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Department of Resources Recycling and Recovery

SB 1383 Local Assistance Grant Program Application Guidelines and Instructions

**Fiscal Year 2021–22
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Grant Cycle Overview

The Department of Resources Recycling and Recovery (CalRecycle) offers the SB 1383 Local Assistance Grant Program pursuant to Chapter 395, Statutes of 2016. This non-competitive grant program will provide one-time funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383.

This resource document provides applicants with instructions to access and complete the application online and information about grant administration. The web-based application is in CalRecycle's [Grants Management System \(GMS\)](https://www.calrecycle.ca.gov/Funding/GMS/) (<https://www.calrecycle.ca.gov/Funding/GMS/>). The applicant will need to sign in to GMS to complete and submit an application.

Note: The following terms used in this document are defined below, unless the context clearly indicates otherwise:

- “Applicant” refers to either the legal name of the entity that is legally responsible for grant administration and any entity that will receive and control grant funded equipment, if awarded, or to a person who is completing an application on behalf of the Applicant (this is usually the primary contact listed on the application, but could also be the secondary contact, signature authority, or consultant).
- “You” refers to a person who is completing the application on behalf of the Applicant.

Timeline

February 1, 2022: Application Due Date

- Applicants must submit applications in GMS by 11:59 p.m. on this date.
- Customer service will be available until 4:00 p.m. on this date.

Note: There is only one application period. All applicants must submit an application by February 1, 2022 to be considered for first and second round funding.

March 1, 2022: Secondary Due Date for First Round Funding

- Approved Resolution, and if applicable, Letters of Designation and Letters of Authorization, must be uploaded in GMS by this date if it was not submitted with the application.

June 14, 2022: Secondary Due Date for Second Round Funding

- Approved Resolution, and if applicable, Letters of Designation and Letters of Authorization, must be uploaded in GMS by this date if it was not submitted with the application.

April 1, 2022 (tentative): Grants Awarded for First Round Funding

- CalRecycle considers funding recommendations, and if approved, conditionally awards grants on this date.

Note: Applicants with outstanding debt owed to CalRecycle will not receive funding unless debt is paid by March 1, 2022.

September 1, 2022 (tentative): Grants Awarded for Second Round Funding

- CalRecycle considers funding recommendations, and if approved, conditionally awards grants on this date.

Note: Applicants with outstanding debt owed to CalRecycle will not receive funding unless debt is paid by August 15, 2022.

April 2, 2024: Grant Term End for First Round Funding

September 2, 2024: Grant Term End for Second Round Funding

For milestones that take place during the grant term, refer to the Procedures and Requirements document.

Eligible Applicants

California Labor Code section 1782 prohibits a charter city from receiving state funding or financial assistance for construction projects if that charter city does not comply with Labor Code sections 1770-1782. If any applicants or participating entities are charter cities or Joint Powers Authorities that include charter cities, the lead participating entity must certify on the Detail tab of the application that Labor Code section 1782 does not prohibit any included charter city from receiving state funds for the project described in this application. If it is determined after award that an applicant or participating entity is a charter city prohibited from receiving state funds for this grant project, the grant will be terminated and any disbursed grant funds shall be returned to CalRecycle.

Eligible applicants include:

- City
- County
- City and county
- Regional or Joint Powers Authorities
- Special Districts that provide solid waste collection services

Individual Application

An Individual Application is one in which a single eligible entity will be responsible for grant implementation. The applicant in an Individual Application will be responsible for the performance of the grant and all related documentation. In addition, the applicant will be the only entity receiving any real or personal property that is purchased with grant funds.

Regional Application

Local governments may join together in a Regional Application in which two or more eligible jurisdictions join together for the purpose of grant implementation. A Regional Lead Participant must be designated to act on behalf of all Non-Lead Participants. The Lead Participant is the applicant, and if awarded, will be the grantee responsible for the performance of the grant and all required documentation. CalRecycle will direct all official correspondence and grant payments to the Lead Participant. If a jurisdiction is a Non-Lead Participant in a Regional Application, it may not apply individually.

