



**STATE OF VERMONT**  
JOINT FISCAL OFFICE

**MEMORANDUM**

To: Joint Fiscal Committee members  
From: Daniel Dickerson, Fiscal Analyst *DWD*  
Date: May 23, 2018  
Subject: Limited-Service Position Request – JFO #2916

Enclosed please find one (1) item, which the Joint Fiscal Office has received from the administration.

**JFO #2916** – One (1) limited-service position within the VT Dept. of Forests, Parks and Recreation (FPR). The position would be titled Urban Forester and will be charged with providing technical assistance to communities to support and develop local urban and community forestry programs. The total yearly cost for the position would be \$90,000 (salary, benefits, supplies/equip./travel) and would be 50% covered by an ongoing federal grant and 50% through a required State match. The federal grant is an ongoing source that FPR typically sub-grants to the University of Vermont (UVM) but some of the grant would now be retained to cover the cost of the position. The state match will be taken from excess funding within the Natural Resources Management Fund. The federal grant is currently set to expire on 9/30/2018 but FPR fully expects to receive a renewal of the grant for a further two years. The state funding source would be utilized for two years and the position would have an end date of 9/30/2020.  
*[JFO received 5/23/18]*

Please review the enclosed materials and notify the Joint Fiscal Office (Daniel Dickerson at (802) 828-2472; [ddickerson@leg.state.vt.us](mailto:ddickerson@leg.state.vt.us)) if you have questions or would like an item held for legislative review. Unless we hear from you to the contrary by June 13, 2018 we will assume that you agree to consider as final the Governor's acceptance of these requests.



JFO 2916

State of Vermont  
Department of Forests, Parks & Recreation  
1 National Life Drive, Davis 2  
Montpelier, VT 05620-3801  
[www.vtfpr.org](http://www.vtfpr.org)

Agency of Natural Resources  
Kristin Freeman  
Phone: 802-522-0730  
kfreeman@vermont.gov

## MEMORANDUM

**TO:** Joint Fiscal Committee  
**THROUGH:** Jason Aronowitz, Budget Analyst, Department of Finance and Management  
Aimee Pope, Classification Manager, Department of Human Resources  
Michael Snyder, Commissioner, Department of Forests, Parks and Recreation  
**FROM:** Kristin Freeman, Financial Manager, Department of Forests, Parks and Recreation  
**DATE:** January 29, 2018  
**RE:** Request for Limited Service Urban Forester Position

*Kristin Freeman*

The Department of Forests, Parks and Recreation (FPR) requests one limited service Urban Forester position. An annual ongoing core grant award from the U. S. Forest Service will fund this position which is focused on supporting and developing local urban and community forestry programs. We currently deliver the Urban and Community Forestry Program in partnership with University of Vermont (UVM) Extension and provide educational, technical and financial assistance to communities that plan urban forestry programs to improve the condition and extent of trees and forests in Vermont cities, towns and villages. We will continue to work with UVM Extension to deliver this program and would like to transition work currently performed by UVM shifting the service and funding from UVM to the State. We currently pass federal funds through to UVM for this service and if this request is accepted FPR will retain federal funds and reduce our sub-grant to UVM to provide funding for the requested position.

Please find the following documents enclosed:

- DHR JFO Limited Service Position Request Form
- Request for Classification Action
- Organizational Chart (page 15)
- Position Budget (page 16)
- Grant Agreement (page 17-33)

Please let me know if we can provide additional information. Thank you for your consideration.



FEB 01 2018

**STATE OF VERMONT  
Joint Fiscal Committee Review  
Limited Service - Grant Funded  
Position Request Form**

This form is to be used by agencies and departments when additional grant funded positions are being requested. Review and approval by the Department of Human Resources must be obtained prior to review by the Department of Finance and Management. The Department of Finance will forward requests to the Joint Fiscal Office for JFC review. A Request for Classification Review Form (RFR) and an updated organizational chart showing to whom the new position(s) would report must be attached to this form. Please attach additional pages as necessary to provide enough detail.

Agency/Department: Natural Resources/Forests, Parks and Recreation Date: 1/29/2018

Name and Phone (of the person completing this request): Kristin Freeman, 802-522-0730

Request is for:

- Positions funded and attached to a new grant.  
 Positions funded and attached to an existing grant approved by JFO # Approved in base budget

1. Name of Granting Agency, Title of Grant, Grant Funding Detail (attach grant documents):

USDA Forest Service  
 Cooperative Forestry Assistance: Urban and Community Forestry  
 \$192,289

2. List below titles, number of positions in each title, program area, and limited service end date (information should be based on grant award and should match information provided on the RFR) position(s) will be established only after JFC final approval:

<u>Title* of Position(s) Requested</u>	<u># of Positions</u>	<u>Division/Program</u>	<u>Grant Funding Period/Anticipated End Date</u>
Urban Forester	1	Forestry/Urban and Community Forestry	9/30/2020

\*Final determination of title and pay grade to be made by the Department of Human Resources Classification Division upon submission and review of Request for Classification Review.

3. Justification for this request as an essential grant program need:

This annual grant provided to the State advances urban forestry efforts at the local level. To meet grant deliverables we must provide technical assistance to communities. This service has previously been performed the University of Vermont Extension and we would like to transition the service so it is provided by the State. We will allocate federal funds for FPR use rather than the UVM subgrant to support this limited service position.

I certify that this information is correct and that necessary funding, space and equipment for the above position(s) are available (required by 32 VSA Sec. 5(b)).

[Signature] \_\_\_\_\_ Date: 1/29/18  
 Signature of Agency or Department Head

[Signature] \_\_\_\_\_ Date: 1/30/2018  
 Approved/Denied by Department of Human Resources

[Signature] \_\_\_\_\_ Date: 18 May 18  
 Approved/Denied by Finance and Management

[Signature] \_\_\_\_\_ Date: 5/18/18  
 Approved/Denied by Secretary of Administration

Comments:

Will work w/ FPR on correct job class for position

**VERMONT DEPARTMENT OF PERSONNEL**  
**Request for Classification Review**  
**Position Description Form A**

- **This form is to be used by managers and supervisors to request classification of a position (filled or vacant) when the duties have changed, and by managers and supervisors to request the creation of a new job class/title (for a filled, vacant, or new position), and by employees to request classification of their position.**
- This form was designed in Microsoft Word to download and complete on your computer. This is a form-protected document, so information can only be entered in the shaded  areas of the form.
- If you prefer to fill out a hard copy of the form, contact your Personnel Officer.
- To move from field to field use your mouse, the arrow keys or press Tab. Each form field has a limited number of characters. Use your mouse or the spacebar to mark and unmark a checkbox.
- Where additional space is needed to respond to a question, you might need to attach a separate page, and number the responses to correspond with the numbers of the questions on the form. Please contact your Personnel Officer if you have difficulty completing the form.
- The form must be complete, including required attachments and signatures or it will be returned to the department's personnel office. All sections of this form are required to be completed unless otherwise stated.

