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# AMERICAN RESCUE PLAN IN ARKANSAS PUBLIC LIBRARIES GRANT PROGRAM MANUAL

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Sub-Grant Information and Requirements



*Arkansas State Library*  
May 2021



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## American Rescue Plan in Arkansas Public Libraries Grant Program Manual Sub-Grant Information and Requirements

This manual contains information and requirements for administering the federal American Rescue Plan Act (ARPA) grant funding.

This manual includes funding categories and priorities for the allocation covering Federal Fiscal Year FFY2021 / AR State Fiscal Year FY2022, information about the grant application, grant award process, fund disbursement, and forms related to the administration of the program.

ARPA funding is provided by the Institute of Museum and Library Services and administered by the Arkansas State Library for the support of ARPA priorities in Arkansas. ARPA follows the Library Services and Technology Act (LSTA) Grants to States (G2S) guidelines, rules, and regulations. Therefore ARPA and LSTA may both be referenced in this manual.

### PURPOSE

Funding is intended to achieve ARPA's purposes with respect to Grants to States. That purpose is to help communities respond directly and immediately to the pandemic, and to address related economic and community needs through equitable approaches.

Funding must be used by September 30, 2022. Spending priorities are as follows:

1. to support digital inclusion efforts that enable libraries to reach residents with internet hotspots, accessible Wi-Fi, and digital content and related resources, particularly in support of education, health, and workforce development needs. The following types of data, among others, can inform efforts to reach underserved populations:
  - Poverty/Supplemental Nutrition Assistance Program (SNAP)
  - Unemployment
  - Broadband availability;
2. to provide rapid emergency relief to libraries across the country, allowing them to safely respond to the pandemic and implement public health protocols;
3. to support library services that meet the needs of communities throughout the U.S., including costs such as personnel, technology, training, materials, supplies, equipment, and associated indirect costs; and

With respect to (1), (2), or (3), reach tribal and museum partners best positioned to assist with pandemic response efforts, in addition to traditionally eligible library entities, where appropriate.

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## GENERAL INFORMATION

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*Funds must be expended by June 30, 2022*

### LETTER OF AGREEMENT

The Agreement to ARPA Requirements form must be completed, initialed, signed, and submitted before grant funds can be disbursed.

The following requirements are considered a part of the subgrant agreement. When signing the Agreement, you agree to all aspects of the requirements. The Agreement must be included as a part of official records and files for the ARPA Grant Award.

The following requirements are developed in accordance with agency procedures governing grants, state and federal laws and regulations concerning grants, and the spending priorities identified in ARPA.

### FUNDING FORMULA

Base: Per capita based on service area population and add:

- Population Density Credit (Rurality)
- Unemployment Credit
- SAIPE Credit (Small Area Income and Poverty Estimates)
- Connectivity Credit

TIMELINE

DATE	ACTION
<b>May 2021</b>	
17 -21	Manual, Application, Guidelines, Letter of Agreement, W-9 distributed
24	ZOOM <a href="#">Application Information</a> from 2 – 3:30 pm
25	ZOOM <a href="#">Application Information</a> from 10 – 11:30 am
26	ZOOM <a href="#">Application Information</a> from 2 – 3:30 pm
27	ZOOM <a href="#">Application Information</a> from 10 – 11:30 am
<b>June 2021</b>	
2	ZOOM <a href="#">Application Information</a> from 2 – 3:30 pm
9	ZOOM <a href="#">Application Information</a> from 10 – 11:30 am
15	Application, Letter of Agreement, W-9 due
<b>July 2021</b>	
1	Delayed Application Due
5 - 9	Official Award Notification, links to Progress and Final Report forms sent
15 - 20	First Grant Installment warrants (checks) mailed
<b>August 2021</b>	
2 - 6	July Delayed Application First Grant Installment mailed
1	Delayed Application Due
<b>September 2021</b>	
1 - 6	August Delayed Application first grant installment mailed
1	Final date for Delayed Application
<b>October 2021</b>	
1 - 8	September delayed application first grant installment mailed
15	First Progress Report due
<b>January 2022</b>	
15	Second Progress Report due
<b>April 2022</b>	
15	Third Progress Report due
<b>June 2022</b>	
30	Grant period ends (all funds expended)
<b>July 2022</b>	
15	Fourth Progress Report due
<b>September 2022</b>	
30	Final Report due

PROJECT CATEGORIES

Federal funds are carefully monitored to ensure appropriate use of the funds for grant-related activities. Federal funds must be expended solely for the purpose for which the grant was awarded.

