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**IDAPA 28
TITLE 02
CHAPTER 04**

28.02.04 – IDAHO GEM GRANT PROGRAM

000. LEGAL AUTHORITY.

These rules are promulgated under the legal authority of Section 67-4702, Idaho Code. (7-1-05)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 28.02.04, "Idaho Gem Grant Program." (7-1-05)

02. Scope. The Idaho Gem Grant (IGG) Program was created as part of Governor Kempthorne's Rural Development Initiative. Successive sessions of the Idaho State Legislature made funds available to the Idaho Department of Commerce to fund the Governor's IGG Program. These rules implement the Department's procedures for project selection, award and disbursement of grant moneys for the Governor's IGG Program. (7-1-05)

002. WRITTEN INTERPRETATIONS.

The Department has no written interpretations of these rules. (7-1-05)

003. ADMINISTRATIVE APPEALS.

The award of grants under the IGG Program is a discretionary action to be performed by the Department. There is no provision for administrative appeal under these rules. (7-1-05)

004. INCORPORATION BY REFERENCE.

The IGG Program Handbook is incorporated herein by reference. Copies of this document are available for public inspection and copying at the address indicated below or through the internet at www.commerce.idaho.gov. (7-1-05)

005. OFFICE -- OFFICE HOURS, MAILING ADDRESS, AND STREET ADDRESS.

The headquarters of the Idaho Department of Commerce is in Boise, Idaho. Office hours are from 8 a.m. to 5 p.m. except Saturdays, Sundays and legal holidays. The Department's mailing address for information regarding the IGG Program is: Idaho Department of Commerce, P.O. Box 83720, Boise ID 83720-0093. The street address is 700 West State Street, Boise, Idaho. The telephone number is (208) 334-2470 and the FAX number is (208) 334-2631. (7-1-05)

006. PUBLIC RECORDS ACT COMPLIANCE.

All rules contained in this chapter are subject to and in compliance with the Idaho Public Records Act (Title 74, Chapter 1, Idaho Code). (7-1-05)

007. -- 011. (RESERVED)

012. PRIMARY OBJECTIVES.

The primary objectives of the IGG Program are to fund community development projects of rural communities for the purpose of: (7-1-05)

01. Improving the Local Economy. (2-7-94)

02. Retaining or Creating Jobs. (2-7-94)

03. Promoting the Community for Economic Development and Tourism. (2-7-94)

04. Assisting Business Expansion and Diversification. (2-7-94)

013. ELIGIBLE APPLICANTS.

Idaho rural communities under ten thousand (10,000) persons and other Idaho rural communities at the discretion of the Director of the Department of Commerce are eligible to apply for IGGs up to a maximum of fifty thousand dollars (\$50,000). IGGs to city and county governments may be administered by their designees as established by formally adopted resolutions. (7-1-05)

014. ELIGIBLE ACTIVITIES.

For a project to be eligible for IGG funding the project must meet one (1) or more of the IGG program's primary objectives listed in Section 012 of these rules. (7-1-05)

015. ELIGIBLE COSTS.

- 01. Eligible Costs.** Eligible costs for the use of IGG funds are limited to: (7-1-05)
- a.** Materials. (2-7-94)
 - b.** Construction contracts. (2-7-94)
 - c.** Architect and engineering services and legal and professional services required for project implementation. (3-15-02)
 - d.** Equipment. (2-7-94)
 - e.** Equipment installation. (2-7-94)
 - f.** Advertising. (2-7-94)
 - g.** Printing. (2-7-94)
 - h.** Construction of infrastructure for economic expansion. (3-15-02)
 - i.** Rehabilitation and development of public property to support business development. (7-1-05)
 - j.** Acquisition of real estate for business development. (3-15-02)
 - k.** Matching funds for other state, federal and foundation economic development grants. (7-1-05)

016. INELIGIBLE ACTIVITIES/COSTS.

IGG funds shall not be used for: (7-1-05)

- 01. Payroll Costs.** Payroll costs for city, county, development corporation or other community agencies. (2-7-94)
- 02. Real Property Acquisition.** Construction, rehabilitation, or operation of schools, general government facilities, jails or state facilities. (3-15-02)
- 03. Administrative Costs.** Expenses related to administering IGGs will not be reimbursable to the grantee from IGG funds. (7-1-05)
- 04. Political Activities.** IGG funds shall not be used for political purposes or to engage in lobbying or other partisan political activities. (7-1-05)
- 05. Religious Activities.** IGG funds shall not be used for the construction, rehabilitation or operation of active churches or religious structures used for religious purposes. (7-1-05)

017. SELECTION.

The IGG process is competitive on a quarterly cycle and is dependant upon grant fund availability. The following process will be used to select which eligible proposals will be funded: (7-1-05)

- 01. Review of Proposals.** Department staff review proposals for completeness and compliance with these rules and make recommendations for funding to the Department's Director. (7-1-05)

02. Grant Awards. The Department's Director, in his sole discretion, makes all IGG awards. The Director may make grant awards at any time the Director determines it necessary to take advantage of special opportunities that further the primary objectives of the IGG Program. (7-1-05)

018. -- 019. (RESERVED)

020. APPLICATION PROCESS.

01. Applications. Applications for IGGs may be submitted by eligible communities at any time. (7-1-05)

02. Application For Funding. Application for funding is made by submitting one (1) copy of the grant proposal in the required format to the Department. (7-1-05)

021. -- 029. (RESERVED)

030. PROPOSAL FORMAT.

IGG applications shall be submitted on eight and one-half by eleven inches (8 1/2" x 11") white paper. The text shall be typed, with numbered pages. The types of headings, required content and numbering systems shall conform to the latest revision of the IGG Handbook. (7-1-05)