**INSTRUCTIONS:** Tell us about the job. The information you provide will be used to evaluate the position. It will not be used in any way to evaluate an employee's performance or qualifications.

Answer the questions carefully. The information you give will help ensure that the position is fairly evaluated. Here are some suggestions to consider in completing this questionnaire:

- Tell the **facts** about what an employee in this position is actually expected to do.
- Give **specific examples** to make it clear.
- Write in a way so a person unfamiliar with the job will be able to understand it.
- Describe the job **as it is now**; not the way it was or will become.
- Before answering each question, read it carefully.

**To Submit this Request for Classification Review:** If this is a filled position, the employee must sign the original\* and forward to the supervisor for the supervisor's review and signature. The Personnel Officer and the Appointing Authority must also review and sign this request before it is considered complete. The effective date of review is the beginning of the first pay period following the date the complete Request for Classification Review is date stamped by the Classification Division of the Department of Personnel.

\*An employee may choose to sign the form, make a copy, submit original to supervisor as noted above, while concurrently sending the copy to the Classification Division, 144 State Street, Montpelier, with a cover note indicating that the employee has submitted the original to the supervisor and is submitting the copy as a **Concurrent** filing.

**If this is a request (initiated by employees, VSEA, or management) for review of all positions in a class/title please contact the appropriate Classification Analyst or the Classification Manager to discuss the request prior to submitting.**

## Request for Classification Review Position Description Form A

### For Department of Personnel Use Only

Notice of Action # _____	Date Received (Stamp)
Action Taken: _____	
New Job Title _____	
Current Class Code _____ New Class Code _____	
Current Pay Grade _____ New Pay Grade _____	
Current Mgt Level ____ B/U ____ OT Cat. ____ EEO Cat. ____ FLSA ____	
New Mgt Level ____ B/U ____ OT Cat. ____ EEO Cat. ____ FLSA ____	
Classification Analyst _____ Date _____	Effective Date: _____
Comments: _____	Date Processed: _____
Willis Rating/Components: Knowledge & Skills: _____ Mental Demands: _____ Accountability: _____ Working Conditions: _____ Total: _____	

#### Incumbent Information:

Employee Name:  Employee Number:   
Position Number:  Current Job/Class Title:   
Agency/Department/Unit:  Work Station:  Zip Code:   
Supervisor's Name, Title, and Phone Number:   
How should the notification to the employee be sent:  employee's work location  or  other address, please provide mailing address:

#### New Position/Vacant Position Information:

New Position Authorization:  Request Job/Class Title:   
Position Type:  Permanent or  Limited / Funding Source:  Core,  Partnership, or  Sponsored  
Vacant Position Number:  Current Job/Class Title:   
Agency/Department/Unit:  Work Station:  Zip Code:   
Supervisor's Name, Title and Phone Number:

#### Type of Request:

- Management:** A management request to review the classification of an existing position, class, or create a new job class.
- Employee:** An employee's request to review the classification of his/her current position.

## 1. Job Duties

This is the **most critical** part of the form. Describe the activities and duties required in your job, **noting changes (new duties, duties no longer required, etc.) since the last review**. Place them in order of importance, beginning with the single most important activity or responsibility required in your job. The importance of the duties and expected end results should be clear, including the tolerance that may be permitted for error. Describe each job duty or activity as follows:

- **What** it is: The nature of the activity.
- **How** you do it: The steps you go through to perform the activity. Be specific so the reader can understand the steps.
- **Why** it is done: What you are attempting to accomplish and the end result of the activity.

For example a Tax Examiner might respond as follows: **(What)** *Audits tax returns and/or taxpayer records.* **(How)** *By developing investigation strategy; reviewing materials submitted; when appropriate interviewing people, other than the taxpayer, who have information about the taxpayer's business or residency.* **(Why)** *To determine actual tax liabilities.*

### Technical Assistance:

The position provides assistance and guidance in urban and community forestry to municipalities, green industry professionals, and other organizations/individuals on complex planning and management issues. This includes:

- Develops and promotes statewide standards to be used by private sector and offers statewide guidelines and education on policies and management.
- Leads projects to improve urban forest extent and health, and build support for community forestry initiatives.
- Develops protocols and procedures to provide consistency in execution of field functions. Assistance provided by department staff and sub-contractors is monitored for efficiency and appropriateness and follows proper chain of command.
- Manages internally developed street tree inventory software program. This includes software development, training, technology, and data management.
- Manages strategic technical assistance to communities to prepare for invasive tree pests and the development of sustainable community forestry programs. This includes identifying and assessing technical and organizational training needs of communities, volunteer groups, and municipal staff in tree management planning, inventory, preservation, tree planting, policy development, and maintenance; developing outreach and educational resources to address identified need; and participating in municipal board and volunteer group meetings to deliver technical and organizational assistance.
- Coordinates an initiative to improve the resilience of urban roadside right-of-ways to improve water quality. This includes facilitating working groups with members from AOT, DEC, and ACCD, providing direct and strategic technical assistance to municipalities, developing and transferring educational curricula and resources, monitoring progress, and documenting results. Municipal technical assistance to better manage urban roadside right-of-ways will bring current science and associated best management practices to the managers to implement positive on the ground change.

### Information and Education Program:

This position supports educational programs to a wide audience on a variety of urban and community forestry topics.

- Supports the offering of workshops, webinars, and multi-day training events, developing printed and web-based outreach material, and coordinating Vermont's annual Arbor Day celebration.
- Supports the development and implementation of educational programming including developing curriculum for multiple audiences: youth, community leaders, citizen scientists, and green industry professionals, identifying delivery format including web-based learning, evaluating results, reporting accomplishments, and securing funding.
- Assists in planning strategic communications activities to utilize traditional and non-traditional outreach skills, including print, online and social media, as well as other outreach strategies. The development of strategic communications will facilitate a better understanding of the Program's mission to practices and encourages high-quality stewardship of Vermont's urban forested landscape.
- Oversees service learning opportunities including identifying and managing projects, supervising individuals or classes, participating on ANR' service learning team, and developing service learning urban forestry leadership and education program opportunity for youth.
- Support and promote volunteer and Community Recognition including VT Tree Stewards Awards program and the National Arbor Day Foundations Tree City, Tree Line, and Tree Campus recognition programs.