You are encouraged to use these funds for one-time purchases that address the problems you have encountered due to the COVID-19 Pandemic. Federal regulations and guidelines prohibit the expenditure of these funds on certain items. Allowable and unallowable costs are discussed further in this manual. The Project Categories for ARPA funds are listed below with examples of items that may be purchased with these funds.

Information Access	Institutional Capacity	Targeted Audiences	Enhanced Technology
<ul style="list-style-type: none"> <li>• Books</li> <li>• E-books</li> <li>• Audiobooks</li> <li>• Databases (<b>subscription MUST end by September 30, 2022</b>)</li> <li>• Subscription magazine services (<b>subscription MUST end by September 30, 2022</b>)</li> </ul>	<ul style="list-style-type: none"> <li>• Internal Wi-Fi upgrades</li> <li>• Website</li> <li>• Filtering software</li> <li>• ILS migration</li> <li>• Masks</li> <li>• Wipes</li> <li>• Ionizers</li> <li>• Atomizer guns and disinfectant refills</li> <li>• Plexi-glass barriers (<b>not requiring construction to install or using local funds for installation</b>)</li> <li>• Hand sanitizer stations (<b>free-standing, not involving attaching to wall unless local funds are used for installation</b>)</li> <li>• Book lockers (<b>use local funds for installation</b>)</li> <li>• Furniture to facilitate outdoor programs</li> <li>• ADA Assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Wi-Fi hotspots</li> <li>• Devices with data plans (<b>plans MUST end by September 30, 2022</b>)</li> <li>• Job Fairs</li> <li>• Career Prep Databases other than Learning Express (<b>subscription MUST end by September 30, 2022</b>)</li> <li>• Workforce development mobile unit</li> <li>• Exercise equipment for checkout</li> <li>• Bookmobile or book bike</li> </ul>	<ul style="list-style-type: none"> <li>• Digital navigators (<b>contract or salary MUST end by June 30, 2022</b>)</li> <li>• Tech circuit rider program (for multi-county systems) (<b>contract or salary must end by June 30, 2022</b>)</li> <li>• Computers (including peripherals, software, etc.)</li> <li>• Laptops</li> <li>• Printers</li> </ul>

### NON-COMPETITIVE APPLICATION

Each library and/or library system will submit a Non-Competitive ARPA Grant Application. This application is constructed so libraries can take advantage of all project categories available for use by ARPA funds.

Completion of the form does not imply ASL's approval of a project and each application will be reviewed for compliance.

#### ***Delayed Application***

Libraries may submit a delayed application if they are not prepared to begin spending these funds as soon as received. The spending must still be completed by June 30, 2022. The delayed application will allow time to better plan how the funds will be expended

The dates to submit a delayed application are July 1, August 1, September 1, 2021, with the first grant installment being mailed by the first of the following month. Please notify Manager of Grants & Special Projects [Debbie Hall](#) if you plan to submit a delayed application.

Be aware that by submitting a delayed application you may impact your ability to purchase needed items or totally expend the full grant amount. With libraries across the nation spending funds for the same purposes, the supply chain may be affected.

### DUNS NUMBER

A Data Universal Number System (DUNS) number is required to receive federal funds. The DUNS number is a nine-digit number established and assigned by Dun and Bradstreet Inc. (D&B) to uniquely identify business entities. The federal government uses DUNS numbers to track how federal money is distributed. A DUNS number is required for all organizations that receive federal funding.

The DUNS number should be for your organization's governing body. If your library does not have an individual number assigned, it may fall under your county or city government.

You may [search online](#) to check if your organization already has a DUNS number. If your organization does not, one may be obtained free of charge from D&B via telephone at 866.705.5711 or [online request](#).

### OFFICIAL AWARD NOTIFICATION

Each library or library system will receive an Official Award Notification.

The Notification will include the Award Number, amount of the total award, amount awarded per spending category, start and end dates, and other important information. These will be sent out in early July.

## DISBURSEMENT OF FUNDS

To comply with 2 CFR §200.305, you must determine how to spend ARPA funds and encumber them as soon as possible.

