

261—211.10(15F) Administration.**211.10(1)** *Administration of awards.*

a. A contract shall be executed between the recipient and the economic development authority board. These rules and applicable state laws and regulations shall be part of the contract. The board reserves the right to negotiate terms and conditions of the contract.

b. The recipient must execute and return the contract to the economic development authority board within 45 days of transmittal of the final contract from the economic development authority board. Failure to do so may be cause for the economic development authority board to terminate the award.

c. Certain projects may require that permits or clearances be obtained from other state or local agencies before the project may proceed. Awards may be conditioned upon the timely completion of these requirements.

d. Awards may be conditioned upon commitment of other sources of funds necessary to complete the project.

e. Awards may be conditioned upon the authority's receipt and board approval of an implementation plan for the funded project.

f. The authority, with the approval of the chair or vice chair of the economic development authority board, reserves the right to make technical corrections that are within the intent of the terms of a board-approved award.

211.10(2) *Disbursement of funds.* Recipients shall submit requests for funds in the manner and on forms prescribed by the authority. Individual requests for funds shall be made in an amount equal to or greater than \$500 per request, except for the final draw of funds.

211.10(3) *Record keeping and retention.* The recipient shall retain all financial records, supporting documents and all other records pertinent to the funded CAT or RECAT project for three years after contract closeout. Representatives of the authority shall have access to all records belonging to or in use by recipients pertaining to CAT and RECAT funds.

211.10(4) *Performance reports and reviews.* Upon request of the authority or the economic development authority board, recipients shall submit performance reports in the manner and on forms prescribed by the authority. Reports shall assess the use of funds and progress of activities. The authority may perform any reviews or field inspections necessary to ensure each recipient's performance.

211.10(5) *Amendments to contracts.* Any substantive change to a contract shall be considered an amendment. Substantive changes include time extensions, budget revisions and significant alterations of the funded project that change the scope, location, objectives or scale of the approved project. Amendments must be requested in writing by the recipient and are not considered valid until approved by the economic development authority board and confirmed in writing.

211.10(6) *Contract closeout.* Upon project completion, the authority shall initiate contract closeout procedures.

211.10(7) *Compliance with state and local laws and regulations.* Recipients shall comply with these rules, with any provisions of the Iowa Code governing activities performed under this program, and with applicable local regulations.

211.10(8) *Remedies for noncompliance.* At any time before contract closeout, the board may, for cause, find that a recipient is not in compliance with the requirements of this program. At the board's discretion, remedies for noncompliance may include penalties up to and including the return of program funds to the board. Reasons for a finding of noncompliance include but are not limited to the recipient's use of funds for activities not described in the contract, the recipient's failure to complete funded projects in a timely manner, the recipient's failure to comply with applicable state or local rules or regulations, or the lack of a continuing capacity of the recipient to carry out the approved project in a timely manner.

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