#### Program Administration

This position supports the administration of the the Vermont Urban & Community Forestry Program, a joint initiative between the Department of Forests, Parks and Recreation and the University Vermont Extension. The Program offers financial and technical assistance, and educational outreach to support urban and community forestry programming at the local level. This includes:

- Maintains database to track accomplishments, volunteer activity and community involvement for grant cost-share.
- Pursues grant funding.
- Participates in UCF Program staff meetings, UCF Program Advisory Council meetings, and national UCF Program meetings.
- Participates in meetings with agency, municipal, state and federal officials, and with private organizations on urban and community forestry issues.
- Responds to information requests from state and federal agencies, private organizations, and the general public.
- Supports the demonstration of the annual grants program including grant application development, grant review, and project monitoring.

## 2. Key Contacts

This question deals with the personal contacts and interactions that occur in this job. Provide brief typical examples indicating your primary contacts (**not** an exhaustive or all-inclusive list of contacts) other than those persons to whom you report or who report to you. If you work as part of a team, or if your primary contacts are with other agencies or groups outside State government describe those interactions, and what your role is. For example: you may *collaborate, monitor, guide, or facilitate change*.

Work requires interaction with Department leadership, program managers and project leaders across the Agency of Natural Resources and other State Agencies. External

contacts include municipal leaders, staff, and volunteers; NGOs; consultants; and the general public for the purpose of outreach, education and technical assistance.

**3. Are there licensing, registration, or certification requirements; or special or unusual skills necessary to perform this job?**

Include any special licenses, registrations, certifications, skills; (such as counseling, engineering, computer programming, graphic design, strategic planning, keyboarding) including skills with specific equipment, tools, technology, etc. (such as mainframe computers, power tools, trucks, road equipment, specific software packages). Be specific, if you must be able to drive a commercial vehicle, or must know Visual Basic, indicate so.

This position requires an advanced level of understanding in several different specialized fields, including: arboriculture, urban and community forestry, stormwater management, land use planning, landscape design, natural resource management, forest entomology and pathology, emergency preparedness, utility and roadside vegetation management, community development, marketing, volunteerism, and education and outreach.

This position also requires skills in strategic planning, project management, process improvement, meeting facilitation, community engagement, social media, websites, databases, graphic design with Adobe CS software, fiscal management, grant writing and administration, curriculum development, presentation development and delivery, event coordination, supervision, and team development.

**4. Do you supervise?**

In this question "supervise" means if you direct the work of others where you are held **directly** responsible for assigning work; performance ratings; training; reward and discipline or effectively recommend such action; and other personnel matters. List the names, titles, and position numbers of the classified employees reporting to you:

N/A

**5. In what way does your supervisor provide you with work assignments and review your work?**

This question deals with how you are supervised. Explain how you receive work assignments, how priorities are determined, and how your work is reviewed. There are a wide variety of ways a job can be supervised, so there may not be just one answer to this question. For example, some aspects of your work may be reviewed on a regular basis and in others you may operate within general guidelines with much independence in determining how you accomplish tasks.

This position will report directly to the FPR's Urban Forestry Program Manager, but will generally operate with minimal supervision and is responsible for identifying necessary assignments and appropriately prioritizing those assignments to carry out a strategic plan developed in conjunction with FRP's Commissioner and Division of Forests Director.

**6. Mental Effort**

This section addresses the mental demands associated with this job. Describe the most mentally challenging part of your job or the most difficult typical problems you are expected to solve. Be sure to give a specific response and describe the situation(s) by example.



- For example, a purchasing clerk might respond: *In pricing purchase orders, I frequently must find the cost of materials not listed in the pricing guides. This involves locating vendors or other sources of pricing information for a great variety of materials.*
- Or, a systems developer might say: *Understanding the ways in which a database or program will be used, and what the users must accomplish and then developing a system to meet their needs, often with limited time and resources.*

The mental demands of the position are substantial and consistent with those at a similar professional level. Understanding the needs of the natural resources community, the public's concerns, the current administration's environmental goals, local government goals and capacity, and current federal and state environmental regulations and folding them into a coordinated approach.

## 7. Accountability

This section evaluates the job's expected results. In weighing the importance of results, consideration should be given to responsibility for the safety and well-being of people, protection of confidential information and protection of resources.

What is needed here is information not already presented about the job's scope of responsibility. What is the job's most significant influence upon the organization, or in what way does the job contribute to the organization's mission?

Provide annualized dollar figures if it makes sense to do so, explaining what the amount(s) represent.

For example:

- A social worker might respond: *To promote permanence for children through coordination and delivery of services;*
- A financial officer might state: *Overseeing preparation and ongoing management of division budget: \$2M Operating/Personal Services, \$1.5M Federal Grants.*

To lead citizens, businesses, and governments in understanding the value of urban and community forests and to promote civic responsibility for and participation in the stewardship of these resources for this and future generations.

To provide outreach, education, communication and technical assistance regarding Program priorities and strategic vision that are both proactive and responsive to the needs of a diverse constituency.

Overseeing \$150,000 of a federal grant to provide targeted technical assistance, outreach and education to advance vegetation management along urban roadside environment to improve water quality.

## 8. Working Conditions

The intent of this question is to describe any adverse conditions that are routine and expected in your job. It is not to identify special situations such as overcrowded conditions or understaffing.

- a) What significant mental stress are you exposed to? All jobs contain some amount of stress. If your job stands out as having a significant degree of mental or emotional pressure or tension associated with it, this should be described.

Type	How Much of the Time?
Personal contact with members of public where strong differences of opinion requires tact and sensitivity. (Typically relates to the removal, potential removal or management of public trees.)	<2 %

- b) What hazards, special conditions or discomfort are you exposed to? (Clarification of terms: **hazards** include such things as potential accidents, illness, chronic health conditions or other harm. Typical examples might involve exposure to dangerous persons, including potentially violent customers and clients, fumes, toxic waste, contaminated materials, vehicle accident, disease, cuts, falls, etc.; and **discomfort** includes exposure to such things as cold, dirt, dust, rain or snow, heat, etc.)