### **2 CFR §200.305 Federal payment.**

(b) For non-Federal entities other than states, payment methods must minimize the time elapsing between the transfer of funds from the United States Treasury or the pass-through entity and the disbursement by the non-Federal entity, whether the payment is made by electronic funds transfer, or issuance or redemption of checks, warrants, or payment by other means.

Grant Awards are disbursed in two installments. The first installment will be sent in July once ASL is able to issue warrants to the Department of Finance and Administration (DFA) for payment. You may encumber funds starting April 8, 2021, before you receive any grant funds. Delayed application funding will be mailed by the beginning of the following month after submission.

If you plan to make a purchase larger than the amount of your first grant payment, a request form must be submitted in order to receive the larger amount. The link to the form will be provided with the Application Packet and can also be found [online](#).

The form requires detailed information on the purchase.

Quarterly progress reports and receipts showing that funds were expended in the approved categories must be submitted before your second payments can be disbursed.

## REPORTING

Quarterly Progress Reports and a Final Report are required. A Final Report form must be completed for each spending category in which you receive funding. All reports require accompanying receipts.

Remaining funds will be released only after the first installment is expended and related progress reports are received.

Report Guidelines and forms will be sent with the Official Award Notification and be published on the ASL website. Pay close attention to the requirements to plan what information must be collected to complete the reports. Reporting on federal funds is very detailed and the information you report is crucial to the State Program Report ASL submits to IMLS.

## CHILDREN'S INTERNET PROTECTION ACT

If a grant recipient uses ARPA funds to purchase any device that connects to the internet, the recipient must be compliant with the Child Internet Protection Act (CIPA).



A grant recipient must certify that it has a policy of internet safety that includes the operation of technology protection measures (filter) with respect to any of the recipient's devices with internet access.

Note that for CIPA compliance, (1) libraries are required to block images that are obscene, contain child pornography, or are harmful to minors on all library-owned, internet-connected computers, and (2) to have an internet safety policy that has been approved at a public meeting. The filter can be turned off by an authorized library staff member for patrons 17 and older for lawful purposes.

#### NO CONSTRUCTION

ARPA funds cannot be used for any type of construction. No hammers and no shovels – you cannot use these funds for installation that includes changing the layout of a library or for bringing fiber to the library that would include digging. You can, however, use ARPA funds to purchase materials, then use other funds or volunteer workers to perform the labor.

#### ACKNOWLEDGEMENT OF GRANT SUPPORT

All recipients of ARPA grant funds are required to credit the American Rescue Plan Act, IMLS, and the Arkansas State Library in all publications and promotional activities related to the grant-funded project. Use this tagline:

“This project is made possible with American Rescue Plan Act funds provided by the Institute of Museum and Library Services through the Library Services and Technology Act Grants to States program and administered by the Arkansas State Library.”

#### RECORDS RETENTION

Keep a complete file of all official records and transactions related to this project through December 31, 2026.

All records for each project must be maintained separately from those of other projects. Accounting records should be supported by source information such as canceled checks, paid invoices, and payroll records.

Access to these grant records must be granted to the Arkansas State Library if requested. Records must be retained for three years after the date of the final expenditure report. In cases of audit questions, records must be maintained until resolution or three years after the date of the final expenditure report, whichever is later.

The State Library recommends retaining the following documents:

- Original grant application
- Signed Agreement of ARPA Requirements
- Any change requests or other correspondence with the State Library or vendors
- Grant deposits

- Bills, invoices and receipts
- Payroll expenses documentation
- Payments
- Audit and paper trails that document grant expenditures
- Quarterly Progress and Final reports (including grant reports and local audit reports)

