

U.S. Department of Labor

Employment and Training Administration
200 Constitution Avenue, N.W.
Washington, D.C. 20210



TIME SENSITIVE
IMPORTANT

Dear WIA Liaison and/or Signatory:

Re: PY 2008 Workforce Investment Act (WIA) Grant Agreement **Addendum for American Recovery and Reinvestment Act of 2009 (ARRA)** Provisions

Enclosed for immediate review and signature is a copy of the subject WIA Agreement Addendum for **Program Year (PY) 2008 funds** pertaining to the "**Recovery Act**" supplement for the WIA Adult, Youth and Dislocated Worker formula programs. The Wagner-Peyser agreement addendum will also be transmitted shortly to the appropriate State contact person.

Three copies of the agreement addendum must be signed by the State's authorized WIA signatory official and returned to me by **March 13, 2009** so that we can process the allocation amount due to the State/Commonwealth no later than March 19, 2009.

Please download the Word document and complete the Grantee identifying information, signature block (including EIN/PIN/DUNS information) on page 4 and **express-mail** all pages/copies of the document as soon as possible to: **Thomas C. Martin- Grant Officer; U.S. Department of Labor- ETA/DFA; 200 Constitution Avenue, NW; Room North 4716; Washington, DC 20210.** For reference, the telephone number is (202) 693-2989.

SPECIAL NOTES:

- **Document Pages:** When downloading the document, please ensure that the spacing integrity of the pages is maintained to reflect the spacing of the original document.
- **FAX: Before mailing, we ask that you also telefax one copy of the completed document to my attention.** The FAX number is (202) 693-2879.
- **DUNS:** State grantees should ensure that their DUNS number is currently registered at www.ccr.gov and that the status of the information is current. This can be determined by doing a Search query at the CCR website.

Upon our receipt of the addendum, we will complete and execute the document and attach it to the Notice of Obligation/Grant Modification with the applicable ARRA allocation amounts, grant number, funding codes and we will mail you a copy of the grant action documents. We will also FAX copies to the Regional Offices for their faxing to the States. Should you have questions, please me at 202-693-2989 or martin.thomas@dol.gov.

Sincerely,

THOMAS C. MARTIN
Grant Officer

Enclosure

**WORKFORCE INVESTMENT ACT (WIA) PROGRAM
PY 2008 ANNUAL FUNDING AGREEMENT ADDENDUM
for
AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA) PROVISIONS**

Grant/Agreement No. AA -

(To be completed by DOL)

**CFDA # 17.258 WIA Adult Program
CFDA #17.259 WIA Youth Activities
CFDA #17.260 WIA Dislocated Workers**

- 1. Relationship to Other Agreements:** Unless inconsistent with specific terms and conditions provided herein, the terms and conditions of the Program Year (PY) 2008 WIA Title I annual funding agreement between the U.S. Department of Labor, Employment and Training Administration (Grantor) and the **STATE/COMMONWEALTH of VERMONT** (Grantee) apply to the funds identified in Section 2 and are hereby incorporated by reference.
- 2. Grant Funds:** This grant agreement addendum addresses additional requirements applicable to funds appropriated in the American Recovery and Reinvestment Act of 2009 (ARRA or the Recovery Act, P.L. 111-5) for WIA Title I State formula-funded Youth, Adult, and Dislocated Worker programs. ARRA funds will be available to Grantees as Program Year (PY) 2008 funds.
- 3. Purposes and Principles:** In accordance with the intent of the Recovery Act, funds must be spent expeditiously and effectively, with full transparency and accountability in the expenditure of funds. The Recovery Act provides more than an injection of workforce development resources into communities in need across the country. The significant investment of stimulus funds presents an extraordinary and unique opportunity for the workforce system to accelerate its transformational efforts and demonstrate its full capacity to innovate and implement effective One-Stop service delivery strategies. As states and localities plan how their One-Stop systems will make immediate use of the Recovery Act funds, ETA encourages them to take an expansive view of how the funds can be integrated into transformational efforts to achieve a new level of effectiveness throughout the public workforce system. In this system, the needs of workers and employers are equally important in developing thriving communities where all citizens succeed and businesses prosper. Successful implementation of the Recovery Act includes not only quick and effective provision of services and training for workers in need, but also leveraging changes in the system's basic operations to emerge as a strong, invigorated, innovative public workforce system capable of helping enable future economic growth and advancing shared prosperity for all Americans. Grantees are advised that Recovery Act funds are intended to supplement, not supplant existing WIA Title I State formula funds.
- 4. Limit on Funds:** None of the funds appropriated or otherwise made available in the ARRA may be used by any State or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

