

ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY
Trade Adjustment Assistance for Firms Program

EXECUTIVE SUMMARY

- **Federal Agency Name:** Economic Development Administration (EDA), U.S. Department of Commerce (DOC).
- **Funding Opportunity Title:** FY 2015-2016 Trade Adjustment Assistance for Firms Program
- **Announcement Type and Date:** FY 2015-2016 Federal Funding Opportunity (FFO) announcement publishing EDA's application submission requirements and review procedures for applications received under EDA's Trade Adjustment Assistance for Firms program, authorized under the Trade Act of 1974, as amended (19 U.S.C. § 2341 et seq.).
- **Funding Opportunity Number:** EDA-HDQ-TAAF-2016-2004559
- **Catalog of Federal Domestic Assistance (CFDA) Number:** 11.313, Economic Adjustment Assistance – Trade Adjustment Assistance
- **Dates:** The deadline for receipt of applications is 11:59 p.m. Eastern Time (ET) on November 24, 2015. Applications received after this deadline will not be reviewed or considered. Applications will only be accepted electronically through www.grants.gov (Grants.gov). Applicants are advised to carefully read the application and submission information provided in section IV. of this FFO.
- **Funding Opportunity Description:** This FFO announces the availability of funding for the Trade Adjustment Assistance for Firms program (TAAF) administered by DOC – via EDA – under the Trade Act of 1974, as amended (19 U.S.C. § 2341 et seq.). TAAF provides cost-shared technical assistance to help strengthen the competitiveness of American companies that have been negatively impacted by increasing imports (defined as having lost domestic sales and employment because of increased imports of similar goods and services). EDA operates TAAF through a national network of Trade Adjustment Assistance Centers (TAACs). EDA is soliciting applications from organizations to operate as TAACs. Each TAAC is expected to provide technical assistance to import-impacted firms in preparing petitions for certification of eligibility under the program, and in developing and implementing adjustment proposals (business recovery plans) for such firms. Through this competition, EDA aims to improve the efficiency and effectiveness of the program through enhanced program performance measurement, decreased program administrative costs, closer alignment of geographic service areas of TAACs with the service areas of EDA's six regional offices,¹ and a more equitable distribution of services across all U.S. States and

¹ EDA does not intend to administer the TAAF program through its Regional Offices, only to better align the geographic services areas of TAACs and its Regional Offices. A list of EDA Regional Offices can be found at <http://www.eda.gov/contacts.htm>

Territories. **Applicants are advised to carefully read Appendix B, TAAF Eligibility and Program Requirements for TAACs, which outlines the programmatic and administrative requirements for operating a TAAC.**

EDA expects to fund up to 11 TAACs through this competition, each with a period of performance of up to five years. See section II. of this FFO.

- **Informational Webinar:** EDA will hold an initial informational webinar for prospective applicants on October 19, 2015 at 2:00 p.m. ET. Please refer to section IV.C. of this FFO for the webinar registration requirements and protocols.
- **Addresses and Designated Points of Contact:** General questions regarding the Trade Adjustment Assistance for Firms program should be emailed to TAAF2015@eda.gov. See section VIII. of this FFO for additional contact information.
- **Award Notification:** Subject to the availability of funding, successful applicants should expect to receive grant award notification within approximately 90 days from the application closing date and times set out in this FFO. The anticipated award will have an initial funding period of twelve months (as part of a five-year period of performance) with an estimated start date on or about 120 days after the closing date of this FFO. See section VI.A. of this FFO for award notification information.

FULL ANNOUNCEMENT TEXT

TABLE OF CONTENTS:

EXECUTIVE SUMMARY	1
I. Funding Opportunity Description.....	4
A. Overview.....	4
B. Program Authority	5
II. Award Information.....	6
A. What funding is available under this announcement?	6
B. What type of funding instrument will be used to make awards and how long will periods of performance be?.....	6
C. Upon acceptance of an EDA award, what are the post-approval requirements?.....	7
III. Eligibility Information.....	8
A. Eligible Applicants.....	8
B. Cost Sharing or Matching	9
IV. Application Requirements.....	9
A. How to Obtain an Application Package.....	9
B. Unique entity identifier and System for Award Management (SAM).....	10
C. Content and form of application submissions.....	10
D. Deadline for submissions.....	16
E. Informational webinar.....	17
F. How to submit an application	17
G. Withdrawal of Applications.....	18
V. Application Review and Award Selection Information.....	18
A. Application review	18
B. Merit Review	19
C. Selection Factors.....	20
VI. Award Administration Information.....	21
A. Award notification	21
B. Unsuccessful competition	21
C. Administrative and national policy requirements	21
D. Reporting requirements.....	22
E. Regulations, administrative requirements, and cost principles.....	22
F. EDA's Non-relocation Policy	23
G. OMB Uniform Guidance audit requirements	23

VII. Other Information	24
A. Freedom of Information Act Disclosure	24
B. Past Performance and Non-Compliance with Award Provisions	24
C. Restrictions Governing Making Grants to Corporations Convicted of Felony Criminal Violations and/or Unpaid Federal Tax Liabilities	24
D. Intergovernmental review	24
E. Implementing the Americans with Disabilities Act (ADA)	25
VIII. EDA Contact Information	25
IX. Instructions for Application Submission via Grants.gov	25
Appendix A. Representation by Corporations Regarding an Unpaid Delinquent Tax Liability or a Felony Conviction Under Any Federal Law	29
Appendix B. TAAF Eligibility and Program Requirements for TAACs.....	30
A. Overview	30
B. Petitions for Certification of Eligibility	31
C. Adjustment Proposals:	32
D. Program Performance Assessment	35
E. Financial Management.....	37
F. TAAC Administrative Guidelines	39
G. TAAF Promotion	41
H. Past Performance and Non-Compliance with Award Provisions	41
I. No Obligation for Future Funding	41

I. Funding Opportunity Description

A. Overview

EDA's mission is to lead the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for economic growth and success in the worldwide economy. EDA fulfills this mission through strategic investments and partnerships that create the regional economic ecosystems required to foster globally competitive regions throughout the United States. The Trade Adjustment Assistance for Firms program (TAAF) is an important part of EDA's investment portfolio as it supports direct technical assistance to import-impacted businesses to help strengthen their global competitiveness. Direct technical assistance is provided by Trade Adjustment Assistance Centers (TAACs), which are generally non-profit organizations or affiliated with universities, and industry consultants and experts. TAAF funds the TAACs to coordinate direct technical assistance to eligible businesses. TAAF does not provide funding to businesses directly.

TAAF assists firms that have lost domestic sales and employment due to increased imports of similar or competitive goods as global competition intensifies. TAAF

accomplishes this through a national network of TAACs, which assist import-impacted firms in:

- i. Preparing and submitting petitions to EDA for certification of eligibility necessary to apply for assistance under TAAF (i.e. to become a “certified firm”);
- ii. Developing and submitting adjustment proposals (business recovery plans) for EDA approval; and,
- iii. Implementing the technical assistance tasks as set forth in approved adjustment proposals, primarily through private sector consultants.²

Through this FFO, EDA is soliciting applications from eligible organizations to operate as TAACs, delivering and administering the benefits of TAAF to eligible firms.

EDA encourages the submission of applications that will significantly benefit import-impacted manufacturing and production firms, as historical trends suggest that such firms make up the majority of import-impacted firms. EDA expects applications to demonstrate familiarity or an ability to quickly become familiar with all aspects of TAAF (e.g. statutory, regulatory, and other requirements) along with the activities and services in which TAACs engage to assist firms as outlined in Appendix B to this FFO.

Through this competition, EDA aims to improve the efficiency and effectiveness of the TAAF program through enhanced program performance measurement, decreased program administrative costs, closer alignment of geographic service areas of TAACs with the service areas of EDA’s six regional offices, and a more equitable distribution of services across all U.S. states and territories. Applications should address how selected TAACs will advance each of these goals.

EDA anticipates selecting up to 11 TAACs through this FFO. EDA does not anticipate creating or funding any additional TAACs outside of this competitive solicitation, unless a TAAC cooperative agreement recipient withdraws from the program or does not perform to EDA’s satisfaction. In such cases, EDA may choose to hold an intervening competition.

B. Program Authority

The authority for the TAAF program is Chapters 3 and 5 of Title II of the Trade Act of 1974, as amended (Pub. L. 93-618, 19 U.S.C. §2341 et seq.), and as further amended by P.L. 97-35, 98-120, 98-369, 99-272, 99-514, 100-418, 103-66, 105-277, 107-210, 111-5, 111-344, 112-40, 113-203, and 114-27. The Trade Act of 1974 authorizes the Secretary of Commerce (the Secretary) to establish TAACs to assist EDA in implementing TAAF.

² 13 C.F.R. §§ 315.8 and 315.16.

The Secretary has delegated this authority to EDA. Specific program requirements for TAAF are set forth at 13 C.F.R. part 315.³

II. Award Information

A. What funding is available under this announcement?

Under the Continuing Appropriations Resolution, 2015 (P.L. 113-203), funding in the amount of \$12.5 million was appropriated for the TAAF program in FY 2015. The TAAF program has not yet received appropriations for FY 2016. EDA expects investments in TAACs for the first year of the five-year period of performance to range from \$1 million to \$1.5 million, depending on the total number of TAACs selected through this FFO, the service area of each TAAC that is selected, and the availability of appropriations. Awards are expected to start 120 days after the closing date of this FFO.

The funding periods and amounts referenced in this notice are subject to the availability of funds, as well as to DOC and EDA priorities at the time of award. Neither DOC nor EDA will be held responsible for application preparation costs. Publication of this announcement does not obligate DOC or EDA to award any specific grant or cooperative agreement or to obligate all or any part of available funds.

B. What type of funding instrument will be used to make awards and how long will periods of performance be?

The applicants selected to serve as a TAAC will work closely with both EDA and import-impacted firms. EDA will work closely with the TAACs in administering both the administrative and substantive aspects of TAAF. As a result of this close working relationship, EDA may, subject to the availability of funds, award cooperative agreements to selected TAACs under this competitive solicitation. EDA anticipates providing a five-year period of performance for each applicant selected for funding, with an initial funding period of one year. The selected TAACs will not have to compete for subsequent years of funding during the five year period of performance. **Funding beyond the initial year will be dependent upon the availability of funds and satisfactory TAAC performance (as determined by EDA and described in Appendix B, subsection D. - Program Performance Assessment) in achieving the scope of work of the cooperative agreement.**

Carryover funds and program income earned in one year may be carried over and used to execute eligible activities in a subsequent year throughout the five-year period of performance. At the conclusion of the fifth year, each TAAC will have 90 days to submit final vouchers for reimbursement related to eligible activities funded prior to the expiration of the period of performance.