Joint Powers Authority Application Requirements

Joint Powers Authorities (JPA) may submit a grant application as an individual applicant. An entity may not submit an individual application if that entity is also a member of an applicant JPA. In addition to the requirements for an Individual Application, a JPA must upload a copy of its JPA Agreement.

The JPA Agreement must:

1. Give authority over solid waste management.
2. List all member entities.
3. Contain the signature of all members.

Eligible Projects/Products

Eligible activities and costs include:

- Capacity Planning
- Collection
- Edible Food Recovery
- Education and outreach (includes organic waste & edible food recovery)
- Enforcement and Inspection
- Program Evaluation/Gap Analysis
- Procurement Requirements (using recycled organic products – compost, mulch, electricity, and/or renewable gas and recycled paper and paper products)
- Record Keeping

Available Funds

- \$57,000,000 is available for this grant cycle, fiscal year 2021–22, subject to funding availability.
- \$20,000 base award for each eligible applicant.
 - CalRecycle provides estimated funding amounts on the Notice of Funding Availability page for applicants to budget anticipated costs of implementing the program.
- CalRecycle will distribute remaining funds to eligible entities based on per capita calculations using the Department of Finance’s January 2021 population statistics.

Ordinance Requirement

Applicants must identify the status of adopting an enforceable ordinance(s), or similarly enforceable mechanism, pursuant to section 18981.2 of Title 14 of the California Code of Regulations.

Applicants who certify they will adopt an ordinance to CalRecycle by April 1, 2022, will be eligible to receive first round funding (Spring 2022). In addition, the first round of awardees may be eligible to receive additional remaining funds from entities who did not apply.

For applicants who adopt an ordinance after April 1, 2022, awards will be delayed to the second round.

Grant Term

The Grant Term for first round funding begins on April 1, 2022 (tentative) and ends on April 2, 2024. The Grant Term for second round funding begins on September 1, 2022 (tentative) and ends on September 2, 2024.

For detailed information about requirements within the grant term, refer to the Procedures and Requirements document.

Eligible and Ineligible Costs

Grantees may incur eligible costs only during the Grant Term. For detailed information about eligible and ineligible costs, refer to the Procedures and Requirements document.

Questions

Refer to the [Frequently Asked Questions page](https://www.calrecycle.ca.gov/organics/slcp/owrlocalassistancegrant/faq202122) (<https://www.calrecycle.ca.gov/organics/slcp/owrlocalassistancegrant/faq202122>). If your answer is not listed, send your question to grants@CalRecycle.ca.gov.

Public Records Requests

CalRecycle's policy is to make records requested by the public promptly available in accordance with the laws governing disclosure of records and information to the public. In general, all records in the possession of a state agency are public records subject to disclosure, unless a law provides that a particular kind of record or information is not a public record or is exempt or prohibited from disclosure.

Upon request, the entire contents of the submitted application are subject to public records requests. This may include contact information, project summary, uploaded documents, and scoring information. Public records may be requested from CalRecycle through the [California Public Records Act Requests web page](https://www2.calrecycle.ca.gov/Forms/ContactUs/PublicRecordsRequest/) (<https://www2.calrecycle.ca.gov/Forms/ContactUs/PublicRecordsRequest/>).

Confidentiality

The following describes the treatment of certain confidential or proprietary information under the California Public Records Act (Government Code 6250, et seq.) and related regulations. It also describes how questions are resolved on whether information is truly confidential, the legal protections for confidential information, and internal and program procedures to maintain confidentiality.

Confidential or Proprietary Information

Title 14 of the California Code of Regulations (14 CCR), [sections 17041-17046](https://www.calrecycle.ca.gov/Laws/Regulations/Title14/) (<https://www.calrecycle.ca.gov/Laws/Regulations/Title14/>), states that confidential or proprietary information shall include, but is not limited to:

- Personal or business-related financial data, customer client lists, supplier lists and other information of a proprietary or confidential business nature provided by persons in applications, reports, returns, certifications or other documents submitted to [CalRecycle] which if released would result in harmful effects on the person's competitive position.
- Tax information prohibited from disclosure, pursuant to the Revenue and Taxation Code.