#### CLOSING OUT THE SUBGRANT

- The grant project must be completed within the timeline stated in the original grant application. Any changes in the timeline must be discussed with the LSTA Coordinator. All subgrants must have all expenditures completed by June 30, 2022.
- Fourth quarter reports must be submitted by the stated deadline of July 15, 2022.
- Final narrative reports must be submitted by the stated deadline of September 30, 2022. Reports must show evaluative measures taken in the grant period to gauge the success of the project in meeting project goals.
- The grant, then, is officially “closed out” when all funds have been expended and narrative and budget reports have been submitted.
- If the library is unable to spend out the subgrant completely, the project manager or library director must notify the LSTA Coordinator as soon as it becomes apparent that funds will not be expended. The State Library needs advance notice when funds will not be spent, so that funds may be diverted to other needs.
- Issues sometimes arise in subgrant implementation and use of grant funds. Taking care of problems early in the implementation period prevents problems in expending grant funds in a timely manner. Unresolved issues, or issues that have not been brought to the attention of the State Library, may jeopardize the recipient library in any future grant funds. Issues can be avoided by:
  1. Notifying the LSTA Coordinator in quarterly reports or at any time during the implementation period about potential problems with spending grant funds.
  2. Submitting proper documentation and invoices.
  3. Submitting required documents on time and in full. Retain all documentation should questions arise.
  4. Responding to project-related communication from the State Library in a timely manner.
  5. Spending out ARPA LSTA funds completely before the end of a project.

#### FFATA COMPLIANCE

The Federal Funding Accountability and Transparency Act Implementation (FFATA) (2 CFR Part 170) requires that awards made with federal funds are made available to the public via a single, searchable website at [www.USASpending.gov](http://www.USASpending.gov).

The Arkansas State Library will comply with the FFATA legislation by reporting all LSTA (ARPA) grant awards equal to and greater than \$30,000. Projects are described only by the title.

### MONITORING

As the agency awarding the LSTA funds, the Arkansas State Library has a vested interest to monitor compliance with applicable requirements and the appropriate use of grant funds. Monitoring may take various forms such as the review of financial and programming reports, electronic conversations (e.g., email, telephone, virtual) with the project director and/or appropriate personnel, or in-person meetings. Monitoring will include a discussion on issues such as the overall progress of the project, challenges and successes, fiscal and audit responsibilities.

This monitoring will be documented in grant files maintained by the Arkansas State Library and should also be noted in grant files maintained by the library awarded the grant. Project managers are encouraged to contact the LSTA Coordinator any time there is a question or concern.

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## USE OF FUNDS

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### ALLOWABLE EXPENDITURES

Federal grants, including ARPA, have limitations on what items and services may be purchased using grant funds. Some items and services are "allowable costs," meaning that they may be purchased using grant funds, while others are not. Expenditures must comply with federal guidelines for allowable project costs.

#### **Pre-Award Costs**

Pre-award costs that occurred April 8, 2021 forward may be eligible for reimbursement with your ARPA grant award. If you purchased something that falls into the project categories, is an allowable expenditure, and did not cost \$5,000 or more, you may use your ARPA award as a reimbursement. You will submit these invoices/receipts with your first quarterly report and will be reviewed for compliance.

All goods/services purchased with ARPA funds must be:

1. Allowable under federal cost principles and administrative requirements meeting all the following criteria:
  - a) Allocable (chargeable or assignable to the awarded project) and
  - b) Necessary (could not conduct the project without this good/service) and
  - c) Reasonable (cost for goods/services must not be inflated)
2. Acquired following all applicable federal cost principles, administrative requirements, and state purchasing laws.

Contact the LSTA Coordinator, [Debbie Hall](#), with any questions about the eligibility of a purchase.

#### **Allowable Expenses**

- Consulting or contractual services;
- Evaluation to show the extent to which the project has met its goals;
- Accessories and supplies that are necessary to support the project;
- Hardware, software, and/or technology necessary to support the project;
- Salaries and benefits for temporary staff to be employed for the project OR temporary staff to be employed to cover duties of full-time personnel while the full-time person works on the project. Temporary staff means part-time or full-time personnel hired specifically to help carry out the project, or additional hours for existing part-time staff. The project description should clearly explain the need for added staff.
- Subscriptions and licenses within the grant period that support digital inclusion efforts;
- Travel and/or training expenses related to the project for library or project staff; and
- Indirect costs;
- Other expenses that are reasonable and necessary to support the project.

