



U.S. Department
of Transportation
**Federal Aviation
Administration**

Advisory Circular

Subject: State Block Grant Program

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AC No: 150/5100-21

Initiated By: APP-520

1. **Purpose.**

This advisory circular (AC) provides guidance for application to and implementation of the State Block Grant Program (SBGP).

2. **Application.**

The information contained in this AC is intended for states and airport sponsors who participate, or plan to participate, in the SBGP. For states already in the SBGP, the use of this AC is mandatory.

States contemplating application to the SBGP must be familiar with this AC. See Aviation Block Grant Program Grant Assurance No. 4 and standard Airport Improvement Program (AIP) Assurance No. 34, "Policies, Standards, and Specifications."

3. **Implementation.**

All states currently in the SBGP must submit an implementation plan for the requirements contained in this AC no later than January 2, 2017. The State Block Grant States (SBGS) must evaluate their program internally using the requirements of this AC to determine program gaps and the resources and time needed to meet those requirements. It is highly recommended for SBGS to develop an implementation plan in coordination with the Region/ADO. The FAA's goal is to have updated Memorandum of Agreement's (MOAs) executed between the current SBGS and the FAA no later than September 30, 2017 for the FY-2018 AIP grant program.

4. **Feedback on this AC.**

If you have suggestions for improving this AC, you may use the Advisory Circular Feedback form at the end of this AC.

Elliott Black
Director of Airport Planning and Programming

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CHAPTER 1. INTRODUCTION

1.1 Purpose.

This Advisory Circular provides guidance to Federal Aviation Administration (FAA) officials, state aviation officials, and other interested parties for the administration of the Airport Improvement Program (AIP) through the State Block Grant Program (SBGP) as authorized by Title 49 United States Code (U.S.C.), § 47128.

1.2 Audience.

The audience for this Advisory Circular includes FAA Regional Offices, FAA Airports District Offices (ADO), state aeronautical agencies, nonprimary airports, and others associated with the SBGP.

1.3 Background.

In 1987, Congress authorized the FAA to initiate a pilot program using state block grants to provide AIP funds to small airports. “Small airports” included general aviation, reliever, and nonprimary commercial service airports. Three states were authorized initially for the pilot program.

Under this program, FAA provides funds directly to participating states that, in turn, prioritize, select, and fund AIP projects at small airports. The participating states also perform FAA’s oversight role at these airports. Legislation now allows up to ten qualified states to assume the responsibility for AIP grants to airports, except for funds designated for use at primary airports. Table 1-1 outlines the history of the SBGP.

Table 1-1: History of the State Block Grant Program

Date	Major Milestone
December 30, 1987	The Airport and Airway Safety and Capacity Expansion Act of 1987 authorized the State Block Grant Pilot Program. (Pub. L. 100-223, recodified at Title 49 U.S.C, § 47128).
October 20, 1988	Title 14 Code of Federal Regulations (CFR) part 156, State Block Grant Program, was published.
October 1, 1989	The State Block Grant Program became effective and allowed three states to apply for the program.
October 31, 1992	The Airport and Airway Safety, Capacity, Noise Improvement, and Intermodal Transportation Act of 1992 extended the State Block Grant Program until 1996 and authorized four additional states. (Public Law (P.L.) 102-581).

Date	Major Milestone
October 9, 1996	The Federal Aviation Reauthorization Act of 1996 authorized one additional state to participate in the program for a total of eight and made the State Block Grant Program a permanent feature of AIP. (P.L. 104–264).
April 4, 2000	The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (P.L. 106-181) authorized two additional states to participate in the program (one in Fiscal Year (FY) 2000 or 2001 and one after FY 2001) for a total of ten.

1.4 Definitions of Key Terms.

The following general key terms are used throughout this Advisory Circular:

1. **Airport Improvement Program (AIP).** FAA’s Federal grant program used for funding airport planning and development.
2. **Airports District Office (ADO).** The local FAA Office of Airports office that directly works with the state. In regional offices that do not have ADOs, the use of the term ADO refers to the FAA Office of Airports branch within the regional office that deals directly with the state.
3. **Block Grant State.** A state participating in the SBGP.
4. **Capital Improvement Program (CIP).** A plan prepared by an airport or state aeronautical agency, which identifies proposed capital projects, provides a planned schedule, identifies options for financing the plan, and is used in compiling the FAA Airports Capital Improvement Plan (ACIP).
5. **Flexibility.** The ability that SBGP states have in setting up their own processes and procedures to work with airports to execute the program. SBGP states are encouraged to use this flexibility and develop innovative ways to improve the effectiveness of the program, while also fulfilling all statutory requirements.
6. **Project.** A project, or separate projects, included in a grant application or, all projects to be undertaken at an airport in a fiscal year, to achieve airport development or airport planning. For the purposes of this advisory circular, an item of work, such as runway extension or apron rehabilitation, is considered a project. Separate projects can be included in one grant application per title 49 U.S.C, § 47102(17).
7. **State Block Grant Memorandum of Agreement (MOA).** A document which formalizes an agreement between the FAA and an individual state. The MOA identifies the relative responsibilities of the FAA and each state aviation office.
8. **Sponsor:** (A) a public agency that submits an application for AIP financial assistance; or (B) a private-owner of a public-use airport that submits to the Secretary an application for AIP financial assistance, as defined in title 49 U.S.C., § 47102(26).

9. **State Block Grant Agreement:** An FAA grant issued to a state participating in the SBGP. This is a formal agreement between FAA and a state, which obligates and makes available state apportionment, nonprimary entitlement, cargo entitlement, and/or discretionary funds that the state will administer on behalf of FAA for airports included in the SBGP MOA.
10. **Subgrant.** Typically under AIP, the subgrant is the award of federal funds to a subrecipient. The subgrant is the formal agreement between a state and airport wherein the state distributes AIP funds from a State block grant. This may be in the form of a grant agreement between the State and subgrantee (similar to the FAA's grant agreement), or another form of document consistent with state requirements. The general term "subgrant" will be used for the state's agreement with the airport subgrantee.
11. **Subgrantee (also referred to as Subrecipient).** The airport sponsor who receives Federal funds through a subgrant from the State.
12. **Transfer of Entitlements (Waiver).** Title 49 U.S.C., § 47117(c)(2) (Waiver) Allows an airport to transfer part, or all of its entitlements, to another airport within the same state. Normally the FAA administers, oversees and documents this process. In a block-grant state, the state aeronautical agency has responsibility for the administration and oversight of transfers.

CHAPTER 2. PROGRAM FRAMEWORK

2.1 Governing Documents.

The following documents provide the general framework of the SBGP. These are discussed in more detail within this AC as appropriate.

1. **Title 49 U.S.C., Chapter 471** provides the legislative framework for AIP and is the basis for key requirements such as project eligibility, allowable costs, and types of funding for airport projects. Title 49 U.S.C., § 47128 directly addresses the SBGP.
2. **FAA Order 5100.38, *Airport Improvement Program Handbook***, provides detailed program requirements for projects funded under the AIP. This Order includes guidance for grant agreements, eligibility, allowable costs, accomplishment of projects, standard assurances, authorities retained by FAA, reporting, and FAA oversight for all FAA grants. The AIP Handbook will be referenced throughout this AC where appropriate and is considered a companion document to this AC.
3. **State Block Grant Memorandum of Agreement (MOA)** identifies the scope of the agreement and respective SBGP responsibilities of the FAA and the state aviation office. There is a separate MOA for each state. These are discussed in detail in Chapter 3, *Block Grant Management*, of this AC and a template is provided in Appendix A.
4. **Other FAA Orders and ACs** are typically referenced in the MOA. They are also listed as attachments to an FAA grant agreement. Notable examples include: Order 5050.4, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*; Order 5100.39, *Airports Capital Improvement Plan*, and Advisory Circular 150/5300-13, *Airport Design*. The applicability of these and other FAA Orders and ACs to the SBGP is discussed in detail in Chapter 4, *Subgrant Project Management*. Current versions of ACs and some orders are publicly available online at www.faa.gov.
5. Title 2 CFR, part 200.

2.2 Requirements of the SBGP.

Based upon the above governing documents and generally accepted standards of good program management practices, the following are key requirements for an effective SBGP. Each of these requirements is discussed in detail where appropriate in this AC.

1. The state's program must be based on state legislation that authorizes acceptance of federal funds on behalf of airport sponsors.
2. The state's program must include only eligible airports, eligible projects, and allowable costs for the projects. See the *AIP Handbook*, paragraph 3-43 for guidance on ineligible work.
3. The MOA must clearly identify the responsibilities of the state and FAA, reflect the requirements of governing legislation and regulations, identify accountability of each party, and address major program elements (see Article IV of the MOA, paragraphs 19-34).

4. The state staff must be sufficient in number, and professional competency, to administer the program and manage all aspects of block grants and subgrants.
5. FAA block grant agreements and subgrants must meet the requirements of the governing documents and clearly identify subgrantees, funding amounts, projects, and funding type(s). All subgrants must identify these same data elements.
6. State priorities, for the selection of projects to fund, must be consistent with Federal priorities.
7. State program processes must be clear, transparent, and ethically sound. The state must issue clear and thorough program guidance to airport sponsors.
8. Projects must be AIP eligible, justified, and completed in a timely, efficient, and cost-effective manner.
9. A state that is also the airport sponsor (or acts as an agent for the airport sponsor on contractual matters) must do so in a manner that avoids any actual or perceived conflicts of interest.
10. The state's airport development program and projects must meet Federal regulatory requirements, including FAA airport design and construction standards and regulatory requirements, utilizing the most current ACs and orders. Any project deviating from standards must be reviewed, acknowledged, and approved by the FAA, as appropriate, before construction bid documents are issued.
11. The state must manage AIP funds with effective financial controls so the state knows and can provide the status of each block grant funding type and amount at all times. The state must work with subgrantees to ensure subgrant funds are obligated in a subgrant, invoices and payments are supported with appropriate documentation, and closeouts meet the terms specified in the block grant agreement and MOA.

2.3 **How a State Applies for the SBGP.**

2.3.1 There is no set application schedule for the SBGP. A prospective state should check with the FAA prior to preparing an application to determine if there are available slots in the program. The FAA will only accept applications when there is an open or expected available slot. As specified in title 49 U.S.C., § 47128(b), *State Block Grant Program*, an application consists of a letter of request to FAA with the following information:

1. The state has an organization capable of effectively administering block grants;
2. The state uses a satisfactory airport system planning process;
3. The state uses a programming process acceptable to the Secretary of Transportation;
4. The state has agreed to comply with the United States Government standard requirements for administering the block grant, including the National Environmental Policy Act of 1969 (title 42 U.S.C., § 4321 *et seq.*), Executive

orders, agency regulations, agency guidance and other Federal environmental requirements¹; and

5. The state has agreed to provide the Secretary of Transportation with required program information.

2.3.2 Once a state is accepted into the program, the state may remain in the SBGP unless it decides to withdraw, or the FAA suspends or terminates its participation.

2.4 **FAA/State Memorandum of Agreement (MOA).**

The FAA and each participating state must enter into an MOA that identifies the scope of agreement and the relative responsibilities of the program. Appendix A provides an MOA template; the template may be amended by the FAA due to changing program requirements. The template is maintained by the FAA Office of Airports (APP-520) and may not be altered without sufficient justification and concurrence by APP-520.

The state and ADO may customize the MOA as needed to reflect state law and/or situations unique to a particular state, but such modifications must be approved by APP-500 before execution. Customized elements of an MOA will follow the last standard element of the MOA. The Manager of the Airports Financial Assistance Division (APP-500), or if requested by the state, and in coordination with the field, will determine when MOAs need revision.

2.5 **Inclusion of an Airport in the SBGP.**

2.5.1 The state and the FAA jointly determine which airports are included in the SBGP. Generally, all eligible airports, other than primary airports, are included. Participating airports must be identified in Appendix A of the MOA.

2.5.2 In order for an airport to be eligible for inclusion in the SBGP, it must be:

1. In the National Plan of Integrated Airport Systems (NPIAS);
2. Within the boundaries of the block grant state;
3. An existing (not planned) public-use airport;
4. A nonprimary airport; and
5. Listed as a block grant airport in Appendix A of the SBGP MOA between FAA and the state.

¹ The state assumes administrative responsibility-pursuant to the specific SBGP contractual terms-to complete applicable environmental requirements that the FAA would have normally fulfilled. Therefore, pursuant to their contractual commitments under the SBGP, the states shall fulfill all environmental duties as set forth by the current version of FAA Orders 1050.1 and 5050.4, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Projects*. The FAA's Office of Airports approval of the block grant funds to a participating state under 49 USC §47128 is not a delegation of FAA's environmental responsibilities.