Accordingly, appropriate documents submitted with an application that are clearly marked, on each page, “confidential or proprietary information” will be treated by CalRecycle pursuant to the procedures set forth in 14 CCR sections 17041-17046. However, the law does not treat documents marked as “confidential or proprietary information” (such as sales brochures, promotional literature and other general non-financial documents) as confidential if they do not fall within the categories of protected financial documents listed above.

What if there is a question about what is confidential?

If CalRecycle receives a request to disclose data claimed by the applicant to be confidential, CalRecycle would notify the applicant of the request and state that the documents were under review to determine whether information was correctly identified as “confidential.” If there was any question as to whether specific information was confidential, CalRecycle would contact the person(s) identified in the application to provide a justification and statement why the information is confidential. The process for evaluating confidentiality claims is set forth in section 14 CCR 17046.

What procedures does CalRecycle have in place to ensure that confidential information is kept confidential?

Confidential or proprietary information will be evaluated and analyzed only by CalRecycle staff, kept confidential, and will be maintained with restricted access. Records no longer needed to provide the services offered under the grant program are periodically destroyed, when allowed by audit policies and state law.

Application Instructions

Application Access

The application is available in CalRecycle's web-based Grants Management System (GMS). Access to GMS is secure; therefore, you must have a CalRecycle WebPass to log in to the system. Those who have not previously obtained a CalRecycle WebPass can create an account at the [CalRecycle WebPass page](https://secure.calrecycle.ca.gov/WebPass/) (<https://secure.calrecycle.ca.gov/WebPass/>).

To start an application:

1. Log in to [GMS](https://secure.calrecycle.ca.gov/Grants) (<https://secure.calrecycle.ca.gov/Grants>).
2. Select **Apply for a Grant** on the left.
 - All open grant cycles are displayed in a table.
3. Find SB 1383 Local Assistance, OWR: 2021–22 and select **Start Application**.
 - A pop-up window will appear asking for contact information. If you have an existing GMS Account, the information may be auto populated.
 - GMS will automatically add you as the Primary Contact for the new grant application however; you may update this later.
4. Click **Save**.

GMS Tabs - Application Contents and Instructions

The components of the application are divided into tabs. To fill out an application, click on each tab and complete the sections in each tab as required. General directions are on the top of each tab, and detailed information about the requirements for each tab is listed below.

The applicant is responsible for a complete application. This includes signing documents, uploading required documents, and submitting the application by the due date(s). Failure to do so will result in disqualification from the SB 1383 Local Assistance Grant Program.

Examples of disqualifications may include:

- Applicant does not meet the eligibility requirements.
- Project is not eligible.
- Applicant fails to use required CalRecycle documents or forms.
- Applicant uploads incomplete or blank documents to the Documents tab.
- Signature Authority fails to sign Application Certification or any document that requires a signature.
- The online application is incomplete or missing information.
- Applicant fails to certify that they will have an enforceable ordinance, or similarly enforceable mechanism, pursuant to section 18981.2 of Title 14 of the California Code of Regulations by the required due dates.

Summary Tab

This tab provides a summary of the application, due dates, resource documents and links, application documents, and the Application Submission section. It is the applicant's responsibility to submit all required documents, based on the particular grant application/project, by the appropriate due date.

Applicant/Participant Tab

The applicant name is the legal name of the entity that is legally responsible for grant administration, if awarded.

1. Select the **Add Applicant/Participant** button and type in the **Applicant Name** and **County**. Do not enter your personal name.
2. Search the table for the correct applicant name and select **Add Applicant/Participant**.
3. Choose the **Lead Participant** radio button and click **Save**.
 - Every application must have a Lead Participant even if it is an individual application with no Non-Lead Participants.