## Unallowable Expenses

- Advocacy or lobbying fees or costs
- Alcoholic beverages
- Bad debts
- Building construction or renovation costs
- Capital expenditures
- Collection development purchases not targeted directly to the grant goals
- Contingencies (contractors that are not offering services for the LSTA project)
- Contributions and donations
- Entertainment or performances – including amusement, diversion, and social activities, and any costs associated with such activities (food, entertainers, rentals, gratuities, alcohol, etc.), costs of ticket to shows or sporting events
- Equipment or technology not specifically needed to carry out the goals of the grant
- Fines and penalties
- Food
- Furniture (built-in). Some furniture may be allowable as part of the grant project. Check with the LSTA Coordinator before purchasing.
- Gifts, stipends, or awards
- Gifts, models, souvenirs and other “promotional” items
- Honoraria
- Incentives, rewards
- Indirect costs or overhead not approved by the Grants Coordinator
- Interest and other financial costs
- Salaries or benefits for individuals not working on the LSTA project
- Losses on other grants (excess costs for one grant application are not chargeable to another grant application)

Federal [guidelines](#) for allowable costs can be found in 2 CFR, Part 200, Subpart E – Cost Principles.

### INDIRECT COST RATE (OPTIONAL)

An indirect cost is an organization’s incurred cost that cannot be readily isolated or identified with just one project or activity. These types of costs are often referred to as “overhead costs.” Typical examples of indirect costs are general telephone service, postage, office supplies, office space expenses, and administrative or financial operations for an entire organization.

Indirect costs must be budgeted within the specific dollar amount awarded in the LSTA grant. The awarded agency cannot budget indirect costs in excess of the grant award amount.

There are four options for indirect costs in the application:

1. Use a current indirect cost rate already negotiated with a federal agency (2 CFR 2 §200.414(e));
2. Use an indirect cost rate proposed to a federal agency but not yet approved (2 CFR 2 §200.414(e));
3. Use a rate not to exceed 10% of the total direct costs if your organization has never had a federally negotiated indirect cost rate and you are not subject to other requirements (e.g., for local governments) (2 CFR 2 §200.414(f)); or
4. Do not include any indirect costs.

When determining the amount that can be charged to indirect costs, the modified total direct costs amount (MTDC) must be used as the amount of funds that the indirect costs are calculated against. The MTDC is the direct costs of the project minus certain exclusions that include equipment and space rental costs. A list of exclusions that cannot be a part of the MTDC are in 2 CFR §200.68.

#### PROCUREMENT STANDARDS FOR FEDERAL AWARDS

Grant recipients receiving Federal funds must comply with the general procurement standards at [2 CFR 200.318-326](#). When procuring property and services under a Federal award, grant recipients must use their own documented procurement procedures, provided that these procurements conform to applicable Federal law and the standards identified at 2 CFR 200.318-326.

In the absence of the recipient's documented procurement standards, or if the recipient's standards do not meet the general procurement standards requirements, the grant recipient must follow the State [procurement laws and regulations](#) (A.C.A. §19-11-201, et seq.).

All procurement transactions must be conducted in a manner providing full and open competition. Grant recipients should avoid any actual or appearance of conflicts of interest or non-competitive practices.

#### PAYING EMPLOYEES WITH ARPA FUNDS

Payroll documentation must be kept for time spent performing project related tasks for all employees compensated with LSTA funds. The Arkansas State Library recommends using time sheets that are parallel to the library's payroll periods to clearly track time and activities compensated with grant funds. It is not necessary to submit time sheets to the Arkansas State Library unless asked.

#### **Full-Time Staff**

LSTA funds and salary cannot be paid for the same hours worked or tasks completed. Consider what a prudent person would do under similar circumstances. LSTA funds are not intended as an "overtime windfall."

To maintain the integrity of the program, if 100 percent of an employee's wages are paid with LSTA funds, that employee must dedicate 100 percent of his or her time to project related tasks and activities.

Consider the relationship of the task/activity to the grant-funded project:

- Does the task or activity result in a direct benefit to the grant program?
- Can the task or activity be easily and accurately traced back to the grant program?

If the answer to both of these questions is yes, then the time is allowable, and compensation with grant funds is appropriate.

### **Part-Time Staff**

Part-time staff members may have hours added to their schedule to work on an LSTA-funded project. For example, Sue works part-time at the library, and extra hours have been added to her schedule to work on the grant activities.

#### Sue works:

55% of her time on general library responsibilities; 45% of her time on LSTA Grant responsibilities.

#### Sue's salary and benefits may be allocated:

55% funded with local or other funding; 45% percent funded with LSTA Grant funds.