³ EDA's regulations are codified at 13 C.F.R. Chapter III. The regulations are accessible on the U.S. Government Printing Office's website at <http://www.gpo.gov/fdsys/pkg/CFR-2014-title13-vol1/pdf/CFR-2014-title13-vol1-sec300-3.pdf>

C. Upon acceptance of an EDA award, what are the post-approval requirements?

Recipients under this announcement will be required to provide TAAF services to eligible entities both within their immediate U.S. State or Territory **and** two to seven additional geographically proximate U.S. States all of which fall within one EDA geographic region, and are not spread across multiple EDA Regions, to the greatest extent feasible. Applicants are encouraged to propose a service area that they will cover; however, EDA will determine the final service area for each TAAC after winning applications are chosen. A full list of EDA Regions and the U.S. States and Territories they serve can be found at <http://www.eda.gov/contacts.htm>. Final TAAC service areas will be dependent on:

- The geographic location of the selected TAACs;
- Alignment within existing EDA Regional Office service areas to the greatest extent feasible;
- Anticipated or demonstrated demand for TAAC services in identified service areas and the estimated capacity of the selected TAACs to meet the demands of firms in the determined service area, with a particular focus on providing an equitable distribution of services across all States and Territories within each TAAC service area; and,
- Any other relevant factors that EDA determines are necessary based on a review of submitted applications.

In order to ensure continuity of services and maximize the alignment of TAAC geographic service areas with those of EDA's six Regional offices, EDA reserves the right to modify and finalize TAAC service areas, which may be different from those proposed by the applicant.

In addition, depending on the outcome of this competition, selected TAACs must implement, in conjunction with EDA, the plans outlined in their applications (see section IV.A.2.d.ii.b. of this FFO), for assisting pre-existing TAAF clients in their service area, including the transition of petitions, adjustment proposals, and projects from any current TAACs that are not selected through this competition.

Recipients under this announcement shall make themselves available for up to two TAAF meetings per year, at a time and place designated by EDA. Recipients will also be required to participate in periodic TAAF conference calls or webinars to share best practices and discuss the program's challenges and opportunities. EDA also expects recipients to plan periodic travel to select communities within their service area to promote TAAF and meet with potential client firms.

As part of the required progress reports (see section VI.D. of this FFO), cooperative agreement recipients will be required to provide an overview of how activities of their TAAC are efficiently and effectively responding to needs of their service areas. For example, TAACs may identify how their activities result in a change in per capita income, or help assist businesses, or they may supply a summary of their technology

commercialization activities. Performance reports should include projected and actual impacts of TAAF assistance on client firms, including all performance metrics required by Congress in appropriations and authorization legislation, as well as any other metrics requested by EDA, including but not limited to job/sales growth, business survival rates, retention of employees, average wage rates, and export growth. TAACs will be expected to maintain timely data on the actual impact of each TAAF award, including but not limited to, clients served, sales data, employment data, client North American Industry Classification System (NAICS) codes, and client location information. TAACs are expected to survey their clients on outcomes, impacts, and satisfaction on a periodic basis.

In addition to an annual performance evaluation by EDA, recipients' performance may be subject to a peer review at the end of the second year of the period of performance. Two weeks before a recipient's scheduled peer review, the TAAC must provide EDA with an abstract of its original proposal, a copy of its presentation on the TAAC's performance, and any other relevant information for dissemination to the peer review panelists. The recipient should be prepared to participate in a moderated discussion with these reviewers at the conclusion of its presentation.

EDA may also conduct program evaluations within the five-year period of performance. Subject to the confidentiality restrictions established by Congress, TAACs are expected to cooperate with any such evaluation activities and make available pertinent data to either EDA staff or third-party evaluators.

Cooperative agreement recipients are required to comply with all terms and conditions of the award, including special award conditions.

III. Eligibility Information

A. Eligible Applicants

Pursuant to the Trade Act of 1974, as amended, eligible applicants⁴ for and eligible recipients of EDA investment assistance under this FFO include:

1. Universities or affiliated organizations;
2. States or local governments; or
3. Non-profit organizations.

Under the Trade Act of 1974, EDA is not authorized to provide grants to individuals or for-profit entities, and such requests will not be considered for funding.

⁴ 13 C.F.R. § 315.4.

B. Cost Sharing or Matching

Applicant Cost Sharing or Matching: While matching/cost sharing contributions by applicants (cash or in-kind) are not required, EDA will consider such contributions by applicants during the application review process. In-kind contributions may provide the required non-Federal share of the total project cost and can consist of contributions directly related to the proposed project such as space, equipment, or services. EDA will fairly evaluate all in-kind contributions, which must be eligible project costs and meet applicable Federal cost principles and uniform administrative requirements. The applicant must show that the matching share will: (i) be committed to the project for the period of performance, (ii) be available as needed, and (iii) not be conditioned or encumbered in any way that may preclude its use consistent with the requirements of EDA investment assistance.⁵ In-kind revenue is not considered to be the client firm cost sharing or matching for the purposes of evaluation.

TAAF Client Firm Cost Sharing or Matching: A matching share is not required for certification assistance provided by TAACs to firms for certification or for administrative expenses of the TAAC.⁶ Note that certain income will likely be generated by the TAAC since a certified firm must, to the extent practicable, pay the TAAC at least 25 percent of the costs of preparing the certified firm's adjustment proposal.⁷ The TAAC will retain such funds and use them to support its TAAF activities. In addition, each certified firm must pay part of the costs of implementing its approved adjustment proposal, which are usually incurred through hiring consultants to implement the technical assistance tasks set forth in the adjustment proposal. If the total amount of technical assistance requested is \$30,000 or less, the certified firm must pay at least 25 percent of the consultant costs. If the total amount of technical assistance requested is above \$30,000, the certified firm must pay at least 50 percent of the consultant costs. The TAAC's total share (via EDA funding) of consultant costs for technical assistance is generally limited to \$75,000 for any one certified firm.

IV. Application Requirements

A. How to Obtain an Application Package

An applicant may obtain the appropriate application package electronically at www.grants.gov (Grants.gov). Applicants may search for this funding opportunity on Grants.gov using Funding Opportunity Number "EDA-HDQ-TAAF-2016-2004559." All components of the appropriate application package may be accessed and downloaded (in a screen-fillable format) at http://www.grants.gov/applicants/apply_for_grants.jsp. The preferred electronic file format for attachments is Adobe portable document format (PDF); however, EDA will accept electronic files in Microsoft Word, WordPerfect, or Microsoft Excel. *Applicants are advised that they must complete the registration process*

⁵ 13 C.F.R. § 301.5.

⁶ 13 C.F.R. § 315.5(d)(2).

⁷ 13 C.F.R. § 315.6(c)(2)(i).

prior to submitting an application through [Grants.gov](https://www.grants.gov); however, please note that registration is not required for an applicant to access, view, or download the application package. Even though an applicant may be able to view and download an application, if the applicant has not correctly completed the Grants.gov registration process, the applicant will not be able to submit the application for EDA's review.

B. Unique entity identifier and System for Award Management (SAM)

Each applicant (unless the applicant is an individual or Federal awarding agency that is excepted from those requirements under 2 CFR §25.110(b) or (c), must: (i) be registered in SAM (www.sam.gov) before submitting its application; (ii) provide a valid unique identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by EDA. EDA may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if the applicant has not fully complied with the requirements by the time EDA is ready to make a Federal award, EDA may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

C. Content and form of application submissions

Applicants must complete and submit the following components of an application package. An application that does not have all of the required components may be considered incomplete and not receive further consideration. See section V. of this FFO for information regarding application review.

1. Required Forms

One of each of the following forms is required:

- Form SF-424 - Application for Federal Assistance.
- Form SF-424A - Budget Information—Non-Construction Programs.
- Form SF-424B - Assurances—Non-Construction Programs.
- Form CD-511 - Certification Regarding Lobbying.
- Form SF-LLL - Disclosure of Lobbying Activities. (If not applicable, return the form signed with N/A marked across it.

2. Required Project Narrative

The applicant must submit a Project Narrative in a separate attachment that references and responds to the following questions, to ensure that its application includes a clear and compelling justification for the project. It must be no more than 15 pages of double-spaced text (approximately 200 to 300 words per page), including any attachments but not including the cover page. The Project Narrative must provide for a five-year scope of work and for a timeline for implementation during the five-year period of performance. The timeline must include benchmarks to gauge program progress. The Project Narrative must provide both an overall five-year operational

plan and scope of work for the entire fiscal years 2016 through 2021 period of performance, and a detailed operational plan and scope of work for the initial year of the period of performance. For each subsequent year of the period of performance, each TAAC will execute an amendment to the cooperative agreement and submit an updated Project Narrative that reflects changes to and trends within the TAAC's service region. The Project Narrative must include the following:

a) Cover Page

The cover page should include the applicant(s)' name, Federal funding request and proposed matching funds, if applicable.

b) Section 1. Organizational History and Capability

Discuss the organization's capacity and experience in successfully operating technical assistance programs for businesses, especially those focused on increasing global competitiveness, promoting exports and trade and facilitating technology commercialization. Applicants are encouraged to document specific results of such past programs.

Detail the organizational context in which the proposed TAAC will provide technical assistance under TAAF. If the proposed TAAC is affiliated with another entity, such as a university or a non-profit, include the TAAC's placement within the organizational structure of that entity and explain how this affiliation may impact the cooperative agreement with EDA and the provision of assistance to import-impacted firms.

c) Section 2. Service Region, Needs of Service Region, and Target Audience

EDA seeks better integration of TAAC services with other EDA-funded services such as university centers, technology commercialization centers, economic development planning, and more. EDA hopes this can be facilitated by better aligning of geographic service areas of TAACs and EDA's six regional offices. This does not mean that EDA will select only six TAACs, but that each TAAC serve no more than one EDA geographic region. Applicants should propose the States and Territories they would serve if selected, noting that each proposed TAAC will be serving their immediate State or Territory **and** two to seven additional geographically proximate U.S. States, all of which fall within one EDA geographic region. A full list of EDA Regions and the U.S. States and Territories they serve can be found at <http://www.eda.gov/contacts.htm>. As outlined in section II.C. of this FFO, EDA does not plan to finalize the service areas of selected TAACs until after winning applications are chosen.