031. MATCHING FUNDS.

All IGG grantees must provide a minimum of twenty percent (20%) matching funds of either cash or in-kind donations for the total amount of IGG funds received. Matching funds can be comprised of any combination of cash and in-kind donations and must meet the following criteria: (7-1-05)

01. Source. Matching funds can be from private, local, state, federal, or foundation sources. (7-1-05)

02. Relation to Project. All matching funds must be related to the planning, implementation or operation of the project being funded. (7-1-05)

03. Documentation of Matching Funds. Matching funds must be documented by receipt, invoice, time cards, or by other written documentation signed by the donor. (7-1-05)

04. IGG Funds. IGG funds may be used as matching funds for other state, federal and foundation grant programs. (7-1-05)

05. Administrative Expenses Used as Matching Funds. Up to two thousand five hundred dollars (\$2,500) of the grantee's administrative expenses related to the project being funded may be used as matching funds for the grant. (7-1-05)

032. GRANT PAYMENT.

Payment of IGGs will be made in the following manner: (7-1-05)

01. Payment of Funds. Grantees shall receive payment of IGG funds on a cost reimbursement basis. Grant payment procedures will be established in the IGG Contract. To receive reimbursement, the grantee must submit receipts and matching funds documentation to the Department for the reimbursement amount being requested. The Department will reimburse allowable costs up to the maximum grant amount for which both receipts and matching funds documentation have been provided. The grantee shall be responsible for any discrepancies in documentation. (7-1-05)

02. Special Circumstances. In special circumstances due to the small size of the community or the nature of the project, grantees may request receipt of IGG funds on other than a cost reimbursement basis. The Department will review the requests and determine in its sole discretion whether different payment procedures are warranted to avoid hardship to the community. (7-1-05)

033. REPORTING.

All IGG recipients are required to submit the following two (2) reports: (7-1-05)

01. Status Report. A status report is required with each request for payment. It should contain the following information: (3-15-02)

a. A short narrative outlining the project status, successes, and problems, and (7-1-05)

b. Press clippings, pictures and other information about the project as available. (2-7-94)

02. Final Report. All grantees shall submit a final report containing the following information: (2-7-94)

a. A narrative describing the success of the project. (2-7-94)

b. A description of the impact the project has had and will have on the community including long term benefits anticipated. (2-7-94)

c. A description of any special contributions or work provided on the project. (2-7-94)

d. Any other information, pictures or press clippings about the project that have not already been submitted. (7-1-05)

034. PROJECT DURATION.

Grantees are encouraged to limit the duration of their projects to twelve (12) months or less. (2-7-94)

035. CONFLICT OF INTEREST.

No official, officer, employee, family member or agent of the Department or of a grantee shall profit financially, directly or indirectly, from IGG funds under their direction or control. (7-1-05)

036. CREDIT STATEMENT.

All activities funded by the IGG Program shall credit the program. The following credit statement shall be placed on all IGG funded brochures, slide shows, videos, films, displays, advertising, press releases and other printed materials: "This publication made possible by an Idaho Gem Grant, Idaho Department of Commerce" or "paid, Idaho Gem Grant, Idaho Department of Commerce." (7-1-05)

01. Failure to Comply. Failure to credit the IGG Program as required above may, at the Department's sole discretion, disqualify the grantee from receiving IGG funding for that portion of the project for which credit was not given. (7-1-05)

02. Other Credit. Credit may also be given to other sources of assistance. (2-7-94)

037. -- 039. (RESERVED)

040. BID PROCESS FOR THE PURCHASE OF GOODS OR SERVICES OVER \$25,000.

IGG grantees shall contact a minimum of three (3) vendors for quotes or bids for the purchase of goods or services over twenty-five thousand dollars (\$25,000). Prior to reimbursement for such costs, the following information shall be submitted to the Department: (7-1-05)

01. Item or Service Purchased. A detailed description of the item or service purchased or to be purchased. (7-1-05)

02. Bid Verification. Written documentation of three (3) or more businesses or vendors contacted by IGG grantees for bids or quotes. The documentation must list the businesses or vendors contacted and indicate their response. The documentation must also include a list of all businesses or vendors contacted whether or not a response was received. (7-1-05)

03. Reasons for Selection. Grantees justification for the business or vendor selected. (7-1-05)

041. PROJECT AMENDMENT.

Projects may be amended at any time prior to project completion by mutual written agreement of the grantee and the Department. Grantees must submit a written request to the Department, and receive written approval, prior to modifying the budget or scope of work of a project. (2-7-94)

042. LOSS OF PROJECT VIABILITY.

It is the responsibility of the IGG grantee to give immediate written notification to the Department as soon as the grantee becomes aware that its project has lost viability. If a project loses its viability after selection for funding and prior to any expenditure of IGG funds, the project shall be terminated and the Department's IGG award shall be voided. If a project loses its viability after the grantee expends IGG funds, the grantee must immediately stop all expenditures of IGG funds and return all unspent IGG funds to the Department. The Department may, in its sole discretion, agree to modify, restructure or amend the project. (7-1-05)

043. TERMINATION OF FUNDING.

Funding for projects may be terminated by the Department at any time for the misuse of IGG funds. Upon receipt of a written notice of termination from the Department, the grantee must immediately stop all expenditures of IGG funds and return all unspent IGG funds to the Department. The Department will make a final payment to the grantee based on the work completed, allowable costs incurred and the documentation provided by the grantee as required by these rules. (7-1-05)

044. -- 999. (RESERVED)

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