are also subject to the requirements specific to IHEs.

- **Cost Principles**

Foreign for-profit entities are subject to the cost principles in 48 CFR 1, Subpart 31.2.

Foreign hospitals (i.e., a facility licensed as a hospital under the law of any foreign governmental entity or a facility operated as a hospital by a foreign public entity) are subject to the cost principles in 45 CFR Part 74, Appendix E.

All other foreign entities are subject to the requirements applicable to non-Federal entities in 2 CFR Part 200, Subpart E.

Foreign public entities are also subject to the requirements specific to States.

- **Indirect Cost Rate Negotiations**

Foreign IHEs: [Appendix III to Part 200](#)—Indirect (F&A) Costs Identification and Assignment, and Rate Determination for IHEs. The U.S. Department of Health and Human Services (HHS) is the cognizant agency for indirect costs for

foreign IHEs. Visit HHS' Cost Allocation Services website at <https://rates.psc.gov/> for more information.

Foreign non-profit organizations: [Appendix IV to Part 200](#)—Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Nonprofit Organizations.

Foreign public entities: [Appendix VII to Part 200](#)—States and Local Government and Indian Tribe Indirect Cost Proposals.

Foreign for-profit entities: Contact the National Interior Business Center (IBC), Indirect Cost Services by telephone at (916) 566-7111 or by e-mail at: ics@ibc.doi.gov. Visit the IBC's Indirect Cost Services website at http://www.doi.gov/ibc/services/Indirect_Cost_Services/index.cfm for more information.

Foreign hospitals: 45 CFR Part 74, Appendix E—Principles for Determining Cost Applicable to Research and Development Under Grants and Contracts with Hospitals. HHS is the cognizant agency for indirect costs for foreign hospitals. Visit HHS' Cost Allocation Services website at <https://rates.psc.gov/> for more information.



For-Profit Entities, Individuals, and Others Not Covered Above

- **Administrative Requirements**
2 CFR Part 200, Subparts A through D, *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards*
- **Cost Principles**
48 CFR 1, Subpart 31.2, *Contracts with Commercial Organizations*
- **Indirect Cost Rate Negotiations**
For information on indirect cost rate negotiations, contact the Interior Business Center (IBC) Indirect Cost Services Division by telephone at (916) 566-7111 or by e-mail at: ics@ibc.doi.gov. Visit the IBC Indirect Cost Services Division website at http://www.doi.gov/ibc/services/Indirect_Cost_Services/index.cfm for more information.

Additional Regulations

This award is subject to the following additional Governmentwide regulations:

- 2 CFR 180, Governmentwide Debarment and Suspension (Nonprocurement)
- 2 CFR 182, Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)

This award is subject to the following additional regulations of the U.S. Department of the Interior:

- 2 CFR Part 1400, Nonprocurement Debarment and Suspension
- 2 CFR Part 1401, Requirements for a Drug Free Workplace (Financial Assistance)
- 43 CFR Part 17, Nondiscrimination in Federally Assisted Programs of the Department of the Interior
- 43 CFR Part 18, New Restrictions on Lobbying
 - Submission of an application also represents the applicant's certification of the statements in 43 CFR Part 18, Appendix A, Certification Regarding Lobbying
- 43 CFR Part 41, Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance [*Applies only if this award provides assistance to an education program or student(s)*]

Additional Articles Required For Compliance with Statute or Regulation

a) The Seat Belt Provision (Executive Order 13043)

Recipients of grants/cooperative agreements and/or sub-awards are encouraged to adopt and enforce on-the-job seat belt use policies and programs for their employees when operating company owned, rented, or personally owned vehicles. These measures include, but are not limited to, conducting education, awareness, and other appropriate programs for their employees about the importance of wearing seatbelts and the consequences of not wearing them.

b) Federal Leadership on Reducing Text Messaging while Driving (Executive Order 13513)

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving, including conducting initiatives of the type described in section 3(a) of the order. (http://www.whitehouse.gov/the_press_office/Executive-Order-Federal-Leadership-on-Reducing-Text-Messaging-while-Driving/)

c) Use of U.S. Flag Air Carriers (49 USC Section 40118)

Any air transportation to, from, between or within a country other than the U.S. of persons or property, the expense of which will be paid in whole or in part by U.S. Government funding, must be performed by, or under a code-sharing arrangement with, a U.S. flag air carrier if service provided by such a carrier is "available" (49 U.S.C. 40118, commonly referred to as the Fly America Act). Tickets (or documentation for electronic tickets) must identify the U.S. flag air carrier's designator code and flight number. See the Federal Travel Regulation §301-10.131 - §301-10.143 for definitions, exceptions, and documentation requirements. (See also Comp. Gen. Decision B-240956, dated September 25, 1991.)

d) No Endorsement Provision

Federal ethics and conduct regulations contained in 5 CFR Part [2635](#) implement Executive Order 12674, 3 CFR, 1989 Comp., p. 215 (as modified by Executive Order 12731, 3 CFR, 1990 Comp., p. 306), “Principles of Ethical Conduct for Government Officers and Employees,” by prohibiting employees from endorsing in an official capacity the proprietary products or processes of manufacturers or the services of commercial firms for advertising, publicity, or sales purposes. The Department's use of materials, products, or services does not constitute official endorsement.