- 2.5.3 The FAA and the state have the option to allow certain airports, meeting specific criteria, to remain outside (opt out) of the SBGP. The only nonprimary airports that may be excluded, or opt out of the SBGP, are those airports owned by an airport sponsor of at least one primary airport, or airports that fluctuate frequently between primary and nonprimary status (title 49 U.S.C., § 47128(a)). The airport sponsor of both primary and nonprimary airports must specifically advise the FAA, and the state, when it chooses to opt out of the SBGP. This decision will remain in effect until the next revision or update of the MOA.
- 2.5.4 An airport that changes from primary to nonprimary status will normally be included in the SBGP, with responsibility transferred to the block grant state the first year the airport receives nonprimary entitlement funds. The FAA will retain responsibility for administering and closing out grants that were issued by the FAA.
- 2.5.5 An airport within the SBGP that changes from nonprimary to primary status will become the responsibility of the FAA the first year it receives primary entitlement funds. The state will retain responsibility for administering any subgrants through grant closeout if a subgrant was issued while the airport was within the SBGP.
- Since block grant states are not allowed to administer primary entitlement funds, it is generally more practical for the FAA to regularly administer all grants for an airport that repeatedly fluctuates between nonprimary and primary status. The FAA, the state, and the airport sponsor must jointly determine when, and if, such airports are excluded from the SBGP including those that fluctuate between primary and nonprimary status.
- 2.5.6 Nonprimary airports that hold a title 14 CFR, Part 139 certificate are included in the SBGP. The FAA is responsible for ensuring the airport meets the requirements of Title 14 CFR, part 139.
- 2.5.7 Appendix A to the MOA requires an amendment any time an airport is added to or excluded from the SBGP.

2.6 **FAA Relationship to Grant Subrecipients and Consultants.**

The FAA will refer a subgrantee and consultants, to the state to answer project-specific or administrative questions on active or proposed SBGP projects or other related AIP issues. In the event there is a dispute between the state and the subgrantee, the parties may contact FAA for advice.

The ADO will provide policy guidance and advisory opinions to the state, and will oversee the state's management of the program. Although the state is ultimately responsible for project administration and program decisions (including compliance with statutory requirements), the FAA is responsible for establishing policy regarding not only AIP but also the many associated disciplines (planning, environmental, engineering, certification, compliance, etc.).

- 2.7 State Withdrawal, Temporary Suspension, Permanent Removal, and Termination from the SBGP.**
- 2.7.1 The FAA has the option to temporarily suspend and/or permanently remove a state from the SBGP if the state fails to comply with the MOA, state block grant assurances, and/or AIP grant conditions and assurances.
- 2.7.2 The FAA will consider the same criteria for admitting a state to the program (see Paragraph 2.3), compliance with the grant assurances, and the conditions of the MOA when deciding whether to temporarily suspend or permanently remove a state. Examples of causes for temporary suspension and/or removal include lack of sufficient staffing to administer the program and repeated failure to comply with major program requirements as specified in Article IV of the MOA. The extent and nature of the state's difficulty in meeting program requirements will determine if it results in a permanent removal from the program.
- 2.7.3 When a state is suspended, FAA will work with the state to determine a course of corrective action and a timeframe for compliance. Upon suspension, the ADO must assume all administrative responsibilities associated with the program.
- 2.7.4 A state may voluntarily withdraw from the SBGP. When doing so, the state must coordinate closely with the FAA in advance (ideally, two full fiscal years) to jointly determine how to administer open subgrants and block grants. The MOA must be amended to reflect the transfer of responsibilities back to the ADO. The MOA must also list all open and closed subgrants and indicate what documentation should be transferred to the FAA.
- 2.7.5 The FAA and the state must mutually agree to an immediate termination of the program. At which time the FAA will immediately assume all program responsibilities.
- 2.7.6 In all cases, whether temporarily suspended, removed, voluntarily withdrawn, or terminated from the program, the ADO must obtain concurrence from the Director of the Office of Airport Planning and Programming (APP-1). A terminated state may reapply to be in the SBGP at a later date, under the same application procedures as a new applicant.

CHAPTER 3. BLOCK GRANT MANAGEMENT

3.1 Introduction.

- 3.1.1 Under the SBGP, the FAA provides federal funds each year directly to the state and the state subsequently issues subgrants to subrecipients. This chapter provides information on the SBGP grant process and how block grants are managed by both the FAA and the state. Requirements for all AIP grants are discussed in detail in the *AIP Handbook*.
- 3.1.2 SBGP block grants may include state apportionment, nonprimary entitlement, cargo entitlement, and discretionary funds (when authorized and provided by the FAA) for the nonprimary airports in the SBGP. The *AIP Handbook* further discusses these types of funds and how they may be used for projects.

3.2 FAA/State Grant Process.

The grant process for the SBGP is as follows:

3.2.1 Step One.

Annually, the state collects Capital Improvement Plans (CIP) from nonprimary airport sponsors. The state then submits their statewide CIP to the FAA for inclusion in the NPIAS. The FAA considers this information when generating the FAA's Airports Capital Improvement Plan (ACIP).

3.2.2 Step Two.

The state prepares and submits a grant application (Standard Form 424) to FAA for funds for all airports in the program (listed in Attachment A to the MOA). These state applications are completed annually and include all fund types. States are required to provide a prioritized list of their recommended Discretionary funding requests, with consideration of any planning levels or other guidance provided by the Region or ADO. Discretionary fund requests to FAA must specify the airport and project(s). The entitlement request covers all nonprimary airports within the state's program and the total amount of the entitlements available.

FAA staff must advise the state of the amount of state apportionment, nonprimary entitlement, and cargo entitlement funds that will be available for the year and the application must reflect these amounts. The FAA strongly encourages states to plan their program in advance and include information about the projects the state intends to fund, with state apportionment and entitlement funds, with the grant application. States are required to provide its planned use of State apportionment funding along with their prioritized discretionary funding recommendations to the FAA. The FAA will identify specific project locations and descriptions in the block grant for those projects for which discretionary funds are identified. See also related provision in Paragraph 5.3.1.

At this stage of the process states receiving grants for airport planning or development that will award prime contracts the cumulative total value of which exceeds \$250,000 in FAA funds in a Federal fiscal year must have an approved Disadvantaged Business Enterprise (DBE) program consistent with Title 49 CFR part 26.21. Subrecipients

issuing prime contracts the cumulative total value of which exceeds \$250,000 in FAA funds in a Federal fiscal year must have an approved DBE program consistent with Title 49 CVR part 26.21 before the subgrant is issued. If an FAA funds recipient anticipates awarding \$250,000 or less in FAA funds in prime contracts in a Federal fiscal year, the SBGS or sub recipient is not required to develop overall goals for FAA for the fiscal year. However, if [you] have an existing DBE program, it must remain in effect and [you] must seek to fulfill the objectives outlined in Title 49 CFR part 26.1.

3.2.3 Step Three.

The FAA issues a block grant offer for available funds and once the state accepts the offer it becomes a formal grant agreement. See paragraph 3.3 for a discussion of the grant agreement.

3.2.4 Step Four.

Upon state execution of the block grant, the state in turn provides funds to airports through subgrants issued to individual airport sponsors (subrecipients) for specific projects. These subgrants may contain funds from multiple block grant agreements. Chapter 4 discusses subgrant and project management. Each state has its own process for subgrants; however, certain basic requirements must be met as indicated in Chapter 4.

3.2.5 Step Five.

Subgrant projects are implemented. Project execution includes bidding, construction, payments, oversight and closeout, etc. as discussed further in Chapter 4.

3.2.6 Step Six.

Once all FAA grant funds have been expended on airport projects, the FAA block grant is closed out. See Paragraph 3.12 for the block grant closeout process.

3.3 **The FAA Grant Agreement.**

3.3.1 The FAA issues one or more grants to participating states each year for available nonprimary entitlements, state apportionment, and, if applicable, cargo entitlements. The FAA has the option of issuing additional grants to the state with discretionary funds for individual airports for specific projects. Block grants with discretionary funds are issued separately from the other fund types.

3.3.2 The FAA's Office of Airports maintains a standard state block grant agreement template. The template will be revised, when necessary, to reflect new or changed legislative requirements. The state block grant agreement includes these basic elements:

1. Date of Offer;
2. Block Grant Number, if used;
3. AIP Grant Number;
4. The state's Data Universal Numbering System (DUNS) Number;

5. Maximum amount of the grant offer;
6. Terms and Conditions of the grant offer that include:
 - a. Offer expiration date;
 - b. Type, amount of funds, and airport project description (discretionary funded projects);
 - c. Date of Exhibit "A" Property Map;
7. Acceptance block;
8. Certificate of state's attorney;
9. Airports and their entitlements by name in an attachment;
10. The state apportionment amount which the state may distribute for projects at airports included within the SBGP; and
11. Statutory responsibilities and applicable laws, regulations and FAA orders.

3.4 **Transferring AIP Nonprimary Entitlement Funds between Airports.**

3.4.1 Title 49 U.S.C., § 47117(c)(2) allows an airport sponsor to forego its entitlement funds and permit the funds to be transferred to another airport so the funds do not expire or get carried over to future years. A block grant state may authorize airports to transfer their nonprimary entitlements provided the conditions and requirements outlined in §4-11 of the *AIP Handbook* are met.

3.4.2 The state must prepare the transfer document using FAA Form 5100-110, *Agreement for Transfer of Entitlements*. The donating airport sponsor (transferor) must execute this form and submit it to the state. The state must either approve or deny the transfer request. Neither the state nor the FAA is a party to the agreement.

3.4.3 Discretionary funds may not be transferred to another airport or project.

3.5 **Timeline for Receiving Block Grants.**

3.5.1 Recommended steps for a state working with airport sponsors to manage the SBGP:

1. **Two to three years prior to anticipated FAA block grant:** The state works with airport sponsors to update their CIPs and prepare a statewide funding plan. The state begins discussions with FAA if discretionary funds will be requested.
2. **One to two years prior to anticipated FAA block grant:** The state works with airport sponsors to complete all planning and environmental approvals for proposed projects. The state also works with airport sponsors to complete project scoping, establish a firm funding plan, and resolve issues related to project development.
3. **One year before anticipated FAA block grant:** The state and airport sponsors complete engineering designs, prepare project plans and specifications, prepare construction safety and phasing plans, get ready to advertise for construction bids, and/or begin land negotiations.

4. **The year of FAA block grant:** Projects are advertised for construction bids and, upon FAA issuance of the state block grant agreement, states may issue subgrants for projects to be carried out. The FAA strongly encourages the state to issue subgrants based on actual bids and negotiated land costs.

3.5.2 **Period of Performance.**

- 3.5.3 The period of performance begins on the date the State formally accepts this agreement. Unless explicitly stated otherwise in an amendment from the FAA, the end date of the project period of performance is 4 years (1,460 calendar days) from the date of formal grant acceptance by the State. The FAA has a general expectation that obligated funds will be subawarded as expeditiously as possible.

3.6 **Allowable Costs.**

- 3.6.1 Title 49 U.S.C., § 47110 requires that project costs meet certain basic conditions to be allowable for AIP funding. Costs must be necessary to complete the project, incurred after the grant (subgrant) is executed, reasonable, not included in another grant (subgrant), and within the allowable Federal share per the subgrant agreement. The *AIP Handbook* provides a detailed discussion of allowable project costs. The state must ensure that all project costs meet the allowable cost requirements.
- 3.6.2 The state must give lower priority to discretionary project requests if the sponsor is using its entitlement funds for projects that have a lower priority than the projects for which discretionary funds are being requested. (See 49 USC § 47120(b))
- 3.6.3 Block grant funds may be used for project administration direct costs that would normally be incurred by an airport sponsor and eligible under a development grant if issued by the FAA instead of the state. A state that formally acts as an agent for an airport sponsor for a specific project(s) incurs allowable administrative direct costs when it acts in lieu of the sponsor. Examples of these activities are: contracting, review of construction plans and specifications in lieu of the airport sponsor, preparation and handling of invoices from consultants and construction contractors, and construction inspections.
- 3.6.4 Project administrative direct costs are allowed in connection with the accomplishment of a project; however, direct costs must be supported by documentation that such costs were actually incurred, were necessary to accomplish the project, identify the personnel, and indicate how the cost is specifically related to the project. Detailed timesheets may be used to provide the basis for project direct costs. (See 2 CFR§200.413, Direct Costs)
- 3.6.5 Program-level administrative costs are not allowable. Program-level administrative costs are those costs associated with the administrative requirements of managing several individual airport project grants. These costs would normally be incurred by the FAA if it were to administer the airport grant(s) instead of the state. An example of a program-level administrative cost is the cost a state incurs when providing general program guidance to airport sponsors. Also, program-level administrative costs include the state's overall program activities such as preparation of a statewide CIP, reviewing

individual airport sponsor subgrant applications, preparation of state block grant applications, and accounting for program expenditures. When the state is acting in its general oversight role of a sponsor's project, and is performing tasks that the FAA would otherwise do, such as approving subgrant payments, these are also program-level administrative costs and are not allowable.