Type	How Much of the Time?
Outdoor exposure	15%

- c) What weights do you lift; how much do they weigh and how much time per day/week do you spend lifting?

Type	How Heavy?	How Much of the Time?
N/A		

- d) What working positions (sitting, standing, bending, reaching) or types of effort (hiking, walking, driving) are required?

Type	How Much of the Time?
Standing/sitting/driving	85%
Walking, outside	15%

**Additional Information:**

Carefully review your job description responses so far. If there is anything that you feel is important in understanding your job that you haven't clearly described, use this space for that purpose. Perhaps your job has some unique aspects or characteristics that weren't brought out by your answers to the previous questions. In this space, add any additional comments that you feel will add to a clear understanding of the requirements of your job.

Employee's Signature (required): \_\_\_\_\_ Date: \_\_\_\_\_

**Supervisor's Section:**

Carefully review this completed job description, but **do not** alter or eliminate any portion of the original response. Please answer the questions listed below.

1. What do you consider the most important duties of this job and why?

The ability to strategically provide technical assistance to support the development of local urban and community forestry program and identify tactical actions to improve their overall extent and health. This will require considerable technical knowledge, flexible thinking, diligence, and dedication. An ability to manage diverse and sometimes shifting priorities. This is critical because of the range of technical assistance, education programming, and outreach this position is responsible for.

2. What do you consider the most important knowledge, skills, and abilities of an employee in this job (not necessarily the qualifications of the present employee) and why?

Experience to work effectively across all facets of government- federal, state and local. Ability to work with a wide variety of stakeholders, both in the public and private sector, balancing needs within program scope. Knowledge in many technical aspects of forestry from green infrastructure to landscape architecture to plant physiology, to effective social media.

3. Comment on the accuracy and completeness of the responses by the employee. List below any missing items and/or differences where appropriate.

4. Suggested Title and/or Pay Grade:

Urban Forester/23

Supervisor's Signature (required):

Daniel B...

Date:

2/6/2018

**Personnel Administrator's Section:**

Please complete any missing information on the front page of this form before submitting it for review.

Are there other changes to this position, for example: Change of supervisor, GUC, work station?

Yes  No If yes, please provide detailed information.

N/A

Attachments:

Organizational charts are **required** and must indicate where the position reports.

Draft job specification is **required** for proposed new job classes.

Will this change affect other positions within the organization? If so, describe how, (for example, have duties been shifted within the unit requiring review of other positions; or are there other issues relevant to the classification review process).

No.

Suggested Title and/or Pay Grade:

Urban Forester/Forester II PG23

Personnel Administrator's Signature (required): Nancy Kirklund Date: 2/7/18

Appointing Authority's Section:

Please review this completed job description but do not alter or eliminate any of the entries. Add any clarifying information and/or additional comments (if necessary) in the space below.

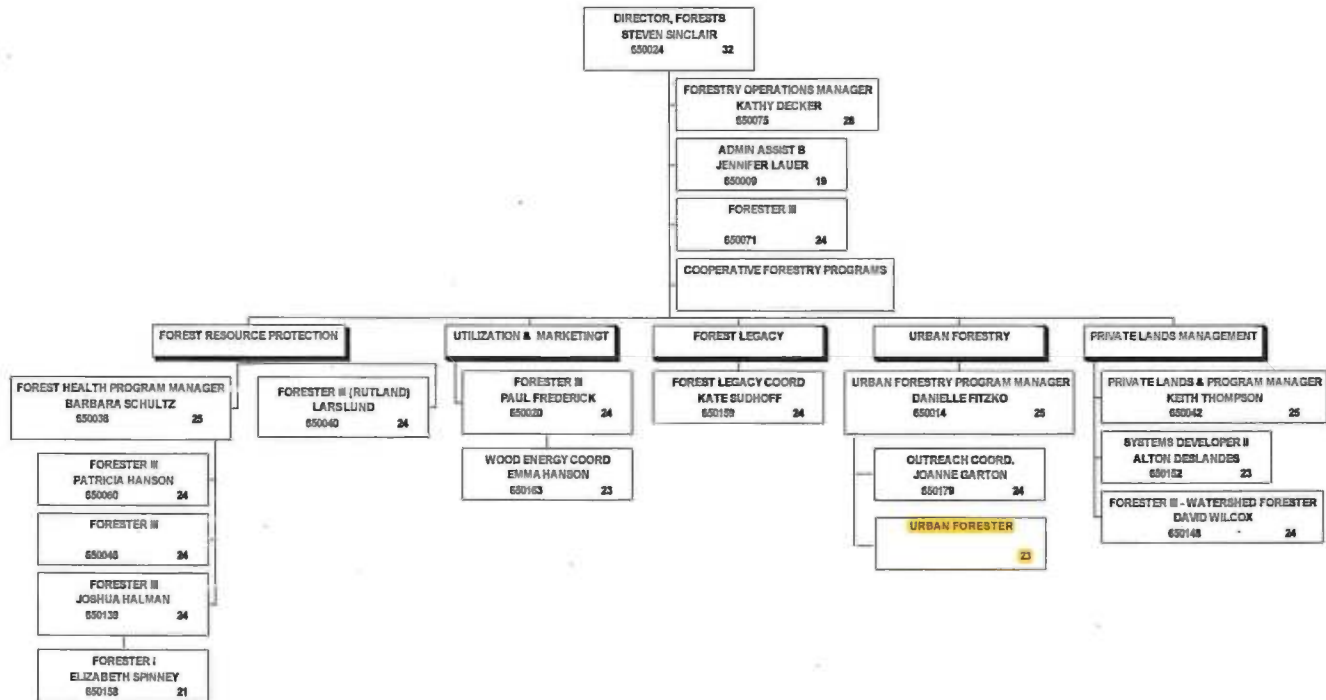
Michelle Syd

Suggested Title and/or Pay Grade:

Urban Forester/23

Appointing Authority or Authorized Representative Signature (required)

1/29/18  
Date



January 10, 2018

DEPARTMENT OF FORESTS, PARKS AND RECREATION  
 ORGANIZATION CHART  
 FORESTRY DIVISION  
 PART 1 (COOPERATIVE FORESTRY PROGRAMS)

**Budget – Limited Service Urban Forester**

<b>Description</b>	<b>Federal Funds</b>	<b>State Funds (Required 50% Match)</b>	<b>Total</b>
Limited Service Urban Forester	\$ 40,000	\$ 40,000	\$ 80,000
Other: Travel, Supplies	\$ 5,000	\$ 5,000	\$ 10,000
<b>Total</b>	<b>\$ 45,000</b>	<b>\$ 45,000</b>	<b>\$ 90,000</b>

