



**ABSTRACT**

***The 2022 Water Grant Program! Your opportunity to fund your vital water efficiency and conservation measures. See the complete grant process inside.***

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## Overview

The 2022 Water Grant Program authorizes funding to California state agencies for water conservation and water efficiency projects. Eligible projects include the replacement of plumbing fixtures and appliances to ensure that systems meet specified ENERGY STAR® and other water efficiency requirements.

Other eligible water conservation and water efficiency projects include master water planning, water audits and surveys, innovation, irrigation and water meters, landscaping, water/energy nexus projects, infrastructure, and water reuse projects.

These guidelines provide requirements for program participation including eligible applicants and projects, application process, funding awards and distribution, as well as project documentation and reporting requirements.

For the purposes of administering the program, the program is referred to as the 2022 Water Grant Program.

**The 2022 Water Grant Program does not have authority to authorize state agencies to use a particular procurement method for use of these funds. State agencies shall rely on their own existing authority and shall comply with applicable law.**

## A. Application Process

The application process has been designed to simplify the submission of an initial application. Not all projects will have the same requirements. Applicants need complete the form applicable to their project. Choose the grant category for which you are applying. You may apply for as many categories as you wish.

The 2022 Water Grant Program allows the state agency to receive an encumbrance of incurred costs up to 75 percent of the total grant award after the 2022 Water Grant Program has accepted the state agency's application, countersigned the grant agreement, and reserved funds for use based on the costs in the submitted contractor estimate.

The application and award process generally follows the following steps.

1. The 2022 Water Grant Program issues a notice of funding availability with details of the total funding available, start and end dates for application acceptance, and the breakdown of funds by project category.
2. State agencies submit grant applications electronically as required in the notice of funding availability.



3. The 2022 Water Grant Program will begin to review applications in the order that complete applications are received.
  - a. The 2022 Water Grant Program staff will accept and review all applications submitted by the posted deadline.
  - b. At any time, should the 2022 Water Grant Program determine that all funds in a single funding category have been reserved, the 2022 Water Grant Program may provide public notification of that determination but may continue to accept applications and identify state agencies that may be funded should additional funding become available.
4. The 2022 Water Grant Program will grant funding awards for complete applications, at which time funds will be reserved for the state agency for approved projects.
5. Incomplete applications and applications deemed not to have met the application requirements (collectively referred to as “noncompliant” applications) will not be considered. The 2022 Water Grant Program will notify state agencies if an application is noncompliant, and the applicant may reapply during the open application period. Accordingly, applicants are encouraged to apply as early in the process as possible.
6. The 2022 Water Grant Program will issue a notice of proposed award to a state agency with a complete application. The state agency will be required to submit the additional required documents and complete and sign a grant agreement to reserve the grant award funding.
7. Once the 2022 Water Grant Program accepts the state agency’s final application documents, it will countersign the grant agreement and reserve funds for the state agency based on the costs in the submitted contractor estimate.
8. The state agency may thereafter request reimbursement for incurred costs of up to 75 percent of the total grant award. Any incurred costs greater than 75 percent of the total grant award will be included in the final invoice. For these guidelines, the term “incurred costs” is defined as an eligible expense for which the recipient has become liable (legally obligated) to pay.
9. All planned projects will also receive additional guidance on project completion, reporting, and invoice submittal.
10. All projects must adhere to the requirements provided in these guidelines and must use all required forms to receive a grant award and funding.



## B. Application Package

Eligible applicants must submit a complete application package for a 2022 Water Grant using the electronic submission process and system identified in the notice of funding availability issued by the 2022 Water Grant Program. The application package must include the following in the required form or formats. The information required in the application form is listed in these guidelines, and all forms will be made available for use in developing the application package on the XXXXXXXXXXXX web page

1. Applicant Details: state agency information including official name, address, responsible parties, contact information, description of state agency territory, and schools.
2. Overall Grant Request Summary: Grant site and budget summary page and status of all site-specific work, including start date and projected end date.
3. Site-Specific Details: Detailed information identifying all sites to be addressed by the grant, general site information, identification of the number and type of various hardware, fixtures, etc. on site, project completion status, total site-specific estimate for replacement project.
4. The state agency self-certifies:
  - a. It will follow the program guidelines.
  - b. The information included in the application package is true and correct to the best of the state agency's knowledge.
  - c. It will obtain Real Estate Services Division (RESA) project approval as applicable (see Section F.).
  - d. It acknowledges that the expended funds may be subject to audit, including a financial audit.
  - e. It will comply with all reporting requirements.
  - f. It will comply with all 2022 Water Grant Program terms and conditions.
  - g. All replacement or upgraded plumbing fixtures and appliances will be disposed of or recycled in compliance with its own policies or other applicable state and local end-of-life management and recycling requirements.
  - h. It will comply with all skilled and trained workforce requirements.
  - i. All applicable DIR and Labor Code requirements on public works, including the payment of prevailing wage, will be followed.
  - j. It acknowledges that it may be subject to a post program site visit and measurement and evaluation study conducted by the 2022 Water Grant Program or its delegate.
5. Supporting documentation:

Site-specific contractor estimate supporting each site-specific amount requested. To be deemed complete, a contractor estimate must be itemized and include all required details.



## C. Contractor Estimates

The amount requested in the application package may only be for reasonable costs of the proposed project.

The contractor estimate must include a detailed site-specific budget, timeline, and a clear and accurate description of the work that will be provided. The site-specific budget needs to show cost estimates for the project, which includes the materials and labor costs.

The state agency will be required to submit the original contractor estimate as part of the application package to demonstrate that all costs are reasonable for the work to be completed. The contractor estimate must include supporting documentation demonstrating that the scope of work is consistent with the requirements of these guidelines.

## D. Application Review

Applications will be accepted only electronically through the 2022 Water Grant Program's electronic submission system, and all applications submitted will be identified by the date and time received. Any applications received after the noticed deadline will not be accepted, and a notice of rejection

will be sent to the applicant. Any application forms or links and deadlines shall be described in the notice of funding availability. ***The 2022 Water Grant Program will not accept applications via mail or fax.***

Applications must use the 2022 Water Grant Program's electronic submission system.

The 2022 Water Grant Program will review each submitted application package to ensure all the required information has been provided. An application with minor errors or inconsistencies that do not affect the completeness of the package may still be considered for funding. If an applicant or the 2022 Water Grant Program discovers any minor errors or inconsistencies, the applicant will be given 15 business days excluding state and federal holidays or until the application deadline, whichever occurs first, to resubmit the application to resolve the errors or inconsistencies.

If the applicant does not resubmit the application in the allowed time frame, the application will be rejected.

If an application is rejected during the open application period, the state agency may revise and resubmit the application during the open application period.

The 2022 Water Grant Program staff will rank all approved applications by the date and time the final approved application was received. Grant applications will be processed until all available funds within each funding category are awarded. Any approved grant applications



received that exceed the amount of funds available in the current round of funding for the funding category will be placed in order of date and time received on a priority list for funding if new funds become available.

## E. Notice of Proposed Award and Execution of Grant Agreement

Following approval of an application, THE 2022 Water Grant Program staff will send a notice of proposed award to the successful state agency and request the following additional information to complete the grant agreement, consistent with these guidelines:

1. Payee Data Record (STD-204): Required for grant award payment.
2. An authorizing document from the governing body, such as a resolution authorizing acceptance of the award and entering award agreement.
3. A signed grant agreement indicating that the state agency has read and accepted the terms and conditions.

Failure to agree to the terms and conditions by taking actions such as failing to sign the grant agreement or indicating that acceptance is based on modification of the terms will result in rejection of the application. The 2022 Water Grant Program reserves the right to modify the terms and conditions prior to executing the grant agreement.

At the time the grant agreement is fully executed by the 2022 Water Grant Program, the grant award funding will be reserved for the state agency.

## F. Real Estate Services Division (RES D) Review

RES D provides design and construction oversight for state buildings. To ensure state buildings are safe and compliant with all applicable standards, RES D must review and approve state buildings' construction for compliance when alterations or additions are made to existing buildings. Certain equipment replacements and upgrades funded by the 2022 Water Grant Program might be exempt or excluded from RES D review and approval for structural safety, depending on the scope of work and estimated construction cost. To help state agencies determine the various requirements and possible exemptions, RES D provides resources and guidelines on its website



## G. Enforcement

In addition to any other rights of the 2022 Water Grant Program, the 2022 Water Grant Program can take any of the following actions necessary to enforce the 2022 Water Grant Program's rights and program requirements.

### 1. Recovery of Overpayment

The 2022 Water Grant Program may direct its chief counsel to commence formal legal action against any applicant, former applicant, or recipient to recover any portion of a payment under a grant agreement that the executive director determines the applicant, former applicant, or recipient was not otherwise entitled to receive, retain (that is, advanced funds), or spend in the manner it was spent.