Use other funding sources to pay for work done outside the scope of the grant-funded project. If employees are assigned to more than one grant-funded project, payroll expenditures must be supported by appropriate time distribution records.

### LARGE PURCHASES - EQUIPMENT

You MUST get prior approval from the State Library for a single item or equipment purchase of \$5,000 or more. Complete the Equipment Request Form that can be found [online](#).

### EQUIPMENT & INVENTORY REQUIREMENTS

All equipment purchased as part of an LSTA grant project is considered to be the property of the library that received the grant award.

The grant recipient (library) is responsible for managing the installation, maintenance, repair, replacement and ongoing operation of any equipment purchased with LSTA funds. Likewise, materials such as physical books and AV purchased with grant funds remain the property of the library.

Equipment shall be used by the library in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported with federal funds, regardless of purchase cost or current value.

Local procedures for managing equipment must, at a minimum, adhere to the following requirements:

- Property records must be maintained and include a description of the property, a serial number or other identification number, the source of the property, the title holder (which library), the acquisition date, the cost of the property, percentage of federal funds used to purchase the property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

- ALL equipment purchased with ARPA LSTA grant funds must be labeled with a printed label acknowledging the use of federal funds toward its purchase and crediting both ARPA, IMLS and the State Library.

*ASL will supply labels to libraries to be placed on all items purchased with ARPA funds – books, equipment, computers, etc.*

- A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years. A copy of the inventory must be submitted to the LSTA Coordinator at the State Library, upon request.
- A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property.
- Adequate maintenance procedures must be developed to keep the property in good condition.
- Proper sales procedures must be established to ensure the highest possible return if the grant recipient is authorized or required to sell the property. Grant recipients assume any expenses incurred from selling LSTA funded equipment. There is no provision for using any of the sale proceeds to cover expenses.
- **Disposition** is an action which reduces a grantee's control of LSTA funded equipment. Disposition includes, but is not limited to: selling, loaning, exchanging, trading in, transferring, donating, destroying, or using the equipment for purposes other than supporting the authorized LSTA project. When acquiring replacements for equipment bought with LSTA funds, the grantee may use the LSTA-funded equipment to be replaced as a trade-in, or sell the property and use the proceeds to offset the cost of the replacement property, subject to prior approval by the Arkansas State Library.
- **Fair market value** is the estimated amount (appraisal value) that could be received for an asset in a transaction with a neutral party in an open market at a point in time. It is the price for which the asset could be sold in an arms-length transaction between unrelated parties.
- **For equipment with a fair market value of \$5,000 or more:** The subgrantee may retain or sell the equipment and the federal government shall have a right to an amount calculated by multiplying the current market value or proceeds from the sale by the federal government's share of the equipment. This amount is payable to the Arkansas State Library as the administrative agency for the LSTA grant. All disposition of such equipment must have prior written approval from the Arkansas State Library.
- **For equipment with a fair market value of less than \$5,000:** The grantee may retain, sell, or otherwise dispose of the equipment with no further financial obligation to the federal government BUT must notify the Arkansas State Library about such a disposition.

Uniform Guidelines for equipment use, inventory and disposition are found in [2 CFR §200.313](#).



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## STATE AND FEDERAL ASSURANCES AND CERTIFICATIONS

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### STATE CERTIFICATION

Pursuant to Arkansas Code Annotated § 19-11-105, illegal immigrants shall not be employed.

OMB Approval No. 0348-0040

### ASSURANCES – NON-CONSTRUCTION PROGRAMS

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact LSTA Coordinator [Debbie Hall](#).

Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

There is an Agreement form where applicant will initial and sign showing they agree to these Assurances and Certifications. The grantee library:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681- 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794),

which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis- Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327- 333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93- 205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

Previous Edition  
Authorized for Local Reproduction

Usable Standard Form 424B (Rev. 7-97)  
Prescribed by OMB Circular A-102

## ASSURANCES & CERTIFICATIONS

### **1. Nondiscrimination**

The applicant shall comply with the following nondiscrimination statutes and their implementing regulations:

- a) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000 et seq.), which prohibits discrimination on the basis of race, color, or national origin (note: as clarified by Executive Order 13166, reasonable steps must be taken to ensure that limited English proficient (LEP) persons have meaningful access to the programs (see IMLS guidance at 68 Federal Register 17679, April 10, 2003));
- b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 701 et seq.), which prohibits discrimination on the basis of disability (note: IMLS applies the regulations in 45 C.F.R part 1170 in determining compliance with § 504 as it applies to recipients of Federal assistance);
- c) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681– 83, 1685–86), which prohibits discrimination on the basis of sex in education programs;
- d) the Age Discrimination in Employment Act of 1975, as amended (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age;
- e) the requirements of any other nondiscrimination statute(s) which may apply.