- 3.6.6 Cost allocation plans must be used and approved by the FAA as the basis for direct and indirect project administrative project costs. Title 2 CFR, part 200, subpart E, contains detailed information on direct and indirect costs related to federally funded projects. Title 2 CFR, part 200, subpart E, Appendix VII states that, "Flat rates or percentages of costs applied by the state are not allowable. This is because those may include program administrative costs which are not eligible." An example of this unallowable cost is when a state adds 2 percent to every invoice submitted for reimbursement.

3.7 **Grant Payments.**

- 3.7.1 Block grant payments to states, and subgrant payments to airport subrecipients, must be based on requirements outlined in the *AIP Handbook* and must include documentation supporting allowable costs. Payments and documentation of costs must also comply with the requirements of Title 2 CFR, part 200. FAA block grant payment requests are processed by the DOT electronic grant payment system, DELPHI eInvoicing.
- 3.7.2 *The Airport Improvement Program (AIP) Grant Payment and Sponsor Financial Reporting Policy* (latest edition Office of Airports website) pertains to the requirements for submitting, reviewing, and approving grant payment requests, as well as, financial reporting requirements for sponsors. Unless noted otherwise, the requirements contained within the policy apply uniformly to all grant sponsors, including states participating in the State Block Grant Program.
- 3.7.3 All States must submit their grant payment requests electronically through the DOT Electronic Grants Payment System, DELPHI eInvoicing. All SBGP sponsor users must complete an e-authentication process to acquire system access and maintain an active account. Instructions for the authentication process are online at: http://www.faa.gov/airports/aip/grant_payments/. No paper reports are required.

3.8 **Reporting – General.**

- 3.8.1 A state's fiscal control and accounting procedures must be sufficient to permit preparation of reports necessary to comply with program and statutory requirements and to permit the tracking of funds expenditures to adequately document that funds were used within the requirements of the program.
- 3.8.2 There are two types of state reporting and documentation required:
1. Block grant and subgrant status reports to help both the state and the FAA ascertain funding, program, and project status (see Paragraph 3.9); and
 2. Federal financial reporting (see Paragraph 3.10).

3.8.3 The state must have a database system to collect the necessary data for all types of reports.

3.9 **Status Reports.**

3.9.1 Status reports must be available to FAA within 30 days of the request and include the following types of information (see Appendix B):

3.9.1.1 **FAA Grant Status and Subgrant Reporting.**

The reporting data elements for each FAA block grant are outlined in Appendix B. These data elements provide the grant breakdown of Federal funds by subgrant location, the description of work, and fund types for each subgrant. This reporting must include all block grants used for a specific project.

3.9.2 Accounting of state funding (non-AIP) must be maintained separately from federal funds. When a project uses both federal and state funds, fund tracking documents must clearly distinguish state funds from Federal funds.

3.10 **Federal Financial Reporting.**

3.10.1 In addition to maintaining program and project funds status reports, the state must periodically provide various financial reports to the FAA as described below.

3.10.2 States are required to submit the following financial reports to summarize grant expenditures and the status of project funds (See Title 2 CFR, part 200, subpart D, §§ 200.327 and 200.328):

1. **Annual SBGP Data Request Template (within 30 days of request):** The state must report program activity for each open block grant. This report must include a description of each federally-funded project, by airport, and identify the amount and type of block grant funds used on each project. It must also identify any funds from other block grants used on each project. This report is intended to be a complete snapshot of how block grant funds are being used at the end of each fiscal year.
2. **SF-425, Federal Financial Report:** This report, or an ADO/RO approved equivalent, must be submitted annually for each open grant to monitor outlays and program income on a cash or accrual basis. The report is due 90 days after the end of each federal fiscal year and must also be submitted as a final financial report during closeout.
3. **SF-271, Outlay Report and Request for Reimbursement for Construction Program:** This report, or an ADO/RO approved equivalent report, must be submitted annually to summarize requests for reimbursements for construction projects. The report is due 90 days after the end of each federal fiscal year and must also be submitted as a final financial report during closeout.
4. **SF-270, Request for Advance or Reimbursement:** This report, or an equivalent ADO/RO approved equivalent report, must be submitted annually to summarize

requests for block grant reimbursements for non-construction projects. The report is due 90 days after the end of each federal fiscal year, and must also be submitted as a final financial report during closeout.

5. **Federal Funding Accountability and Transparency Act (FFATA) Report:** This report is required monthly for all primary recipients (the state) of individual federal grants of \$25,000 or more. The state is required to report subaward and executive compensation data on the FFATA Subaward Reporting System (FSRS) at <http://www.fsrs.gov/>. FFATA required data must be submitted by the end of the month after the award, or award amendment, is made. Appendix C identifies the information elements that the state must provide in the FFATA system.
- 3.10.3 The state must also provide any additional reporting as required by the Secretary of Transportation and pursuant to the requirements outlined in the signed grant agreement.
- 3.11 **Block Grant and Subaward Challenges.**
- 3.11.1 FAA block grants are to be completed within four years. States should consider inclusion of a closeout goal within their subgrants, requiring the airport sponsor to complete the work and financially close the subgrant per a project schedule that will in turn enable the state to timely close the FAA block grant. Unless the FAA authorizes a written extension, the State must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR § 200.343).
- 3.11.2 There are several conditions that impact the pace of block grant expenditures and, thus, the state's financial drawdowns of block grants. The FAA encourages the state to adopt practices and work with the FAA to minimize the impact of the following conditions:
1. Short construction seasons in cold climates necessitating the need to adjust construction schedules;
 2. A SBGP state not completing formal state project approval processes until after receipt of federal funds delays the issuing of subgrants;
 3. A SBGP state reluctant to issue subgrants for project design only. Subgrants for design enable the state and airports to get construction started as soon as future block grants are received;
 4. State staffing levels that are too low and do not provide for proactive contact with airport sponsors;
 5. Staff priorities and emphasis on very detailed reviews of project construction plans and specifications. The states must follow the FAA risk-based approach, as outlined in the *Airport Improvement Program (AIP) Grant Oversight Risk Model Policy* revised November 30, 2015, at a minimum, and to plans and specifications review as outlined in FAA Memorandum dated December 8, 2014. A state that is also the airport sponsor, or acts as an agent of the airport sponsor, must do so in a manner that avoids any actual or perceived conflicts of interest;

6. State laws that contradict federal law and imply that costs incurred prior to subgrants are not reimbursable; therefore, project design and bidding is not done until well after the FAA block grant is issued. Subgrants are federal funds and Federal laws, rules, and regulations are applied to those funds. Subgrants for plans and specifications are specifically eligible under title 49 U.S.C., § 47106(b) development grants. The definition of “development” in title 49 U.S.C., § 47102(3)(A)(ii) includes plans and specifications. States should request FAA help interpreting Federal law if needed; and
7. Airport sponsors postponing bidding until the state receives the FAA grant agreement and the state issues the subgrant. The state must encourage airport sponsors not to postpone design and bidding. These project formulation costs incurred prior to a subgrant are eligible for reimbursement per title 49 U.S.C., § 47110(c).

3.12 **Block Grant Closeouts.**

- 3.12.1 The State may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR § 200.309). Unless the FAA authorizes a written extension, the State must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR § 200.343).
- 3.12.2 The State must include a period of performance requirement in all subawards (subgrants) made under a block grant that includes a start date and end date. Once all funds within a FAA block grant agreement are expended, the state must close it out by providing the following to FAA within 90 days. If the block grant cannot be closed out within the 90 day period, an amendment must be requested from the FAA ADO/RO to extend the reporting period. The closeout must include:
 1. A record of how all funds were used. For each project, identify the airport, the project funded, total funds expended, and funding breakdown (federal, state, local), and type of federal funds used. The state must provide a Final Outlay Report (SF-271), and Federal Financial Report (SF-425);
 2. Identification of projects, that were funded with the block grant that is being closed, that are not yet physically complete because they are also using funds from additional open block grants not ready for closeout. The state must include these projects with the block grant closeout information and also identify the project status on block grant status reports, as discussed in paragraph 3.9;
 3. Identification of entitlement funds that were transferred from one airport to another and how they were used. (See Appendix B for reporting data elements); and
 4. Identification of any funds not used and are, therefore, being returned to the FAA. This is normally discretionary funds only.
- 3.12.3 The state may reuse entitlement and state apportionment funds that were included in subgrants and later recovered from a completed airport project. However, these funds must still be expended before the block grant is closed. The state must return any

recovered discretionary funds to the FAA if not related to the specific project(s) identified in the grant. Discretionary funds (including recovered discretionary funds) may not be transferred to another airport or project.

3.13 **Suspension or Termination of Grants.**

The FAA may suspend and/or terminate a state block grant for noncompliance with federal obligations. This may only occur after consultation with the Associate Administrator for Airports.

CHAPTER 4. SUBGRANT AND PROJECT MANAGEMENT

4.1 Introduction.

The MOA between the FAA and each SBGP state details subgrant management responsibilities. These include selection of projects for funding and overseeing project requirements such as airport layout plans (ALP), environmental approval, land appraisals/negotiations, and construction plans and specifications.

4.2 State Programming and Project Selection.

4.2.1 The state is allowed some flexibility in how it carries out the SBGP. The state may use FAA forms and procedures or use its own, provided the mandatory provisions and procedures outlined in the block grant agreement and MOA are met (See 4.2.5). Examples of flexibility that a state may use are:

- **Pre-project planning:** A state may use its own process in working with airports to determine development requirements;
- **Programming process:** A state may use its own programming process provided it addresses the needs of the national system;
- **State priority system for project selection:** A state may use its own priority system in selecting projects provided it is consistent with the FAA's priority system in which safety projects are almost always be the highest priority;
- **State/local matching share:** Per title 49 U.S.C., §47109(a)(2), States may fund individual projects using any federal share of allowable project costs that is not greater than that allowed by Title 49 U.S.C.. For example, a state may issue a subgrant for a project that is 50 percent federal, 40 percent state, and 10 percent local even though title 49 U.S.C., § 47109 may allow a maximum of 90 percent federal share. A state may fund projects in similar ways to more effectively use state/local funds and maximize the number of projects.
- **Form of subgrant agreement:** A block grant state may use its own form of agreement for subgrants. However, standard federal provisions and grant assurances must be included.

4.2.2 The state must have a process for determining which projects are needed and how funds are distributed. Prior to submitting a block grant application, the state works with each sponsor to identify the airport's needs and prepares a statewide Capital Improvement Plan (CIP) that includes estimated federal, state, and local funding for each project. The CIP supports the timely management of the block grant agreement and also supports the request for discretionary funds by helping the FAA to understand how the state plans to use its entitlement and state apportionment funds.

4.2.3 All projects which the state selects for Federal funding must be legally eligible and justified. FAA Order 5100.38, *AIP Handbook*, provides a current and complete discussion of what is eligible. This list includes, but is not limited to planning and

development projects, airport master plans, airfield construction and rehabilitation, land acquisition, and general aviation terminals.

- 4.2.4 Only nonprimary entitlements may be used for revenue producing facilities such as hangars, aircraft wash racks, and fuel farms (provided that the airport has satisfied its airside needs). Title 49 U.S.C., § 47110(h) requires that Airport sponsors make adequate provisions for funding the airport's airside needs before a grant can be issued for the construction of an allowable revenue-producing facility. The state must confirm that an airport's airside needs are met before providing federal funds for revenue producing facilities.
- 4.2.5 The SBGP allows states to use flexibility in processes for: receiving applications, using FAA or alternate forms, selecting projects, and the subgrant/sub award agreement process and format. However, the state must ensure:
1. The project meets all of the eligibility and justification requirements in the *AIP Handbook*;
 2. The project is depicted on and consistent with a current and approved ALP;
 3. Project environmental review requirements are met based on the current version of FAA Orders 1050.1, *Environmental Impacts: Policies and Procedures*, and 5050.4, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Projects*. The state assumes administrative responsibility-pursuant to the specific contractual terms of the SBGP Memorandum of Agreement with the FAA to complete applicable environmental requirements that the FAA would have normally fulfilled;
 4. The airport sponsor understands and legally conveys it is able and willing to comply with the FAA Grant Assurances and Terms and Conditions for Receiving Federal Funds; and
 5. The airport sponsor maintains a current Exhibit "A" Property Map.