### 2. Fraud and Misrepresentation

The deputy director of the Office of Sustainability may initiate an investigation of any applicant that the executive director has reason to believe may have misstated, falsified, or misrepresented information in the application process, payment request, or any reporting or other information required under the program. Based on the results of the investigation, the deputy director may take any action deemed appropriate, including, but not limited to, cancellation of the reservation of funds, termination of the award or award agreement, recovery of any overpayment, and, with the concurrence of the 2022 Water Grant Program, recommending the Attorney General initiate an investigation and prosecution under Government Code Section 12650, et seq., or other provisions of law.

### 3. Noncompliance with Agreement

The 2022 Water Grant Program may seek remedies for noncompliance with agreement terms, work scope, and project milestones, including, but not limited to, stop work, termination, withholding requested payments, recovery of funds, or any other administrative or civil action.

## H. Use and Disclosure of Information and Records and Confidentiality

With very few exceptions, all project documents submitted to the 2022 Water Grant Program or its technical consultant(s), including as part of any audit, are considered public records subject to disclosure under the California Public Records Act. The 2022 Water Grant Program or other state agencies may also use any of these documents or information for any purpose, including to determine eligibility and compliance with the 2022 Water Grant Program, applicable law, or a particular solicitation or guideline document; evaluate related or relevant programs or program elements; or prepare reports. These documents and information include, but are not limited to, applications for funding, the agreement itself, invoices and any



documentation submitted in support of applications, all agreement deliverables, final project report, and documents prepared for other reporting requirements, materials and documents developed as part of technology transfer activities. If the 2022 Water Grant Program requires an applicant or recipient to provide copies of records that the recipient believes contain confidential/proprietary information entitled to protection under the California Public Records Act or other law, the recipient may request that such records be designated confidential according to the 2022 Water Grant Program's regulations for confidential designation, Title 20, California Code of Regulations, Section 2505.

Applicants considering confidentiality should note that 2022 Water Grant Program funds are subject to information disclosure requirements to ensure transparency. Information concerning the identity of recipients and the grant amount is public information and will be disclosed according to the California Public Records Act. This information, as well as other public information, may also be disclosed through the 2022 Water Grant Program's website, another State of California agency website, or through other means.

The 2022 Water Grant Program can disclose confidential information and records to other governmental entities and policing authorities for civil and criminal investigation and enforcement.

## I. Payment of Grant Funds

The 2022 Water Grant Program will issue an email notice to approved grant applicants identifying the amount of the award. As noted above, the state agency will be awarded the amount requested, which must equal the total of each site-specific budget.

## J. Timing of Payment

After the grant agreement is fully executed and the 2022 Water Grant Program has reserved funds for the project, the state agency may request, and the 2022 Water Grant Program may approve payment of, reimbursement of the state agency's incurred costs of up to 75 percent of the total grant award for all sites included in the grant agreement.

## K. Reimbursement of Incurred Costs

Incurred costs eligible for reimbursement are costs for which the recipient has become legally obligated to pay and that comply with the terms of an executed grant agreement for a School Plumbing Fixture and Appliance Replacement Grant. Grantees will receive a notification after the execution of the grant agreement with specific information on the process to request reimbursement of incurred costs.



Grantees are required to provide proof of incurred costs with any request for reimbursement. The documentation must demonstrate that the costs are eligible for reimbursement, as described in these guidelines, are consistent with the grant agreement and terms and conditions, and qualify as incurred costs, as defined.

Documentation of incurred costs must provide site-specific information and be itemized to show both the material and labor costs for each plumbing fixture and appliance replacement listed in the grant agreement for which costs have been incurred. In addition, documentation of incurred costs must establish that all work performed complies with any applicable skilled and trained workforce and other labor requirements.

## L. Completion of Projects

As noted, grant recipients will have 24 months to complete all replacement work and final documentation requirements. Although the 2022 Water Grant Program may issue a reminder of the project deadline, **it is the grant recipients' responsibility to monitor project completion and meet all required documentation and invoicing deadlines.**

State agencies shall submit final documentation electronically using the system or process required by the 2022 Water Grant Program at the time the documentation is due. The 2022 Water Grant Program will provide all forms, formats, and guidance needed to assist in documentation on the program web page.