## 2. Debarment and Suspension

The applicant shall comply with 2 C.F.R. part 3185 and 2 C.F.R. part 180, as applicable. The authorized representative, on behalf of the applicant, certifies to the best of his or her knowledge and belief that neither the applicant nor any of its principals:

- a) Are presently excluded or disqualified;
- b) Have been convicted within the preceding three years of any of the offenses listed in [2 C.F.R. §180.800\(a\)](#)
- c) [2 C.F.R. §180.800\(a\)](#) or had a civil judgment rendered against it or them for one of those offenses within that time period;
- d) Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in [2 C.F.R. §180.800\(a\)](#) ; or
- e) Have had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

Where the applicant is unable to certify to any of the statements in this certification, the authorized representative shall attach an explanation to this form.

The applicant is required to comply with 2 C.F.R. part 180 subpart C (Responsibilities of Participants Regarding Transactions Doing Business with Other Persons) as a condition of participation in the award. The applicant is also required to communicate the requirement to comply with 2 C.F.R. part 180 subpart C (Responsibilities of Participants Regarding Transactions Doing Business with Other Persons) to persons at the next lower tier with whom the applicant enters into covered transactions.

## 3. Drug-Free Workplace

The authorized representative, on behalf of the applicant, certifies, as a condition of the award, that the applicant will or will continue to provide a drug-free workplace by complying with the requirements in 2 C.F.R. part 3186 (Requirements for Drug-Free Workplace (Financial Assistance)). In particular, the applicant as the recipient must comply with drug-free workplace requirements in subpart B of 2 C.F.R. part 3186, which adopts the Government-wide implementation (2 C.F.R. part 182) of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 701-707, as amended).

This includes, but is not limited to: making a good faith effort, on a continuing basis, to maintain a drug-free workplace; publishing a drug-free workplace statement; establishing a drug-free awareness program for the applicant's employees; taking actions concerning employees who are convicted of violating drug statutes in the workplace; and identifying (either at the time of application or upon award, or in documents that the applicant keeps on file in its offices) all known workplaces under its Federal awards.

#### 4. Federal Debt Status

The authorized representative, on behalf of the applicant, certifies to the best of his or her knowledge and belief that the applicant library is not delinquent in the repayment of any Federal debt.

#### 5. Certification Regarding Lobbying Activities (Applies to Applicants Requesting Funds in Excess of \$100,000)(31 U.S.C. §1352)

The authorized representative certifies, to the best of his or her knowledge and belief, that:

- a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the authorized representative, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- b. If any funds other than Federal appropriated funds have been paid or will be paid to any person (other than a regularly employed officer or employee of the applicant, as provided in 31 U.S.C. § 1352) for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the authorized representative shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- c. The authorized representative shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when the transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into the transaction imposed by 31 U.S.C. § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

In addition, in accordance with Federal appropriations law, no IMLS funds may be used for publicity or propaganda purposes for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government. No IMLS funds may be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action or Executive order

proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body.

## 6. Trafficking in Persons

The applicant must comply with Federal law pertaining to trafficking in persons. Under 22 U.S.C. § 7104(g), any grant, contract, or cooperative agreement entered into by a Federal agency and a private entity shall include a condition that authorizes the Federal agency (IMLS) to terminate the grant, contract, or cooperative agreement, if the grantee, subgrantee, contractor, or subcontractor engages in trafficking in persons, procures a commercial sex act, or uses forced labor. 2 C.F.R. part 175 requires IMLS to include the following award term:

- 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 C.F.R. part 180, “OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement),” as implemented by our agency at 2 C.F.R. part 3185.
- 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 C.F.R. part 180,
  3. 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.
  4. 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.
  5. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
- c. 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 C.F.R. part 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 C.F.R part 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).