Applicants should demonstrate their understanding of trade patterns in the region they plan to serve, along with how those patterns are affecting the competitiveness of firms in the region. Specifically, applicants should demonstrate their understanding of the following:

1. Existing Conditions within the region. Detail the business competitiveness needs, issues, and opportunities with the applicant's proposed region, focusing

on import-impacted industries and firms. Maps and other graphic representations that accurately portray the current condition of the applicant's proposed region are encouraged.

2. Target Firms and Industries. Identify import-impacted firms and industries within the applicant's region that should be targeted for TAAF assistance.
3. More Equitable Distribution of Services: One key goal of this competition is to ensure a more equitable distribution of TAAF services across all States and Territories. Traditionally, there has been a tendency for TAACs to focus their assistance on firms in the States in which TAACs exist, resulting in a shortage of services for firms in other States and Territories within those TAACs' service areas. Applicants should outline a strategy for ensuring that all States and Territories within their proposed region receive as equitable an amount of service as possible.

Since the goal of TAAF is to address the existing conditions of import-impacted firms, applications must contain the most recent available data. The use of data that are not the most recently available may result in an application being considered non-responsive and EDA may reject the application. This section in particular must contain accurate data and estimates provided by the Bureau of Economic Analysis, the U.S. Census Bureau, or other governmental agencies that compile socioeconomic data that are current as of the date of the application. Additional pertinent, accurate and current data, information, analyses and estimates from reputable non-governmental sources may also be provided, but such data cannot serve as a substitute for governmental data.

d) Section 3. TAAC Business Plan and Anticipated Impacts and Benefits

Outline the scope of work to be undertaken by the TAAC during the five-year period of performance. This section must be organized into the following five elements: (i) TAAC program management; (ii) TAAC business plan; (iii) timeline and benchmarks for program implementation; (iv) TAAC outreach strategy; and (v) plan to coordinate EDA Regional Offices, Trade Adjustment Assistance Programs operated by the Department of Labor (DOL), and other relevant institutions and programs to provide the most value to firms and maximize the benefit of each Federal dollar. More specifically, this section should address:

1. TAAC Program Management. Provide a plan for the TAAC's overall fiscal/financial management to ensure the TAAC's accountability for Federal funds. This plan must include the TAAC's procurement code of conduct and procedures. Recipients of Federal assistance that are institutions of higher education, hospitals, and other non-profit and commercial organizations must have:
 - (i) Written standards of conduct governing the performance of its employees engaged in the award and administration of contracts; and,

(ii) Written procurement procedures. See 2 C.F.R. § 200.318 for more information on these requirements.

2. TAAC Business Plan. Describe how the TAAC plans to provide assistance to import-impacted firms. Business plans must include: a strategy for servicing pre-existing TAAF clients in their service area, including the transition of petitions, adjustment proposals, and projects underway to implement adjustment proposals; and a plan for balancing the amount of new firms entering the program with the need to meet the expectations for TAAF assistance of existing client firms.

3. Timeline and Benchmarks for Program Implementation. Provide a five-year timeline for Program implementation which includes anticipated significant milestones and accomplishments. The applicant must also submit a timeline for the initial year of the period of performance detailing over the course of that year the activity, timeline, and benchmarks for the implementation of TAAF.

For existing TAACs, this initial year timeline must include the current status of any pending certifications, APs, or other client-firm assistance. All applicants must provide: the projected number of firms that the TAAC will contact through outreach activities; the projected number of petitions for certification that the TAAC will submit for EDA approval; and the projected number of APs that will be submitted for EDA's approval. These projections should be based on the applicant's analysis of need in its geographic service region and its experience operating a TAAC, or if no such experience exists, in serving import-impacted firms.

4. TAAC Outreach Strategy. Detail how the proposed TAAC will provide information about assistance services in the TAAC's service area. Examples of TAAC information and literature provided to potential client-firms and other outreach strategies are welcome and encouraged.

5. Plan for Coordination with Complementary Federal Programs. Detail how the proposed TAAC will coordinate with other complementary Federal programs that serve, or could serve, trade-impacted businesses and communities in order to provide comprehensive assistance to import-impacted firms, avoid duplicative effort, and maximize Federal dollars. This plan should include a strategy for coordinating with the appropriate EDA Regional Office to facilitate access to all relevant EDA services (those provided through the TAAF program and all other EDA programs); along with coordination with, including but not limited to, Manufacturing Extension Partnership (MEP) Centers, U.S. Department of Labor Trade Adjustment Assistance for Workers program, U.S. Export Assistance Centers, Regional Employment and Training Administration offices, Workforce Investment Boards, and relevant private industry groups.

3. Budget, Budget Narrative, and Staffing Plan

Applicants must submit a separate budget (Form SF-424A) and a budget narrative for each year of the five-year period of performance. The budget must include columns reflecting the Federal, non-Federal cash, non-Federal in-kind (if applicable) and total amounts allocated to each budget line-item for each project year. Applicants should use the budget categories identified in “Section B – Budget Categories” of Form SF-424A, with sub-categories and explanations as necessary. The allowability of costs incurred depends upon the classification of the TAAC and is determined in accordance with the requirements set out in 2 C.F.R. part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. Generally, allowable costs include salaries, supplies, and other expenses that are reasonable and necessary for successful completion of the scope of work.

a) Budget Narrative

The budget for each year must include a brief narrative describing each budget line-item. In addition, applicants must provide a detailed breakout of all expenses included in the “Other” line item on the Form SF-424A. For budget planning purposes, applicant TAACs should assume flat funding for the five-year period of performance. Budget costs should include all required post-approval activities outlined in section III.C. of this FFO.

b) Staffing Plan

In addition to the budget and budget narrative, applicants also must submit a staffing plan listing all positions that will be charged to the Federal and non-Federal portion of the budget for each year of the five-year period of performance. The staffing plan must include position titles, maximum annual salaries, percentage of time dedicated to the project, and the total amount of annual salaries that would be charged to the project. The total amount of annual salaries that would be charged to the project must be consistent with the amount reflected on the “Personnel” budget line-item on the Form SF-424A for each project year.

c) Program Income

If the operation of the TAAC is expected to generate “program income” (as defined in 2 C.F.R. § 200.80), such amounts must be accounted for in the project budget and must be added to those budget line-items pertaining to direct TAAF delivery.

4. Facilities and Administrative Costs

Through this FFO, EDA aims to improve efficiency of TAAC operations in part through minimizing overhead or administrative costs and maximizing the use of funds to provide direct services to client firms. Applicants with indirect or facilities and administrative cost rates of 20 percent or lower will be more competitive than those with higher rates within the “Financial and management capability of the applicant” component of the merit review process of this competition (see section V.C.3. of this FFO).

If indirect or facilities and administrative costs are included in the budget, the applicant must include a copy of its current Indirect or Facilities and Administrative Cost Rate Agreement or documentation applying for an Indirect or Facilities and Administrative Cost Rate Agreement. Applicants that do not have a current Indirect or Facilities and Administrative Cost Rate Agreement negotiated and approved by EDA (or by the applicable cognizant Federal agency) may propose indirect or facilities and administrative costs in their budget. However, any applicant without a currently approved Indirect or Facilities and Administrative Cost Rate Agreement must prepare and submit an indirect or facilities and administrative cost allocation plan and rate proposal as required by 2 C.F.R. Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, as applicable. The allocation plan and the rate proposal must be submitted to EDA (or applicable cognizant Federal agency) within 90 days from the award start date.

The maximum dollar amount of allocable indirect or facilities and administrative costs for which EDA will reimburse a recipient shall be the lesser of the:

- (i) line-item amount for the Federal share of indirect or facilities and administrative costs contained in the EDA-approved budget for the award; or
- (ii) Federal share of the total allocable indirect or facilities and administrative costs of the award based on the cost rate approved by EDA (or applicable cognizant Federal agency), provided that the cost rate is current at the time the costs were incurred and that the rate is approved on or before the award end date. See Paragraph 5 (Indirect Costs) of the Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements (77 FR 74634).

The applicant should include a statement in the budget narrative indicating whether it does not have, or has not applied for, an Indirect or Facilities and Administrative Cost Rate Agreement.

In addition, in accordance with 2 C.F.R. § 200.414(f), any non-Federal entity that has never received a negotiated indirect cost rate, except for those non-Federal entities described in Paragraph D.1.b of Appendix VII to 2 C.F.R. Part 200 (specifically, a governmental department or agency that receives more than \$35 million in direct Federal funding), may elect to charge a de minimis rate of 10 percent of modified total direct costs.

5. Organizational Summary and Résumés of Key Project Staff

Applicants must attach the *résumés* of key project staff, which generally should not exceed two pages in length (per *résumé*). Applicants should also provide a two-page summary description of all personnel (performing for the applicant) and contractors named in the application. The summary should describe each employee's specific role with reference to proposed TAAC operations, and provide a brief overview of their most pertinent experience. Subject to the availability of funding, successful

applicants under this FFO must follow the applicable Federal procurement rules prior to selecting or entering into vendor contracts. If the applicant plans to hire employees during the period of performance, then the applicant should provide a staffing plan for filling any vacancies or new positions.

6. Special Instructions if the Applicant is a Consortium

Applicants may wish to apply as a consortium composed of, for example, multiple current TAACs, new organizations, or a current TAAC and new organizations. Please note that although there must be one lead member if the applicant is a consortium, each member institution of the consortium must submit the following: Forms SF-424, SF-424B, CD-511, and SF-LLL, if applicable. For example, if a consortium of three universities submitted an application package, a complete application package would consist of:

- a. Three Forms SF-424 (one for each consortium member);
- b. One Form SF-424A;
- c. Three Forms SF-424B (one for each consortium member);
- d. Three Forms CD-511 (one for each consortium member);
- e. Three Forms SF-LLL (one for each consortium member that has or plans to use non-Federal funds for lobbying in connection with this competitive solicitation. If not applicable, return the form signed with N/A marked across it.); and,
- f. One Project Narrative and other required attachments.

D. Deadline for submissions

The closing date for receipt of applications for funding under the FY 2015-2016 TAAF program competition is 11:59 p.m. ET on November 24, 2015. Applications must be submitted electronically via www.grants.gov (Grants.gov). The date and time that an application will be deemed to be electronically received will be determined in accordance with the electronic submission instructions provided at Grants.gov for this FFO. See sections IV.E. and IX. of this FFO for additional information regarding electronic submissions. **Applications received after the closing date and time will not be considered for funding.**

In addition, please note the following:

- EDA will not accept any unsolicited changes, additions, revisions, or deletions to applications after the submission deadline.
- Throughout the review and selection process, EDA reserves the right to seek clarification in writing from applicants whose applications are being reviewed and considered.
- Applicants may be asked to clarify objectives and work plans and modify budgets or other specifics necessary to comply with Federal requirements and provide supplemental information required by the agency before award. EDA

may contact an applicant after technical review of all applications for the purpose of determining whether a proposed project can be completed with a modified scope of work (such as geographic coverage areas) acceptable to EDA or for a smaller budget than that proposed if EDA is unable to fund the full amount requested.