4.3 **Project Development Requirements.**

States are responsible for meeting project requirements when managing federal grant funds:

1. Project costs must be allowable. FAA Order 5100.38, *AIP Handbook*, provides a detailed discussion of what project costs are allowable. See title 2 CFR, part 200, subpart E, Cost Principles;
2. A state that acts as an agent for the airport sponsor on project contractual matters must avoid any actual or perceived conflicts of interest;
3. Projects must comply with all Federal requirements, Federal laws, published guidance, and regulations, and state regulations, if more restrictive;
4. Unless otherwise approved in advance by the FAA, the state will not permit a subgrant recipient to acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under an AIP block grant. The state

will include a provision implementing “Buy American” preferences under 49 USC § 50101 in every grant and procurement document. All “Buy American” waiver requests must be submitted to the FAA for approval;

5. Project procurement, including professional services, land acquisition, and construction, must meet legal requirements. Specifically, procurements must comply with Title 2 CFR, part 200, subpart D, *Standards for Financial and Program Management*;
6. Land projects must meet the requirements of 49 CFR, part 24, *Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs*;
7. All proposed airport projects requiring ALP approval and/or using federal funds must meet the applicable regulations implementing NEPA and other federal environmental (special purpose) laws. Specifically, environmental impacts and reasonable alternatives must be analyzed and considered in environmental reviews and decisions according to requirements of the current FAA Orders 1050.1 and 5050.4. These requirements include affording opportunities for public involvement to the extent practicable in preparing environmental assessments and appropriate opportunities for public hearings.

The FAA remains responsible for the environmental findings on all projects involving discretionary funds and other specific Federal actions as listed in Order 5050.4, including installing or moving FAA-owned navigational equipment and facilities. However, as part of the block grant agreement, the state assumes responsibility for environmental findings on all other projects involving ALP approval and/or AIP funding.

Therefore, the state will work with airport sponsors, and their consultants, early in project planning to help determine the appropriate level of environmental review necessary for a proposed project. Early coordination helps facilitate the timely execution of a block grant and individual projects. The state must also work with airport sponsors to ensure appropriate notice and opportunities for public participation during the environmental review and decision-making process. States or agencies having environmental laws similar to NEPA, within the meaning of CEQ regulations (40 CFR 1506.2(c)) agree to follow their NEPA-like state laws, along with any applicable special purpose laws;

8. For all development projects, the state must coordinate, the review of all “*Safety and Phasing Plans*” with the FAA. Projects must have a construction safety phasing plan consistent with relevant FAA Advisory Circulars (ACs) and Standard Operating Procedures (SOPs). The state will collect, coordinate, and review the CSPP in accordance with the relevant ACs and SOPs, and prepare documentation including recommendation for final written approval or disapproval by the FAA. The final approval cannot be assumed by the state under the MOA and is not covered by the sponsor certifications. (Order 5100.38, paragraph 5-29.) The state will coordinate the FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, with the FAA for any construction, or alteration of airports, taking place

within the property boundaries of airports participating in the SBGP. The state will make the actual airspace determinations in coordination with the FAA; and

9. Projects must be executed and closed physically, administratively, and financially in a timely manner with appropriate documentation maintained throughout the project.

4.4 **Planning Projects.**

4.4.1 Airport planning projects are eligible for federal funding under the SBGP. The *AIP Handbook* discusses required items within planning studies. The types of planning projects eligible for funding include airport master plans and planning studies that are identified in the *AIP Handbook* as an eligible stand-alone project. In some cases, the planning study will include an updated ALP to reflect the result of the study. State block grants may not be used to prepare or update state system plans and cannot be used for a project for a new airport. FAA must issue these grants directly to a state or airport outside of the SBGP process. FAA AC 150/5070-6, *Airport Master Plans*, provides guidance for preparation of master plans.

4.4.2 The state must ensure that proposed development projects are shown on the current ALPs and are unconditionally approved and have been reviewed under NEPA before awarding a subgrant for construction. As indicated in the MOA, the state must review and coordinate ALPs with FAA prior to the state approving them on FAA's behalf.

4.5 **Land Acquisition Projects.**

Projects involving land or easement acquisitions with federal funds require the state to ensure the airport sponsor complies with Title 49 CFR, part 24, *Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs*, and the current version of FAA Advisory Circular 150/5100-37, *Land Acquisition and Relocation Assistance for Airport Projects*.

4.6 **Procurement of Professional Services.**

Procurement of professional services for federally funded projects must be done using a qualifications-based selection process per Title 49 U.S.C., § 47107(a)(17) and the current version of FAA Advisory Circular 150/5100-14, *Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects*. Generally, airport sponsors are responsible for procurement of professional services with assistance as needed from the state. The state must avoid actual or perceived conflicts of interest when assisting sponsors with the procurement of professional services.

4.7 **Project Checklists.**

4.7.1 Although a state may use its own processes and forms as needed, a good practice is to use both internal and external checklists to help ensure important requirements are met. The *AIP Handbook*, provides internal checklists such as the *Project Evaluation Review and Development Analysis Checklist* or PERADA (FAA Form 5100-109).

4.7.2 The state may create external project checklists for sponsors and consultants that reflect state processes and requirements. It is strongly recommended the state and airport sponsors use FAA checklists included with any FAA Standard Operating Procedures. These are maintained on the FAA Office of Airports website.

4.8 **Project Oversight Responsibilities.**

Many project oversight activities, which are normally under the responsibility of the FAA, transferred to the state under the SBGP:

1. **Design:** The state must ensure projects use FAA design standards. The state must review and make recommendations on requests for modification to standards before submitting it to the ADO for review. If the FAA region/ADO concurs in the request for a modification to standards, the ADO will forward the request to the Office of Airport Engineering (AAS-100) for final review and approval or disapproval. AAS-100 must approve any modification to standards before construction or procurement may begin. (See Order 5300.1, *Modification to Agency Airport Design, Construction, and Equipment Standards*), for procedures.
2. **Review of Plans and Specifications:** The state must ensure projects use FAA design and construction specifications contained in various ACs or alternative specifications approved by FAA. The state is responsible for the review and approval of construction plans and specifications. The states must follow the FAA risk-based approach, at a minimum, to plans and specifications review as outlined in FAA Memorandum dated December 8, 2014.
3. **Construction Safety and Phasing Plan:** Projects must have a construction safety phasing plan consistent with relevant FAA Advisory Circulars (ACs) and Standard Operating Procedures (SOPs). The state will collect, coordinate, and review the CSPP in accordance with the relevant ACs and SOPs, and prepare documentation including recommendation for final written approval or disapproval by the FAA. The final approval cannot be assumed by the state under the MOA and is not covered by the sponsor certifications. (Order 5100.38, paragraph 5-29.)
4. **Procurement:** Project procurements, including construction and equipment, must follow the policies and provisions of Title 2 CFR, part 200, subpart D, *Standards for Financial and Program Management*.
5. **Airspace:** The State shall coordinate the review of all NRA airspace determinations at non-primary airports, i.e., “Notices of Proposed Construction or Alteration,” FAA Form 7460-1, for any construction or alteration taking place within the property boundaries of an airport approved for participation in the block grant program. The review coordination must be in accordance with FAA policies and State shall make the final determination. Airports Division must be given an opportunity to review and comment prior to the final determination. The State must coordinate with the airport sponsor to ensure the final airspace determination is followed and to resolve any comments generated through the FAA review process. The State shall also evaluate and respond to any and all rulemaking petitions received. The FAA shall selectively audit airspace cases to determine adherences to FAA policies and practices.

6. **Runway Approaches:** Runway approaches must not have obstructions deemed to be hazards prior to issuing a subgrant, or appropriate action is taken per title 49 U.S.C., § 47107(a)(9), the FAA's established policy "Interim Guidance on Land Uses Within a Runway Protection Zone", dated September 27, 2012, and Memorandum "Reminder of Responsibilities for FAA Personnel and Airport Sponsors for Protecting Approach and Departure Surfaces" dated August 18, 2015.
7. **Disadvantaged Business Enterprise (DBE) Program:** The state must administer and provide oversight of each airport sponsor's DBE program for all projects under the SBGP in accordance with the requirements of Title 49 CFR, part 26.21, and part 26.45. The *AIP Handbook* provides limited guidance on oversight of DBE program requirements. States should contact the FAA Office of Civil Rights (ACR) for additional guidance. The state must confirm that only certified DBEs are used on subgrant projects. Also, the state is expected to coordinate with the ACR and meet all reporting requirements.

4.9 **Project Closeouts.**

- 4.9.1 When both the airport sponsor and the state are satisfied that a project has been physically and financially completed, the subgrantee must submit closeout documentation to the state for review, approval, and filing. The *AIP Handbook* has a complete discussion on project closeout; the following represents some of the required closeout documents:
 1. Airport sponsor certification of final acceptance of the project work;
 2. Final certified project pay item quantities and cost of the contract;
 3. Certification letter from the prime contractor for each DBE firm attesting that the work was performed and the amount paid the DBE firm;
 4. A certified copy of the contractor's project payroll records;
 5. A testing summary that documents materials met the specification requirements of the construction contract;
 6. A copy of all change orders and supplemental agreements between the airport sponsor and the contractor, if applicable;
 7. A copy of record drawings documenting as-built conditions;
 8. For land projects: a plat, copy of closing settlement statement, copy of deed, a certification by the sponsor's attorney that the sponsor has obtained and recorded clear title, appraisals, offer of just compensation, record of negotiations, documentation of relocation assistance costs, and copies of invoices for professional service fees, survey costs, legal fees, court costs, and an updated Exhibit "A" property map reflecting the acquisition; and
 9. An updated ALP reflecting any project changes and final airport development.
- 4.9.2 Required closeout documents, and any other documents that may be appropriate or that the state requires, must be kept on file by the state and be available to auditors or FAA staff when requested. The state and subgrantee must retain files. Per Title 2 CFR,

§ 200.333 to 200.337, Record Retention and Access, the sponsor is required to keep these records for at least three years from the date the sponsor submits the last payment request. If any litigation, claim, negotiation, audit or other action involving the records has been started before the end of the three year period, the sponsor must retain the records until the completion or resolution of the action, or the three year period, whichever is later.

4.10 **Subrecipient (Sponsor) Compliance.**

4.10.1 Compliance.

The state is responsible for monitoring project accomplishments at all SBGP airports and each recipient of SBGP funds is required to adhere to the FAA's AIP airport grant assurances. These assurances must be incorporated into the terms and conditions of the subgrant agreement issued by the participating state.

The SBGS must advise their Regional Office or ADO of grant assurance violations based on Part 13 investigations, including safety violations as per grant assurances. The state must not issue subgrants to those airports determined by FAA to be in noncompliance with federal obligations. FAA Order 5190.6, FAA Airport Compliance Manual, sets forth compliance policies and procedures and will help the state oversee airport sponsor compliance.

4.10.2 Land Releases.

The FAA must make the final determination of whether or not to release land from federal obligations. The state is responsible for reviewing airport sponsor's requests, for release of airport land from federal obligations, so it can provide its recommendation to the FAA. See the *AIP Handbook* for additional guidance on land releases.

CHAPTER 5. PROGRAM OVERSIGHT

5.1 **FAA Oversight Role.**

5.1.1 The FAA is responsible for oversight of the SBGP. The extent of this oversight may vary by state (i.e., the ADO has the latitude to determine areas of particular focus depending upon specific circumstances), but will include periodic formal reviews of each state's management of the program as discussed in paragraph 5.2 below

5.1.2 The FAA will notify states of new and updated policies, procedures, and guidance as they are issued. In addition, the FAA will notify SBGP states of training classes, and associated costs, as they become available.

5.2 **FAA Program Reviews.**

The FAA will conduct periodic program inspections and formal reviews of the state's management of the SBGP. The FAA plans to review at least one program area every 3 years for each state. These reviews will be relative to requirements in the state's MOA, the AIP Handbook, and this AC. Examples of these reviews include (but may not be limited to) sponsor eligibility, consultant selection, planning processes and projects, environmental processing, grant administration, project implementation, land acquisition, airport layout plans, compliances/releases, and overall program administration.