The policy below applies to a grant/cooperative agreement whose principal purpose is a partnership where the recipient/partner contributes resources to promote agency programs, publicize agency activities, assists in fundraising, or provides assistance to the agency. In the event that such a grant/cooperative agreement is awarded to a recipient, other than a State government, a local government, or a Federally-recognized Indian tribal government, and authorizes joint dissemination of information and promotion of activities being supported, the following provision shall be made a term and condition of the award:

1) Recipient shall not publicize or otherwise circulate, promotional material (such as advertisements, sales brochures, press releases, speeches, still and motion pictures, articles, manuscripts or other publications) which states or implies governmental, Departmental, bureau, or government employee endorsement of a product, service, or position which the Recipient represents. No release of information relating to this award may state or imply that the Government approves of the Recipient's work products, or considers the Recipient's work product to be superior to other products or services.

2) All information submitted for publication or other public releases of information regarding this project shall carry the following disclaimer:

The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions or policies of the U.S. Government. Mention of trade names or commercial products does not constitute their endorsement by the U.S. Government.

3) Recipient must obtain prior Government approval for any public information releases concerning this award which refer to the Department of the Interior or any bureau or employee (by name or title). The specific text, layout photographs, etc. of the proposed release must be submitted with the request for approval.

4) A Recipient further agrees to include this provision in a subaward to any subrecipient, except for a subaward to a State government, a local government, or to a Federally-recognized Indian tribal government.

e) Trafficking in Persons (2 CFR Part 175)

a. *Provisions applicable to a recipient that is a private entity.*

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—
 - i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - ii. Procure a commercial sex act during the period of time that the award is in effect; or
 - iii. Use forced labor in the performance of the award or subawards under the award.
2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —
 - i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—
 - A. Associated with performance under this award; or
 - B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at *[agency must insert reference here to its regulatory implementation of the OMB guidelines in 2 CFR part 180 (e.g., “2 CFR part XX”)]*.

b. Provision applicable to a recipient other than a private entity.

We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
 - i. Associated with performance under this award; or
 - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by our agency at *[agency must insert reference here to its regulatory implementation of the OMB guidelines in 2 CFR part 180 (e.g., “2 CFR part XX”)]*.

c. Provisions applicable to any recipient.

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.

2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:

- i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
- ii. Is in addition to all other remedies for noncompliance that are available to us under this award.

3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

d. *Definitions.*

For purposes of this award term:

1. “Employee” means either:

- i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
- ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

2. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

3. “Private entity”:

i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

ii. Includes:

- A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
- B. A for-profit organization.

4. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

f) Reporting Subawards and Executive Compensation Information (2 CFR Part 170).

a. *Reporting of first-tier subawards.*

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. *Where and when to report.*

- i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. *Reporting Total Compensation of Recipient Executives.*

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received—

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>.)

2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <https://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. *Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

- (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
- ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

- i. To the recipient.
- ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. *Exemptions*

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. Subawards,
and
- ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. *Definitions.* For purposes of this award term:

1. *Entity* means all of the following, as defined in 2 CFR part 25:

- i. A Governmental organization, which is a State, local government, or Indian tribe;
- ii. A foreign public entity;
- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward:*

- i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see

Sec. __ .210 of the attachment to OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations”).

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. *Subrecipient* means an entity that:

- i. Receives a subaward from you (the recipient) under this award; and
- ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

- i. *Salary and bonus.*
- ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- iii. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
- v. *Above-market earnings on deferred compensation which is not tax-qualified.*
- vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

g) System of Award Management and Universal Identifier Requirements (2 CFR Part 25)

a. *Requirement for System of Award Management*

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

b. *Requirement for Unique Entity identifier Numbers*

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier number to you.
2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

c. *Definitions*

For purposes of this award term:

1. *System of Award Management (SAM)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).

2. *Unique entity identifier* means the identifier required for SAM registration to uniquely identify business entities.

3. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

i. A Governmental organization, which is a State, local government, or Indian Tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization; and

v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. *Subaward*:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).

iii. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. *Subrecipient* means an entity that:

i. Receives a subaward from you under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

h) Prohibition on Members of Congress Making Contracts with Federal Government (41 USC Section 6306)

No member of or delegate to the United States Congress or Resident Commissioner shall be admitted to any share or part of this award, or to any benefit that may arise therefrom; this provision shall not be construed to extend to an award made to a corporation for the public's general benefit.

i) Pilot Program for Enhancement of Recipient and Subrecipient Employee Whistleblower Protection (41 USC Section 4712)

This requirement applies to all awards issued after July 1, 2013 and shall be in effect until January 1, 2017.