- See section V. of this FFO for application review and selection information.

Applicants are strongly encouraged to start early and not to wait until the approaching application deadline before logging on and reviewing the instructions for submitting an application through Grants.gov. Applicants should save and print written proof of an electronic submission made at Grants.gov. If problems occur while using Grants.gov, the applicant is advised to (i) print any error message received; and (ii) call Grants.gov at 1-800-518-4726 for immediate assistance. EDA may allow more time for application submission due to “systems issues” at Grants.gov that are beyond the control of the applicant. See section IV.E.1. and section IX. of this FFO for more information on electronic submissions.

E. Informational webinar

EDA will hold an initial informational webinar on October 19, 2015, at 2:00 pm EDT. This webinar will provide general program information and information regarding the preparation of applications for funding under this competitive solicitation. **To ensure the integrity of this competition, EDA will not provide substantive information regarding the competition to prospective applicants outside of these scheduled webinar.**

To ensure that enough incoming lines are available for each participant, EDA requires interested parties planning to participate on the webinar to register no later than October 15, 2015. To register, please send an email with “TAAF FFO Webinar Registration” in the subject line to the designated contact listed in section VIII. of this FFO. The telephone number and pass code for each webinar will be provided upon registration.

Please be advised that the informational webinar may be audio-taped and the actual recordings or transcripts of the actual recordings may be made available online or otherwise for the benefit of prospective applicants unable to participate. Prospective applicants who participate on the webinar are deemed to consent to the taping.

F. How to submit an application

EDA applicants are required to submit applications electronically in accordance with the instructions provided at www.grants.gov. EDA will not accept facsimile and paper (hard copy) transmissions of applications.

Applicants are strongly encouraged to start early and not to wait until the approaching deadline before logging on and reviewing the application instructions at www.grants.gov. Applicants should save and print written proof of an electronic submission made at www.grants.gov. If problems occur, the applicant is advised to (a) print any error message received; and (b) call the www.grants.gov Contact Center at 1-800-518-4726 for assistance. The Contact Center is open 24 hours a day, 7 days a week (except for Federal

holidays). The following link is useful resources: <http://www.grants.gov/help/help.jsp>. If you do not find an answer to your question under “Applicant FAQ’s.” try consulting the “Applicant User Guide” or contacting www.grants.gov via email at support@grants.gov or telephone at 1-800-518-4726. **An application that is not validated and time-stamped by Grants.gov by the application deadline listed in section IV.B. of this FFO will not be processed for consideration by EDA.**

Once an application is submitted, it undergoes a validation process through Grants.gov during which the application may be accepted or rejected by the system. Please be advised that the validation process may take 24 to 48 hours to complete. Applications that contain errors will be rejected by Grants.gov, and will not be forwarded to EDA for review. The applicant must correct the error before Grants.gov will accept and validate the application. **EDA will not accept late applications that were rejected by Grants.gov due to applicant errors.** Accordingly, **EDA strongly suggests that applicants submit their applications at least five days before the application deadline** to allow the application to be accepted and validated in the system and to allow time for any errors to be corrected. EDA will consider the time-stamp on the validation from Grants.gov as the official submission time.

Please see section IX. of this FFO for more detailed instructions and information on the requirements for submitting an application electronically via Grants.gov.

G. Withdrawal of Applications

Applications may be withdrawn by written notice from the designated point of contact at any time before an award is made. Please make the written request to TAAF2015@eda.gov.

V. Application Review and Award Selection Information

A. Application review

EDA staff will conduct an eligibility and technical completeness review of all applications received by the above stated deadline (see section IV.B. of this FFO). EDA will reject any documentation of eligibility that the agency determines is inaccurate or incomplete, which may cause the application to be rejected. In cases where EDA receives an application six months or more before the time of award, EDA will re-evaluate the project to determine continued eligibility for investment assistance before making an award.

EDA expects applicants to complete and include all required forms and documentation. **Applications that do not contain all forms and required documentation listed in section IV.A. of this announcement may be deemed non-responsive and excluded from further consideration.** However, EDA in its sole discretion reserves the right to consider timely and otherwise complete applications that may contain non-substantive technical deficiencies. Applicants that are ineligible for EDA funding will be informed that they are ineligible.

B. Merit Review

A panel comprised of at least three Federal employees will be formed to review each application. The panel will only consider applications that are determined to be eligible and technically complete, as outlined in section V.A. of this FFO. The review panel will evaluate and rank applications using the following equally weighted criteria:

1. The ability to develop a service delivery model and manage an organization with business practices that conform with EDA's and the TAAF program's statutory and regulatory requirements, including the extent to which the proposed project demonstrates the ability to carry out TAAF requirements outlined in Appendix B;

2. Demonstrated competence in administering business assistance programs;

A successful TAAC proposal will capitalize on the organization's strengths and will bolster the competitiveness of import-impacted firms, resulting in tangible and quantifiable improvements in the firm's economic health such as retained or increased numbers of jobs, increased sales, and/or increased employee wages.

3. Background and experience of staff;

A successful TAAC proposal will demonstrate strong leadership, project management experience related to strengthening the global competitiveness of U.S. firms, and a significant commitment of human resources talent to ensure a high-performing TAAC.

4. Proposed scope of work;

A successful TAAC proposal will describe and set forth a comprehensive strategy for assisting import-impacted firms in identifying and addressing both current and probable future challenges and opportunities related to their global competitiveness. EDA will specifically evaluate:

- (i) the applicant's strategy for ensuring an equitable distribution of services across all the States and Territories they are proposing their TAAC to serve.
- (ii) the analysis of trade and business competitiveness issues affecting the States and Territories they are proposing to serve;
- (iii) proposed plans for coordinating with the appropriate EDA Regional Office to facilitate access to all relevant EDA services (those provided through the TAAF program and all other EDA programs) for U.S. communities and businesses;
- (iv) proposed plans for servicing pre-existing TAAF clients in their service area, including the transition of petitions, adjustment proposals, and projects from any current TAACs that are not selected through this competition;

- (v) the extent to which the proposed TAAC will maximize coordination with other relevant organizations (e.g. Manufacturing Extension Partnership Centers, U.S. Export Assistance Centers, Regional Employment and Training Administration offices, Workforce Investment Boards and relevant private industry groups) to leverage other resources, foster collaboration and avoid duplication of services offered by other organizations, and
- (vi) the applicant's degree of support and commitment to the proposed TAAC's mission.

- 5. Feasibility of the proposed project budget, including the cost to the Federal government. EDA will evaluate the budget to determine if it is realistic and commensurate with the project needs and time frame. The itemized costs and the overall budget must be justified and allocated appropriately. Budgets will be evaluated to determine if the maximum allotment of Federal resources is dedicated to client services. EDA will also evaluate the overall leverage of other funds anticipated; including the amount of match (see section III.B of this FFO).

C. Selection Factors

The Deputy Assistant Secretary for Regional Affairs, as the Selecting Official, will fund applications in rank order as recommended by the review panel unless the application is justified to be selected out of rank order based upon one or more of the following factors:

- 1. The availability of program funding;
- 2. The extent to which the project supports EDA's goals of geographic balance in distribution of program funds, project types, organizational type (to include smaller and rural organizations) and the overall portfolio;
- 3. Whether the project duplicates other projects funded or considered for funding by EDA or other Federal agencies;
- 4. Program and policy priorities (as described in section I.A. of this FFO);
- 5. The applicant's performance under previous Federal financial assistance awards, including whether the grantee submitted required performance reports and data; and
- 6. Partnerships and/or participation of other relevant groups (as described in section V.B.4(v). of this FFO).

The final decision of the Deputy Assistant Secretary for Regional Affairs must be consistent with EDA's and the Department of Commerce's published policies. If the Deputy Assistant Secretary for Regional Affairs makes a selection that differs from the Merit Review Panel's ranked applications, the Deputy Assistant Secretary for Regional

Affairs will document the rationale for the decision in writing. If EDA does not receive applications that meet the stipulated requirements, the Deputy Assistant Secretary for Regional Affairs may not make any selection. See section VI.B. for additional information on this.

VI. Award Administration Information

A. Award notification

Under this FFO, EDA expects to notify applicants of its decision in writing within 90 days of the application deadline. If an application is selected for funding, the EDA Grants Officer will issue the signed grant award (Form CD-450), which is the authorizing financial assistance award document. A sample Form CD-450 is available at http://ocio.os.doc.gov/s/groups/public/@doc/@os/@ocio/@oitpp/documents/content/dev01_002513.pdf and the DOC Financial Assistance Standard Terms and Conditions (December 2014) are available at http://www.osec.doc.gov/oam/grants_management/policy/documents/DOC_Standard_Terms_12_26_2014.pdf.

By signing Form CD-450, the recipient agrees to comply with all award provisions. EDA will provide Form CD-450 by mail or two-day delivery to the appropriate business office of the recipient's organization. The recipient must sign and return the Form CD-450 without modification within 30 days of the date of EDA's signature on the form. Failure to sign and return the CD-450 during this timeframe may be considered grounds for appropriate enforcement action pursuant to 2 C.F.R. § 200.338 ("Remedies for noncompliance"), including termination.

If an applicant is awarded funding, neither DOC nor EDA is under any obligation to provide any additional future funding in connection with that award or to make any future award(s). Amendment or renewal of an award to increase funding or to extend the period of performance is at the discretion of DOC and EDA.

EDA will notify unsuccessful applicants in writing. EDA will retain unsuccessful applications in accordance with EDA's record retention schedule.

B. Unsuccessful competition

On occasion, competitive funding opportunities or competitive panels produce less than optimum results, such as a competition resulting in the receipt of no applications, a competition resulting in the receipt of only unresponsive or unqualified applications, or too few highly-rated applications. In the event that these conditions arise, EDA shall take the most time- and cost-effective approach available that is in the best interest of the Federal government. This includes (1) re-competition, (2) re-paneling, or (3) formal negotiation.

C. Administrative and national policy requirements

Administrative and national policy requirements for all DOC awards apply to this competition. These requirements may be found in the "Department of Commerce Financial Assistance Standard Terms and Conditions" (ST&Cs) and is summarized in the

“Department of Commerce Pre-Award notification Requirements for Grants and Cooperative Agreements,” published in the Federal Register on December 30, 2014 (79 FR 78309). The Pre-Award notice may be accessed at the Government Printing Office (GPO) website at www.gpo.gov/fdsys/pkg/FR-2014-12-30/pdf/2014-30297.pdf. The ST&Cs may be accessed at the following website:
http://www.osec.doc.gov/oam/grants_management/policy/default.htm.

