

## California Department of Education

### **Equipment and Capital Expenditure Approval Application for the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, and American Rescue Plan (ARP) Act**

The federal requirements found in the CARES Act, CRRSA Act, and ARP Act require that the following funds be subject to Uniform Grants Guidance:

- CARES Act Elementary and Secondary School Emergency Relief (ESSER I) Fund,
- CARES Act Governor’s Emergency Education Relief (GEER I) Fund,
- CRRSA Act ESSER II Fund,
- CRRSA Act GEER II Fund, and
- ARP Act ESSER III Fund.

The Uniform Grants Guidance regulations contain a requirement that capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval as found in Title 2, Code of Federal Regulations (2 CFR), section 200.439 (<https://www.law.cornell.edu/cfr/text/2/200.439>).

The submission of this request constitutes an assurance by the local educational agency (LEA) that the authorized use of funds criteria for ESSER I Funds (<https://www.cde.ca.gov/fg/cr/esser.asp>), GEER I Funds (<https://www.cde.ca.gov/fg/cr/learningloss.asp>), ESSER II Funds (<https://www.cde.ca.gov/fg/cr/crrsa.asp>), GEER II Funds (<https://www.cde.ca.gov/fg/cr/crrsa.asp>), and/or ESSER III Funds (<https://www.cde.ca.gov/fg/cr/arpact.asp>) have been met. For requests including federal Expanded Learning Opportunity Grant (ELO-G) funds, this submission additionally constitutes an assurance by the LEA that the authorized use of funds criteria for the ELO-G Funds (<https://www.cde.ca.gov/ls/he/hn/covidreliefgrants.asp>) have been met.

By submitting this form, you are agreeing to review the regulations and requirements cited above and agreeing to follow all applicable local, state, and federal level policies when making a purchase using federal funds. You may be required to obtain additional information if the purchase exceeds certain dollar amount thresholds, in accordance with 2 CFR sections 200.317–327 and California *Public Contracts Code (PCC)* sections 20110–20118.4. All LEAs must be able to demonstrate compliance with all federal and state procurement requirements during monitoring reviews and audits.

Date of Request:

Name of Primary Contact:

Title:

Email Address:

Phone Number:

District Name:

School Name:

County District School (CDS) Code:

Short Title of Project Name:

Funding Source(s) Used:

Estimated Total Cost of the Project:

Amount of Federal Stimulus Funds to be Used:

Please describe the items that will be purchased with the funds:

Please describe how these purchases fit in with the allowable uses of funds for either ESSER I, GEER I, ESSER II, GEER II and/or ESSER III, including how the purchase prevents, prepares for, or responds to COVID-19:

Please describe how this purchase is reasonable, necessary, and allowable in accordance with Cost Principles found in 2 CFR 200.420-475:

Please describe the planned procurement process for this project, in accordance with 2 CFR 200.317–327 and California *PCC* sections 20110–20118.4:

Please review and check each certification below:

I certify that all expenditures for this request will be obligated within the allowable time period for the funding source used. All obligations must be liquidated within 120 days of the obligation deadline. To find the applicable deadlines for each Federal Stimulus funding source, please visit <https://www.cde.ca.gov/fq/cr/relieffunds.asp>.

I certify that all obligations for this project are planned to be liquidated within 120 days of the obligation deadline for the applicable fund source. Please note that the entire project must be planned to be completed and all costs paid by the earliest deadline if multiple allocations of ESSER or GEER funds are utilized.

I certify that the LEA will maintain documentation to substantiate that all state and federal requirements are met, including 2 CFR 200.317–327, 2 CFR 200.420–475, and California PCC sections 20110–20118.4.

I certify that the LEA has reviewed the state and federal procurement threshold requirements and understands that the LEA must follow the most restrictive requirements and thresholds. Please see the CDE's most recent Bid Threshold Adjustment Letter for more information regarding state thresholds: <https://www.cde.ca.gov/fq/ac/co/bidthreshold2023.asp>. Federal bidding thresholds are found in 2 CFR 200.1.

I certify that the LEA is keeping records sufficient to detail the history of the procurement, including, but not limited to, records documenting the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price, as required in 2 CFR 200.318(i).

I certify that, if using California Multiple Award Schedules (CMAS) to assist in the procurement process, the LEA is ensuring that all CMAS requirements are met. In addition, the LEA is also meeting all required federal procurement requirements found under 2 CFR 200.317–327, including (where applicable) obtaining an adequate number of bids, depending on cost of the project and applicable state and federal thresholds. These requirements are not necessarily fulfilled under a CMAS Agreement alone, and the LEA will be required to maintain documentation to substantiate that all federal procurement requirements were met in the event of future audits or monitoring reviews. **(check box only if utilizing a CMAS agreement for this project)**

I certify that this project is consistent with the proper and efficient administration of these funds and does not limit the LEA's ability to support other essential needs or initiatives for preventing, preparing for, or responding to COVID-19.

I certify that, if this expenditure has already occurred at the time of this request, the LEA understands that it may be necessary to reimburse any Federal Stimulus expenditures with an unrestricted funding source if during an audit or monitoring review the expenditure is ultimately deemed unallowable, or if state and federal procurement requirements are not properly followed.

Please email this request to [EDReliefFunds@cde.ca.gov](mailto:EDReliefFunds@cde.ca.gov) with the subject "Equipment and Capital Expenditure Approval – (name of your LEA and project name)". Please include any relevant documentation demonstrating why this option is the most cost effective. Please note a cost price analysis is required for any project over \$250,000.

Signature of Superintendent or Charter School Representative:

Date:

Updated January 2023