

**Luzerne County Council Policies and Procedures
for the Assessment and Evaluation of ARPA Fund Distribution**

The County of Luzerne entered into an agreement with Booth Management Consulting (BMC) for consulting services related to the assessment and evaluation of the federal American Rescue Plan Act grant program. These funds will be awarded to applicants who have met program requirements as specified by BMC. These funds are subject to federal audit by the United States Treasury to assure fair and proper awarding. To avoid any potential adverse audit consequences, County Council agrees the following protocol shall be used in the evaluation of applications.

1. Council shall execute the following documents prior to beginning evaluations:
 - Conflict of Interest § 200.112 (identify any individual conflicts of interest)
 - Confidentiality (Council members shall not discuss their individual evaluations of applications with other Council members or any other individuals)
 - Code of Conduct Certification (agree to process prior to evaluation process)

2. Council shall participate in an evaluation team training to review:
 - Compliance with the required regulations
 - Merit based evaluating techniques
 - Using the application portal

3. Training materials including videos/audios will be made available to the Council for their independent review.

4. Determination of the grade/score for award determination
 - Possible total score = 75 pts.
 - Determine minimum score to be considered for award for example 60 pts (or 80%).

5. Council agrees to not be influenced by applicants and will not engage in conversations with any applicants related to their application for ARPA funds. This restriction is to protect the integrity of the process and includes both in public meetings and/or private meetings.

6. Applications shall be provided electronically to the 11 County Council members.

7. Each Council member will be given access an individual username and password to a document repository portal to access each application. As Council completes evaluations:

8. There will be a folder for each applicant that will contain the following:
 - i. Completed application
 - ii. BMC eligibility and risk assessment
 - iii. BMC completed budget review
 - iv. All applicant submitted documentation (financial statements, project support, etc.)
 - v. Evaluation scorecard for completion

9. Council members will only have access to their assigned portal and will not see other Council member scorecards. Council members should not discuss their scorecards with any other Council members or individuals.

10. BMC will upload applications in pools/groupings:
 - a. Social infrastructure, belonging & neighborhoods
 - b. Water & Sewer
 - c. Local economic recovery
 - d. Community wellness, mental health & violence prevention
 - e. Arts, Culture and educational institutions
 - f. Housing Affordability
 - g. Early Childhood Development

11. If there is a small number of applicants in a pool, BMC may assign more than 1 pool.

12. Council members will be notified when the application pools are available and given a deadline date and time (5 business days) to complete their evaluations. BMC will not access the evaluations until after the deadline.

13. The applicant pool/grouping will be closed immediately following the due date and time.

14. Once the pool is closed, Council will not be able to access the applications to complete the evaluations.

15. BMC will tally completed applications only to determine the average score. For example, if only 6 evaluation scorecards are completed, the applicants score will be the average of the total score for the 6 submitted scorecards.

16. As each applicant pool is evaluated, BMC will:
 - a. Tally the evaluation score cards to complete the average score; and

- b. Update the application Tracker with final scores; and
 - c. Within three (3) business days, provide the Council with the list of applicants that meet the minimum score required for award.
17. After all evaluations are completed, BMC will provide the Council with the final list of subrecipients that meet the minimum score to be eligible for award.
18. If the requested award amount for the subrecipients exceed the approved funding for the ARPA grant bucket (to be determined), BMC will work with Council to determine the actual award amount for each subrecipient.
19. As part of the grant execution process, the awarded subrecipient will be asked to revise their budget to match the actual award amount.

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2. Council shall participate in an evaluation team training to review:
 - Compliance with the required regulations
 - Merit based evaluating techniques
 - Using the application portal

3. BMC to deliver training to evaluators and make all related training materials (including videos/audios) available to the Council for their independent review.

4. Determination of the grade/score for award determination
 - Possible total score = _____ pts.
 - Determine minimum score to be considered for award for example _____ pts (or _____%). {to be filled in at training}

5. ARPA funding available for this Notice of Funding Opportunity (NOFO) shall not exceed \$55 million. {to be confirmed}

6. Council agrees to not be influenced by applicants and will not engage in conversations with any applicants related to their application for ARPA funds. This restriction is to protect the integrity of the process and includes both in public meetings and/or private meetings.