D. Reporting requirements

1. All recipients are required to submit financial, performance, and impact reports in accordance with the terms and conditions of the grant award, generally no less than semi-annually. All project progress and financial reports must be submitted to the applicable EDA program officer in electronic format.
2. The Federal Funding Accountability and Transparency Act of 2006 includes a requirement for awardees of applicable Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards issued in FY 2011 or later. All awardees of applicable grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at www.FSRS.gov on all sub-awards over \$25,000. Please see the Office of Management and Budget (OMB) guidance, published at 2 C.F.R. part 170 (2010), which can be accessed at http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr170_main_02.tpl.
3. EDA may require additional data on actual impact of the funded investment, pursuant to the Government Performance and Results Act (GPRA), to be submitted to EDA up to nine years after the grant award.

E. Regulations, administrative requirements, and cost principles

Specific regulations, administrative requirements, and cost principles govern the use of EDA funds. The general and administrative requirements for EDA awards are set forth in 13 C.F.R. parts 300–302. Specific application and award requirements for the TAAF program are set out at 13 C.F.R. Part 315. EDA funds may not be used directly or indirectly to reimburse any attorneys’ or consultants’ fees incurred in connection with obtaining investment assistance pursuant to this competitive solicitation. See 13 C.F.R. § 302.10.

Uniform Administrative Requirements, Cost Principles, and Audit Requirements: Please note that on December 26, 2013, OMB published final guidance titled Uniform Administrative Requirements, Cost Principles, and Audit Requirements (Uniform Guidance), which streamlines the language from eight existing OMB circulars, including Cost Principles (OMB Circulars A-21, A-87, A-122) and administrative requirements (OMB Circulars A-102 and A-110), into one consolidated set of guidance applicable to federal assistance awards. Note that the Uniform Guidance supersedes DOC’s uniform administrative requirements set out at 15 C.F.R. Parts 14 and 24. In accordance with the Federal Register notice published on December 19, 2014 (79 FR 75871) and the regulation at 2 C.F.R. 1327.101, the DOC adopted the Uniform Guidance, codified at

2 C.F.R. Part 200, effective December 26, 2014, which means that the guidance applies to all new awards and to additional funding to existing awards made on or after December 26, 2014. In addition, the audit requirements of the Uniform Guidance apply to audits of non-Federal entities beginning on or after December 26, 2014. Therefore, applicants should familiarize themselves with 2 C.F.R. Part 200, which may be found at <http://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-subtitleA-chapII-subchap-id302.pdf>. Additional information on the substance of and transition to the OMB Uniform Guidance may be found at <https://cfo.gov/cofar/>.

F. EDA’s Non-relocation Policy

Applicants are advised that should an application be selected for award, the recipient will be required to adhere to a special award condition relating to EDA’s non-relocation policy as follows:

In signing this award of financial assistance, Recipient(s) attests that EDA funding is not intended by the Recipient to assist its efforts to induce the relocation of existing jobs within the U.S. that are located outside of its jurisdiction to within its jurisdiction in competition with other U.S. jurisdictions for those same jobs. In the event that EDA determines that its assistance was used for those purposes, EDA retains the right to pursue appropriate enforcement action in accordance with the Standard Terms and Conditions of the Award, including suspension of disbursements and termination of the award for convenience or cause, which may include the establishment of a debt requiring the Recipient to reimburse EDA.

For purposes of ensuring that EDA assistance will not be used to merely transfer jobs from one location in the United States to another, each applicant must inform EDA of all employers that constitute primary beneficiaries of the project assisted by EDA. EDA will consider an employer to be a “primary beneficiary” if the applicant estimates that such employer will create or save 100 or more permanent jobs as a result of the investment assistance, provided that such employer is also specifically named in the application as benefiting from the project, or is or will be located in an EDA-assisted building, port, facility, or industrial, commercial, or business park constructed or improved in whole or in part with investment assistance prior to EDA’s final disbursement of funds. In smaller communities, EDA may extend this policy to the relocation of 50 or more jobs.

G. OMB Uniform Guidance audit requirements

Single or program-specific audits shall be performed in accordance with the requirements contained in the OMB Uniform Guidance (see 2 C.F.R. Part 200, Subpart F, “Audit Requirements”). The OMB Uniform Guidance requires any non-Federal entity (i.e., non-profit organizations, including non-profit institutions of higher education and hospitals, states, local governments, and Indian Tribes) that expends federal awards of \$750,000 or more in the recipient’s fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the OMB Uniform Guidance. Applicants are reminded that EDA or the DOC’s Office of Inspector General also may conduct an audit of an award at any time.

VII. Other Information

A. Freedom of Information Act Disclosure

The Freedom of Information Act (5 U.S.C. § 552) (FOIA) and DOC's implementing regulations at 15 C.F.R. part 4 set forth the rules and procedures to make requested material, information, and records publicly available. Unless prohibited by law and to the extent permitted under FOIA, contents of applications submitted by applicants may be released in response to FOIA requests. In the event that an application contains information or data that the applicant deems to be confidential commercial information, that information should be identified, bracketed, and marked as "Privileged, Confidential, Commercial or Financial Information." Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law.

B. Past Performance and Non-Compliance with Award Provisions

Unsatisfactory performance under prior Federal awards may result in an application not being considered for funding. Failure to comply with any or all of the provisions of an award may have a negative impact on future funding by the DOC (or any of its operating units) and may be considered grounds for any or all of the following actions: (1) establishing an account receivable; (2) withholding payments to the recipient under any DOC award(s); (3) changing the method of payment from advance to reimbursement only; (4) imposing other special award conditions; (5) suspending any active DOC award(s); and (6) terminating any active DOC award(s).

C. Restrictions Governing Making Grants to Corporations Convicted of Felony Criminal Violations and/or Unpaid Federal Tax Liabilities

In accordance with current Federal appropriations law, execution by an applicant of the Representation by Corporations Regarding an Unpaid Delinquent Tax Liability or a Felony Conviction Under Any Federal Law (see Appendix A) will be required in a format requested by EDA before any award will be made under this FFO.

D. Intergovernmental review

Applications submitted under this FFO are subject to the requirements of Executive Order (EO) 12372, "Intergovernmental Review of Federal Programs," if a State has adopted a process under EO 12372 to review and coordinate proposed Federal financial assistance and direct Federal development (commonly referred to as the "single point of contact review process"). All applicants must give State and local governments a reasonable opportunity to review and comment on the proposed Project, including review and comment from area-wide planning organizations in metropolitan areas.⁸ To find out more about a State's process under EO 12372, applicants may contact their State's Single Point of Contact (SPOC). Names and addresses of some States' SPOCs are listed on the Office of Management and Budget's home page at http://www.whitehouse.gov/omb/grants_spoc. Section A.11. of Form ED-900 provides more information and allows applicants to demonstrate compliance with EO 12372.

⁸ As provided for in 15 C.F.R. part 13.

E. Implementing the Americans with Disabilities Act (ADA)

The U.S. Department of Justice has issued revised regulations implementing Title II of the ADA (28 C.F.R. part 35; 75 FR 56164, as amended by 76 FR 13285) and Title III of the ADA (28 C.F.R. part 36; 75 FR 56164, as amended by 76 FR 13286). The revised regulations adopted new enforceable accessibility standards called the “2010 ADA Standards for Accessible Design” (2010 Standards). The 2010 Standards are an acceptable alternative to the Uniform Federal Accessibility Standards (UFAS). DOC deems compliance with the 2010 Standards to be an acceptable means of complying with the Section 504 accessibility requirements for new construction and alteration projects under 15 C.F.R. § 8b.18(c), as follows:

1. Public Recipients subject to Title II of the ADA may use either the 2010 Standards or UFAS where the physical construction or alternations commence on or after September 15, 2010 and before March 15, 2012 (see 28 C.F.R. § 35.151(c)(2)); and
2. Private Recipients subject to Title III of the ADA may use either the 2010 Standards or UFAS if the date when the last application for a building permit or permit extension is certified to be complete by a State, county, or local government (or, in those jurisdictions where the government does not certify completion of applications, if the date when the last application for a building permit or permit extension is received by the State, county, or local government) is on or after September 15, 2010 and before March 15, 2012, or if no permit is required, if the start of physical construction or alterations occurs on or after September 15, 2010 and before March 15, 2012 (see 28 C.F.R. § 36.406(a)(2)).

VIII. EDA Contact Information

For questions concerning this solicitation, or more information about TAAF, you may contact:

Miriam J. Kearse, Lead Program Analyst
Trade Adjustment Assistance Division
Economic Development Administration
1401 Constitution Avenue, Suite 71030
Washington, DC 20310
Main Office: (202) 482-0556
E-mail: TAAF2015@eda.gov

EDA’s website at www.eda.gov contains additional information on EDA and its programs.

IX. Instructions for Application Submission via Grants.gov

Register early and submit early. In order to submit an application through www.grants.gov (Grants.gov), an applicant must register for a Grants.gov user ID and password. Note that this process can take between three to five business days or as long as four weeks if all steps are not completed correctly. To avoid delays, EDA strongly recommends that applicants start early and not wait until an approaching funding cycle deadline date before logging in, registering, reviewing the application instructions, and applying. Information about the Grants.gov

registration process for organizations can be found at <http://www.grants.gov/web/grants/applicants/organization-registration.html>. Please note that organizations already registered with Grants.gov do not need to re-register; however, all registered organizations must keep their registration for System for Award Management (SAM), which includes the Central Contractor Registration (CCR) database, up-to-date through sam.gov or their applications will not be accepted by Grants.gov.

AOR requirement. Applicants must register as organizations, not as individuals. As part of the registration process, you will register at least one Authorized Organizational Representative (AOR) for your organization. AORs registered at Grants.gov are the only officials with the authority to submit applications at Grants.gov so please ensure that your organization's application is submitted by an AOR. If the application is submitted by anyone other than your organization's AOR, it will be rejected by the Grants.gov system and cannot be considered by EDA. Note that a given organization may designate multiple individuals as AORs for Grants.gov purposes.

EDA will not accept late submissions caused by Grants.gov registration issues, including CCR and AOR issues.

Once an applicant is registered, the following list provides step-by-step instructions for accessing, completing and submitting an application via Grants.gov. Please also read the instructions posted at Grants.gov.

