



# OFFICE OF PLANNING AND BUDGET

**Brian P. Kemp**  
Governor

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Director

## **Drinking Water to Support Increased Population State Fiscal Recovery Funds Post Award Frequently Asked Questions**

This document contains answers to frequently asked questions OPB has received regarding the Drinking Water to Support Increased Populations Program under the State Fiscal Recovery Grant Program and the post award process. Applicants should refer to the US Department of Treasury Final Rule and corresponding Final Rule FAQs, as well as the OPB website for links to federal guidance and OPB resources for grantees.

DISCLAIMER: This document is intended to serve as a guide to the grant application process for prospective applicants seeking grant funding from Georgia's allotment of the Coronavirus State Fiscal Recovery Fund (CSFRF). This guidance is not intended to address eligible uses of CSFRF and is not exhaustive, binding, or final. The U.S. Treasury continues to update its guidance. This federal guidance is binding upon the State as well as all grant recipients.

### **Application**

**1. What is the application timeframe?**

The application period will begin on August 15, 2022, and end on September 9, 2022 at 11:59pm.

**2. Where can I find the application?**

You can find the link on our website <https://opb.georgia.gov/drinking-water>

**3. Who is eligible to apply?**

Eligible applicants are counties and local units of Government. Water Sewer Authority's with enacted legislation designating them as a unit of the county are also eligible to apply. There will be an upload field on the application for the WSA to upload the legislation.

**4. Can multiple eligible applicants apply in a partner application?**

Yes, you can partner in your application but the entity submitting the application will be the subrecipient with fiduciary responsibility.

**5. Can I apply for sewer projects under the Drinking Water to Support Increased Population?**

The primary driver of this grant program is a need for drinking water capacity to support increased population.



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While the focus is drinking water project, secondary components that are eligible under CWSRF may be considered if they support increase capacity for the drinking water project proposed.

**6. Can our entity apply for multiple projects within the same application?**

If multiple scopes of work are in alignment with a single project outcome, they may be combined into one application. If a scope of work has an outcome which is separate and distinct from other scopes of work in the application, OPB recommends breaking these out into separate applications. Applicants will be required to complete the cost effectiveness analysis and meet eligibility requirements for each individual project, whether presented jointly in a single application, or separately. OPB reserves the right to fund, in whole or in part, any, all, or none of the applications submitted in response to this funding opportunity.

**7. What type of information should be used to demonstrate population growth?**

Applicants should use judgement in determining the extent of information provided and must demonstrate actual growth in the geographic area intended to be served by the project through the use of available and relevant historical population and / or industrial metrics. Priority will be given to projects which include recent and verifiable increased population data. Reasonable projections of future growth must be accompanied by evidence of actual historical growth. Reasonable projections of future growth may be presented in conjunction with analysis of the cost effectiveness of projects, must show that they are necessary to achieve or maintain an adequate minimum level of service, and must be sustainable over the estimated useful life of the proposed asset.

**8. How do I know if my project is eligible?**

OPB is not providing eligibility decision prior to application review. To qualify as eligible, an application would need to present a project that meets the program requirements outlined in the eligibility criteria.

**9. What is the funding timeline?**

A funding announcement for this program has not been announced. A timeframe will be determined based on the volume of applications received.

**10. Can I have a collaborator help work on the application?**

Yes, the application allows you to add collaborators to the application to assist with application completion.

**11. How detailed does the budget and budget narrative need to be?**



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All budgets are required to submit details on how the funds will be spent to the greatest extent possible. Adequate detail should be provided in the budget narrative to justify the expense under the approved award. The budget must be based on quoted estimates and calculations, not rounded guestimates. All budget totals will require validation based on the calculation provided in the uploaded version so applicants should retain the documentation for the basis of all calculations in the requested budget.