5. **DUNS/CCR:** Grantees and their subrecipients (first tier) must have a Dun and Bradstreet Numbering System (DUNS) number (www.dnb.com) and must maintain active and current profiles in the Central Contractor Registration (CCR). (www.ccr.gov).
6. **Schedule of Expenditures of Federal Awards:** Grantees agree to separately identify the expenditures for each grant award funded under ARRA on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by Office of Management and Budget Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." This identification on the SEFA and SF-SAC shall include the Federal award number, the Catalog of Federal Domestic Assistance (CFDA) number, and amount such that separate accountability and disclosure is provided for ARRA funds by Federal award number consistent with the recipient reports required by ARRA Section 1512(c).
7. **Responsibilities for Informing Sub-recipients:** Grantees agree to separately identify to each sub-recipient and document at the time of sub-award and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of ARRA funds.
8. **Reporting: Program Management and Financial Expenditure:** Accountability guidelines for the Recovery Act emphasize data quality, streamlining data collection, and collection of information that shows measurable program outputs. The Act also emphasizes transparency and frequent communication with the American public about the nature of the Recovery Act investments. Accordingly, the Grantor is developing reporting guidelines that will minimize any new collection burdens yet provide timely accurate accounting of system performance and outcomes. Grantees shall collect and report information as conveyed in upcoming ARRA reporting instructions to be issued by the Grantor. **NOTE: ARRA reports will be due 10 days after the end of each calendar quarter, starting with the quarter ending June 30, 2009.**
9. **Applicable Authority:** Funds provided under this grant agreement addendum must be expended in accordance with all applicable federal statutes, regulations, policies, and guidance, including those of the ARRA of 2009 and the Workforce Investment Act of 1998 (*as presently in effect and as may become effective during the terms of this Agreement*). In addition, ARRA funds must be spent in accordance with the applicable approved WIA State plan including approved modifications and amendments to the plan.
10. **Grant Expenditure Period:** Pursuant to the ARRA, the period of availability is effective February 17, 2009 through June 30, 2011, in accordance with existing terms and conditions of the PY 2008 funding agreement. It is the Congress' intent, as well as that of the Administration, that the majority of these funds will be utilized within the first year of availability.
11. **Notice of Obligation:** Funds shall be obligated and allocated via a Notice of Obligation (NOO) grant modification to the PY 2008 annual funding agreement/grant. Obligations and costs may not exceed the amount obligated by the NOO modification unless otherwise modified by the Grantor. Upon execution of this addendum, the NOO modification to the PY 2008 grant will be issued. Funds are obligated for the amount indicated in the NOO grant modification document in accordance with the Grantee's ARRA

allotment levels. The Federal obligation level will be amended by the Grant Officer to increase (or adjust) amounts available to the Grantee as funds become available for obligation and additional NOO (or Deobligation) grant modifications are required and issued.

12. Veterans' Priority Provisions: NOTE: this provision applies to all PY 2008 funds in place of the version of the Veterans' Priority Provisions clause in the original agreement. This program, funded by the U.S. Department of Labor is subject to the provisions of the "Jobs for Veterans Act" (JVA), Public Law 107-288 (38 USC 4215), as implemented by the Final Rule published on December 19, 2008 at 73 Fed. Reg. 78132. The JVA provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services. The Planning Guidance (either the Stand-Alone Planning Guidance at 73 FR 72853 (December 1, 2008)) or the Unified Planning Guidance at 73 FR 73730 (December 3, 2008 requires states to describe the policies and strategies in place to ensure, pursuant to the Jobs for Veterans Act and the regulations, that priority of service is provided to veterans (and certain spouses) who otherwise meet the eligibility requirements for all employment and training programs funded by the U.S. Department of Labor. In addition, the states are required to provide assurances that they will comply with the Veterans' Priority Provisions established by the Jobs for Veterans Act (38 USC 4215).

13. General Provisions of ARRA, as applicable: The following clauses are specific to usage of ARRA funds and are intended to supplement, not replace any existing terms and conditions.

Wage Rate Requirements: Subject to further clarification issued by the Office of Management and Budget and notwithstanding any other provision of law and in a manner consistent with other provisions of ARRA, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Grantor pursuant to this award shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code. (ARRA Sec. 1606)

Whistleblower Protection: Each Grantee or sub-recipient awarded funds made available under the ARRA shall promptly refer to the Grantor Office of Inspector General any credible evidence that a principal, employee, agent, contractor, sub-recipient, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving those funds. (ARRA Sec. 1553)

Buy American – Use of American Iron, Steel, and Manufactured Goods: None of the funds appropriated or otherwise made available by the ARRA may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States. See ARRA Section 1605 –

Buy American Requirements. **NOTE:** WIA Title I prohibition on construction, in accordance with 20 CFR 667.260, remains applicable to Grantees.

14. Signatory Information: By signing below, the signatories agree to the terms and conditions of this agreement addendum on behalf of their respective agencies indicated below. In addition, the Grantee's expenditure of any funds properly granted hereunder constitutes acceptance of the award, including any new or additional terms and conditions as may be attached hereto.

GRANTEE: VERMONT
(State/Commonwealth)

Agency Name _____ TAX EIN# 03-0350861

VERMONT DEPARTMENT OF LABOR _____ PMS EIN# _____
(if known)

Mailing Address _____

P.O. Box 488, 5 Green Mountain Drive _____ PMS PIN ACCT# 6H04B

Montpelier, Vermont 05601-0488 _____ DUNS# 809 376 759

BY Patricia Moulton Powden _____
Governor/Authorized Signatory Signature Patricia Moulton Powden Date 3/9/09
(Print name)

Title Commissioner Email Address pat.moulton.powden@state.vt.us

**FOR GRANTOR: U.S. Department of Labor/Employment and Training Administration
200 Constitution Ave NW; Room N-4716; Washington, DC 20210**

THOMAS C. MARTIN Signature Date
Grant Officer