The state agency self-certifies:

- a. It followed the program guidelines.
- b. The information included in the final document package is true and correct to the best of the state agency's knowledge.
- c. All California Environmental Quality Act (CEQA) requirements are completed
- d. It acknowledges that the expended funds may be subject to an audit, including a financial audit.
- e. It complied with all reporting requirements.
- f. It complied with all 2022 Water Grant Program terms and conditions.
- g. All plumbing fixtures and appliances have been disposed of or recycled in compliance with its own policies or other applicable state and local end-of-life management and recycling requirements.
- h. It complied with all skilled and trained workforce and other labor requirements.
- i. It complied with any applicable labor code requirements on the payment of prevailing wage.
- j. All DIR requirements for public works, including payment of prevailing wages, were followed.



- k. It commits to participate with the 2022 Water Grant Program or its delegate in the assessment of water and energy savings or GHG emission reductions, including providing access to project sites and project and equipment information.
- l. It acknowledges that it may be subject to a post program site visit and measurement and evaluation study conducted by the 2022 Water Grant Program or its delegate.

## M. Final Documentation and Invoice for Remaining Funds

After the project has been completed, the applicant will submit a final document package to the 2022 Water Grant Program that includes:

- 1. Detailed documentation, as specified in 2022 Water Grant guidelines.
- 3. Final invoice(s) for all expended grant funds up to the original grant award amount for each site. The invoices must provide site specific information and be itemized to show both the material and labor costs for each plumbing fixture and appliance replacement listed in the grant agreement.

## N. Time Extension Requests

Grant recipients may request one-time extension to complete final reporting. The extension will be no more than six months and will not exceed the final program reporting deadline date of June 1, 2026.



## Glossary: Key Words and Terms

**2022 Water Grant Program** -The 2022 Water Grant Program administers the Department of General Services, Office of Sustainability, 26-million-dollar grant XXXXXXXX

**2022 Water Grant Program Guidelines**- Program Guidelines detailing grant categories, funding amounts, application process and timelines, payment process, and project completion requirements.

**Appliance** - Means all the following:

- Any commercial dishwasher that was manufactured prior to January 1, 2010, that does not meet the efficiency requirement of the ENERGY STAR® Product Specification for Commercial Dishwashers, Version 1.1.
- Any automatic commercial ice maker that was manufactured prior to January 1, 2010, that does not meet the efficiency requirement of the ENERGY STAR Product Specification for Automatic Commercial Ice Makers, Version 1.0.
- Any commercial clothes washer that was manufactured prior to January 1, 2010, that does not meet the efficiency requirement of the ENERGY STAR Product Specification for Clothes Washers, Version 5.0.

**CEQA** - The California Environmental Quality Act found in California Public Resources Code Section 21000 et seq., and the CEQA Guidelines, promulgated by the California Natural Resources Agency, California Code of Regulations Title 14, Section 15000 et seq. CEQA generally requires state and local government agencies to inform decision makers and the public about the potential environmental impacts of proposed projects, and to reduce those environmental impacts to the extent feasible.

**Contractor** - A person or company with the appropriate license classification, as determined by the Contractors State License Board.

**DIR** - California Department of Industrial Relations

**Notice of proposed award** 2022 Water Grant Program notification to the state agency following approval of a grant application.

**Notice of funding availability** - A notice issued by the 2022 Water Grant Program to identify anticipated funding that will be made available in each round of 2022 Water Grant Program grants. The notice will provide relevant application dates and any funding restrictions applicable to that funding round.

**Plumbing Fixtures** - Has the same meanings as set forth in Section 1101.3 of the Civil Code, which is any of the following: (1) Any toilet manufactured to use more than 1.6 gallons of water per flush. (2) Any urinal manufactured to use more than one gallon of water per flush. (3) Any showerhead



manufactured to have a flow capacity of more than 2.5 gallons of water per minute. (4) Any interior faucet that emits more than 2.2 gallons of water per minute.

Project - "Project" refers to all work, design, landscape plantings, and hardware that are funded by a 2022 Water Grant at a site.

Site - Location where 2022 Water Grant Program work will be performed.

Skilled and Trained Workforce - Has the same meaning as set forth in Section 2601 of the Public Contract Code.

Underserved Community - A community that meets one of the following criteria:

1. Is a "disadvantaged community" as defined by subdivision (g) of Section 75005 of the Public Resources Code.
2. Is included within the definition of "low-income communities" as defined by paragraph (2) of subdivision (d) of Section 39713 of Health and Safety Code.
3. Is within an area identified as among the most disadvantaged 25 percent in the state according to the California Environmental Protection Agency and based on the most recent California Communities Environmental Health Screening Tool, also known as CalEnviroScreen.
4. Is a community in which at least 75 percent of public-school students in the project area are eligible to receive free or reduced- price meals under the National School Lunch Program.
5. Is a community located on lands belonging to a federally recognized California Indian tribe.