**FEDERAL FINANCIAL ASSISTANCE  
AWARD OF DOMESTIC GRANT 17-DG-11420004-117  
Between The  
VERMONT DEPARTMENT OF FORESTS, PARKS & RECREATION  
And The  
USDA, FOREST SERVICE  
NORTHEASTERN AREA STATE AND PRIVATE FORESTRY**

Project Title: Consolidated Payment Grant

Upon execution of this document, an award to Vermont Department of Forests, Parks and Recreation, hereinafter referred to as "The Recipient," in the amount of \$547,384, is made under the authority of Cooperative Forestry Assistance Act of 1978, Public Law 95-313, as amended; Food, Agriculture, Conservation, and Trade Act of 1990, as amended, Public Law 101-624. The Catalog of Federal Domestic Assistance (CFDA) number and name are 10.664, Cooperative Forestry Assistance. VT DFPR accepts this award for the purpose described in the application narrative. Your application for Federal financial assistance, dated June 12, 2017, and the attached Forest Service provisions, 'Forest Service Award Provisions,' are incorporated into this letter and made a part of this award.

This authority requires a match of 50/50, which your organization has agreed to meet, as reflected in your application, financial plan and narrative.

All required reports and official correspondence must be sent to [nagrants@fs.fed.us](mailto:nagrants@fs.fed.us) for internal recordkeeping and processing.

Program	Amount
Forest Health	\$77,017
Forest Stewardship	\$133,788
Urban and Community Forestry	\$192,289
State Fire Assistance	\$144,290

This is an award of Federal financial assistance. Prime and sub-recipients to this award are subject to the OMB guidance in subparts A through F of 2 CFR Part 200 as adopted and supplemented by the USDA in 2 CFR Part 400. Adoption by USDA of the OMB guidance in 2 CFR 400 gives regulatory effect to the OMB guidance in 2 CFR 200 where full text may be found.

Electronic copies of the CFRs can be obtained at the following internet site: [www.ecfr.gov](http://www.ecfr.gov). If you are unable to retrieve these regulations electronically, please contact your Grants and Agreements Office at 610-557-4131, Vickie Caldwell.

The following administrative provisions apply to this award:

- A. **LEGAL AUTHORITY.** VT DFPR shall have the legal authority to enter into this award, and the institutional, managerial, and financial capability to ensure proper



planning, management, and completion of the project, which includes funds sufficient to pay the non-Federal share of project costs, when applicable.

- B. **PRINCIPAL CONTACTS.** Individuals listed below are authorized to act in their respective areas for matters related to this award.

**Principal Cooperator Contacts:**

Cooperator Program Contact	Cooperator Administrative Contact
Name: Barbara Schultz (FHM) Telephone: 802-277-2082 Email: <a href="mailto:Barbara.schultz@vermont.gov">Barbara.schultz@vermont.gov</a>	Name: Janet Carlson Telephone: 802-828-1533 Email: <a href="mailto:janet.carlson@vermont.gov">janet.carlson@vermont.gov</a>
Name: Keith Thompson (STEW) Telephone: 802-498-5169 Email: <a href="mailto:keith.thompson@vermont.gov">keith.thompson@vermont.gov</a>	
Name: Danielle Fitzko Telephone: 802-598-9992 Email: <a href="mailto:Danielle.fitzko@vermont.gov">Danielle.fitzko@vermont.gov</a>	
Name: Lars Lund Telephone: 802-777-4188 Email: <a href="mailto:lars.lund@vermont.gov">lars.lund@vermont.gov</a>	

**Principal Forest Service Contacts:**

Forest Service Program Manager Contact	Forest Service Administrative Contact
Name: Michael Bohne (FHM) Telephone: 603-868-7708 Email: <a href="mailto:mbohne@fs.fed.us">mbohne@fs.fed.us</a>	Name: Vickie Caldwell Telephone: 610-557-4131 Email: 610-557-4131
Name: John Parry (UCF) Telephone: 603-868-7688 Email: <a href="mailto:jparry@fs.fed.us">jparry@fs.fed.us</a>	
Name: Peter Beringer (STEW) Telephone: 603-868-7699 Email: <a href="mailto:pberinger@fs.fed.us">pberinger@fs.fed.us</a>	
Name: Tom Brady (SFA) Telephone: 603-868-7656 Email: <a href="mailto:thomasbrady@fs.fed.us">thomasbrady@fs.fed.us</a>	



C. SYSTEM FOR AWARD MANAGEMENT REGISTRATION REQUIREMENT (SAM). VT DFPR shall maintain current information in the System for Award Management (SAM) until receipt of final payment. This requires review and update to the information at least annually after the initial registration, and more frequently if required by changes in information or award term(s). For purposes of this award, System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a Cooperative. Additional information about registration procedures may be found at the SAM Internet site at [www.sam.gov](http://www.sam.gov).

D. Reimbursable PAYMENTS – FINANCIAL ASSISTANCE. Reimbursable payments are approved under this award. Only costs for those project activities approved in (1) the initial award, or (2) modifications thereto, are allowable. Requests for payment must be submitted on Standard Form 270 (SF-270), Request for Advance or Reimbursement, and must be submitted no more than monthly. In order to approve a Request for Advance Payment or Reimbursement, the Forest Service shall review such requests to ensure advances or payments for reimbursement are in compliance and otherwise consistent with OMB, USDA, and Forest Service regulations.

Advance payments must not exceed the minimum amount needed or no more than is needed for a 30-day period, whichever is less. If the Recipient receives an advance payment and subsequently requests an advance or reimbursement payment, then the request must clearly demonstrate that the previously advanced funds have been fully expended before the Forest Service can approve the request for payment. Any funds advanced, but not spent, upon expiration of this award must be returned to the Forest Service.

The Program Manager reserves the right to request additional information prior to approving a payment.

The invoice must be sent by one of three methods:

EMAIL (preferred): [asc\\_ga@fs.fed.us](mailto:asc_ga@fs.fed.us)

FAX: 877-687-4894

POSTAL: Albuquerque Service Center

Payments – Grants & Agreements

101B Sun Ave NE

Albuquerque, NM 87109



- E. INDIRECT COST RATES. The approved indirect cost rate at the time of execution is **17.14%** as shown in the NICRA provided by the Cooperator.