- a. This award and related subawards and contracts over the simplified acquisition threshold and all employees working on this award and related subawards and contracts over the simplified acquisition threshold are subject to the whistleblower rights and remedies in the pilot program on award recipient employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the *National Defense Authorization Act for Fiscal Year 2013* (P.L. 112-239).
- b. Recipients, and their subrecipients and contractors awarded contracts over the simplified acquisition threshold related to this award, shall inform their employees in writing, in the predominant language of the workforce, of the employee whistleblower rights and protections under 41 U.S.C. 4712.
- c. The recipient shall insert this clause, including this paragraph (c), in all subawards and contracts over the simplified acquisition threshold related to this award.

Additional General Terms and Conditions

a) Research Integrity

- 1) USGS requires that all grant or cooperative agreement Recipient organizations adhere to the Federal Policy on Research Misconduct, Office of Science and Technology Policy, December 6, 2000, 65 Federal Register (FR) 76260. The Federal Policy on Research Misconduct outlines requirements for addressing allegations of research misconduct, including the investigation, adjudication, and appeal of allegations of research misconduct and the implementation of appropriate administrative actions.
- 2) The Recipient must promptly notify the USGS Project Office when research misconduct that warrants an investigation pursuant to the Federal Policy on Research Misconduct is alleged.

b) Access To Research Data

- 1) Recipients that are institutions of higher education, hospitals, or non-profit organizations are required to release research data first produced in a project supported in whole or in part with Federal funds that are cited publicly and officially by a Federal agency in support of an action that has the force and effect of law (e.g., regulations and administrative orders). "Research data" is defined as the recorded factual material commonly accepted in the scientific community as necessary to validate research findings. It does not include preliminary analyses; drafts of scientific papers; plans for future research; peer reviews; communications with colleagues; physical objects (e.g., laboratory samples, audio or video tapes); trade secrets; commercial information; materials necessary to be held confidential by a researcher until publication in a peer-reviewed journal; information that is protected under the law (e.g., intellectual property); personnel and medical files and similar files, the disclosure of which would constitute an unwarranted invasion of personal

privacy; or information that could be used to identify a particular person in a research study.

- 2) These requirements do not apply to commercial organizations or to research data produced by State or local governments. However, if a State or local governmental grantee contracts with an educational institution, hospital, or non-profit organization, and the contract results in covered research data, those data are subject to these disclosure requirements.
- 3) Requests for the release of research data subject to this policy are required to be made to USGS, which will handle them as FOIA requests under 43 CFR 2.25. If the data are publicly available, the requestor will be directed to the public source. Otherwise, the USGS Contract Officer, in consultation with the affected Recipient and the PI, will handle the request. This policy also provides for assessment of a reasonable fee to cover Recipient costs as well as (separately) the USGS costs of responding.

c) Conflict of Interest

The Recipient must establish safeguards to prohibit its employees and Subrecipients from using their positions for purposes that constitute or present the appearance of a personal or organizational conflict of interest. The Recipient is responsible for notifying the USGS Contracting Officer in writing of any actual or potential conflicts of interest that may arise during the life of this award. Conflicts of interest include any relationship or matter which might place the Recipient or its employees in a position of conflict, real or apparent, between their responsibilities under the agreement and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the Recipient and/or Recipient's employees and Sub-recipients in the matter.

The USGS Contracting Officer and the servicing Ethics Counselor will determine if a conflict of interest exists. If a conflict of interest exists, the USGS Contracting Officer will determine whether a mitigation plan is feasible. Mitigation plans must be approved by the USGS Contracting Officer in writing. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award.

Failure to make required disclosures may result in any of the remedies described in 2 CFR § 200.338, Remedies for Noncompliance, including suspension or debarment (see also 2 CFR Part 180).

d) Program Income

- 1) If the Recipient is an educational institution or nonprofit research organization, any other program income will be added to funds committed to the project by the Federal awarding agency and Recipient and be used to further eligible project or program objectives, as described in 2 CFR 200.307(e)(2).
- 2) For all other types of Recipients, any other program income will be deducted from total allowable costs to determine the net allowable costs before calculating the Government's share of reimbursable costs, as provided in 2 CFR 200.307(e)(1).

e) Government Furnished Property Or Property Authorized For Purchase

Title to nonexpendable personal property acquired wholly or in part with Federal funds shall be vested in the Recipient unless otherwise specified in the award document. The Recipient shall retain control and maintain a property inventory of such property as long as there is a need for such property to accomplish the purpose of the project, whether or not the project continues to be supported by Federal funds. When there is no longer a need for such property to accomplish the purpose of the project, the Recipient shall use the property in connection with other Federal awards the Recipient has received. Under no circumstances shall title to such property be vested in a sub-tier Recipient. Disposal of nonexpendable personal property shall be in accordance with 2 CFR 200.311.

Insert the following if no property will be provided or purchased:

There is no non-expendable personal property authorized on this grant/cooperative agreement.

Insert the following if property will be provided or purchased:

The following equipment will be vested with the Recipient: (list equipment)

--End of Program Announcement No. G15AS00051--