

## National Park Service, Interior

## § 72.56

criteria used to select eligible jurisdictions contained in Appendix A of this part. A discretionary narrative statement must be included in each preapplication.

(5) All submitted grant preapplications will be reviewed by NPS Regional Offices to assure that they meet all minimum legal and technical standards before being certified as eligible for competition. Proposals not meeting minimum standards will be returned to the applicant. Periodically, all certified proposals will be evaluated in the Regional Offices before being submitted to Washington, where they will be judged by national panels whose members are knowledgeable in recreation and urban revitalization. Innovation and Rehabilitation proposals will be judged by separate panels.

(6) Following review and ranking by the panels, the Director will approve tentative grant offers for those proposals which may be funded. Successful applicants will be notified by the NPS Regional Offices, and completion of the formal application process will take place. The formal application process must be completed within 120 days of notification of the tentative grant offer, or the tentative grant offer may be withdrawn. Final approval of a grant and obligation of funds will occur when all application requirements have been met and the appropriate documents are on file. No costs may be incurred or reimbursed, except incurred architectural and engineering fees indicated in § 72.44, until NPS approval of the grant agreement.

(7) Unfunded proposals may require modifications to improve their competitiveness. Applicants with such proposals will be advised by NPS of suggested modifications, if any, to increase their chances for funding in future grant rounds.

(8) If an applicant wishes a proposal to remain in competition, it may be considered for two additional funding cycles, with or without minor modifications, before it is returned to the applicant. Major modifications of scope and/or total funding request will require complete resubmission of a proposal as a new preapplication. Applicants who wish to change the scope

and/or total funds requested for a proposal which is already in competition, must submit a written request for withdrawal of the previous proposal before submitting a new proposal in the same competition.

(9) The Director reserves the right to withdraw a grant offer if it is determined that any preapplication contains misstatements or misrepresentations of fact, or problems identified which cannot be resolved.

### § 72.54 Rehabilitation and Innovation grants—full application process.

Once a Rehabilitation or Innovation proposal has received a tentative grant offer, applicants will be responsible for compliance with all applicable Federal laws and regulations listed in OMB Circular A-102, including those specific Acts and Executive Orders listed in § 72.56 of these regulations. The applicant must also complete all documentation and other requirements specified by OMB circulars A-102, and A-95 within 120 days. Regional Offices of NPS will provide technical assistance to grantees in complying with these requirements. A grant will not be approved until the applicant is in compliance with the above requirements.

### § 72.55 [Reserved]

### § 72.56 Grant program compliance requirements.

(a) Once a proposal has received a grant offer, applicants will be responsible for compliance with all applicable Federal laws and regulations, including, but not limited to:

- Architectural Barriers Act of 1968 (P.L. 90-480)
- Clean Air Act and Federal Water Pollution Control Act
- Copeland Anti-kickback Act
- Endangered Species Act of 1973 (Pub. L. 93-205)
- Executive Order 11246, Equal Employment Opportunity
- Executive Order 11593, Protection and Enhancement of the Cultural Environment
- Executive Order 11625, Arrangements for Developing and Coordinating a National Program for Minority Business Enterprise
- Executive Order 11988, Floodplains Management
- Executive Order 11990, Protection of Wetlands

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Executive Order 12088, Federal compliance with Pollution Control Standards  
Executive Order 12185, Conservation of Petroleum and Natural Gas  
Flood Disaster Protection Act of 1973 (Pub. L. 93-234)  
Historical and Archeological Data Preservation Act of 1974 (Pub. L. 93-291) 36 CFR 66  
National Environmental Policy Act of 1969 (Pub. L. 91-190)  
National Historic Preservation Act (Pub. L. 89-665)  
Nondiscrimination section 109 of the Housing and Community Development Act of 1974 (42 USC 5301) as amended.  
Section 504 of the Rehabilitation Action Act of 1973  
Title VI of the Civil Rights Act of 1964, Executive Order 11764  
Title VIII of the Civil Rights Act of 1968 (42 USC 3601) as amended, Executive Order 11063 (27 FR 11527)  
Uniform Relocation Assistance & Land Acquisition Policies Act of 1970 (Pub. L. 91-646)

(b) Applicants using General Revenue Sharing or Community Development Block Grant monies as a matching share must check with the responsible Federal agencies, i.e. Treasury or HUD to determine if the Davis-Bacon Act is applicable. (HUD regulations 24 CFR part 570 [CDBG]. Treasury regulations 31 CFR part 51, State and Local Fiscal Assistance Amendments of 1976 [P.L. 94-488], General Revenue Sharing program.) Questions concerning other CDBG requirements should be addressed to the HUD Area Office serving the UPARR applicant jurisdiction.

**§§ 72.57–72.59 [Reserved]**

**§ 72.60 Grant administrative procedures.**

(a) *Administrative Requirements for Recipients of UPARR Assistance.* For all grants under this Program, the administrative requirements are the attachments listed in the Office of Management and Budget (OMB) Circular A-102 (as revised).

(b) *Accounts, Audit, Inspection.* Adequate financial records must be maintained by the applicant to support all expenditures or costs covered by a Recovery Action Program, Rehabilitation or Innovation project, as specified in Federal Management Circular (FMC) 74-4 and OMB Circular A-102.

(c) *Additional conditions.* The Director may, with respect to any grant, impose

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additional conditions prior to, or at the time of grant approval, when in his or her judgement these conditions are necessary to assure or protect advancement of the grant purposes, the interests of public health or safety, or the conservation of grant funds. Extra requirements may be imposed on high-risk grantees who have records of default on prior Federal grants.

(d) *Remedies for Noncompliance.* In appropriate circumstances, the Director may suspend or recoup the financial assistance provided under UPARR, upon the formal finding that the Grantee is in violation of the terms of the grant or the provisions of these regulations.

**§ 72.61 [Reserved]**

**§ 72.62 Amendments to approved grants.**

Changes which alter the scope of any approved UPARR competitive grant must be submitted to and approved by NPS. Once a grant offer is made, based upon the preapplication, no increases in the amount of UPARR funding specified in the original proposal will be considered. Such changes should be the basis of a new proposal or application.

**§ 72.63 Grant payments.**

The Director shall make payments to a grantee of all, or a portion of any grant award, either in advance or by way of reimbursement. Advance payments on approved Rehabilitation or Innovation grants will be in an amount not to exceed 20% of the total grant cost [section 1006(2) of the Act].

**§ 72.64 [Reserved]**

**§ 72.65 Other requirements.**

(a) *Requirements for Operation and Maintenance.* Grantees are required to keep all UPARR assisted properties in reasonable repair to prevent undue deterioration, and to encourage public use during reasonable hours and times of the year, according to the type of facility and intended uses.

(b) *Non-discrimination.* There shall be no discrimination for UPARR assisted programs or services on the basis of residence, except in reasonable fee differentials.