5.2.1 General.

The FAA evaluates each state upon its entry into the SBGP using the criteria outlined in paragraph 2.3. Periodic reviews will focus on these same criteria, such as adequacy of the state's organization and staff to effectively manage the program, the state's progress with grants, verification of individual airport sponsor eligibility, processes for protecting against real or perceived conflicts of interest, and the state's programming process and administration of subgrants consistent with the MOA. General reviews will also look at how well the state oversees and incorporates grant terms and conditions in subgrants.

5.2.2 Financial.

The FAA will review the state's financial controls for the program. This includes verifying:

- A random sampling of subgrants and their financial records;
- payments/reimbursements to subgrantees were made at the correct percentage for completed work;
- The allocation of nonprimary entitlement (NPE) funds and entitlement transfer agreements;
- Closeout documentation;
- Overall grant administration and progress;

- Funding utilization rates;
- Grant fund types are used as required; and
- Program administration costs are not being funded with AIP.

5.2.3 Project Management.

The FAA will review the state's performance with various aspects of projects such as:

- Environmental review and approval processes;
- Project designs and construction specifications review;
- Airspace review coordination;
- Currency of ALPs;
- Currency of Exhibit "A" property maps;
- Modifications to standards; and
- Subrecipient construction and equipment procurement processes.

5.2.4 Project Selection and AIP Requirements.

The FAA will review how the state selects projects and ensure projects meet AIP requirements. This includes:

- A random review of subgrants to ensure compliance with FAA orders and guidance relative to eligibility, justification and allowable costs; and
- Ensuring revenue producing projects are funded only when appropriate (e.g., airside needs test must be met.)

5.3 **State Reporting.**

5.3.1 The state must maintain program data and information sufficient to comply with Federal requirements as well as enable FAA reviews. The state must maintain program status data in a manner to easily provide the types of reports discussed in Chapter 3 and Appendix B when requested. The States must maintain a comprehensive list of all Discretionary funding request received, and submit the list to the FAA if requested. The ADO may require additional information in order to conduct sufficient oversight. The FAA will use these reports to oversee the state's progress with grants and to study longer-term capital planning and evaluate the FAA's Discretionary funding policies.

5.3.2 Annually, the state must provide an application for block grant funds and a copy of its 3-year statewide CIP. The region/ADO may request these documents earlier.

5.3.3 The state must coordinate with airport sponsors, compile CIP data, and transmit CIP data to the FAA for the biennial update to the NPIAS.

5.4 **State Outreach.**

States are encouraged to periodically reach out to airport sponsors, consultants, and other stakeholders to solicit feedback on state procedures, policies, and service.

**APPENDIX A. FAA/STATE MEMORANDUM OF AGREEMENT (MOA) FOR THE STATE
BLOCK GRANT PROGRAM**

Notes: The latest version of this MOA template is available from the FAA's Office of Airports. The FAA and each state may mutually agree to customize Article V of the MOA as needed to reflect situations unique to the state, subject to the approval of the Manager of the FAA's Airports Financial Assistance Division (APP-500).

**STATE BLOCK GRANT PROGRAM
MEMORANDUM OF AGREEMENT
BETWEEN
THE FEDERAL AVIATION ADMINISTRATION
AND**

THE _____

THIS AGREEMENT, made this ____ day of _____ by and between the State of _____ (referred herein as "State"), and the Federal Aviation Administration (FAA), an agency of the United States of America.

WHEREAS, the FAA has selected the State of _____ to administer Federal Airport Improvement Program (AIP) funds under the FAA State Block Grant Program (SBGP), and

WHEREAS, successful accomplishment of this program requires understandings and commitments on the part of both the State of _____ and the FAA, and

WHEREAS, the State of _____ and the FAA, intending to be legally bound, do hereby agree to the following understandings and commitments with respect to the SBGP.

ARTICLE I – SCOPE OF AGREEMENT

1. TERM OF THIS AGREEMENT

Unless otherwise stipulated, the responsibility of the State in carrying out the terms of this Agreement and the SBGP (see title 49 U.S.C., § 47128) shall begin on the date of the latest signature of this Agreement and end if the SBGP is canceled or substantially altered by either the U.S. Congress or the FAA. The State may elect to withdraw from the SBGP as of the beginning of any new grant year (Federal Fiscal Year) with at least two full Federal fiscal years advance notice to the FAA. If the State withdraws from the SBGP it agrees to comply with the termination policies set forth by the FAA as well as continue to administer open grant projects previously placed under grant by the State even though the final phases of administration and closeout of such projects may extend beyond the effective date when the State withdraws from the program. This Agreement shall be reviewed annually by both parties and Article V may be amended provided the specific amendment is agreed to, in writing, by both parties, subject to the approval of the Manager of the FAA's Airports Financial Assistance Division (APP-500).

2. AIRPORTS COVERED

The obligations of this Agreement shall apply only to those airports eligible for funding under the SBGP; i.e., all non-primary airports located within the boundaries of the State that are eligible for the receipt of Federal funds under the AIP. A listing of those airports is included in Attachment A to this Agreement. Airports that are otherwise eligible for inclusion in the SBGP, but whose sponsors

elect not to be administered by the State under this agreement, are also identified in the attached list. It is understood that airports classified as “primary” are not eligible for funding under the SBGP (see title 49 U.S.C., § 47128(a)) and thus no Federal funds or oversight obligations shall accrue to the State for such airports under this Agreement.

Airports that change from primary to non-primary status may be added to the State’s block grant program responsibilities at such time as agreed to by both the State and the FAA, but no later than three years after the change. Airports within the block grant program that change from non-primary to primary status shall be removed from subsequent grants in the first fiscal year that AIP primary airport entitlement funds are available. Each party shall retain the responsibility for administering those grants or subgrants that the party issues, regardless of subsequent changes in primary versus nonprimary status.

3. ROLE OF FAA AND RELATIONSHIP TO SPONSORS AND CONSULTANTS

The _____ FAA Airports District Office (or Regional Office) shall provide overall program guidance on behalf of the FAA and shall serve as the primary contact for the State. A detailed list of functions and responsibilities under the SBGP is included as Attachment C to this MOA. The FAA shall refer airport sponsors and their consultants to the State to answer questions about active and proposed block grant projects and other AIP related matters. The FAA shall provide policy guidance and advisory opinions to the State as needed. However, the State bears ultimate responsibility for project administration that complies with Federal requirements. In the event there is a dispute between the sponsor and the State, either or both parties may contact the FAA for an opinion.

4. FAA REVIEW OF STATE BLOCK GRANT PROGRAM

The FAA shall review the State’s adherence to program and administrative requirements through its oversight efforts. An FAA team composed of FAA representatives may conduct evaluations, which could include visits to project sites and the State office. The FAA shall conduct various program oversight reviews on a periodic basis per FAA program guidance.

ARTICLE II – PROGRAM ADMINISTRATION

5. COMPLIANCE WITH FEDERAL REQUIRMENTS

In accomplishing this program, the State must comply with all the current Federal requirements set forth in the assurances attached to each AIP grant agreement between the FAA and the State, as well as Federal legislation, FAA Orders and mandatory Advisory Circulars, Executive Orders, and Office of Management and Budget (OMB) Circulars. A list of relevant Federal legislation, Executive Orders, Federal regulations, OMB Circulars, and FAA Orders is included in Attachment B.

6. ADHERENCE TO GRANT ASSURANCES

Each sub recipient (sponsor) of Federal funds under the SBGP shall be required to adhere to the current standard Federal sponsor assurances and associated documents as provided by the FAA. These assurances and associated documents must be incorporated into the terms and conditions of the funding agreements issued to each airport sponsor by the State.

7. STATE PRIORITIES, PROCEDURES, and FORMS

It is the intent of the FAA in administering this program to encourage and work with the States to identify innovative approaches and to allow maximum flexibility for the States to carry out the grant program effectively and efficiently. The State may use either FAA forms and procedures or its own with FAA (ADO/RO) approval. The State must use an airport system planning and programming process approved by the FAA. The State planning and programming process must be documented. If the State uses its own procedures and forms, the State must provide them to the FAA during the annual review of this Agreement. At a minimum, any state forms must contain the data elements of the FAA forms.

8. ADMINISTRATION ELEMENTS

There are two essential administration elements: staffing and an accounting system. The State must maintain an organization capable of effectively administering the SBGP funds, including trained and professional personnel sufficient to fulfill the State's program responsibilities under this Agreement. Prior to acceptance of this Agreement, the State shall provide to the FAA a statement of anticipated staffing levels to administer this program. The State is required to have an accounting system that accurately reflects expenditures of SBGP funds, as SBGP projects and subgrants are subject to the same Federal audit requirements as other grants issued by the FAA.

9. LIABILITY OF THE UNITED STATES GOVERNMENT

The United States of America shall not be responsible or liable for damage to property or injury to persons that may arise from, or be incident to, compliance with this Agreement.

10. PRIOR AGREEMENTS

Nothing in this Agreement may be construed as relieving the State of its obligations under any agreements previously entered into between the FAA and/or any other parties. This would primarily include any item in an earlier MOA that is of particular importance to the State or FAA and should be addressed in Article V on this new standard MOA.

11. ALLOWABLE PROJECTS

The State may not use SBGP funds to accomplish projects which are not eligible and justified under title 49 U.S.C., chapter 471, as interpreted by the FAA, nor for projects at airports not identified in Attachment A.

12. PROJECT AND BLOCK GRANT CLOSEOUT

The State is not required to provide project records to the FAA unless otherwise indicated in this MOA. However, the State must maintain all records to satisfy Federal requirements such as, Disadvantaged Business Enterprise (DBE) provisions and the Terms and Conditions of Accepting Airport Improvement Program Grants. All project records must be available to FAA and/or the Office of the Inspector General for inspection upon request. After project completion, the State must maintain documentation provided by the Airport Owner including: a Certification of Project Acceptance, a summary of the Final Project Cost, and a statement indicating that all related Project expenses were reasonable in amount, necessary for the Project, and that all are paid in full (see title 2 CFR, Subpart D, §200.343 Closeout). Any remaining funds not expended shall be recovered by the FAA.

Unless explicitly stated otherwise in an amendment from the FAA, the end date of the project period of performance (PoP) is 4 years (1,460 calendar days) from the date of formal grant acceptance by the State.

The State must include a PoP requirement in all subawards (subgrants) made under a block grant. This PoP includes a start date and end date.

The State may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR § 200.309). Unless the FAA authorizes a written extension, the State must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR § 200.343).

ARTICLE III – FINANCIAL MANAGEMENT

13. ISSUANCE OF BLOCK GRANT FUNDS

The State must submit grant applications annually to the FAA that include the breakdown of requested block grant funds by airport, project, and fund type (i.e. non-primary entitlement (NPE), state apportionment, and discretionary). The FAA may issue one or more block grants to the State for each fiscal year for the combined NPE and state apportionment funds for eligible airports. The FAA may issue subsequent block grants to the State within each fiscal year for the discretionary funds for specific projects at eligible airports.

14. ADMINISTRATION OF BLOCK GRANT FUNDS

The State must ensure that projects funded with AIP funds are implemented expeditiously. The State must also ensure that projects funded with AIP funds are appropriately phased, if necessary, to use funds in a reasonable timeframe that result in usable units of work.

The State shall be responsible for administering NPE and state apportionment funds to eligible airports.

Prior to obligation under a block grant agreement, NPE funds are available for the fiscal year apportioned and can be carried over by the FAA for three subsequent years, for a total of four years, before they expire and are recovered by the FAA. State Apportionment funds are only available for the fiscal year apportioned and can be carried over by the FAA for two subsequent years, for a total of three years. Once the FAA obligates these funds to a block grant state, the FAA expects the funds to be utilized in accordance with the PoP.

In a given FY, the FAA issues a block grant offer for available non-primary, state apportionment funds, and discretionary funds, and once the state accepts the offer it becomes a formal grant agreement (obligated funds). After state execution of the block grant, the state in turn provides funds to airports through subgrants issued to individual airport subrecipients (sponsors) for specific projects. These subgrants may contain funds from multiple block grant agreements. Each state can develop its own process for subgrants but must meet basic SBGP grant administration requirements. The statute [Title 49 U.S.C., § 47117(c)(2)] allows an airport sponsor to forego its NPE funds and permits the funds to be transferred to another non-primary airport in the state. A block grant state may develop a process to transfer NPEs between locations and years in order to optimize the use of NPEs. The FAA expects the State to use the block grant funds within 4 years. The block grant must be closed and all funds accounted for within the closeout package. Obligated discretionary funds may not be transferred to another airport or project, and any remaining discretionary funds must be returned to the FAA.

