




U.S. Department
of Veterans Affairs

Adaptive Sports Programs for Disabled
Veterans and Disabled Member of the Armed
Forces Grant Agreement

Page 1 of 10

1. Recipient Name and Address: City of Fayetteville 433 Hay Street Fayetteville, NC 28301-0007		2. Award Date: 09/01/2018	3. Action: New Award
5. Recipient DUNS Number: 040031700		4. Project Period: From 09/1/2018 to 09/30/2019 Budget Period: From 09/1/2018 to 09/30/2019	
7. Unique Federal Award Identification Number (FAIN): 2019-ASG-24		6. Grantee IRS/Vendor Number 56-6001226	
9. Amount of Federal Funds Obligated by this Action: \$15,000.00		8. CFDA Number/Name 64.034/ City of Fayetteville	
12. Budget Approved by the VA: Yes 09/01/2018		10. Total Amount of Federal Funds Obligated: \$15,000.00	11. Total Amount of Federal Award: \$15,000.00
15. Is this a Research & Development Award: No		13. Total Approved Cost Sharing/Matching: Not applicable	14. Supplement Number: 0
16. In accordance with 38 U.S.C. 521A(d)(4)(A), administrative and personnel expenses may not be more than 5% of the total amount of the grant.			
17. Project Title: Grants for Adaptive Sports Programs for Disabled Veterans and Disabled Members of the Armed Forces			
18. Statutory Authority for Grant: Public Law 110-389 Sec 702, 38 USC 521A – Adaptive sports programs for disabled veterans and members of the Armed Forces.			
19. Method of Payment: Provisioning/Automated Clearing House			
20. Project Description: To increase and expand adaptive sport opportunities for disabled Veterans and disabled members of the Armed Forces at the community, regional and national levels.			
21. VA Contact: Michael Welch, Program Specialist, Office of National Veterans Sports Programs and Special Events			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
22. Title and name of VA awarding official: Richard A. Stone M.D. Executive in Charge, Office of the Under Secretary for Health		23. Title and name of authorized grantee official:	
24. Signature of VA awarding official: 		25. Signature of authorized grantee official:	



U.S. Department
of Veterans Affairs

Adaptive Sports Programs for Disabled
Veterans and Disabled Member of the Armed
Forces Grant Agreement

Page 2 of 10

In accepting a Department of Veterans Affairs (VA) award, your organization assumes legal, financial, administrative, and programmatic responsibility for administering the award in accordance with any provisions included in the award, as well as the laws, rules, regulations, and Executive Orders governing assistance awards; and these General Terms, all of which are hereby incorporated into this award by reference. While we may provide you with reminder notices regarding award requirements, the absence of receiving such notice does not relieve you of your responsibility to meet all applicable award requirements.

1. The grantee has executed and will comply with Standard Form 424B "Assurances—Non-Construction Programs."
2. The grantee agrees that it is responsible for the use of grant funds provided by VA. In accordance with Title 2 of the Code of Federal Regulations (CFR) Section 200.339, VA may terminate this award or take other action if the grantee materially fails to comply with any one of the terms and conditions of this award, whether stated in a Federal statute, regulation, assurance application, or notice of award.
3. The grantee agrees to comply with the organizational audit requirements of 2 CFR Part 200 Subpart F, Audit Requirements, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from 2 CFR Part 200 Subpart F audits (and any other audits of VA grant funds) are not satisfactorily and promptly addressed.
4. Grant funds may be used only for the purposes in the grantee's approved application and allocated as directed in 2 CFR Part 200 Subpart E. The grantee shall not undertake any work or activities that are not described in the grant application, and that use staff, equipment, or other goods or services paid for with VA grant funds, without prior written approval from the VA.
5. The grantee agrees to comply with applicable requirements regarding System for Award Management (SAM) and applicable restrictions on sub-awards to first-tier sub-grantees that do not acquire and provide a Data Universal Numbering System (DUNS) number. (The Recipient agrees there will not be second-tier subgrants awarded under this grant. The grantee will work with the VA to ensure that all of the sub-grantees have current DUNS numbers in the SAM.) The details of grantee obligations are posted on the SAM web site at <https://www.sam.gov/portal/public/SAM/>.
6. The grantee agrees to comply with applicable requirements to report first-tier sub-awards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the grantee and first-tier subgrantees of award funds. Bonuses to any individuals utilizing Federal funds must conform to 2 CFR Part 200 and be approved in advance by the agency in writing. The details of grantee obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the FFATA Subaward Reporting System (FSRS) website at <https://www.fsrs.gov/>.