If the Participant Search List does not contain your Applicant/Participant name:

1. Click on **Add New Applicant/Participant**.
2. Enter the **Applicant/Participant Name** as it appears on the Resolution. Do not include the department or unit name. Do not enter your personal name.
 - List county names with the name first followed by the word "County," e.g., "Sacramento County."
 - List city names as "City of" followed by the city's name, e.g., "City of Sacramento."
3. Complete all required fields then click **Save**.

For Regional, or Joint Powers Authority Applications, add the name of each eligible Non-Lead Participant and select the Participating Jurisdiction radio button.

For a list of eligible applicants, please see the Grant Cycle Overview section titled "Eligible Applicants."

Detail Tab

Complete this tab as follows:

1. Enter a dollar amount in the **Grant Funds Requested** field. Do not exceed the maximum grant award amount provided to you.
2. Enter the **Assembly Districts and Senate Districts**. To select more than one district hold the "Ctrl" key while selecting the numbers.
3. Enter the applicant's **Department Name**, e.g., "General Services." If the applicant does not have a department, enter the applicant's name.
4. Enter the grant payment mailing address.
5. **Project Summary/Statement of Use**: Enter a detailed description of your project.
6. Select the appropriate option for the Resolution Requirement and optional Letter of Designation.
7. Select the appropriate answer for Program Questions.

Contacts Tab

CalRecycle requires the application to have only one Primary Contact and at least one Signature Authority. Each application contact may be granted access by checking the box on the top of the contact's detail screen. The contact will be able to log in to GMS using their own CalRecycle WebPass and access the application.

- **Primary Contact.** One person who the Signature Authority or their designee has authorized to manage and oversee the grant. This person will be the first contact with whom the Grant Manager will communicate.
- **Signature Authority.** The person(s) authorized to sign CalRecycle documents, such as grant applications, grant agreements, etc., as authorized by a board/council-adopted Resolution or Letter of Designation.
- **Secondary Contact.** A person authorized (by the Primary Contact or Signature Authority or their designee) as the alternate person with whom the Grant Manager will communicate. (Not required.)
- **Consultant.** A professional who provides advice in an area of expertise. If CalRecycle awards a grant to the applicant, the consultants may manage the grant or only conduct specific activities, based on a written agreement between the applicant and the consultant outlining work to be performed. (Not required.)

Budget Tab

Select the applicable budget category and enter the dollar amount provided in the 1383 Local Assistance Grant Program Funding Estimates spreadsheet (URL) and detailed budget detail information. The total must equal the Grant Funds Requested amount shown on the Detail tab.

Documents Tab

See the Application Documents section in the Summary tab for documents that must be uploaded in the Documents tab.

When uploading a document, enter a document title, select the appropriate document type from the drop-down list, and enter the date that it was executed/signed, if applicable, or select “today’s date.” Utilizing a document form other than the official CalRecycle versions, tampering with the CalRecycle version, or otherwise circumventing imposed character limits may subject the applicant to disqualification.

Application Submittal and Deadline

The **Submit Application** button located in the Summary tab will be enabled after all required documents have been uploaded.

Click the **Submit Application** button and the application status will change to **Submitted**. You can only submit the application once; however, you may upload the following documents until the secondary due date: Resolution, Letter of Designation, Letters of Authorization, and JPA Agreements.

You must submit your application no later than 11:59 p.m. on February 1, 2022. Customer service will be available until 4:00 p.m. on the application due date either by emailing grantassistance@calrecycle.ca.gov or calling Melissa Sanford at (916) 341-6104.

Note: Applications that are not submitted by the due date will be deleted from GMS.

Application Documents

Electronic and Original Signatures

CalRecycle now allows for certified e-Signature or original wet signature on documents or forms that certify legally binding information.