Indirect cost rates must be formalized in a written agreement between the cognizant agency and Recipient. Requirements are set forth in appendices to 2 CFR 200.

(1) If VT DFPR does not have a previously established indirect cost rate with a Federal agency, VT DFPR shall follow the requirements and timeframes unique to their organization found in the appendices to 2 CFR 200. VT DFPR will be reimbursed for indirect costs at the tentative rate reflected in the budget until the rate is formalized in a negotiated indirect cost rate agreement (NICRA) at which time, reimbursements for prior indirect costs may be subject to adjustment.

(2) As new NICRAs are agreed to between VT DFPR and their cognizant audit agency, the revised provisional or final rate(s) are automatically incorporated into this award, as appropriate, and must specify (1) the agreed upon rates, (2) the bases to which the rates apply, (3) the fiscal year for which the rates apply, and (4) the items treated as direct costs. The award obligation will not increase as a result of indirect cost rate increases. Updates to NICRAs will not affect the total funds available for this award unless documented in a formally executed modification.

(3) If the NICRA is for a provisional rate, VT DFPR shall be reimbursed at the established provisional rate(s), subject to appropriate adjustment when the final rate(s) for the fiscal year are established.

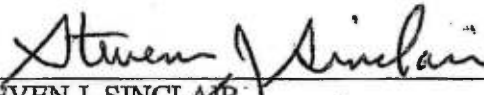
(4) Failure to provide a revised provisional or final NICRA could result in disallowed costs and repayment to the Forest Service.

- F. PRIOR WRITTEN APPROVAL. VT DFPR shall obtain prior written approval pursuant to conditions set forth in 2 CFR 200.407.
- G. MODIFICATIONS. Modifications within the scope of this award must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change. The Forest Service is not obligated to fund any changes not properly approved in advance.
- H. PERIOD OF PERFORMANCE. This agreement is executed as of the date of the Forest Service signatory official signature.


The start date of this award is **October 1, 2016**, pre-award costs are authorized pursuant to 2 CFR 200.458.

The end date, or expiration date is **September 30, 2018**. This instrument may be extended by a properly executed modification.

- I. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this award. In witness whereof the parties hereto have executed this award as of the last date written below.

  
\_\_\_\_\_  
STEVEN J. SINCLAIR  
Director of Forests  
Vermont Department of Forests, Parks, & Recreation

7/9/17  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
MARY BETH BORST  
Area Director  
Northeastern Area State and Private Forestry

7/7/17  
\_\_\_\_\_  
Date

The authority and the format of this award have been reviewed and approved for signature.

  
\_\_\_\_\_  
VICKIE M. CALDWELL  
Forest Service Grants Management Specialist

7/7/17  
\_\_\_\_\_  
Date

## ATTACHMENT A: FOREST SERVICE AWARD PROVISIONS

- A. COLLABORATIVE ARRANGEMENTS. Where permitted by terms of the award and Federal law, VT DFPR may enter into collaborative arrangements with other organizations to jointly carry out activities with Forest Service funds available under this award.
- B. FOREST SERVICE LIABILITY TO THE RECIPIENT. The United States shall not be liable to VT DFPR for any costs, damages, claims, liabilities, and judgments that arise in connection with the performance of work under this award, including damage to any property owned by VT DFPR or any third party.
- C. NOTICES. Any notice given by the Forest Service or VT DFPR will be sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the Forest Service Program Manager, at the address specified in the award.

To VT DFPR, at the address shown in the award or such other address designated within the award.

Notices will be effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- D. SUBAWARDS. VT DFPR shall notify Subrecipients under this award that they are subject to the OMB guidance in subparts A through F of 2 CFR Part 200, as adopted and supplemented by the USDA in 2 CFR Part 400. Any sub-award must follow the regulations found in 2 CFR 200.330 through .332.
- E. USE OF FOREST SERVICE INSIGNIA. In order for VT DFPR to use the Forest Service insignia on any published media, such as a Web page, printed publication, or audiovisual production, permission must be granted by the Forest Service's Office of Communications (Washington Office). A written request will be submitted by Forest Service, Program Manager, to the Office of Communications Assistant Director, Visual Information and Publishing Services prior to use of the insignia. The Forest Service Program Manager will notify VT DFPR when permission is granted.
- F. BUILDING AND COMPUTER ACCESS BY NON-FOREST SERVICE PERSONNEL. VT DFPR may be granted access to Forest Service facilities and/or computer systems to accomplish work described in the Operating Plan or Statement of Work. All non-government employees with unescorted access to Forest Service facilities and computer systems must have background checks following the procedures established by USDA Directives 3800 series. Those granted computer access must fulfill all Forest Service requirements for mandatory security awareness and role-based advance security training, and sign all applicable Forest Service statements of responsibilities.

G. MEMBERS OF CONGRESS. Pursuant to 41 U.S.C. 22, no member of, or delegate to, Congress shall be admitted to any share or part of this award, or benefits that may arise therefrom, either directly or indirectly.

H. TRAFFICKING IN PERSONS.

1. Provisions applicable to a Recipient that is a private entity.
  - a. You as the Recipient, your employees, Subrecipients under this award, and Subrecipients' employees may not:
    - (1) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
    - (2) Procure a commercial sex act during the period of time that the award is in effect; or
    - (3) Use forced labor in the performance of the award or subawards under the award.
  - b. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a Subrecipient that is a private entity:
    - (1) Is determined to have violated a prohibition in paragraph a.1 of this award term; or
    - (2) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either:
      - i. Associated with performance under this award; or
      - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement),".
2. Provision applicable to a Recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:
  - a. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
  - b. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
    - (1) Associated with performance under this award; or
    - (2) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),".

3. Provisions applicable to any recipient.

- a. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
  - b. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
    - (1) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
    - (2) Is in addition to all other remedies for noncompliance that are available to us under this award.
  - c. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
4. Definitions. For purposes of this award term:
- a. "Employee" means either:
    - (1) An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
    - (2) Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
  - b. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
  - c. "Private entity":
    - (1) Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
    - (2) Includes:
      - i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
      - ii. A for-profit organization.
  - d. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

I. DRUG-FREE WORKPLACE.

1. VT DFPR agree(s) that it will publish a drug-free workplace statement and provide a copy to each employee who will be engaged in the performance of any project/program that receives federal funding. The statement must
  - a. Tell the employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace;
  - b. Specify the actions VT DFPR will take against employees for violating that prohibition; and
  - c. Let each employee know that, as a condition of employment under any award, the employee:

- (1) Shall abide by the terms of the statement, and
- (2) Shall notify VT DFPR in writing if they are convicted for a violation of a criminal drug statute occurring in the workplace, and shall do so no more than 5 calendar days after the conviction.