U.S. Department
of Veterans Affairs

Adaptive Sports Programs for
Disabled Veterans and Disabled
Member of the Armed Forces Grant
Agreement

Page 3 of 10

7. The grantee will comply with Federal laws and regulation applicable to grants and grantees, including applicable provisions of 2 CFR Part 200 and 38 CFR Part 77.
8. Standards for Financial Management Systems, prescribes a Recipient's system that controls and accounts for Federal funds and cost sharing under the award and produces financial reports.

The financial management system must enable Recipients to meet the following Office of Management and Budget (OMB) requirements:

- a) Financial Reporting. For financial reports required by the award, Recipients must provide accurate, current, and complete financial information about the federally assisted activities. If sub-awards are executed under the award, Recipients must have reasonable procedures for ensuring the receipt of financial reports from each sub-recipient in sufficient time to allow the Recipient to prepare reports.
- b) Accounting Records. Recipients must maintain records that adequately identify the sources of funds for federally assisted activities and the purposes for which funds are to be used. The records must contain information about the award and any sub-award, including authorizations, obligations, un-obligated balances, assets, liabilities, outlays or expenditures, and any program income. The accounting records must be supported by source documentation, such as cancelled checks, paid bills, payrolls, and time and attendance records.
- c) Internal Control. Recipients must maintain effective control over and accountability for all cash, real and personal property, and other assets under the award. Recipients must adequately safeguard all of these assets and ensure that they are used only for authorized purposes.
- d) Budget Control. Recipients must be able to compare actual expenditures or outlays with the approved budget.
- e) Allowable Costs. Recipients must have established procedures for determining the reasonableness, allocability, and allowability of costs in accordance with the applicable Federal cost principles, program regulations, or other OMB requirements.
- f) Cash Management. Recipients must have procedures for minimizing the time elapsing between the transfer of any advance payments of funds under the award and disbursement of the funds for direct program costs and the proportionate share of any allowable indirect or facilities and administrative costs. Recipients must ensure that the timing and amount of any payments to sub-recipients under the award conform to this standard.
- g) Requirement for Performance Data. In comparing actual expenditures or outlays with budget amounts, as required, Recipients must relate financial information to performance data. For this purpose, VA will accept estimates based on available documentation.



U.S. Department
of Veterans Affairs

Adaptive Sports Programs for
Disabled Veterans and Disabled
Member of the Armed Forces Grant
Agreement

Page 4 of 10

h) Review of Financial Management System. VA may review the Recipient's financial management system at any time to determine whether it complies with the requirements of this provision.

9. **Period of Availability of Funds:** The project period under the award is indicated on the award cover sheet. The recipient may charge to the award only allowable costs resulting from obligations incurred during the funding period. Expenditures only for staff costs that are obligated during the award project period may be charged to the award up to 90 days following the expiration date. These funds shall be available for closeout activities limited to the preparation of final reports. No other staff costs should be obligated and expended.
10. **Publication for Professional Audiences:** Any publications or articles resulting from the award must acknowledge the support of the VA and will include a disclaimer of official endorsement as follows: "This [article] was funded [in part] by a grant from the United States Department of Veterans Affairs. The opinions, findings and conclusions stated herein are those of the author[s] and do not necessarily reflect those of the United States Department of Veterans Affairs". The Recipient must ensure that this disclaimer be included on all brochures, flyers, posters, billboards, or other graphic artwork that are produced under the terms of the award.

Seal/Logo

The VA seal may not be used by Recipients without the express written permission of the United States Department of Veterans Affairs.

11. **Post-award Requirements for Closeout:** The VA Office of National Veterans Sports Programs and Special Events will provide Recipients with the due dates and where to send final reports. VA will notify the Recipient in writing of any changes to the reporting requirements before the project period end date. Copies of any required forms and instructions for their completion are provided by the awarding office.

