

3.4.5. PROJECT DELIVERY: GRANT CLOSING AND POST-CLOSING OBLIGATIONS

Grantees are required to follow RPOSD procedures to close a grant after completion of the project. Failure to close the grant in a timely manner will affect a grantee's Good Standing. The final closing date should be identified in the timeline and budget during the submission of the grant application.

Supporting Documentation

It is important for grantees to distinguish between project completion and grant performance period when preparing a project timeline. After a project is completed, additional time is needed to collect required documentation to close a grant. A grantee should request a grant performance end date that includes the additional time to collect and submit final documents.

To close a grant successfully, grantees must submit all grant documentation within the grant agreement performance period. When submitting final documents, the grantee will also schedule a final site inspection.

RPOSD requires the following documentation to close a grant:

All Projects

Final Project Budget Summary

A final budget summary is required and must reflect any approved amendments, funds received from other sources, unutilized funds, or additional project costs.

Third-Party Agreements

Any agreements submitted in draft form during the application stage must be updated to reflect the final authorization of all involved parties. Agreements established after the application stage must also be submitted in entirety before a project will be closed. This includes joint/shared-use agreements.

Project Photos

Grantees shall provide project photos throughout the duration of the project as well as after completion, including the final project results, signage, and any closing ceremonies. Photos are subject to publication by RPOSD at its sole discretion and without need for any approvals from grantee.

Ceremonies

Grantees shall coordinate with their Grant Officer to ensure representation at project ceremonies, including but not limited to groundbreakings, ribbon cuttings, and special events. RPOSD will attend as many ceremonies as possible and will provide social media support to help promote ceremonies. Requests for social media support must be made at least four weeks prior to the requested publish date.

Project Certification Form

Certification that all grant funds were expended for the grant-awarded project, that the project is complete, identifies all sources of funding, and that final payments have been made for all work done.

Good Standing

Grantee must have Good Standing to close a grant. All appropriate forms and documentation for all grants must be up to date and accepted by RPOSD.

Development Grants

Notice of Completion

The Notice of Completion (NOC) (if applicable) may be required when development elements of a project were performed with a general contractor under contract with a public agency. The NOC must be stamped by the Los Angeles County Registrar-Recorder/County Clerk.

Acquisition Grants

Grant Deed

Provide a copy of the grant deed recorded with and stamped by the Los Angeles County Registrar-Recorder/County Clerk. Other acceptable property conveyance documents may include but are not limited to quit claim, tax deed, or conservation easements.

Closing Escrow Statement

Provide a copy of the closing statement showing itemized list of all charges and credits; purchase price, financial terms, funds deposited, debits or credits, payments to third parties, and payoffs of existing loans/liens. If any interest accrued during escrow, payment request (credited amount), payment, and memo must be on file before final payment/closing.

Title Insurance Policy

If not previously submitted, must be submitted prior to closing.

Final Relocation Report

If the project includes relocation, the final relocation report must be submitted.

Recorded Deed Restriction

If not previously submitted, must be submitted prior to closing.

Program Grants

Final Report

Submit a final report that reconciles how the work presented in the project scope was executed. RPOSD welcomes grantees sharing the stories of the participants for use in reports and on the website.

Third-Party Evaluation

Grantees must obtain a third-party evaluation to reconcile how the grantee provided program benefits, as reported in the project scope and reviewed in the grant evaluation process (see Sections 2.2.4 and 2.2.5).

Planning & Design Grants

Final Report

Grantees must submit final planning and design documents as defined in the Grant agreement, which may include conceptual designs or technical reports.

Long-Term Obligations

Public Access

Grant-funded property must be open and accessible to the public in perpetuity, except as noted under the special provisions of the grant agreement.

Grantee or any other agency or organization operating the grant-funded property must comply with the following provisions per the Measure:

- Project must provide reasonable and appropriate access by the public and be clearly communicated to the public on when and how access is provided.
- Property must include reasonable public access including the provision of parking and public restrooms, except where that access may interfere with resource protection. Exceptions may be made for projects without adequate space for parking or restrooms.
- Property must be open and accessible without discrimination as to race, color, sex, sexual orientation, age, religious belief, national origin, marital status, physical or mental disability, medical condition, or place of residence.
- Must not discriminate against or provide preferential treatment to any person or organization seeking to use such facility based on the place of residence of such person or the members of such organization. This prohibition extends in perpetuity and includes, but is not limited to, charging fees that differentiate between residents and nonresidents or that grant preferential treatment to city residents regarding reservations or registration.
- Restricted access is only permitted in cases where resource protection is a key component of project scope and priorities. In these cases, outreach to the community must clearly communicate the existence and purpose for restricted public access.
- It is incumbent upon grantees to maintain some grant-related documents in perpetuity.

Assignment and Assumption of Grant Agreement (AAGA)

Pursuant to the Measure and grant agreement, the AAGA allows grantees to transfer all grant obligations to a public agency from a private entity or from one public agency to another.

A project developed on land owned by a nonprofit or private entity must provide RPOSD with a plan to meet the in-perpetuity requirements of the Measure, regardless of the condition of the nonprofit or private entity (should they go out of business, etc.). This may be an AAGA or other agreement approved by RPOSD as well as both entities. Failure to submit AAGA and its associated documents in a timely manner may result in loss of Good Standing.

Conversions

Any change in use, sale, or disposal of grant-funded property must be approved in advance by the Board of RPOSD, who are the Board of Supervisors (BOS). Grant-funded property must be used only for the purposes for which grant funds were requested.

Grantees who are contemplating changing, or have already changed, the use or ownership of grant-funded property, must contact RPOSD and submit a request for conversion. RPOSD will facilitate the processes required for such a conversion.

If the use or ownership of grant-funded property is changed without approval, RPOSD may at its discretion seek a remedy pursuant to the Measure and grant agreement. Grantee may lose its good standing status.

Deed Restriction

To the maximum extent feasible, grantee shall cause to be recorded on the title of any real property acquired and/or developed with funds from the Measure, a deed restriction requiring compliance with the Measure and the grant agreement, in perpetuity.

Accounting & Audit Requirements

Grantees must maintain adequate financial documents and records that accurately account for disbursements of Measure A funds.

For Measure A funds disbursed for grants, grantees must retain financial records for at least five years after the grant is closed. (Some non-financial records must be retained for compliance with the perpetuity requirement of a grant agreement.)

For Measure A Maintenance and Servicing funds disbursements, recipients must retain financial records for at least five years after disbursement.

RPOSD may conduct a financial audit within the five-year time frames described above and reserves the right to recover funds lacking adequate documentation.

To help ensure adequate financial record keeping, grantees are encouraged to practice the following:

- Maintain good audit trails by retaining copies of source documents such as receipts, purchase orders, payments, invoices, time cards, cancelled warrants, etc.
- Maintain an accounting system with necessary control and safeguards that accurately records financial transactions for a grant
- Maintain timesheets that describe labor costs and specific tasks performed for a grant

Unutilized Funds

Grant reimbursements that exceed final total project costs shall be refunded to RPOSD.

Examples include:

- Funds advanced into escrow that closed at a lower final settlement amount;
- Unused portion of funds advanced at the beginning of the project
- Development costs reimbursed by RPOSD that were later refunded by a vendor.

Grantees returning funds are required to submit a memo, a reimbursement crediting the amount back to RPOSD, along with supporting documents such as statements of credits or residual advances, or copies of refund checks.