15. FEDERAL SHARE REQUIREMENT

The Federal share of all work accomplished for each fiscal year shall not exceed the statutory limit (see title 49 U.S.C., section 47109(a)(2)). The State has flexibility to fund individual projects at any matching share they wish provided the total AIP grant funds spent by the State does not exceed the statutory limit.

16. MISUSED BLOCK GRANT FUNDS

The State shall take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal anti-trust statutes, or misused in any other manner in any project upon which Federal funds have been expended. For the purpose of this Agreement, the term "Federal funds" means funds used or disbursed by the State that were originally paid pursuant to any Federal grant agreement. The State must obtain the approval of FAA for the amount of the Federal share of such funds, and return the recovered Federal share to the FAA, including funds recovered by settlement, order, or judgment. Also, the State must furnish to FAA, upon request, all documents and records pertaining to the determination of the Federal share amount or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements, in court or otherwise, involving the recovery of such Federal share must be approved in advance by FAA.

17. ELIGIBILITY OF ADMINISTRATIVE COSTS

Block grant funds may be used for allowable project administration costs that would normally be incurred by a sponsor and eligible under a development grant issued by FAA.

Any program administration costs, which would normally be incurred by FAA if it were administering the airport project, are not allowable.

18. BLOCK GRANT PAYMENTS

Financial drawdowns of Federal funds must be through the use of the electronic grant payment system administered by the U.S. Department of Transportation.

ARTICLE IV – PROGRAM RESPONSIBILITIES

Many of the Airport Improvement Program activities that would normally be the responsibility of FAA become the responsibility of the State under the SBGP. The State and FAA's program responsibilities for airport actions are described in Attachment C. Major program areas are discussed below:

19. AIRPORT LAYOUT PLAN (ALP)

The State shall provide conditional, unconditional, mixed, or full approval for the Airport Layout Plan (ALP) on behalf of FAA for airports covered under this program. Once the ALP has been reviewed by the State, it must be submitted to FAA for review and any other required circulation. All comments generated by the FAA's review shall be addressed and incorporated into the ALP document prior to approval by the State on the FAA's behalf. No grant shall be issued to an airport sponsor by the State under the SBGP unless the airport has an approved ALP and the project is consistent with the approved ALP.

20. EXHIBIT "A" PROPERTY MAP

All land shown on an Exhibit "A" constitutes the airport property Federally obligated for compliance under the terms and covenants of a grant agreement. The State must require each recipient of funds to develop (or update) an Exhibit A Property Map, which clearly shows by appropriate legal description, all airport land owned by the sponsor for airport purposes, including land and interests in land in the runway approach areas, plus any areas or tracts of land proposed to be acquired in connection with a project. The map must indicate, by appropriate symbols or other markings, the property interest (fee title, aviation easement, etc.) the sponsor holds in each tract or parcel of land and the property interest to be acquired in each tract or parcel of land in connection with the project. The Exhibit "A" Property Map must also identify how each airport tract of land was acquired, i.e. Federal grant, Federal surplus property, or sponsor-acquired land. An airport sponsor is Federally obligated to obtain FAA consent to delete any land described and shown on the Exhibit "A". New Airports receiving a grant for the first time must submit an Exhibit "A" depicting the land required to support the facilities needed to operate the airport.

21. AIRPORT CAPITAL DEVELOPMENT AND PLANNING UPDATES

Upon FAA request, the State agrees to provide data and updates related to the National Plan of Integrated Airport Systems (NPIAS) and Airport Capital Improvement Plan (ACIP). The State must coordinate and compile this data from airport sponsors and then provide it to FAA. The data request may include airport name and location, name of airport owner, brief description of each work item, estimated Federal funds needed, status of environmental review, a benefit-cost analysis (if required) for discretionary funds, and any additional information the FAA may need to know that may have a bearing on the requested project items. The State also agrees to provide FAA a 3-year capital improvement program each year. The FAA shall advise the State when these updates are needed. To help with preparation of the ACIP the State should work with the FAA to prioritize discretionary projects requested.

22. ENVIRONMENTAL APPROVAL OF PROJECTS

The State assumes administrative responsibility pursuant to the specific SBGP contractual terms set forth in this Memorandum of Agreement (MOA) to process and complete all applicable environmental actions that the FAA would have normally fulfilled. Therefore, pursuant to the State's contractual commitments under this SBGP MOA, the State shall fulfill all applicable environmental duties in accordance with the National Environmental Policy Act (title 42 U.S.C., § 4321, *et seq.*), as implemented by the Council of Environmental Quality (CEQ) Regulations, as well as any other applicable environmental statutes, regulations and executive orders identified and discussed in FAA Orders 1050.1 and 5050.4.

For any project involving an Airport Layout Plan change and those projects that will involve state block grant funding but not AIP discretionary funds, the State shall assume responsibility for determining and completing the appropriate level of NEPA review and analysis, including the review and findings associated with Categorical Exclusions (absent extraordinary circumstances) or Environmental Assessments as well as addressing the specific environmental topics and concerns as identified and required by the applicable paragraphs and appendices of FAA Orders 1050.1 and 5050.4.

For any project that will involve AIP discretionary funds, 139 certificates, or direct Federal actions, or any project requiring an Environmental Impact Statement (EIS), the FAA retains authority for preparing the documentation and analysis as well as issuing the environmental findings as identified in FAA Orders 1050.1 and 5050.4. (See 49 USC §47128)

The FAA shall retain oversight and approval authority of airport noise compatibility programs under title 14 CFR, part 150. The FAA shall oversee the portion of the SBGP for which the participating state is responsible. This oversight is needed to ensure the participant is honoring its commitment to the contractual agreements it made when it became a SBGP participant. This includes working with the block-

grant state to determine whether an EIS may be required, and whether any other circumstances may require FAA involvement.²

Other Federal agencies that are responsible for issuing an approval, license, or permit to ensure compliance with an environmental requirement applicable to a project to be carried out by a State using block grant funds must coordinate and consult with the State, use the environmental analysis prepared by the State if adequate or consult with the State to describe the supplemental analysis the State must provide to meet applicable Federal requirements. Failure of the SBGP State to perform the requisite environmental analysis and determination, as required by this MOA may jeopardize continued eligibility and participation in the SBGP.

23. DESIGN CRITERIA

The geometric and design criteria to be used for projects under this program must be those promulgated by FAA in its Advisory Circulars. Any request for a modification of these standards by a sponsor must be first submitted to the State for review and comment. The State must submit all requests for modification of standards to the FAA with a recommendation. Any project that complies with FAA standards, or for which a modification of standards has been mutually agreed to by the FAA and State, shall be deemed to meet FAA standards for the purpose of future block grant funded projects at that airport.

24. CONSTRUCTION PLANS AND SPECIFICATIONS

The construction specifications used for projects under this program shall be those promulgated by FAA in the Advisory Circulars. Alternative individual standards such as those of the State may be proposed by the State for FAA approval. Any project complying with either FAA or FAA-approved State standards shall be deemed to meet Federal standards for the purpose of future federally funded projects. The State shall be responsible for review and acceptance of construction plans and specifications for purposes of bidding for any project under this program.

25. CONSTRUCTION SAFETY PHASING PLANS

Projects must have a construction safety phasing plan consistent with relevant FAA Advisory Circulars (ACs) and Standard Operating Procedures (SOPs). The State will collect, coordinate, and review the CSPP in accordance with the relevant ACs and SOPs, and prepare documentation including recommendation for final written approval or disapproval by the FAA. The final approval cannot be assumed by the state under the MOA and is not covered by the sponsor certifications. (FAA

² Title 49 U.S.C. 47106(c)(1)(A)(ii) allows communities that meet certain criteria to petition the Secretary in connection with certain airport projects. The FAA interprets this provision as not being applicable to a project solely approved and administered as part of a state block grant.

Order 5100.38) For certificated airports, this coordination shall be with the FAA Airport Certification Safety Inspector.

26. AIRSPACE DETERMINATIONS

The State shall coordinate the review of all NRA airspace determinations at non-primary airports, i.e., "Notices of Proposed Construction or Alteration," FAA Form 7460-1, for any construction or alteration taking place within the property boundaries of an airport approved for participation in the block grant program. The review coordination must be in accordance with FAA policies and State shall make the final determination. Airports Division must be given an opportunity to review and comment prior to the final determination. The State must coordinate with the airport sponsor to ensure the final airspace determination is followed and to resolve any comments generated through the FAA review process. The State shall also evaluate and respond to any and all rulemaking petitions received. The FAA shall selectively audit airspace cases to determine adherences to FAA policies and practices.

27. DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM

The State shall administer and provide oversight of the DBE Program for all projects under the block grant program in accordance with the requirements of title 49 CFR, part 26. The State may use the total of all state block grant funded contracts by the State to meet the DBE goal. The state is responsible for all coordination directly with the FAA Office of Civil Rights.

28. COMPLIANCE RESPONSIBILITIES

The State shall be responsible for ensuring that all agreements and Federal grant assurances with airport sponsors are met during the program. The State agrees to: (1) not issue a grant under this program to an airport that has been formally determined by FAA to be in noncompliance with the Federal grant assurances; and (2) perform an investigation under title 14 CFR, part 13, of informal complaints filed with the state (or informal complaints received by FAA and delegated to the state) concerning the compliance of airports covered under this program and, prepare a report on the findings of the investigation with recommendations for corrective action, as applicable. Formal complaints filed under title 14 CFR, part 16, will be adjudicated by the FAA Office of Airport Compliance and Management Analysis (ACO-100) only. The State shall also advise FAA promptly of (1) grant assurance violations based on Part 13 investigations, including safety violations as per grant assurances; (2) any proposed sale or release of land; and (3) any concurrent or interim use of land on an obligated airport.

29. AIRPORT LAND RELEASES AND LAND USE APPROVALS

The State is responsible for review of sponsor requests for release of airport land from Federal obligations as well as requests for concurrent and interim uses of airport land. The State must review the request and provide FAA its

recommendation. The FAA shall review the request and make the final determination. Land must be released in conformance with Order 5190.6, *The FAA Airport Compliance Manual*.

30. WILDLIFE MANAGEMENT

The State shall review hazardous wildlife attractant issues on or near block grant airports, including proposed landfills, in accordance with Advisory Circulars 150/5200-33, *Hazardous Wildlife Attractants On or Near Airports*, and 150/5200-34, *Construction or Establishment of Landfills Near Public Airports*. The State shall forward its review comments to the ADO for a final determination.

31. NATIONAL SAFETY INITIATIVES

The FAA periodically has special initiatives for development and safety on airports. These initiatives must be included in the state's program. For example States are continuing with the following special initiative: The State must prepare the runway safety area (RSA) documentation for any project for runway construction, reconstruction, or significant expansion in accordance with FAA Order 5200.8, *Runway Safety Area Program*, Appendix 1. The State shall review and provide FAA with a recommendation on the documentation findings. The ADO shall issue those determinations where the RSA meets or is practical to meet FAA RSA design standards. The FAA Regional Airports Division Manager shall issue the determination for those existing RSAs that can be improved to enhance safety, but will still not meet current standards, and those existing RSAs that do not meet current standards and it is not practicable to improve the RSA. The Region/ADO will notify the SBGP State of new national safety initiatives.

32. AIRPORT SITE SELECTION

The State must provide to FAA a review and recommendation for approval of any airport site selection where future inclusion of the airport in the NPIAS or Federal funding requests are anticipated. The FAA will make the final determination.

33. LAND USE COMPATABILITY

The State shall help airport sponsors with their efforts to protect against encroachment of incompatible land use, such as establishing zoning protection to safeguard the Federal investment in an airport.

34. RECORDS AND REPORTING REQUIREMENTS

The State must maintain all subgrant sponsor records as well as information needed to satisfy the Civil Rights provisions. All project records must be available to FAA for inspection upon request. The State must retain files for closed subgrant projects for at least 3 years.