Recipients must submit, within 90 calendar days after the project period end date of the award, all final financial, performance, and other reports as required by the terms and conditions of the award. VA may approve written Recipient requests for extensions. Unless VA authorizes an extension, a Recipient must liquidate all obligations incurred under the award not later than 90 calendar days after the project period end date.

VA must make prompt payments to Recipients for allowable reimbursable costs under the award being closed out. The Recipient must promptly refund any balances of un-obligated cash that VA has advanced or paid and that is not authorized to be retained by the Recipient for use in other projects. OMB Circular A-129 governs unreturned amounts that become delinquent debts.

When authorized by the award, VA must make a settlement for any upward or downward adjustments to the Federal share of costs after closeout reports are received, not to exceed the amount of the award. Unless otherwise prohibited by statute or regulation.



U.S. Department
of Veterans Affairs

Adaptive Sports Programs for
Disabled Veterans and Disabled
Member of the Armed Forces Grant
Agreement

Page 5 of 10

The Recipient must account for any real and personal property acquired with Federal funds or received from the Federal Government in accordance with applicable rules, regulations, and laws.

In the event a final audit has not been performed before the closeout of the award, VA will retain the right to recover an appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit.

12. The Recipient shall submit quarterly progress reports and an annual report. Quarterly progress reports shall be submitted within 30 days after the end of the reporting periods, which are December 31, March 31, June 30 and September 30. This report will include detailed information about the project(s) funded, including, but not limited to, number of disabled Veterans who benefited, administrative expenses, information about how the funds were actually used, data to support statements of progress, and data concerning individual results and outcomes of funded projects reflecting project successes and impacts. The final report shall be submitted not later than 60 days following the end of the award period.
13. The Recipient agrees that it will submit quarterly financial status reports to VA on a VA-provided reporting tool or SF 425 Federal Financial Report not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 60 days following the end of the award period. Failure to provide this report may result in the deobligation of grant funds and discontinuation in future VA Adaptive Sport Grant funding opportunities.
14. **Program Income:** Program income may be retained by the Recipient and added to grant funds to further eligible Program objectives, in accordance with 2 CFR Sec. 200.307(e)(2).
15. **Retention and Access Requirements for Records:** The Recipients must maintain financial records, supporting documents, statistical records, and all other records pertinent to an award for a period of three years from the date of submission of the final expenditure report. For awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report as authorized by VA. The only exceptions are the following:
 - a) If litigation, claim, or audit is started before the expiration of the three-year period, records must be retained until all litigation, claims, or audit findings involving records is resolved and final action taken.
 - b) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
 - c) When records are transferred to or maintained by VA, the three-year retention requirement is not applicable to the Recipient.



U.S. Department
of Veterans Affairs

Adaptive Sports Programs for Disabled
Veterans and Disabled Member of the
Armed Forces Grant Agreement

Page 6 of 10

16. **Timely and Unrestricted Access:** VA, the Inspector General, Comptroller General, or any of their duly authorized representatives have the right of timely and unrestricted access to any books, documents, papers, or other records of Recipients and sub-recipients that are pertinent to the award, in order to make audits, examinations, excerpts, transcripts, and copies of such documents. This right also includes timely and reasonable access to a Recipient's and sub-recipient's personnel for the purpose of interview and discussion related to such documents. The rights of access in this paragraph are not limited to the required retention period, but must last as long as records are retained.
- Except for federally required restrictions on lobbying, the grantee may not place any restrictions on sub-recipients that limit the right or ability of the sub-recipients or their agents to contract or otherwise conduct business with the federal government.
17. **The VA Office of the Inspector General (OIG)** maintains a toll-free number (1-800-488-8244) for collecting information concerning fraud, waste, or abuse under grants and cooperative agreements. Information also may be submitted by online form at <https://www.va.gov/oig/hotline/complainant-release-preference.asp> or by mail to VA Inspector General Hotline (53E), 810 Vermont Ave., NW, Washington, DC 20420. Such reports are treated as sensitive material and submitters may decline to give their names if they choose to remain anonymous.
18. **Federal Debt Status:** You may not be delinquent in the repayment of any Federal debt. Examples of relevant debt include delinquent payroll or other taxes, audit disallowances, and benefits that were overpaid (OMB Circular A-129). You must notify VA immediately if you become delinquent during your project period. We cannot release your award funds until you provide documentation showing a repayment plan has been accepted by the Internal Revenue Service and payments have been made.
19. **Nondiscrimination Policies:** You must execute your project (e.g., productions, workshops, programs, etc.) in accordance with the following laws, where applicable.
- a) **Title VI of the Civil Rights Act of 1964**, as amended, provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance. Title VI also extends protection to persons with limited English proficiency (42 U.S.C. Sec. 2000d et seq.).
 - b) **Title IX of the Education Amendments of 1972** provides that no person in the United States shall, on the basis of sex or blindness, be excluded from participation in, be denied benefits of, or be subject to discrimination under any education program or activity receiving Federal financial assistance (20 U.S.C. Sec. 1681 and Sec. 1684 et seq.).