- a. Ensure that you have installed a compatible version of Adobe Acrobat Reader on your computer, as incompatible versions of Adobe Acrobat Reader may cause errors. See <http://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>. Navigate to www.grants.gov and select "Apply for Grants" from the left-hand menu.
- b. Select the link for "Download a Grant Application" package.
- c. Enter Funding Opportunity Number "EDA-HDQ-TAAF-2016-2004559" and click on "Download Package."
- d. Click on the "download" link under "Instructions and Application" for the instructions and application specific to the type of project and EDA program (Trade Adjustment Assistance) under which you are applying.
- e. A new window should pop up. In the new window, click on "Download Application Instructions" to review the instructions posted on Grants.gov and "Download Application Package" when you are ready to begin the application.
- f. Save the applicable application package to your computer or network drive. Note that the package file can be shared among multiple users; however, each user must have a compatible version of Adobe Acrobat Reader installed in order to save changes to the application package.

- g. Click on each of the documents in the “Mandatory Documents” box and, after selecting each one, click on the arrow to move these into the “Mandatory Documents for Submission” box.
- h. In the “Optional Documents” box, click on “Attachments.” The Attachments form allows applicants to attach any documents required as attachments under this competitive solicitation, such as a CEDS or letters of support.
- i. The application package should pre-populate with all selected forms embedded. Complete all mandatory fields (highlighted in yellow) on the forms. Note that mandatory fields will vary based on the type of applicant and the type of assistance sought. On Form CD-511, type “not awarded yet” in the “project number” field. Save the application package at regular intervals to avoid losing work.
- j. Attach any required attachments. The preferred file format for attachments is portable document format (PDF); however, EDA will accept electronic files in Microsoft Word, WordPerfect, or Excel formats.
- k. When all mandatory fields have been completed, scroll to the top and click on “Check Package for Errors.”
- l. Click “Save.”
- m. Click “Save and Submit.” At this point the applicant’s AOR must be connected to the Internet and will be asked to enter their Grants.gov user id and password in order to submit via Grants.gov. As noted above, an AOR must submit the application for it to be validated by Grants.gov and received by EDA.

Field limitations and special characters. Please be advised that [Grants.gov](https://www.grants.gov) provides the following notice with respect to form field limitations and special characters:

Are there restrictions on file names for any attachment I include with my application package?

Please limit file names to 50 characters and do not use special characters (example: &,-,*, %/,#) in attachment names and application form fields (including periods (.), blank spaces and accent marks) or attaching documents with the same name. An underscore (example: my_Attached_File.pdf) may be used to separate a file name. Please note that if these guidelines are not followed, your application may be rejected.

What kind of information can be entered into form fields within my application?

Grants.gov application packages offer fields to enter a set amount of data. When the limit is reached for a certain field, you will no longer be able to enter data into that field. For every

form, there are different limitations to the data that you are allowed to enter (this varies between agency and form). Refer to the agency instructions available for download with the application package for more detail.

Do not use special characters (example: &,-,*, %/,#) within the application form fields including periods (.), blank spaces and accent marks; an underscore may be used. Please note that if these guidelines are not followed, your application may be rejected.

In EDA's experience, use of apostrophes (') in file names and fillable fields of required forms has resulted in application submission issues. Accordingly, please periodically check the status of your application to make sure it has been validated, and use file naming conventions that do not negatively affect your application submission.

If a response exceeds the field limit requirements of any form, including Form ED-900, the applicant is advised to include the response as an attachment to the application. The applicant should move 'Attachments' to the 'Optional Documents for Submission' box in the application package, and clearly indicate in the form field that the information is included as an electronic file.

Verify submission was successful. Applicants should save and print written proof of an electronic submission made at Grants.gov. Applicants can expect to receive multiple emails regarding the status of their submission. Since email communication can be unreliable, applicants must proactively check on the status of their application if they do not receive email notifications within a day of submission.

An applicant should expect to receive two initial emails from Grants.gov: the first will confirm receipt of the application, and the second will indicate that the application has either been successfully validated by the system before transmission to EDA or has been rejected due to errors. Because it can take up to two business days after Grants.gov receives an application for applicants to receive email notification of an error, applicants should time their submissions to allow for application correction and resubmission by the applicable funding cycle deadline. Applicants will receive a third email once EDA has retrieved their applications.

EDA requests that applicants kindly refrain from submitting multiple copies of the same application package. Applicants should save and print both the confirmation screen provided on the Grants.gov website after the applicant has submitted an application, and the confirmation email sent by Grants.gov when the application has been successfully received and validated in the system. If an applicant receives an email from Grants.gov indicating that the application was received and subsequently validated, but does not receive an email from Grants.gov indicating that EDA has retrieved the application package within 72 hours of that email, the applicant may contact the applicable regional office representative listed in section VIII. of this announcement to inquire if EDA is in receipt of the applicant's submission.

It is the applicant's responsibility to verify that its submission was timely received and validated successfully at Grants.gov. To see the date and time your application was received, log on to Grants.gov and click on the "Track My Application" link from the left-hand menu. For a successful submission, the application must be received and validated by Grants.gov, and an

agency tracking number assigned. If the date and time your application is validated and time-stamped by Grants.gov is later than 11:59 p.m. Eastern Time on the applicable funding cycle deadline, your application is late. If your application has a status of “Received” it is awaiting validation by Grants.gov.

Once validation is complete, the status will change to “Validated” or “Rejected with Errors.” If the status is “Rejected with Errors,” your application has not been received successfully. Some of the reasons Grants.gov may reject an application can be found at <http://www.grants.gov/web/grants/applicants/encountering-error-messages.html>. For more detailed information on why an application may be rejected, please see “Troubleshooting Tips” at <http://www.grants.gov/web/grants/s2s/applicant/troubleshooting.html>.

Grants.gov systems issues. If you experience a Grants.gov “systems issue” (technical problems or glitches with the Grants.gov website) that you believe threatens your ability to complete a submission before the application deadline, please (i) print any error message received; and (ii) call the Grants.gov Contact Center at 1-800-518-4726 for immediate assistance. Ensure that you obtain a case number regarding your communications with Grants.gov. Please note: problems with an applicant organization’s computer system or equipment are not considered “systems issues.” Similarly, an applicant’s failure to: (i) complete the required registration, (ii) ensure that a registered AOR submits the application, or (iii) notice receipt of an email message from Grants.gov are not considered systems issues. A Grants.gov “systems issue” is an issue occurring in connection with the operations of Grants.gov itself, such as the temporary loss of service by Grants.gov due to unexpected volume of traffic or failure of information technology systems, both of which are highly unlikely. In the event of a confirmed “systems issue,” EDA reserves the right to accept an application in an alternate format, however all applications must be received by the deadline. Late applications will not be accepted.

Applicants should access the following link for assistance in navigating Grants.gov and for a list of useful resources: <http://www.grants.gov/web/grants/support.html>. The following link lists frequently asked questions (FAQs): <http://www.grants.gov/web/grants/applicants/applicant-faqs.html>. If you do not find an answer to your question under the “Applicant FAQs,” try consulting the “Applicant User Guide” or contacting Grants.gov by email at support@grants.gov or telephone at 1-800-518-4726. The Grants.gov Contact Center is open 24 hours a day, seven days a week.

Appendix A. Representation by Corporations Regarding an Unpaid Delinquent Tax Liability or a Felony Conviction Under Any Federal Law

In accordance with current Federal appropriations law, none of the appropriated funds made available by relevant appropriations Acts may be used to issue a financial assistance award to any corporation that:

- (a) Was convicted of a felony criminal violation under any Federal law within the preceding 24 months, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government; and/or,

- (b) Has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interests of the Government.

For purposes of the below certification, a corporation is defined as an entity that has filed articles of incorporation in one of the fifty states, the District of Columbia, or the various territories of the United States including American Samoa, Federated States of Micronesia, Guam, Midway Islands, Northern Mariana Islands, Puerto Rico, Republic of Palau, Republic of the Marshall Islands, and the U.S. Virgin Islands. (Note that this includes both for-profit and non-profit organizations.)

The below certification is required for all new financial assistance awards, and for all amendments to existing financial assistance awards, that are made to corporations (as defined above) and that are funded with appropriated funds made available to the Department of Commerce pursuant to relevant appropriations Acts. This certification is further required to the extent that other appropriations Acts contain the same or substantively similar prohibitions against the issuance of financial assistance awards to certain corporations.

Instructions: All recipients that are corporations (as defined above) must complete paragraphs (1) and (2) below, which must be signed below by an authorized representative of the corporation. Recipients that are not corporations are not required to complete this representation.

(1) _____ [insert name of corporation] certifies that it is ☐ is not ☐ (check one) a corporation that was convicted of a felony criminal violation under a Federal law within the 24 months preceding the signature date of this Representation.

(2) _____ [insert name of corporation] certifies that it is ☐ is not ☐ (check one) a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

By: _____
[Typed name and title of the signing individual]
[Typed phone number of the signing individual]
[Typed email address of the signing individual]

Date: _____

Appendix B. TAAF Eligibility and Program Requirements for TAACs

A. Overview

Potential applicants that are applying to operate as a Trade Adjustment Assistance Center are advised to carefully read the following paragraphs that detail programmatic and

administrative requirements to be included in **each TAAC's** cooperative agreement with EDA.

B. Petitions for Certification of Eligibility

1. Petition for Certification Template

Petitions for certification of eligibility must be made by completing and submitting Form ED-840P, which will be provided to TAACs as a portable document format (PDF) document. The TAAF Worksheet will also be provided to TAACs. EDA strongly encourages TAACs to complete and submit the TAAF Worksheet along with each petition for certification. The worksheet is formatted as a fillable PDF document and will help EDA expedite the TAAC's petitions.

2. Submission of Petitions

All TAAF documentation and submissions must be made electronically. Petitions for certification must be submitted to EDA's TAAF mailbox at taac@eda.gov in PDF format using DOC's Accellion Secure File Share Transfer service. Each petition shall include all information needed for EDA to assess the petition. Each PDF document included in a petition must use a descriptive file name that includes both the name of the TAAC and the name of the petitioning firm.

3. Employment Data

Each TAAC shall require any firm applying for certification to retrieve and submit the most currently available documentation of the firm's required quarterly employee contribution to Social Security and Medicare under the Federal Insurance Contributions Act (FICA) or the Self-Employment Contributions Act so that the TAAC and EDA can confirm the firm's level of employment. This documentation must be scanned or saved electronically and included in each firm's petition for certification.