At a minimum, the State must provide the following reports to FAA with the frequency noted:

- Annual SBGP Data Request Template (within 30 days of request): The State must report program activity for each open block grant. This report for each block grant must include the description of each federally-funded project by airport with identification of amount and type of the block grant funds used on each project. It must also identify the funds from other block grants also used on each project. This report is intended to be a complete snapshot of how block grant funds are being used at the end of each fiscal year.
- Outlay Report and Request for Reimbursement for Construction Program, SF-271: The State must submit this report, or an approved equivalent report approved by the ADO/Region, which is used for construction projects and must be submitted annually, due 90 days after the end of each Federal fiscal year, to summarize requests for reimbursements. In addition, this report must be submitted as a final financial report during closeout.
- Request for Advance or Reimbursement, SF-270: The State must submit this report, or an equivalent report approved by the ADO/Region, which is used for non-construction projects only and must be submitted annually, due 90 days after the end of each Federal fiscal year, to summarize requests for block grant reimbursements. In addition, this report must be submitted as a final financial report during closeout.
- Record of nonprimary entitlement funds (annual, December 1): This report shows each airport and its disposition of nonprimary entitlements by block grant number, state project number, and project description. It must clearly show the amount of each year's nonprimary entitlement funds not obligated in a subgrant.
- Record of state apportionment funds (annual, December 1): This report shows the disposition of state apportionment funds by block grant, state project number, and project description for each block grant.
- Federal Financial Report, SF-425: The State must provide this form annually to show the financial progress of each grant.
- Federal Funding Accountability and Transparency Act Report (FFATA) (monthly): This report is required for all prime recipients (the State) of individual Federal grants of \$25,000 or more that are awarded. The State is required to report subaward and executive compensation data on the FFATA Subaward Reporting System (FSRS) at <http://www.fsrs.gov/>. The State must submit FFATA required data into FSRS by the end of the month, plus 30 days, in which the subgrant or subgrant amendment is made.

35. PART 139 AIRPORTS

All title 14 CFR Part 139, airport certification matters shall remain the responsibility of FAA, including development proposed in connection with Part 139 requirements.

ARTICLE V – UNIQUE STATE CONSIDERATIONS

FAA and each state may mutually agree to customize Article V of this MOA as needed to reflect situations unique to the state. Any elements of Article V must be approved in advance by APP-500.

ARTICLE VI – ACCEPTANCE

The terms of this Agreement shall remain in effect while any Block Grant project is active. By signing below, the following parties agree to the understandings and responsibilities, and terms of this Memorandum of Agreement.

Amendments to this agreement may be made from time to time provided the specific amendment is agreed to, in writing, by both parties.

Signed for the Federal Aviation Administration Region

Director, Airports Division, XX Region (AXX-600)

Signed for the Federal Aviation Administration Headquarters

Director, Office of Airport Planning and Programming (APP-1)

Signed for the State of _____

Title: _____

MOA - ATTACHMENT A

Airports included in the State Block Grant Program:

Nonprimary airports not included in the State Block Grant Program:

MOA - ATTACHMENT B

A. Required Statutory and Regulatory References Including:

1. Title 49, U.S.C., subtitle VII, as amended.
2. Davis-Bacon Act – 40 U.S.C. § 3141 *et seq.*
3. Federal Fair Labor Standards Act – title 29 U.S.C., § 201, *et seq.*
4. Hatch Act – 5 U.S.C. § 1501, *et seq.*²
5. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, title 42 U.S.C. 4601, *et seq.*^{1 2}
6. National Historic Preservation Act of 1966 - Section 106 – title 16 U.S.C., 470(f).¹
7. Archeological and Historic Preservation Act of 1974 – title 16 U.S.C., 469 through 469c.¹
8. Native Americans Grave Repatriation Act – title 25 U.S.C., section 3001, *et seq.*
9. Clean Air Act, title 42 U.S.C., Chapter 85 P.L. 90-148, as amended.
10. Coastal Zone Management Act, title 16 U.S.C., § 1451, *et seq.*, P.L. 93-205, as amended.
11. Flood Disaster Protection Act of 1973 - Section 102(a) – title 42 U.S.C., § 4012a.¹
12. Title 49, U.S.C., section 303, (formerly known as section 4(f))
13. Rehabilitation Act of 1973 - 29 U.S.C. § 794.
14. Title VI of the Civil Rights Act of 1964 – title 42 U.S.C. § 2000d, *et seq.* (prohibits discrimination on the basis of race, color, national origin);
15. Americans with Disabilities Act of 1990, as amended – title 42 U.S.C., § 12101, *et seq.* (prohibits discrimination on the basis of disability).
16. Age Discrimination Act of 1975 – title 42 U.S.C., 1601, *et seq.*
17. American Indian Religious Freedom Act – title 42 U.S.C., § 1996 P.L. 95-341, as amended.
18. Architectural Barriers Act of 1968 – title 42 U.S.C., § 4151, *et seq.*¹
19. Power plant and Industrial Fuel Use Act of 1978 - Section 403 – title 42 U.S.C., § 8301, *et seq.*¹
20. Contract Work Hours and Safety Standards Act – title 40 U.S.C., § 327, *et seq.*¹
21. Copeland Anti-kickback Act – title 18 U.S.C., § 874.1
22. National Environmental Policy Act of 1969 - title 42 U.S.C., § 4321, *et seq.*¹
23. Wild and Scenic Rivers Act, title 16 U.S.C., § 1271 *et seq.*, P.L. 90-542, as amended.
24. Single Audit Act of 1984 – title 31 U.S.C., 7501, *et seq.*²
25. Drug-Free Workplace Act of 1988 – title 41 U.S.C., § 702 through 706.
26. The Federal Funding Accountability and Transparency Act of 2006, as amended (P.L. 109-282, as amended by section 6202 of P.L. 110-252).

Executive Orders:

27. Exec. Order No. 11246, 30 Fed. R. 12319 (Sept. 24, 1965) as amended.
28. Exec. Order No. 11990, 42 Fed. R. 26961 (May 24, 1977) as amended.

29. Exec. Order No. 11988, 42 Fed. R. 26951 (May 24, 1977) as amended by Exec. Order No. 12,148, 44 Fed. R. 43239 (July 20, 1979). Exec. Order No. 12,372, 47 Fed. R. 30959 (July 14, 1982). Exec. Order No. 12699, 55 Fed. R. 835 (January 5, 1990) as amended.¹
30. Exec. Order No. 12898, 59 Fed. R. 7629 (Feb. 11, 1994) as amended.

Federal Regulations

31. Title 2 CFR, part 180 - OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement).
32. Title 2 CFR, part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].^{4, 5, 6}
33. Title 2 CFR, part 1200 – Nonprocurement Suspension and Debarment.
34. Title 14 CFR, part 13 - Investigative and Enforcement Procedures.
35. Title 14 CFR, part 16 - Rules of Practice for Federally Assisted Airport Enforcement Proceedings.
36. Title 14 CFR, part 150 - Airport noise compatibility planning.
37. Title 28 CFR, part 35- Nondiscrimination on the Basis of Disability in State and Local Government Services.
38. Title 28 CFR, § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
39. Title 29 CFR, part 1 - Procedures for predetermination of wage rates.¹
40. Title 29 CFR, part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹
41. Title 29 CFR, part 5 - Labor standards provisions applicable to contracts covering Federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
42. Title 41 CFR, part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally assisted contracting requirements).¹
43. Title 49 CFR, part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.³
44. Title 49 CFR, part 20 - New restrictions on lobbying.
45. Title 49 CFR, part 21 – Nondiscrimination in Federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
46. Title 49 CFR, part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.
47. Title 49 CFR, part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.^{1 2}
48. Title 49 CFR, part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.

49. Title 49 CFR, part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.¹
50. Title 49 CFR, part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
51. Title 49 CFR, part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
52. Title 49 CFR, part 32 – Government-wide Requirements for Drug-Free Workplace (Financial Assistance)
53. Title 49 CFR, part 37 – Transportation Services for Individuals with Disabilities (ADA).
54. Title 49 CFR, part 41 - Seismic safety of Federal and Federally assisted or regulated new building construction.

Office of Management and Budget Circulars

55. Governments.
56. A-133 A-87 - Cost Principles Applicable to Grants and Contracts with State and Local
57. Audits of States, Local Governments, and Non-Profit Organizations.

Footnotes

- ¹ These laws do not apply to airport planning sponsors.
- ² These laws do not apply to private sponsors.
- ³ Title 49 CFR, part 18 and title 2 CFR, part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- ⁴ On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in title 2 CFR, part 200. Title 2 CFR, part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or title 2 CFR, part 215 or Circular) as well as the Cost Principles (Circulars A-21 or title 2 CFR, part 220; Circular A-87 or title 2 CFR, part 225; and A-122, title 2 CFR, part 230). Additionally, it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with title 2 CFR, section 200.110, the standards set forth in part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.
- ⁵ Cost principles established in title 2 CFR, part 200, subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁶ Audit requirements established in title 2 CFR, part 200, subpart F are the guidelines for audits.

B. Minimum FAA Orders to be Incorporated

This attachment lists key provisions of applicable FAA Orders that must be incorporated by specific reference in the state block grant agreement. The purpose is to ensure that block-grant states fully understand their legal obligations under the SBG program, and the FAA's oversight responsibilities in the various program areas.

1. FAA Order 1050.1
2. FAA Order 5050.4 ("National Environmental Policy Act Implementing Instructions for Airport Projects")
3. FAA Order 5100.38 ("Airport Improvement Program Handbook")
4. FAA Order 5100.39 ("Airport Capital Improvement Plan").
5. FAA Order 5190.6, ("Airport Compliance Requirements").

Note: The above list is not a complete list of FAA Orders. Airport projects may be subject to other FAA Orders depending upon the nature of the project.

MOA ATTACHMENT C

LIST OF PROGRAM FUNCTIONS AND RESPONSIBILITIES

A=Action/Approval, C=Concurrence (State obtains FAA agreement prior to State formal Approval) R=Review/Recommendation. The party identified as "R" shall forward to "A" party for final action.

PROGRAM AREA	STATE	FAA	COMMENTS
A. SPONSOR ELIGIBILITY			
Determination that a new sponsor is eligible under grant program.	R	A	Forward documentation to FAA for legal review. (Order 5100.38)
B. CONSULTANT SELECTION			
Receive and review sponsor's consultant selection procedures.	A		Usually Sponsor Certification (Follow AC 150/5100-14)
Ensure preparation of independent cost estimate prior to sponsor negotiating with consultant	A		(AC 150/5100-14) use of State staff in lieu of external consultant evaluated on a case by case basis to meet requirement
Obtain Sponsor Certification	A		Approves in writing to Sponsor
C. ENVIRONMENTAL			
Advise sponsors and consultants of environmental requirements for proposed projects.	A		
Determine and document if project is categorically excluded from environmental review.	A		Follow Order 5050.4 and Standard Operating Procedure for CATEX Determinations (PDF) 5.0, Found on the FAA Airport Programs & Guidance web site.
Review and comment to sponsor on all environmental documentation	A		(Order 5050.4) Review by FAA Regional Office as needed
Approve draft EA for public availability purposes	A	R	Review by FAA Regional Office as needed
Make final determination on EA/ FONSI	A	A	Review by FAA as needed; copy FAA upon request. State approves FONSI. FAA shall approve a FONSI for discretionary funded projects

PROGRAM AREA	STATE	FAA	COMMENTS
Advise sponsor and monitor compliance with mitigation plans and conditions of environmental approvals during construction.	A		(Order 5050.4, Order 5100.38)
Part 150	R	A	FAA performs/State assists
Initial notification for American Indian and Alaska Native Tribal Consultation	R	A	Order 1210.20 (Nation to Nation)
Review & submit Area of Potential Effects (APE) determinations to SHPO	A	R	Section 106 of the National Historic Preservation Act of 1966, Public Law 89-665 (codified as amended at 16 USC § 470h-2) FAA to review as necessary.
Review & submit Determination of Eligibility reports to SHPO	A	R	Section 106 of the National Historic Preservation Act of 1966, Public Law 89-665 (codified as amended at 16 USC § 470h-2) FAA to review as necessary.
Review & submit Determination of Effect reports to SHPO	A	R	Section 106 of the National Historic Preservation Act of 1966, Public Law 89-665 (codified as amended at 16 USC § 470h-2) FAA to review as necessary.
Execute Programmatic Agreements (PA) & Memorandum of Agreement (MOA) with SHPO	R	A	Section 106 of the National Historic Preservation Act of 1966, Public Law 89-665 (codified as amended at 16 USC § 470h-2)
Landfill Construction and Expansion Proposals	R	A	State will review all landfill construction and expansion proposals and make recommendations to the FAA.
D. AIRPORT IMPROVEMENT PROGRAM			
Assist sponsors in project formulation	A		
Develop Capital Improvement Program	A		Forward ACIP to FAA
Select projects for funding in a specific fiscal year. State submits to FAA.	A		Request, via letter, any supporting Federal regulatory or special