U.S. Department
of Veterans Affairs

Adaptive Sports Programs for
Disabled Veterans and Disabled
Member of the Armed Forces Grant
Agreement

Page 7 of 10

- c) **Section 504 of the Rehabilitation Act of 1973** provides that no otherwise qualified individual with a disability in the United States, shall, solely by reason of his/her disability, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (29 U.S.C. Sec. 794).
- d) **The Age Discrimination Act of 1975** provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. Sec. 6101 et seq.).
- e) **The Americans with Disabilities Act of 1990 (ADA)** prohibits discrimination on the basis of disability in employment (Title I), state and local government services (Title II), places of public accommodation and commercial facilities (Title III) (42 U.S.C. Sections 12101-12213).

20. Environmental and Preservation Policies

- a) **The National Environmental Policy Act of 1969**, as amended, applies to any Federal funds that would support an activity that may have environmental implications. We may ask you to respond to specific questions or provide additional information in accordance with the Act. If there are environmental implications, we will determine whether a categorical exclusion may apply, to undertake an environmental assessment or to issue a "finding of no significant impact," pursuant to applicable regulations and 42 U.S.C. Section 4332.
- b) **The National Historic Preservation Act of 1966**, as amended, applies to any Federal funds that would support either the planning or major renovation of any structure eligible for or on the National Register of Historic Places, in accordance with Section 106. This law also applies to project activities, such as new construction, that would affect such properties. We will consult with your State Historic Preservation Officer, as appropriate, to determine the impact of your plan or renovation on the structure or any affected properties. Any change in your design, renovation, or construction plans must be submitted to us for review and approval prior to undertaking any of the proposed changes. You may be asked to provide additional information on your project to ensure compliance with the Act (54 U.S.C. Sections 300101-307108).

21. Debarment and Suspension. You must comply with requirements regarding debarment and suspension in Subpart C of 2 CFR Part 180. There are circumstances under which we may receive information concerning your fitness to carry out a project and administer Federal funds; for instance:

- 1) Conviction of, or a civil judgment for, the commission of fraud, embezzlement, theft, forgery, making false statements;



U.S. Department
of Veterans Affairs

Adaptive Sports Programs for
Disabled Veterans and Disabled
Member of the Armed Forces Grant
Agreement

Page 8 of 10

- 2) Any other offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility; and/or
- 3) Any other cause of so serious or compelling a nature that it affects an organization's present responsibility.

In these circumstances, we may need to act quickly to protect the interest of the government by suspending your funding while we undertake an investigation of the specific facts. We may coordinate our suspension actions with other Federal agencies that have an interest in our findings. A suspension may result in your debarment from receiving Federal funding government-wide for up to three years.

22. **The Drug Free Workplace Act** requires you to publish a statement about your drug-free workplace program. You must give a copy of this statement to each employee (including consultants and temporary personnel) who will be involved in award-supported activities at any site where these activities will be carried out.

You must maintain on file the place(s) where work is being performed under this award (i.e., street address, city, state and zip code.) You must notify VA's Program Office of any employee convicted of a violation of a criminal drug statute that occurs in the workplace. (41 U.S.C. Sec. 8102 et seq. and 38 CFR Part 48).