## 7. Conflict of Interest

The applicant certifies to the best of his or her knowledge and belief that the awardee does not have any financial conflict of interest with the Arkansas State Library, the Institute of Museum and Library Services, or the receiving of Federal awards. If there are any conflicts, the awardee must disclose them to ASL immediately.

**8. General Certification**

The authorized representative, on behalf of the applicant library, certifies that the applicant library will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program. These assurances and certifications are provided in connection with any and all financial assistance from the Institute of Museum and Library Services after the date this form is signed. These assurances and certifications are binding on the applicant, its successors, transferees, and assignees, and on the Authorized Certifying Official whose signature appears on the Acknowledgement of Terms and Conditions form.



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## UNIFORM GUIDANCE FOR GRANTS

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All recipients of federal funds must follow the Office of Management and Budget (OMB) Uniform Guidance for Grants ([2 C.F.R. part 200](#)). Below are some of the newest provisions.

### PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT.

#### **2 C.F.R. § 200.216:**

- Prohibits recipients and subrecipients from using grant funds to: obtain equipment, services, or systems that uses telecommunications equipment produced by Huawei Telecommunications Company or ZTE Corporation (or any of their subsidiaries or affiliates).
- Also prohibited are video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any of their subsidiaries or affiliates).
- Also prohibited are telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense believes to be an entity connected to the government of a covered foreign country.

A corresponding new provision (2 C.F.R. § 200.417) clarifies that telecommunications and video surveillance costs associated with 2 C.F.R. § 200.216 (above) are **unallowable**.

Restrictions on any vendor may be [searched online](#) at the System for Award Management (SAM) government website.

### DOMESTIC PREFERENCES FOR PROCUREMENTS (2 C.F.R. § 200.322):

- As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.
- The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under the award. (See Appendix II to 2 C.F.R. part 200 – Contract Provisions for Non-Federal Entity Contracts under Federal Awards).

This requirement does not set a dollar threshold (i.e., below which it would not apply); it states that domestic preference should be used as appropriate and to “to the greatest extent practicable.”

The following requirement for a unique entity identifier is why you **MUST** provide a DUNS Number. This is for this grant only. Beginning April 2022, all entities receiving federal funds must register with SAM.gov. This will be addressed at a later time.

REQUIREMENT FOR RECIPIENTS TO ENSURE SUBRECIPIENTS HAVE A UNIQUE ENTITY IDENTIFIER**2 C.F.R. § 25.300:**

- (a) A recipient may not make a subaward to a subrecipient unless that subrecipient has obtained and provided to the recipient a unique entity identifier. Subrecipients are not required to complete full SAM registration to obtain a unique entity identifier.
- (b) A recipient must notify any potential subrecipients that the recipient cannot make a subaward unless the subrecipient has obtained a unique entity identifier as described in paragraph (a) of this section.

EMBEDDED EMAIL AND WEBSITES

## LSTA COORDINATOR EMAIL

- Debbie Hall – <mailto:aslib.grants@ade.arkansas.gov>

## DUNS – Page 3

- Lookup: <https://www.dnb.com/duns-number/lookup.html>
- Apply: <https://fedgov.dnb.com/webform/>

## Allowable Costs – Page 9

- 2 CFR, Part 200, Subpart E – Cost Principles: <https://www.ecfr.gov/cgi-bin/text-idx?SID=cb48cb4ef70c19f49fff7c9ecb246538&mc=true&node=sp2.1.200.e&rgn=div6>

## Procurement Standards – page 10

- Federal: [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl)
- State: <https://www.dfa.arkansas.gov/images/uploads/procurementOffice/lawsRegs.pdf>

## Purchasing Equipment – Page 12

- 2 CFR, Part 200, Subpart D – Post Federal Award Requirements: [https://www.ecfr.gov/cgi-bin/text-idx?SID=cc497b29d2db3e4829986554053e8f0a&mc=true&node=se2.1.200\\_1313&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=cc497b29d2db3e4829986554053e8f0a&mc=true&node=se2.1.200_1313&rgn=div8)

## Uniform Guidance – 22

- 2 CFR, Part 200: [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl)

## Restrictions on Vendors – Page 23

- System for Award Management (SAM): <https://sam.gov/SAM/pages/public/searchRecords/search.jsf>