PROGRAM AREA	STATE	FAA	COMMENTS
			programs items from FAA
Aeronautical study of proposed project, FAA provides airspace determination and comments to the State.	A	R	State works with FAA Regional Office and sponsor to resolve comments (Order 7400.2)
Ensure project meets programming prerequisites.	A		(Order 5100.38)
Approval of donations (labor, material, equipment)	A		(Order 5100.38)
Part 139 Equipment	R	A	State coordinates with FAA Part 139 inspector. State to adjust ACIP as needed
E. GRANTS			
Prepare sub-grant offers	A		
Approve sub-grant payments	A		
F. PROJECT IMPLEMENTATION			
Participate In Pre-Design Conference	A		State to attend, as available
Determine need for relocation of FAA facilities, coordinate reimbursable agreements between FAA Technical Operations and sponsor	R	A	State advises ATO of need for facility relocation, State Project Manager coordinates with ATO (Technical Operations) as needed
Review and comment on engineer's report for project	A		Cursory review as needed
Modifications to Standards	R	A	Approval authority rests with the FAA's Office of Airport Safety and Standards (AAS).
Review and approve airport construction safety phasing plan	R	A	FAA Standard Operating Procedure
Airport Obstacle Action Plan	R	R	FAA to review as needed.
Review plans & specifications to verify eligibility and compliance with required specifications.	A		(Order 5100.38)

PROGRAM AREA	STATE	FAA	COMMENTS
Obtain Sponsor (subgrantee/State) Certification for Project Plans and Specifications	A		
Coordinate Sponsor's annual Disadvantaged Business Enterprise plan		A	State ensures sponsor forwards to FAA Office of Civil Rights for approval
Participate in pre-bid conference	A		If held, State may choose to attend
Review proposed contract documents. A state that is also the airport sponsor (or that acts as an agent for the airport sponsor on contractual matters) must do so in a manner that avoids any actual or perceived conflicts of interest.	A		As needed
Determine estimated project costs are reasonable and within project budget.	A		
Authorize advertising for bids	A		
Approve utility relocation contracts	A		Check eligibility-easement conditions which may negate payment for relocation (Order 5100.38)
Review bid tabulation and project budget, verify bonding requirements met, and concur in award of contracts to lowest responsible and responsive bidder.	A		Confirm contractor not on debarment list (Order 5100.38)
Participate in pre-construction conference. Discuss posting of current EEO and wage rate posters.	A		State to attend and verify current EEO and wage rate posters will be posted at the project site.
Make decisions regarding Buy American requirements.	R	A	
Review executed contract documents, authorize issuance of Notice to Proceed.	A		(Order 5100.38)
Obtain sponsor certification for Equipment/Construction Contracts	A		
Approve change orders to construction contracts	A		(Order 5100.38)

PROGRAM AREA	STATE	FAA	COMMENTS
Approve Supplemental Agreements to consultant contracts	A		(Order 5100.38)
Coordinate with FAA on NAVAID shutdowns and protection of FAA cables/facilities	R	A	State advises FAA
Conduct construction reviews	A		State conducts periodic reviews as appropriate
Review acceptance tests and inspection reports during construction	A		As needed
Verify compliance with airspace determinations during construction reviews	A		Usually requires notice prior to closing runways etc. to ensure timely NOTAM issuance.
Approve force account work for participation.	A		Engineering or construction, (Order 5100.38)
Conduct final acceptance site visit	A		
Obtain Sponsor Certification for Construction Project Final Acceptance	A		
Submit updated Airport Master Record/Sketch	A		Copy FAA/ADO following review. Follow Order 5300-35, <i>Submitting the Airport Master Record</i> , in order to activate a New Airport to process an update.
Obtain and review "Record Drawing"	A		
G. LAND ACQUISITION – Grant related & Certification for Real Property			
Appraisals	A		
Relocation assistance	A		
Title Opinions	A		
Donated land	A		
Certification of Real Property	A		
Property interest prior to construction	A		

PROGRAM AREA	STATE	FAA	COMMENTS
Changes in Exhibit "A", Airport Property Map	A	C	Contact FAA if action resulted in loss of airport property
Review & concur/non-concur with findings of Environmental Determination	A	R	
H. PLANNING PROJECTS			
For Master Plans, assist sponsor in developing work scope	A		AC 150/5070-6
Review and comment on draft documents	A		
Attend information meetings and public hearings	A		As available
Approve forecasts and design aircraft in writing	R	A	If TAF is exceeded by more than 10%. The region will consult with FAA HQ Planning Division and APO-110
Accept final documents in writing with appropriate disclaimers.	A		
Obtain airspace review/approval	A	R	State forward ALP drawing set to FAA for airspace review
Approve Airport Layout Plan (ALP); FAA reviews all land use changes	A	C/A	Forward to FAA for concurrence copies as requested by the FAA. First time ALP's must be reviewed and approved by the FAA for new airports.
I. NPIAS/ACIP			
Recommend locations for inclusion/deletion	R	A	
State compiles and provides CIP Project data to FAA for inclusion into the ACIP.	R	A	
J. AIRPORT LAYOUT PLANS			
Obtain and maintain on file a current approved ALP for all NPIAS airports including current Exhibit "A" Airport Property Map	A		
Approve modifications to standards (design)	R	A	State forwards to FAA

PROGRAM AREA	STATE	FAA	COMMENTS
K. COMPLIANCE/RELEASES			
Advise FAA promptly of any proposed sale or release of land on an obligated airport	R	A	Copy to FAA Manager
Investigate informal complaints; promote resolution; recommend corrective actions; and ensure sponsor is in compliance with its Federal grant obligations	A		Advise FAA of informal complaints
L. ADMINISTRATION			
Draft responses to congressional inquiries, submit to FAA within sufficient time to meet response deadline.	R	A	Copy FAA, FAA Regional Office/HQ approves
Maintain file of Program Guidance letters, Standard Operating Procedures (SOPs), and other supplemental guidance from FAA HQ Airports		A	FAA copies State on all PGLs, SOPs, and supplemental guidance. All PGLs, SOPs, and guidance may be found online at Airport Improvement Program (AIP) – Airports
Submit Annual Report of Federal Financial Transactions (SF 270 and/or 271 and 425)	A	R	Refer to AIP Handbook
Program Process Review		A	FAA conducts periodic process audit

APPENDIX B. REPORTING DATA ELEMENTS

The following data elements are required to report the status of block grants, subgrants, and fund types. States must use these data elements, at a minimum, to help oversee the program, determine progress with block grants, and have clear knowledge of the disposition of funds. The FAA ADO and/or Regional Office may request additional information for inclusion in these reports. Reporting requirements are subject to change based on future federal legislation and guidance.

1. State Reference Number (Optional)
2. Subgrant Worksite LOC ID
3. Subgrantee Address (Optional – reported for FSRs)
4. Project Description
5. Project Start Date
6. Project End Date (Estimate if project is incomplete at time of reporting)
7. Total Federal Funds in the subgrant
8. Non-primary (NPE) Funds in subgrant
9. State Apportionment Funds in subgrant
10. Discretionary Funds in subgrant

APPENDIX C. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA) REPORTING ELEMENTS

The state is required to report subaward and executive compensation data on the FFATA Subaward Reporting System (FSRS) at <http://www.fsrs.gov/>. The state must submit FFATA required data into FSRS by the end of the month after the award or award amendment is made. Appendix C identifies the information elements which the state must provide in the FFATA system.

Grants Reporting Requirements for FFATA

#	Data Element Name	Definition
Prime Award Data Element		
1	Federal Award Identifier Number (FAIN)	The award number or other identifying number assigned by the Federal awarding agency, such as the Federal grant number.
2	Federal Agency Name	The name of the Federal awarding agency.
3	Awardee - DUNS Number	The prime awardee organization's 9-digit Data Universal Numbering System (DUNS) number associated with the award.
4	Awardee - DUNS Number +4	The +4 extension to a DUNS number created by registrants in CCR when there is a need for more than one bank/Electronic Funds Transfer (EFT) account for a location.
5	Awardee – Name	The name of the awardee organization. This will be the same name and address that appears in the awardee's Central Contractor Registration (CCR) profile, as applicable.
6	Awardee - DBA Name	The "doing-business-as" name of the organization. This will be the same name and address that appears in the awardee's Central Contractor Registration (CCR) profile, as applicable.
7	Awardee – Address	The address where the awardee organization is located. This will be the same name and address that appears in the awardee's Central Contractor Registration (CCR) profile, as applicable.

#	Data Element Name	Definition
8	Awardee - Parent DUNS Number	The prime awardee parent organization's 9-digit Data Universal Numbering System (DUNS) number. This will be the same parent DUNS that appears in the awardee's Central Contractor Registration (CCR) profile, as applicable.
9	Principal Place of Performance	The primary site where the work will be performed.
10	CFDA Program Number (and Program Title)	The number and program title associated with the published description of Federal assistance program in the Catalog of Federal Domestic Assistance (CFDA).
11	Project Description	Award title and description of the purpose of each funding action, if any. The description should capture the overall purpose of the award and, if there are multiple funding actions, sufficient description to define the need for each funding action.
12	Total Federal Funding Amount	The net dollar amount of the Federal award including modifications.
13	Obligation/Action Date	Date the award agreement was signed.
14	Subaward Date	Represents the time period (by Month and Year) for subawards made against that Federal Award Identifier Number (FAIN).
15	Awardee Names and Compensation of Highly Compensated Officers	
		Q1. In your business or organization's previous fiscal year, did your business or organization (including parent organization, all branches, and all affiliates worldwide) receive (1) 80 percent or more of your annual gross revenues in U.S. Federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; and (2) \$25,000,000 or more in annual gross revenues from U.S. Federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?

#	Data Element Name	Definition
		Q2. Does the public have access to information about the compensation of the senior executives in your business or organization (including parent organization, all branches, and all affiliates worldwide) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986?
16	Date of Report Submission	
Subaward Data Element		
1	Subawardee - DUNS Number	The subawardee organization's 9-digit Data Universal Numbering System (DUNS) number.
2	Subawardee - DUNS Number +4	The +4 extension to a DUNS number created by registrants in CCR when there is a need for more than one bank/Electronic Funds Transfer (EFT) account for a location.
3	Subaward - Name	The name of the subawardee organization. The subawardee organization's 9-digit Data Universal Numbering System (DUNS) number. This will be the same information that appears in subawardee's Central Contractor Registration (CCR) profile, as applicable.
4	Subawardee - DBA Name	The "doing-business-as" name of the subawardee organization. This will be the same name and address that appears in subawardee's Central Contractor Registration (CCR) profile, as applicable.
5	Subawardee - Address	Address where the subawardee organization is located. This will be the same name and address that appears in subawardee's Central Contractor Registration (CCR) profile, as applicable, otherwise manually entered.

#	Data Element Name	Definition
6	Subawardee Parent DUNS Number	The subawardee parent organization's 9-digit Data Universal Numbering System (DUNS) number. This will be the same parent DUNS that appears in subawardee's Central Contractor Registration (CCR) profile, as applicable.
7	Amount of Subaward	The net dollar amount of Federal funds awarded to the subawardee including modifications. The subaward carries forward the purpose of the Federal prime award
8	Subaward Obligation/Action Date	Date the subaward agreement was signed.
9	CFDA Program Number (and Program Title)	The number and program title associated with the published description of Federal assistance program in the Catalog of Federal Domestic Assistance (CFDA).
10	Federal Agency Name	The name of the Federal awarding agency.
11	Subawardee Principal Place of Performance	The primary site where the work will be performed.
12	Subaward Number	Subaward number or other identifying number assigned by the prime awardee organization to facilitate the tracking of its subawards.
13	Subaward Names and Compensation of Highly Compensated Officers	Names and total compensation of Top 5 highly compensated officials of the subawardee organization. This will be the same compensation information that appears in subawardee's Central Contractor Registration (CCR) profile, as applicable. If not available from CCR, the following questions are used to determine applicability of the element
14	Subaward Project Description	Award title and description of the purpose of each funding action, if any. The description should capture the overall purpose of the subaward and, if there are multiple funding actions, sufficient description to define the need for each funding action.

Advisory Circular Feedback

If you find an error in this AC, have recommendations for improving it, or have suggestions for new items/subjects to be added, you may let us know by (1) emailing this form to 9-AWA-APP-Airports-AC-Comments@faa.gov or (2) faxing it to the attention of the Office of Airport Planning and Programming at (202) 267-5302.

Subject: AC 150/5100-21

Date: _____

Please check all appropriate line items:

- An error (procedural or typographical) has been noted in paragraph _____ on page _____.

- Recommend paragraph _____ on page _____ be changed as follows:

- In a future change to this AC, please cover the following subject:
(Briefly describe what you want added.)

- Other comments:

- I would like to discuss the above. Please contact me at (phone number, email address).

Submitted by: _____

Date: _____