23. **Restrictions for Use of Grant Funds for Individuals:** The Recipients may support or provide services (including adaptive sports activities) to individuals with disabilities who are not Veterans or members of the Armed Forces, or both, but prohibited from using grant funds to support or provide services (including adaptive sports activities) to those individuals. The Recipient is also prohibited from using grant funds to support or provide services (including adaptive sport activities) to Veterans or former Servicemembers who are barred from receiving VA benefits based on their service (38 U.S.C. 5303-5303A) and to Veterans or former Servicemembers who, if otherwise eligible, would be barred from receiving VA pension or compensation based on the character of their discharge from military service (38 CFR Sec. 3.12).

24. **Site Visits:** The grantor, through authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments and to provide such technical assistance as may be required. If any site visit is made by the grantor on the premises of the Recipient, a sub-recipient, or subcontractor, the Recipient shall provide, and shall require its sub-recipients and subcontractors to provide all reasonable facilities and assistance for the safety and convenience of the government representatives in the performance of their duties. All site visits and evaluations shall be performed in such a manner that will not unduly interfere with or delay the work.



U.S. Department
of Veterans Affairs

Adaptive Sports Programs for Disabled
Veterans and Disabled Member of the
Armed Forces Grant Agreement

Page 9 of 10

25. Lobbying. You may not conduct political lobbying, as defined in the statutes, regulations and OMB Circulars listed below, within your Federally-supported project. In addition, you may not use Federal funds for lobbying specifically to obtain awards. For definitions and other information on these restrictions, refer to the following:

- a) "No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities." (18 USC § 1913. Lobbying with appropriated moneys).
- b) 2 CFR Sec. 200.450 – "Lobbying," clarifies that lobbying is an unallowable project cost. The regulation generally defines lobbying as conduct intended to influence the outcome of elections or to influence elected officials regarding pending legislation, either directly or through specific lobbying appeals to the public.
- c) Certification Regarding Lobbying to Obtain Awards. Section 1352 of title 31, United States Code, prohibits the use of Federal funds in lobbying members and employees of Congress, as well as employees of Federal agencies, with respect to the award or amendment of any Federal grant, cooperative agreement, contract, or loan. While non-Federal funds may be used for such activities, they may not be included in your project budget, and their use must be disclosed to the awarding Federal agency. Disclosure of lobbying activities by long-term employees (employed or expected to be employed for more than 130 days) is, however, not required. In addition, the law exempts from definition of lobbying certain professional and technical services by applicants and awardees .

We strongly advise you to review these regulations carefully. They are published at 2 CFR Sec. 200.450 and 38 CFR Part 45, and can be found at www.ecfr.gov.



U.S. Department
of Veterans Affairs

Adaptive Sports Programs for Disabled
Veterans and Disabled Member of the
Armed Forces Grant Agreement

Page 10 of 10

26. Trafficking in Persons: This government-wide award term implements Section 106 (g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104(g)), implemented in 2 CFR Part 175. In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the Recipient or a sub-recipient —

- a) Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
- b) Procures a commercial sex act during the period of time that the award is in effect; or
- c) Uses forced labor in the performance of the award or sub-awards under the award.

A full text description of the award term is provided at 2 CFR Sec. 175.15.

27. Prompt Payment Act: Federal funds may not be used by the Recipient for the payment of interest penalties to contractors when bills are paid late nor may interest penalties be used to satisfy cost sharing requirements. Obligations to pay such interest penalties will not be obligations of the United States.

28. Equipment: If the Recipient uses grant funds to procure or operate adaptive sports equipment, the title of the equipment vests solely in the Recipient, or, for leased equipment, in an identified lessor. The Recipient will at a minimum, provide liability insurance for the adaptive sports equipment to the same extent they would insure adaptive sports equipment procured with their own funds. In addition, adaptive sports equipment will be safe to use and maintained in accordance with the manufacturer's recommendations.

29. Payments: For registered Recipients in the U.S. Department of Health and Human Services Payment Management System (PMS-SMARTLINK), instructions for submitting requests for payment may be found at <https://pms.psc.gov>. If Recipients submit a payment request electronically, they may submit requests as frequently as required to meet needs to disburse funds for program purposes.

Whenever it is administratively feasible to do so; Recipients are to time each request for advance so that payments of VA funds are received on the same day of the need to disburse the funds for direct program costs (and the proportionate share of any allowable indirect or facilities and administrative costs). When same day transfers are not feasible, advance payments should not exceed three days' estimated cash needs.