4. Customer Interviews

To help evaluate whether a firm has been trade-impacted, the firm must provide a list of four important current or recent customers. Each TAAC must interview at least two of these customers to determine if and why each customer has decreased purchases from the firm. A synopsis of each customer interview conducted in the course of a firm petition, whether or not the customer has adjusted its purchasing patterns because of import competition, must be included in the petition. The synopsis shall include all information necessary for EDA to make the statutory findings that imports contributed importantly to the decline in employment and sales or production (e.g., what factors affected the amount of purchases the customer made from the firm, whether the customer is purchasing imported products in lieu of the firms products, and the length of time the customer has been purchasing imported products).

5. The TAAC Director's Certification of Customer Interviews

Each TAAC Director is responsible for ensuring that the representations made in a certification petition are complete and accurate to the best knowledge of the TAAC and must certify to that effect. Failure to exercise due diligence to ensure that a firm's representations are accurate constitutes a material breach of the TAAC's cooperative agreement with EDA. EDA will issue a deficiency memorandum to a TAAC each time the TAAC submits a certification with inaccurate or inadequate information. See paragraph D.2. for more information on EDA's consideration of deficiency memoranda.

C. Adjustment Proposals:

The Adjustment Proposal (AP) is the tool through which a client-firm should begin to reestablish competitive advantage. Each AP is to be developed by the TAAC in consultation with and submitted on behalf of a client-firm. Each AP shall contain sufficient information and detail to allow EDA to make the determination that the AP:

- (i) Is reasonably calculated to contribute materially to the economic adjustment of the client-firm (*i.e.*, that such proposal will constructively assist the firm to establish a competitive position in the same or a different industry);
- (ii) Gives adequate consideration to the interests of a sufficient number of separated workers of the client-firm; and
- (iii) Demonstrates that the client-firm will make all reasonable effort to use its own resources for its recovery. See 13 C.F.R. § 315.16.

1. AP Template

The AP template and accompanying instructions will be provided to TAACs. While each AP must be tailored to the specific needs of the client-firm, the template will provide a standard format to help TAACs and contractors produce APs that effectively assist firms and meet EDA requirements. EDA strongly encourages TAACs and contractors to use the AP template in providing assistance to firms. The template is formatted as a fillable PDF document and it will assist EDA Program staff to expeditiously review APs.

2. Submission of APs

All APs must be submitted electronically to EDA as a single PDF document at taac@eda.gov using DOC's Accellion Secure File Share Transfer service. The PDF document must include all information needed for EDA to evaluate the AP.

3. Assistance Cost Limits

A client-firm must pay at least 25 percent of the cost of the preparation of its AP. A client-firm that requests \$30,000 or less in total assistance to implement an approved AP must pay at least 25 percent of the cost of that assistance. A client-firm that requests more than \$30,000 in total assistance in its approved AP must pay at least 50 percent of the cost of that assistance.

The total amount of assistance provided to a client-firm in an AP is generally limited to \$150,000 (\$75,000 EDA funds and \$75,000 client-firm funds). Assistance that exceeds this limit may be provided only with EDA's prior written approval. Limitations specific to a particular TAAC will be set out in the cooperative agreement between EDA and the TAAC. Also, the procurement agreement among the TAAC, the client-firm, and the contractor providing assistance should describe clearly applicable cost limitations. **See 13 C.F.R. § 315.6(c)(2).**

4. Procurement of Assistance under APs

Each TAAC must have written procurement procedures. These procedures must require, in part, that solicitations for services, including services to create or implement an AP, must include:

- a. A clear and accurate description of the technical requirements for the material, product, or service to be procured. In competitive procurements, such a description shall not contain features which unduly restrict competition;
- b. Requirements that the bidder/offeror must fulfill and all other factors to be used in evaluating bids or proposals;
- c. A description, whenever practicable, of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics or minimum acceptable standards;
- d. The specific features of "brand name or equal" descriptions that bidders are required to meet when such items are included in the solicitation;
- e. The acceptance, to the extent practicable and economically feasible, of products and services dimensioned in the metric system of measurement; and
- f. Preference, to the extent practicable and economically feasible, for products and services that conserve natural resources and protect the environment and are energy efficient.

5. Sole-Sourcing of AP Projects

As required by Federal acquisition regulations, a TAAC shall select contractors providing services under an AP via an open bid process that the TAAC ensures is free from conflicts of interest.

Each TAAC shall maintain a list of each contractor that produces, consults, provides services under, receives Federal funds through, or is any way involved in the creation or implementation of an AP for a client-firm. The TAAC shall provide EDA with this list on request. The identity of each contractor that produces, consults on, provides services under, receives Federal funds through, or is in any way involved in the creation or implementation of an AP must be disclosed and easily identifiable on the document. As noted above, all APs must be submitted to EDA electronically.

Identification of consulting firms shall include Employer Identification Numbers (EINs) and Data Universal Number System (DUNS) numbers.

If the procurement of services to create or implement an AP exceeds \$150,000 (the current simplified acquisition threshold), the TAAC shall, on request, make available for EDA pre-award review and procurement documents, such as the requests for proposals or invitations for bids and independent cost estimates. EDA may ask the TAAC to make available information about its procurement practices if the procurement was awarded without competition or if only one bid or offer was received in response to a solicitation or if a proposed contract modification changed the scope of a contract or increased the contract amount by more than \$150,000. See 2 C.F.R. § 200.324 for more information on these requirements.

6. Implementation of and Changes to APs

APs should be designed to address a client-firm's current conditions so that the firm can better compete in the future. To ensure that approved APs are effective tools for economic recovery, the firm should begin implementing the AP expeditiously, generally within six months of EDA's approval, subject to the availability of funds. Each TAAC is responsible for facilitating its client-firms' implementation of their APs and providing as much assistance as possible. If active steps towards implementing an approved AP, as determined by EDA, are not taken within six months of EDA's approval, the TAAC must provide an explanation of the delay to EDA. If active steps towards implementing an approved AP, as determined by EDA, are not taken within one year of EDA's approval, the TAAC must resubmit the AP for approval to EDA. If active steps towards implementing an approved AP, as determined by EDA, are not taken within two years of EDA's approval, the firm must reapply for certification of Trade Adjustment Assistance. Each TAAC must monitor client-firms' implementation of APs and provide updates on implementation in the TAAC's regular report to EDA. However, in accordance with Department of Commerce regulations, TAACs may not charge a fee for such monitoring. See the paragraph below on the prohibition on charging a monitoring fee. The following are details on allowable adjustments to APs:

- a. Amended APs. If a certified firm does not satisfactorily demonstrate progress toward implementing its approved AP within six months of approval, EDA will assume the projects contained in the approved AP are no longer current and it will be the firm's fiscal responsibility to either amend the AP by updating it, or to demonstrate to EDA that the projects in the AP continue to meet the firm's current needs and will meet the AP criteria as set out at 13 C.F.R. § 315.16(c); and,
- b. Revised APs. If EDA approves an AP for a certified firm that has a total cost that is less than the maximum amount of assistance set out in the cooperative agreement between EDA and the TAAC, and the firm successfully implements or demonstrates progress towards implementing its AP, the TAAC, with EDA's prior written approval, may revise it by adding projects to

the AP up to the maximum amount of assistance as set out in the cooperative agreement between EDA and the TAAC.

7. Prohibition on Monitoring Fees Charged by a TAAC

TAACs frequently subcontract with third parties to provide services under APs. Department of Commerce award recipients are responsible for monitoring subcontractor performance. See 2 C.F.R. § 200.328, as applicable. A TAAC may not assess a fee under the award or otherwise attempt to generate program income via any other charge or fee for monitoring contractor performance. In addition, a TAAC may not assess either client-firms or EDA a fee for monitoring client-firm progress in implementing an AP. See 13 C.F.R. § 315.6(c)(2), which sets out matching share requirements to be paid by client-firms for the preparation of APs. Except as provided in paragraph 3 of this section (“Assistance Cost Limits”) above, TAACs may not assess fees in connection with the program.

8. Firms’ Responsibility to Implement APs

Certified firms have five years from the date of EDA’s approval of an AP to complete work on that AP. Generally, EDA will not consider requests to implement an AP beyond five years from the date of EDA’s approval of the AP. Any request for an extension beyond five years must demonstrate an exceptional need and justifiable extenuating circumstances for the delay.

D. Program Performance Assessment

EDA will assess program performance to ensure that TAAF accomplishes its purposes and that Federal funds are put to their most productive use. EDA will evaluate each TAAC using the following criteria to help determine the funding level for subsequent years in the TAAC’s multi-year period of performance.

1. Quality of TAAC Submissions

TAAC Directors are responsible for the quality of submissions to EDA. All submissions should be timely, proof-read, complete, and accurate, and should not cause EDA to undertake additional background work to assess the quality and validity of the information submitted.

2. Deficiency Citations

EDA will issue a deficiency memorandum whenever it determines that a petition, AP, or other TAAC submission is not timely, proof-read, complete, accurate, or otherwise causes EDA to undertake additional background work to assess the quality and validity of the information submitted. The number and substance of deficiency memoranda issued to a TAAC during each funding period (usually one year) during the TAAC’s period of performance will be considered when EDA assesses the TAAC’s performance and will have an impact upon TAAC funding for subsequent funding periods and awards. If repeated or major deficiencies are identified through EDA’s assessment of the quality of the TAAC’s submissions, EDA will take steps to protect the Federal interest under the award, including suspension and termination.

3. Services to Client Firms

TAACs are expected to ensure an equitable distribution of services across all the States and Territories within their service region as outlined in the Special Terms and Conditions of their award. TAACs are also expected to maximize the percentage of TAAF funds used for delivering services to client firms. EDA will notify each TAAC of the target percentage. Percentages lower than the target indicates that the TAAC should re-evaluate and improve its expenditure of award funds.

4. Collaboration

TAACs are expected to collaborate with other relevant Federal programs to the greatest extent possible, including EDA regional offices, U.S. Export Assistance Centers, Manufacturing Extension Partnership centers, and other Trade Adjustment Assistance programs such as the Department of Labor's Trade Adjustment Assistance programs. EDA will regularly monitor the extent to which TAACs are engaging in such collaboration and consider its findings in consideration of future awards.

5. Program Performance and Outcome Metrics

EDA will review the metrics TAACs suggest and provide additional metrics as part of the award conditions. Metrics may include:

1. Per Firm:
 - a. Job and sales growth
 - b. Business survival rates
 - c. Change in per capita income
 - d. Rate of technology commercialization
 - e. Retention of employees
 - f. Average wage rates
 - g. Export growth
 - h. Cost reductions
 - i. New product launches
 - j. Significantly improved product launches
 - k. Patent applications
 - l. New patent numbers
 - m. Trademark applications
 - n. New trademark numbers
 - o. Certifications for new skills attained

TAACs will be expected to support EDA's efforts to improve performance metrics for the TAAF program, including capturing data on such metrics to the greatest extent possible at EDA's request. TAACs will also be expected to participate in evaluation or assessment efforts initiated by EDA which may be conducted by EDA staff or third-party contractors.