2. VT DFPR agree(s) that it will establish an ongoing drug-free awareness program to inform employees about
  - a. The dangers of drug abuse in the workplace;
  - b. The established policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitation and employee assistance programs; and
  - d. The penalties that you may impose upon them for drug abuse violations occurring in the workplace.
3. Without the Program Manager's expressed written approval, the policy statement and program must be in place as soon as possible, no later than the 30 days after the effective date of this instrument, or the completion date of this award, whichever occurs first.
4. VT DFPR agrees to immediately notify the Program Manager if an employee is convicted of a drug violation in the workplace. The notification must be in writing, identify the employee's position title, the award number of each award on which the employee worked. The notification must be sent to the Program Manager within 10 calendar days after VT DFPR learns of the conviction.
5. Within 30 calendar days of learning about an employee's conviction, VT DFPR must either
  - a. Take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 (29 USC 794), as amended, or
  - b. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

J. PROHIBITION AGAINST USING FUNDS WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS.

1. The recipient may not require its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting them from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

2. The recipient must notify its employees, contractors, or subrecipients that the prohibitions and restrictions of any internal confidentiality agreements inconsistent with paragraph (1) of this award provision are no longer in effect.
  3. The prohibition in paragraph (1) of this award provision does not contravene requirements applicable to any other form issued by a Federal department or agency governing the nondisclosure of classified information.
  4. If the Government determines that the recipient is not in compliance with this award provision, it;
    - a. Will prohibit the recipient's use of funds under this award in accordance with sections 743, 744 of Division E of the Consolidated Appropriations Act, 2016, (Pub. L. 114-113) or any successor provision of law; and
    - b. May pursue other remedies available for the recipient's material failure to comply with award terms and conditions.
- K. ELIGIBLE WORKERS. VT DFPR shall ensure that all employees complete the I-9 form to certify that they are eligible for lawful employment under the Immigration and Nationality Act (8 USC 1324a). VT DFPR shall comply with regulations regarding certification and retention of the completed forms. These requirements also apply to any contract or supplemental instruments awarded under this award.
- L. FINANCIAL STATUS REPORTING. A Federal Financial Report, Standard Form SF-425 (and Federal Financial Report Attachment, SF-425A, if required for reporting multiple awards), must be submitted annually. These reports are due 90 days after the reporting period ending December 31st. The final SF-425 (and SF-425A, if applicable) must be submitted either with the final payment request or no later than 90 days from the expiration date of the award. These forms may be found at [www.whitehouse.gov/omb/grants\\_forms](http://www.whitehouse.gov/omb/grants_forms).
- M. PROGRAM PERFORMANCE REPORTS. The recipient shall perform all actions identified and funded in application/modification narratives within the performance period identified in award.

In accordance with 2 CFR 200 301, reports must relate financial data to performance accomplishments of the federal award.

VT DFPR shall submit annual performance reports. These reports are due 90 days after the reporting period. The final performance report shall be submitted either with VT DFPR's final payment request, or separately, but not later than 90 days from the expiration date of the award.

- Additional pertinent information: Send all official correspondence to [nagrants@fs.fed.us](mailto:nagrants@fs.fed.us)



N. NOTIFICATION. VT DFPR shall immediately notify the Forest Service of developments that have a significant impact on the activities supported under this award. Also, notification must be given in case of problems, delays or adverse conditions that materially impair the ability to meet the objectives of the award. This notification must include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.

O. FREEDOM OF INFORMATION ACT (FOIA). Public access to award or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552). Requests for research data are subject to 2 CFR 315(e).

Public access to culturally sensitive data and information of Federally-recognized Tribes may also be explicitly limited by P.L. 110-234, Title VIII Subtitle B §8106 (2009 Farm Bill).

P. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All Cooperatives, their Employees, Volunteers, and Contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.

Q. PUBLIC NOTICES. It is Forest Service's policy to inform the public as fully as possible of its programs and activities. VT DFPR is encouraged to give public notice of the receipt of this award and, from time to time, to announce progress and accomplishments.

VT DFPR may call on Forest Service's Office of Communication for advice regarding public notices. VT DFPR is requested to provide copies of notices or announcements to the Forest Service Program Manager and to Forest Service's Office Communications as far in advance of release as possible.

R. FUNDING EQUIPMENT. Federal funding under this award is not available for reimbursement of VT DFPR's purchase of equipment. Equipment is defined as having a fair market value of \$5,000 or more per unit and a useful life of over one year. Supplies are those items that are not equipment.

120 days.

- S. FUNDING EQUIPMENT FOR STATE RECIPIENTS. Federal funding under this award is available for reimbursement of the State's purchase of equipment. Equipment is defined as having a fair market value of \$5,000 or more per unit and a useful life of over one year. States will adhere to State laws and procedures regarding purchase, use, and disposition of equipment.
- T. FOREST SERVICE ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS, AND ELECTRONIC MEDIA. VT DFPR shall acknowledge Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this award. Follow direction in USDA Supplemental 2 CFR 415.2.
- U. COPYRIGHTING. VT DFPR is/are granted sole and exclusive right to copyright any publications developed as a result of this award. This includes the right to publish and vend throughout the world in any language and in all media and forms, in whole or in part, for the full term of copyright and all renewals thereof in accordance with this award.

No original text or graphics produced and submitted by the Forest Service shall be copyrighted. The Forest Service reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use the work for federal government purposes. This right shall be transferred to any sub-awards, sub-awards or subcontracts.

This provision includes:

- The copyright in any work developed by VT DFPR under this award.
- Any right of copyright to which VT DFPR purchase(s) ownership with any federal contributions.

- V. NONDISCRIMINATION STATEMENT – PRINTED, ELECTRONIC, OR AUDIOVISUAL MATERIAL. VT DFPR shall include the following statement, in full, in any printed, audiovisual material, or electronic media for public distribution developed or printed with any Federal funding.

*In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.)*

**To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.**

If the material is too small to permit the full statement to be included, the material must, at minimum, include the following statement, in print size no smaller than the text:

*“This institution is an equal opportunity provider.”*

- W. AWARD CLOSEOUT. The Recipient must submit, no later than 90 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award.