Note: E-signatures must include the first and last name of the Signature Authority, be in the Adobe Digital ID format (or through another certified digital signature program), and cannot be completed using the “Fill and Sign” function within Adobe. Any documents using the “Fill and Sign” function, is considered incomplete and may be sent back to the applicant.

Once the document(s) have been signed by the Signature Authority, upload the digitally signed document, or scan the wet signature and save it to GMS. Retain the original document for potential CalRecycle audits. See Audit Considerations section of the Procedures and Requirements document for more information.

If you have questions, email grantassistance@calrecycle.ca.gov.

CalRecycle Documents

Altered or reproduced CalRecycle documents or templates may result in automatic disqualification of your application. Unless a document specifies that it may be reproduced as necessary, **do not** alter CalRecycle documents. If you are having trouble with a document, email grantassistance@calrecycle.ca.gov or call Melissa Sanford at (916) 341-6104.

Below is a list of CalRecycle documents:

Application Certification

The Application Certification is a required application document that must be generated from GMS.

After you have completed each tab of the application and uploaded the required documents, generate the Application Certification from the Summary tab. Once the Application Certification is signed, upload it to the Documents tab.

Applicant’s Required Authorization Documents

Below is a list of required authorizing documents by application type that the applicant is responsible for preparing and uploading to their application.

Note: For Resolution, Letter of Authorization, and Letter of Designation templates refer to the [CalRecycle Resolution and Letter Examples](https://www.calrecycle.ca.gov/Funding/SampleDocs) (<https://www.calrecycle.ca.gov/Funding/SampleDocs>) web page. CalRecycle staff are available to answer questions about the Resolution or to review your draft Resolution to ensure it meets the requirements of the grant program. You may upload the Resolution to your application as a “Draft Resolution,” or, for immediate review, email it to grantassistance@calrecycle.ca.gov.

Individual Application Authorization Documents:

If **subject to a governing body** the applicant must submit a Resolution no later than the secondary due date or CalRecycle will deem the application incomplete and your application will be moved to the second funding round. The Resolution must:

1. Authorize submittal of an application for one or more specifically named CalRecycle grant(s), payment programs, or for all CalRecycle grants or payment programs for which the applicant is eligible.
2. Identify the time period, up to five years, during which the authorizations are valid.
 - a. Five years is encouraged; however, periods of less than five years are acceptable.
3. Identify the Signature Authority by listing the job title of the person(s) authorized to sign all grant-related documents necessary to implement and close-out the grant(s).
 - a. (Optional but encouraged) The Resolution should authorize the Signature Authority to delegate their signature authority to another person identified by job title. Applicants can only submit a Letter of Designation if the corresponding Resolution includes designee language.

Note: The Signature Authority must sign a Letter of Designation **prior** to the designee's exercise of their authority.

Regional Application Authorization Documents:

Lead Participant

Applicant must submit a Resolution no later than the secondary due date or CalRecycle will deem the application incomplete and your application will be moved to the second funding round.

The Resolution must:

1. Authorize submittal of a Regional Application on behalf of itself as Lead Participant and all other Non-lead Participants for a specifically named CalRecycle grant or payment program.
2. Identify the time period, up to five years, during which the authorizations are valid.
 - a. Five years is encouraged; however, periods of less than five years are acceptable.
 - i. A Resolution that is valid for more than one year must contain either:
 1. A list of all potential jurisdictions that may serve as Non-Lead Participants, or
 2. A provision that the Signature Authority may alter the list of Non-Lead Participants for each grant cycle.
3. Identify the Signature Authority by listing the job title of the person(s) authorized to sign all grant-related documents necessary to implement and close-out the grant(s).
 - a. (Optional but encouraged) The Resolution should authorize the Signature Authority to delegate their signature authority to another person identified by job title. Applicants can only submit a Letter of Designation if the corresponding Resolution includes designee language.

Non-Lead Participant

The Non-Lead Participant prepares the Letter of Authorization (LOA) and gives the Lead Participant authorization to apply for and to act on its behalf in the implementation and administration of the grant or payment program.