7. Applications shall be provided electronically to the 11 County Council members.

8. Each Council member will be given a link and password to access to the application document repository.
9. Each evaluator will have access to folders containing the below listed documents for each applicant.
 - Completed application
 - BMC eligibility and risk assessment
 - BMC completed budget review
 - All applicant submitted documentation (financial statements, project support, etc.)
 - Evaluation scorecard for completion
10. Council members will only have access to their assigned portal and will not see other Council member scorecards. Council members should not discuss their scorecards with any other Council members or individuals.
11. In order to streamline the review process, BMC will make applications available for review in pools/groupings:

Application Set	Approximate Number of Applications	Approximate Date Available	Approximate Due Date
Pool 1 -Initial/Training Set	10	11/4	11/14
Pool 2	32	11/15	11/22
Pool 3	32	11/23	12/2
Pool 4	32	12/5	12/12
Pool 5	33	12/13	12/20

12. Council members will be notified when the application pools are available and given a deadline date and time (5 business days) to complete their evaluations. BMC will not access the evaluations until after the deadline.
13. The applicant pool/grouping will be closed immediately following the due date and time.
14. Once the pool is closed, Council will not be able to access the applications to complete the evaluations.
15. BMC will tally completed applications only to determine the average score. For example, if only 6 evaluation scorecards are completed, the applicants score will be the average of the total score for the 6 submitted scorecards.

16. As each applicant pool is evaluated, BMC will:

- Tally the evaluation score cards to complete the average score; and
- Update the application Tracker with final scores; and
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18. If the requested award amount for the subrecipients exceed the approved funding for the ARPA grant bucket (to be determined), BMC will work with Council to determine the actual award amount for each subrecipient.

19. As part of the grant execution process, the awarded subrecipient will be asked to revise their budget to match the actual award amount.



SECURITY, CONFIDENTIALITY, AND NON-DISCOSURE AGREEMENT: EVALUATORS OF ARPA GRANT APPLICATIONS

With the understanding that any materially false, fictitious, or fraudulent statement or representation may subject me to criminal, civil, or administrative penalties (18 USC 1001), I certify that I fully understand the confidential nature of the Luzerne ARPA Grant application review process and possible consequences for breachers of confidentiality, and agree:

- Not to share or assist in the sharing of issued login credentials and/or passwords with, or grant access to, or assist an individual, organization, or other entity gain access to, a secure portal (OneDrive) used to support the ARPA grant application review process.
- Not to engage in unauthorized or improper use of these systems, data, or information contained therein, including communication, delivering, transmitting or causing to be communicated, delivered or transmitted, or attempting to communicate, deliver, transmit or cause to be communicated, delivered, or transmitted to any person not entitled to receive such information;
- To destroy, delete, and/or return the grant applications and associated confidential information to Booth Management Consulting, LLC, the County designated contractor, in charge of the review process;
- Not to disclose, transmit, or discuss the grant application and associated confidential information with any other individual (including but not limited to colleague, council member, applicant, elected officials, County employee, or employee of an offeror), through any communication channel (including social media) other than as authorized during application review process;
- Not to disclose, transmit or discuss confidential information pertaining to an application or proposal to/with another member who has declared a real or apparent conflict of interest with that application or proposal;
- Not to record or transcribe discussions, evaluations, or documents;
- Not to use information contained in a grant application for my personal benefit or make such information available for the personal benefit of any other individual, organization or entity;
- Not to disclose or transit procurement information prior to the award of an agreement; and
- To refer all inquiries concerning the recruitment or review, including inquiries related to these Security, Confidentiality and Nondisclosure Rules and/or Certification, to the BMC as the designated ARPA grant application contractor.

I understand that confidential information related to the Luzerne County ARPA includes but is not limited to grant applications, supporting documents submitted with the application, data and information, contained therein, other materials made available to me as an ARPA evaluator; information and materials related to the evaluator training process and review; individual evaluator assignments, conflicts of interest, and evaluations including scores and written critiques; and discussions and notes taken during evaluator meetings.

I understand that BMC, as the County designated ARPA contractor, may take steps in response to a violation of the above rules, in order to preserve the integrity of the ARPA grant evaluation process. Depending on the specific circumstances, such steps may include but are not limited to:

- Notifying or requesting information from the Council and/or County.
- Terminating our grant application review services.
- Deferring or withdrawing an application submitted by an applicant.
- Notifying the Council and County for review of the matter in accordance with applicable law, with possible referral to the U.S Treasury Department, Office of Inspector General (OIG)

Council Member

Signature: _____

Name: _____

Date: _____



Conflict of Interest Disclosure for Grant Application Evaluator

Background

This form gives grant application reviewers an opportunity to disclose any actual, potential or perceived conflicts of interest that may exist during a grant review process. It is the grant reviewer's disclose any conflicts of interest.

All grant reviewers **must** complete and sign a conflict of interest disclosure form. The grant reviewer must identify any grant applicant with which they have an actual, potential or perceived conflict, but is not required to explain the reason for the conflict of interest on this disclosure form. **A disclosure does not automatically result in the grant application reviewer being removed from the review process.**

Step 1 – Read Definitions

Please read the description of actual, potential, and perceived conflicts of interest below.