Budgeted amounts for construction costs included in Section 6) Contracts Consultants Subawards may be entered using a multi-line detailed approach, or as a single line dollar value. If a single line dollar value is utilized, it must be accompanied by a supplemental schedule (PDF or XLS) breaking down the budget estimate to its lowest available level of detail. The supplemental schedule should disclose whatever information serves as the basis for the estimate, may include narratives, and is expected to include unit prices, quantities, labor rates, labor hours, equipment rates, equipment hours, percentages, past project data, and / or any other major assumptions used to derive the budgeted amount.

More information regarding budget detail can be found on our [For Grantees](#) website under Important Documents section.

### **12. Are match funds a requirement of this program?**

Match funding is not required but will be considered point the scoring criteria.

#### **Uniform Guidance**

The following 2 C.F.R. policy requirements apply to 21.027 assistance listing for Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), Coronavirus State Fiscal Recovery Fund (CSFRF) and Coronavirus Local Fiscal Recovery Fund (CLFRF):

- Subpart B, General provisions;
- Subpart C, Pre-Federal Award Requirements and Contents of Federal Awards;
- Subpart D, Post Federal; Award Requirements;
- Subpart E, Cost Principles; and
- Subpart F, Audit Requirements.

(The following guidance has been taken from the US Department of Final Rule FAQ as of April 27, 2022 <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-FAQ.pdf>)

- 1. (13.1) What provisions of the Uniform Guidance for grants apply to these funds? Will the Single Audit requirements apply? (US Department of Treasury FAQ 13.1)**



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Most of the provisions of the Uniform Guidance (2 C.F.R. § 200) apply to this program, including the Cost Principles and Single Audit Act requirements. Recipients should refer to the Assistance Listing for detail on the specific provisions of the Uniform Guidance that do not apply to this program. The Assistance Listing will be available at <https://sam.gov/fal/7cecfdef62dc42729a3fdcd449bd62b8/view>. For information related to Single Audit requirements specifically, please refer to the Compliance Supplement materials released by the Office of Management and Budget.

### **2. Do federal procurement requirements apply to SLFRF? (US Department of Treasury FAQ 13.2)**

Yes. The procurement standards for federal financial assistance are located in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. § 200.317 through 2 C.F.R. § 200.327 and apply to procurements using SLFRF funds. Pursuant to 2 C.F.R. § 200.317, recipients that are non-state entities, such as, metropolitan cities, counties, non-entitlement units of local government, and Tribes must comply with the procurement standards set forth in 2 C.F.R. § 200.318, through 2 C.F.R. § 200.327, when using their SLFRF award funds to procure goods and services to carry out the objectives of their SLFRF award. States, the District of Columbia, and U.S. Territories must follow their own procurement policies pursuant to 2 C.F.R. § 200.317, as well as comply with the procurement standards set forth at 2 C.F.R. § 200.321 through 2 C.F.R. § 200.323, and 2 C.F.R. § 200.327 when using their SLFRF award funds to procure goods and services to carry out the objectives of their SLFRF award. See also SLFRF Award Terms and Conditions. Recipients are prohibited from using SLFRF funds to enter into subawards and contracts with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs. See 2 C.F.R. § 200.214. Moreover, a contract made under emergency circumstances under the Coronavirus Relief Fund (CRF) cannot automatically be transferred over to SLFRF. These programs are subject to different treatment under the Uniform Guidance. Under the CRF program, recipients are permitted to use their own procurement policies to acquire goods and services to implement the objectives of the CRF award. Under the SLFRF program, recipients are required to follow the procurement standards set out in 2 C.F.R. § 200

(Uniform Guidance) pursuant to the SLFRF Award Terms and Conditions executed by the recipients in connection with their SLFRF awards.