6. Firm Survey

Following the completion and delivery of an AP to a client firm and the implementation of each project or service proposed in an approved AP, the TAAC will provide the firm with a survey to help assess the effectiveness of and the firm's satisfaction with the assistance provided. TAACs must share the results of each firm survey with EDA. EDA may choose to provide a standardized survey instrument which TAACs would be required to use, such a survey would be subject to the OMB Paperwork Reduction Act process. In the absence of such a standardized survey instrument, TAACs are required to collaborate with EDA on the survey instrument that they choose to use to assess the effectiveness and satisfaction of assistance provided. EDA will work with TAACs to establish an appropriate timeframe for deploying such surveys after the completion and delivery of APs.

E. Financial Management

1. TAAC Budget

The budget is the financial expression of the TAAC's planned program execution. The TAAC's budget is submitted on the Form SF-424A, "Budget Information – Non-Construction Programs," both for an original award (i.e., a five-year period of performance) and for each amendment to the original award.

2. Changes to the TAAC Budget

A TAAC shall not transfer funds across direct cost categories if the Federal share of the project exceeds \$150,000 and the cumulative amount of such transfers exceeds or is expected to exceed 10% of the total budget as last approved by the Federal awarding agency. In addition, a TAAC must receive EDA's written approval if the transfer implicates a change in project scope or objective, or if the transfer is of amounts budgeted for indirect costs to absorb increases in direct costs, or vice versa. For additional changes that require Grants Officer approval see 2 C.F.R. § 200.308.

3. Payment

A TAAC may request an advance or reimbursement of award funds from EDA to cover costs incurred in providing assistance to client firms and to pay for reasonable and necessary TAAC administrative expenses included in the TAAC's approved budget. Department of Commerce regulations authorize EDA to advance funds to a TAAC as long as the TAAC maintains:

- a. Written procedures that minimize the time elapsing between the transfer of funds to and the disbursement by the TAAC; and
- b. Financial management systems that meet the standards for fund control and accountability set out at 2 C.F.R. § 200.302.

Advances are limited to the minimum amounts needed for project costs and must be timed in accordance with the actual, immediate cash requirements of the TAAC in carrying out project needs. The timing and amount of advances shall be

as close as is administratively feasible to the actual disbursement by the TAAC for direct project costs and the proportionate share of allowable indirect costs.

The TAAC must submit each request for award funds to EDA using Form SF-270, "Request for Advance or Reimbursement," in accordance with these requirements. Each request shall be sufficient to meet the TAAC's reasonably anticipated needs for the upcoming 30 days or to cover the TAAC's expenditures for the past 30 days, if the TAAC receives a reimbursement of award funds. If the TAAC does not meet the Department of Commerce's requirements for advance payment of award funds, EDA may decide to make payments solely through reimbursement. See 2 C.F.R. § 200.305.

4. Supporting Documentation for Requests for Advances or Reimbursements

Pursuant to EDA's duty of responsible stewardship over Federal funds, if EDA has reasonable concerns regarding a TAAC's submitted Form SF-270, EDA may request the TAAC to submit an expense report with supporting documentation that fully explains the TAAC's request for an advance or reimbursement. The report shall be in the same format as the budget submitted as the TAAC's controlling budget, and shall show the original budget, the budget for the upcoming 30 days for which the advance is requested, and expenses incurred year to date. EDA is in the process of developing an expense report template to provide to each TAAC.

5. Financial Reporting

Each TAAC shall submit Form SF-425, "Federal Financial Report," to EDA quarterly to report the status of unreimbursed obligations. This report will provide information on the amount of allowable project expenses that have been incurred but not claimed for reimbursement by the recipient. The first submission of Form SF-425 shall be as of March 31 of each year and shall be submitted to EDA no later than April 30 of each year; the second report shall be as of June 30 of each year and shall be submitted to EDA not later than July 31 of each year; the third report shall be of September 30 and shall be submitted to EDA not later than October 31 of each year; and the fourth report shall be of December 31 of each year and shall be submitted to EDA no later than January 31 of the following year.

6. End-of-Year Submission of Budget

Within 90 days of the end of the TAAC's annual funding period under its award, the TAAC shall submit an analysis of the TAAC's prior year budget as planned versus implemented that clearly identifies, justifies, and explains any differences between planned costs and actual costs, any transfers among cost categories, and any other changes that took place during the year.

7. Audit Requirements

Organization-wide or program-specific audits shall be performed in accordance with the Single Audit Act Amendments of 1996, as implemented by 2 C.F.R. Part 200, Subpart F, "Audit Requirements." TAACs typically expend Federal awards of

\$750,000 or more in a fiscal year and thus are required to have an audit conducted for that year in accordance with the requirements contained in 2 C.F.R Part 200. Each TAAC associated with a university is responsible for instructing the auditor to address the operations and controls of the sponsored programs or similar university office. Audit findings shall specifically address the operations and controls of the sponsored programs or similar office of the university.

A copy of the audit must be submitted to the Bureau of the Census at the following address:

Federal Audit Clearinghouse
1201 E. 10th Street
Jeffersonville, IN 47132

In addition, each TAAC must submit the TAAC's currently valid audit required by OMB under 2 C.F.R Part 200 to EDA headquarters within 30 days of completion of the audit. The address for audit submissions is:

Department of Commerce
Economic Development Administration
Trade Adjustment Assistance Division
1401 Constitution Avenue, NW
Room 71030
Washington, DC 20230

F. TAAC Administrative Guidelines

Each TAAC will maximize coordination with the other TAACs and relevant organizations to avoid duplication of services offered by other organizations. Additionally, TAACs shall adhere to the minimum administrative guidelines detailed below. In reviewing performance, EDA will evaluate the TAACs on their adherence to these guidelines as well as their performance in assisting firms, since TAAC administration is key to effective firm assistance. The Director of each TAAC is expected to ensure compliance with these guidelines.

1. TAAC Operation and Management

TAACs provide assistance to a wide range of production and manufacturing firms experiencing difficulty in adjusting to the global marketplace. These firms provide jobs and capital that are vital to State, local, and national economic well-being. Therefore, each TAAC is expected to be managed professionally and to be capable of responding flexibly to client firms.

- a. Forty-Hour Customary Workweek. For each week of the calendar year, each TAAC shall be open to the public during workdays and hours customary to each TAAC's geographic service region, for no less than a 40-hour, Monday through Friday workweek. Each TAAC Director shall work a 40-hour workweek during the business hours customary to each TAAC's geographic

service region. If TAAC workload demands additional hours or a firm requires additional assistance, the TAAC shall include flexibility in its budget to remain open for the period needed to resolve the workload or firm issues.

- b. Consistent Contact with EDA. During each TAAC's customary business hours, EDA must have a direct line contact phone number and email address for each TAAC Director. If the TAAC Director is on official travel status that is being charged to the award, TAAC staff shall be able to provide EDA with contact information for the Director, including the name of the hotel at which the Director is staying and a telephone number at which the Director can be reached.
- c. TAAC Facilities and Resources. TAAC facilities and resources shall not be used for any activities inconsistent with the terms and conditions of the award to the TAAC. TAAC offices, addresses, and telephone numbers are not to be listed in any manner that would cause a reasonable person to misconstrue the TAAC office as a residence or other place of business. TAAC employees are prohibited from using the TAAC address for any purpose other than those described in the cooperative agreement and award scope of work. EDA will be the sole interpreter of those provisions.
- d. TAAC Staff Training. Each TAAC Director is responsible for training TAAC staff to deliver services to client firms. When the TAAC Director is absent for any reason, there shall be a TAAC staff member responsible for maintaining consistent TAAC operations in the Director's absence.
- e. TAAC Boards and Other Management or Governing Body. The TAAC Director is responsible for ensuring that each member of the TAAC's Board of Directors (or other management or governing body) is aware of EDA's conflict of interest rules and that actual or apparent conflicts of interest are avoided. If a conflict is discovered, the TAAC Director is responsible for promptly resolving the matter through disqualification, divestiture, waiver or other appropriate measures. See 13 C.F.R. §§ 300.3 (for the definition of "Interested Party") and 302.17.

2. Travel

A TAAC's travel costs are allowable only to the extent that they are necessary as determined by EDA and otherwise allowable under relevant Office of Management and Budget (OMB) cost principles. A TAAC must include travel costs in its proposed budget and provide receipts and documentation of travel-related expenses. Any airfare costs must comply with the Fly America Act (49 U.S.C. § 40118) and must not exceed the customary standard commercial airfare (coach or equivalent). If EDA determines that a TAAC is in persistent noncompliance with the applicable laws and cost principles that govern travel costs, EDA reserves the right to disallow unallowable expenses and use the reimbursement method to cover all travel costs incurred by the TAAC or to take such other action as EDA deems appropriate.

G. TAAF Promotion

Promoting TAAF helps ensure that a wide variety of import-impacted firms receive assistance. Therefore, TAAF's status as a Federally-funded program and EDA as the funding agency must be prominently featured on all public information including press releases, websites, program brochures, and reports released by the TAAC, including APs. TAACs must proactively contact EDA to confirm that all promotional materials comply with the Department of Commerce Standard Terms and Conditions for Financial Assistance Awards (January 2014).

H. Past Performance and Non-Compliance with Award Provisions

Unsatisfactory performance under prior Federal awards, such as audit reports with findings of reportable conditions and material weaknesses, may result in an application or a funding period extension not being considered.

I. No Obligation for Future Funding

As provided in the Department of Commerce Standard Terms and Conditions for Financial Assistance Awards (December 2014), if an applicant is awarded funding, neither the Department of Commerce nor EDA is under any obligation to provide any additional future funding in connection with that award or to make any future award(s). Amendment or renewal of an award to increase funding or to extend the period of performance is at the sole discretion of the Department of Commerce and of EDA.

Failure to comply with any or all of the provisions of an award may have a negative impact on future funding by the Department of Commerce (or any of its operating units) and may be considered grounds for any combination or all of the following actions: temporarily withholding payments pending correction of the deficiency; disallowance of all or part of the cost of the activity or action not in compliance; wholly or partially suspending or terminating the current award; withholding further awards; changing the method of payment from advance to reimbursement only; or the imposition of other special award conditions unique to the circumstances at hand. See 2 C.F.R. §§ 200.207 and 200.338.