Actual conflict of interest

An actual conflict of interest shall be deemed to exist when a review of the situation by the grant reviewer or other Council designated personnel determines that a decision or action by the grant reviewer would compromise a duty to another party.

An actual conflict of interest exists when any one of the following conditions to be present:

- a) A grant reviewer uses his/her status or position to obtain special advantage, benefit, or access to the grantee or grant applicant's time, services, facilities, equipment, supplies, badge, uniform, prestige, or influence.
- b) A grant reviewer receives or accepts money or anything else of value from a grantee or grant applicant or has equity or a financial interest in or partial or whole ownership of an applicant organization.
- c) A grant reviewer is an employee or board member of a grant applicant or grantee applicants or is a family member of anyone involved in the grantee or grant applicant's agency.

Potential Conflict of Interest:

A potential conflict of interest may exist if a grant application reviewer has a relationship, affiliation, or other interest that could create an inappropriate influence if the person is called on to make a decision or recommendation that would affect one or more of those relationships, affiliations, or interests. For example, a grant reviewer that serves in a volunteer capacity for an applicant organization has the potential to, but does not necessarily create a conflict of interest, depending on the nature of the relationship between the two parties.

A disclosed potential conflict of interest warrants additional discussion between the grant reviewer and appropriate party in order to identify the nature of the relationship, affiliation, or other interest and mitigate any potential conflicts.

Perceived Conflict of Interest:

A perceived conflict of interest is any situation in which a reasonable third party would conclude that conflicting duties or loyalties exist.

A disclosed perceived conflict of interest warrants additional discussion between the grant reviewer and appropriate parties in order to identify and mitigate any perceived conflicts.

Step 2 – Mark the Appropriate Box

Please mark the appropriate boxes that pertain to you and your status as a reviewer of applications for the ARPA Grant NOFO.

As a grant reviewer, I certify that I have read and understand the description of conflict of interests explained above and:

- I do not have any conflicts of interest relating to this program's grant applicants or proposed projects and I will participate in the review process.

OR

CONFLICT OF INTEREST DISCLOSURE FOR GRANT APPLICATION REVIEWER

I have reviewed the list of applicants, and I have an ACTUAL, POTENTIAL, or PERCEIVED conflict of interest with the applicant(s) listed below. I will still participate in the review process, and I will abstain from scoring, discussing and making decisions on any issues in relation to the applicant(s) listed below.

- **Instructions:** The grant reviewer must state any and all applicants with which he/she has a conflict of interest and can choose to describe the nature of the conflict in the space above. A description is not required on this form since this form is considered public data. The grant reviewer must stop reviewing any applications he/she may have received and contact appropriate agency or grant program personnel to discuss the actual, potential, or perceived conflict in greater detail.
- **List of Applicants with whom I have a conflict of interest:**

AND/OR

After reviewing the Conflict of Interest Disclosure Form, I am UNABLE or CHOOSE NOT to participate in this review process.

Step 3 – Sign

If at any time during the review process I discover a conflict of interest, I will stop reviewing any grant applications I may have received and disclose that conflict immediately to BMC.

I understand that grant evaluation data created or maintained during this grant evaluation process are not public and I cannot disclose the data to others outside of the process.

- **Reviewer's printed name:** _____
- **Reviewer's signature:** _____
- **Date:** _____
- **Title and Grant Program Name:** Luzerne County ARPA Grant

For Booth Management Consulting, LLC (BMC) Use Only

This section to be completed by the BMC Principal or Grants Manager:

I certify that the issue of Conflicts of Interest has been discussed with this reviewer and the following actions have been taken:

- Reviewer has disclosed no conflict(s) and will fully participate in the review process.
- Reviewer has disclosed an actual, potential, or perceived conflict(s) but will continue to participate in the review process. The reviewer will not be given any applications to review from those applicants with whom he/she has a conflict. The reviewer has been instructed to avoid discussing the applicant and / or applications from organizations with which the reviewer has disclosed a conflict of interest with other reviewers.
- Reviewer has disclosed a potential or perceived conflict(s) but after additional discussion and investigation by BMC it was determined that no conflict of interest exists, and the reviewer will continue to fully participate in the review process.
- Reviewer has disclosed a conflict(s) and/or after reviewing the Conflict of Interest Disclosure Form has decided not to participate in the review process in any manner.

Additional Details or Comments from BMC:

- **BMC Personnel Title:** _____
- **BMC Personnel Name:** _____
- **Signature:** _____
- **Date:** _____