### **3. What is the threshold for competitive bidding for my government? (US Department of Treasury FAQ 13.3)**

As stated above, recipients are required to comply with the procurement standards set forth in 2 C.F.R. § 200.317 through 2 C.F.R. § 200.327 of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Pursuant to 2 C.F.R. § 200.317, States, the District of Columbia, and U.S. Territories should refer to the competitive



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bidding thresholds described in their own procurement policies and procedures. Other non-federal entities, such as metropolitan cities, counties, non-entitlement units of local government, and Tribes must adhere to the competitive bidding thresholds set forth in 2 C.F.R. § 200.320 for the relevant procurement methods.

2 C.F.R. § 200.320 describes methods of procurement based on two procurement thresholds. There are two thresholds that recipients should keep in mind related to procurement requirements: the Micro purchase threshold (MPT) and the Simplified Acquisition Threshold (SAT).

Micro-purchase threshold (MPT) - 2 C.F.R. § 200.320(a)(1): Purchase of supplies and services for a price below the MPT, currently set at \$10,000, are not required to be solicited competitively. However, there are circumstances when a recipient may have a MPT that is greater than \$10,000. For example, all non-Federal entities may increase their MPT up to \$50,000 if they follow the protocols described in 200.320(a)(1)(iv). Additionally, nonfederal entities such as metropolitan cities, counties, non-entitlement units of local government, and Tribes may use their own MPT if they follow the protocols described in 200.320(a)(1)(iv).

Simplified Acquisition Threshold (SAT) - 2 C.F.R. § 200.320(a)(2): Purchases of property and services at a price above the recipient's MPT and below the SAT, currently set at \$250,000, may be made following the small purchase procedures described in the definition of SAT in 2 C.F.R. § 200.1 and 2 C.F.R. § 200.320(a)(2). Procurement of property and services at a price above the SAT must follow the formal procurement methods outlined in 2 C.F.R. § 200.320(b).

#### **4. Can a recipient prequalify firms for projects funded with SLFRF? (US Department of Treasury FAQ 13.4)**

The Uniform Guidance permits recipients to use prequalified lists of persons, firms, or products so long as a list is current and includes enough qualified sources to ensure maximum open and free competition. The Uniform Guidance does not specifically define the term "current" for purposes of 2 C.F.R. § 200.319(e), and Treasury has not adopted additional guidance regarding this requirement as it applies to the SLFRF. As such, recipients must determine when a prequalified list would be sufficiently current, and a recipient must not preclude potential bidders from qualifying during the solicitation period. See 2 C.F.R. § 200.319(e).

Furthermore, recipients may not utilize this provision to evade conducting their procurement transactions in a manner that provides for full and open competition. Recipients should be mindful that other provisions of the Uniform Guidance inform the procurement requirements. For example, metropolitan cities, counties, non-entitlement units of local government, and Tribes must have and use documented procurement procedures, consistent with binding State, local, and Tribal laws and regulations. See 2 C.F.R. § 200.318(a).



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**5. Where can one find the most current information on assuring minority owned businesses are included in the awards process? (US Department of Treasury FAQ 13.5)**

The most up-to-date information on assuring that minority-owned businesses are included in the procurement process is located in 2 C.F.R. § 200.321, Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

**6. Is there certain language that needs to be included in a bidding package? (US Department of Treasury FAQ 13.6)**

Treasury does not require that there be specific language included in bidding packages, but SLFRF recipients must ensure all contracts made with SLFRF award funds contain the applicable contract provisions listed in 2 C.F.R. § 200, Appendix II.

**7. Are recipients allowed to leverage existing contracts? (US Department of Treasury FAQ 13.7)**

Recipients may leverage existing contracts for SLFRF activities if the existing contracts conform to the procurement standards in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 C.F.R. § 200 (Uniform Guidance). States, the District of Columbia, and U.S. Territories must follow their own procurement policies pursuant to 2 C.F.R. § 200.317 as well as comply with the procurement standards set forth at 2 C.F.R. § 200.321 through 2 C.F.R. § 200.323, and 2 C.F.R. § 200.327. All other recipients must follow 2 C.F.R. § 200.318, General procurement standards, through 200.327, Contract provisions.