Applicant must submit a Letter of Authorization no later than the secondary due date or CalRecycle will remove the Non-Lead Participant(s) from the application.

The LOA must:

1. Be on the Non-Lead Participant's official letterhead.
2. Specify grant or payment program name.
3. Be valid for as long as the Lead Participant's Resolution, not to exceed five years; otherwise, the participating entity must date the letter within the last 12 months.
4. Authorize the Lead Participant to submit a Regional Application and act as Lead Agency on behalf of the Non-Lead Participant.
5. Authorize the Lead Participant to execute all documents necessary to implement the grant or payment program.
6. Be signed by an individual authorized to contractually bind the Non-Lead Participant.

Joint Powers Authority Agreement

Joint Powers Authorities (JPA) must upload a copy of their JPA Agreements giving them authority to conduct the project, listing all member entities, and containing the signature of all members. CalRecycle does not require Letters of Authorization for JPA applicants. A JPA applicant must still upload a Resolution as a part of their application and list all JPA members as Non-Lead Participants on the Applicant/Participant tab.

Letter of Designation

CalRecycle requires a Letter of Designation (LOD) only when the Signature Authority identified in the approved Resolution chooses to delegate their signature authority to another person.

The approved Resolution must indicate the Signature Authority's ability to delegate or designate their authority. The applicant must upload the LOD **prior** to the designee's exercise of their authority. If the designee signs an application document in place of the Signature Authority, the applicant must upload the LOD with their application.

The LOD must:

1. Be on the applicant's letterhead.
2. Include the job title of the designee and the scope of the designee's authority.
3. Include the time period during which the designee may exercise the authority.
4. Be signed by the Signature Authority.

The designee's authority may not extend beyond the effective date of the approved Resolution. For example, if the Resolution is effective until December 31, 2022, then the Letter of Designation may not be effective beyond December 31, 2022. If the letter does not identify a valid time period, the letter will follow the same time frame as the Resolution.

Grant Review and Award Process

Grant Application Review Process

After the close of the application period, CalRecycle staff will review the applications for completeness and eligibility. Only complete applications will be considered for award.

Grant Award Process

For qualifying applications, CalRecycle staff will develop funding recommendations for the consideration and approval of CalRecycle's Director, or their designee; tentatively scheduled for April 1, 2022 and September 1, 2022. CalRecycle reserves the right to partially fund or fund individual phases of selected proposals, and CalRecycle may fund an amount less than requested.

CalRecycle reserves the right to not award any grant funds under one or more cycles.

Grant Award Conditions

If recommended for award, this grant will be subject to the following condition:

1. The recommended grantee for round one funding must pay all outstanding debts due to CalRecycle, or bring current outstanding payments owed to CalRecycle, by March 1, 2022.
2. The recommended grantee for round two funding must pay all outstanding debts due to CalRecycle, or bring current outstanding payments owed to CalRecycle, by August 15, 2022.

Failure to comply with the above condition will void the grant award.

Grant Program Administration

Application Certification

The Application Certification will be the Grant Agreement that binds the Grantee to CalRecycle's requirements as outlined in the documents below. These documents shall guide the grantee's administration of the grant project.

Following CalRecycle's approval of the grant awards, CalRecycle will email grantees the information below.

- **Award email**
- **Exhibit A: Terms and Conditions**
 - Contain CalRecycle standard legal requirements for grants
- **Exhibit B: Procedures and Requirements**
 - Contain specific requirements for administering this grant, including but not limited to project, reporting, and audit requirements

Reporting Process

CalRecycle requires grantees to report on the progress and expenditures on a bi-annual basis. The Procedures and Requirements document contains reporting information and deadlines.

Note: This requirement is subject to change at CalRecycle's discretion.

Payments

Funds must be placed into an interest-bearing account. Tracking and reporting of interest earned (if any) on the funds is not required. All interest accrued and received from the funds shall be used only for eligible expenses related to the performance of this Agreement.