**8. Would an interlocal agreement—an agreement entered into between governments to effectuate an eligible use of the funds—or a cooperative purchase agreement need to be bid out? (US Department of Treasury FAQ 13.8)**

States, the District of Columbia, and U.S. Territories must follow their own procurement policies pursuant to 2 C.F.R. § 200.317 as well as comply with the procurement standards set forth at 2 C.F.R. § 200.321 through 2 C.F.R. § 200.323, and 2 C.F.R. § 200.327. All other recipients must follow 2 C.F.R. § 200.318, General procurement standards, through 200.327, Contract provisions. Recipients should consult the applicable procurement standards or policies to determine whether a cooperative purchase agreement must be bid out. Information on when competition is required and when exceptions to competition are permitted are located in 2 C.F.R. § 200.319, Competition, and 2 C.F.R. § 200.320, Methods of procurement to be followed.

It is permissible for recipients to use interlocal agreements but procurement standards set forth in the Uniform Guidance may still apply.

**9. How is a “contract” different than a “subaward”? (US Department of Treasury FAQ 13.9)**



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The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 C.F.R. § 200 (Uniform Guidance) provides definitions for “contract” and “subaward.” A contract is a legal instrument by which a recipient or subrecipient purchases property or services needed to carry out the project or program under a federal award. A subaward is distinct from a contract in that a subaward is an award provided by a recipient of a federal award to a subrecipient to carry out part of a federal award on behalf of the recipient. Recipients may make subawards through any form of legal agreement, including an agreement that the recipient considers a contract. See 2 C.F.R. § 200.331 for more information on the differences between contracts and subawards.

### **10. What other background laws must recipients comply with? (US Department of Treasury FAQ 13.10)**

SLFRF recipients must comply with all laws outlined in the SLFRF Award Terms and Conditions that the recipients accepted in connection with their SLFRF award and all other applicable executive orders, federal statutes, and regulations in carrying out their SLFRF award. Recipients must also provide for such compliance by other parties in any agreements it enters into with other parties relating to the award. The award terms listed specific statutes and regulations that apply to the award, but the award terms made clear that these lists were not exclusive. Particularly in the case of the SLFRF, it’s not possible to enumerate the full list of federal statutes, regulations and executive orders that may be applicable to the award given that the range of eligible uses of funds is so broad, including the provision of government services.

### **11. How does Treasury treat program income? (US Department of Treasury FAQ 13.11)**

Per 2 C.F.R. § 200.307, Treasury is specifying here that recipients may add program income to the Federal award. Any program income generated from SLFRF funds must be used for the purposes and under the conditions of the Federal award. Program income includes but is not limited to income from fees for services performed, the use or rental of real or personal property acquired under federal awards, the sale of commodities or items fabricated under a federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with federal award funds. Interest earned on advances of federal funds is not program income. For more information on what constitutes “Program Income” please see 2 C.F.R. § 200.1.

### **12. Does COVID-19 and the national emergency qualify as "exigency" as a special circumstance under 2 C.F.R. § 200.320 (c) in which a noncompetitive procurement can be used? If so, may a contract utilizing this special circumstance have a term that extends beyond the national emergency? For example, may a County execute a contract (without going through a competitive solicitation) immediately with a contractor to provide services with a term**



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**through the end of 2024, relying upon this special circumstance? (US Department of Treasury FAQ 13.12)**

The COVID-19 public health emergency does not itself qualify as a “public exigency or emergency” under 2 C.F.R. § 200.320 (c). In other words, a recipient may not justify a noncompetitive procurement simply on the basis that the procurement is conducted during the public health emergency or that the project is in response to the public health emergency.

Instead, the recipient must make its own assessment as to whether in the case of a particular project there is a public exigency or emergency that “will not permit a delay resulting from publicizing a competitive solicitation.”

Note: The Final Rule permits funds to be used to cover costs incurred beginning on March 3, 2021 and ending December 31, 2024.