Any unobligated balance of cash advanced to VT DFPR must be immediately refunded to the Forest Service, including any interest earned in accordance with 2 CFR 200.343(d).

If this award is closed without audit, the Forest Service reserves the right to disallow and recover an appropriate amount after fully considering any recommended disallowances resulting from an audit which may be conducted later.

X. TERMINATION. This award may be terminated, in whole or part pursuant to 2 CFR 200.339.

Y. DISPUTES.

1. Any dispute under this award shall be decided by the Area Director. The Area Director shall furnish VT DFPR a written copy of the decision.
2. Decisions of the Area Director shall be final unless, within 30 days of receipt of the decision of the Area Director, VT DFPR appeal(s) the decision to the Forest Service's Director, Acquisition Management (AQM). Any appeal made under this provision shall be in writing and addressed to the Director, AQM, USDA, Forest Service, Washington, DC 20024. A copy of the appeal shall be concurrently furnished to the Area Director.
3. In order to facilitate review on the record by the Director, AQM, VT DFPR shall be given an opportunity to submit written evidence in support of its appeal. No hearing will be provided.
4. A decision under this provision by the Director, AQM is final.
5. The final decision by the Director, AQM does not preclude VT DFPR from pursuing remedies available under the law.

Z. DEBARMENT AND SUSPENSION. VT DFPR shall immediately inform the Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should VT DFPR or any of their principals receive a transmittal letter or other official federal notice of debarment or suspension, then they shall notify the Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary. The Recipient shall adhere to 2 CFR Part 180 Subpart C in regards to review of sub-recipients or contracts for debarment and suspension.

All subrecipients and contractors must complete the form AD-1048, Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, Lower Tier Covered Transactions. Blank forms are available electronically. Completed forms must be kept on file with the primary recipient.

**ATTACHMENT B: 2 CFR PART 170****Appendix A to Part 170—Award Term****I. Reporting Subawards and Executive Compensation.****a. Reporting of first-tier subawards.**

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).
2. *Where and when to report.*
  - i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
  - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

**b. Reporting Total Compensation of Recipient Executives.**

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
  - i. the total Federal funding authorized to date under this award is \$25,000 or more;
  - ii. in the preceding fiscal year, you received—
    - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
    - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
  - iii. The public does not have access to information about the compensation of the executives 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. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>.)
2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:
  - i. As part of your registration profile at <http://www.sam.gov>.
  - ii. By the end of the month following the month in which this award is made, and annually thereafter.

*c. Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

- i. in the subrecipient's preceding fiscal year, the subrecipient received—
  - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
  - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
- ii. The public does not have access to information about the compensation of the executives 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. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/excomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

- i. To the recipient.
- ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. *Exemptions* If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

1. Subawards, and
2. The total compensation of the five most highly compensated executives of any subrecipient.

e. *Definitions.* For purposes of this award term:

1. *Entity* means all of the following, as defined in 2 CFR part 25:

- i. A Governmental organization, which is a State, local government, or Indian tribe;
- ii. A foreign public entity;
- iii. A domestic or foreign nonprofit organization;
- iv. A domestic or foreign for-profit organization;
- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward:*

- i. This term means a legal agreement to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. II .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
  - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. *Subrecipient* means an entity that:
- i. Receives a subaward from you (the recipient) under this award; and
  - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
- i. *Salary and bonus.*
  - ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
  - iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
  - v. *Above-market earnings on deferred compensation which is not tax-qualified.* vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

END OF ATTACHMENT B: 2 CFR PART 170

## **Donahey, Richard**

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**From:** Donahey, Richard  
**Sent:** Wednesday, February 7, 2018 8:50 AM  
**To:** Freeman, Kristin  
**Cc:** Aronowitz, Jason; Chadwick, Steve; Gilhuly, Christine  
**Subject:** RE: Request for LTS position RE: Urban Forestry

Thank you, Kristin. Please send me the version signed by DHR when you can so that I can submit the request. While I hesitate to approve the position beyond the grant's current end date of 9/2018, I realize that this will affect recruitment for a vacant position. Therefore, once I receive your updated package, I will approve the request as submitted, but require that you notify us if either the grant is awarded again through 2020, or if the grant expires.

-Rich

Richard Donahey  
Director, Budget and Management Operations  
109 State Street, 5th Floor  
Montpelier, VT 05609  
802-828-7217  
[richard.donahey@vermont.gov](mailto:richard.donahey@vermont.gov)

**From:** Freeman, Kristin  
**Sent:** Tuesday, February 6, 2018 12:11 PM  
**To:** Donahey, Richard <[Richard.Donahey@vermont.gov](mailto:Richard.Donahey@vermont.gov)>  
**Cc:** Aronowitz, Jason <[Jason.Aronowitz@vermont.gov](mailto:Jason.Aronowitz@vermont.gov)>; Chadwick, Steve <[Steve.Chadwick@vermont.gov](mailto:Steve.Chadwick@vermont.gov)>; Gilhuly, Christine <[Christine.Gilhuly@vermont.gov](mailto:Christine.Gilhuly@vermont.gov)>  
**Subject:** RE: Request for LTS position RE: Urban Forestry

Hi Rich,

Thank you for helping with this request. Please see my responses below in blue.

Thank you,  
Kristin



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**Kristin Freeman**, *Financial Manager*  
**Department of Forests, Parks & Recreation**  
1 National Life Drive, Davis 2  
Montpelier, VT 05620-3801  
[phone] 802-522-0730  
[fax] 802-828-1399

**From:** Donahey, Richard  
**Sent:** Monday, February 05, 2018 9:52 AM  
**To:** Freeman, Kristin <[Kristin.Freeman@vermont.gov](mailto:Kristin.Freeman@vermont.gov)>  
**Cc:** Aronowitz, Jason <[Jason.Aronowitz@vermont.gov](mailto:Jason.Aronowitz@vermont.gov)>; Chadwick, Steve <[Steve.Chadwick@vermont.gov](mailto:Steve.Chadwick@vermont.gov)>; Gilhuly, Christine <[Christine.Gilhuly@vermont.gov](mailto:Christine.Gilhuly@vermont.gov)>  
**Subject:** Request for LTS position RE: Urban Forestry



Hi Kristin,

I apologize for the delay, but I'm filling in for Jason while he is away for the next few weeks. I reviewed your request and have several questions:

- Is UVM aware of FPR's intention to begin managing the program in-house? Yes, we have communicated with UVM.
- Does UVM currently provide the state funding 50/50 match for their sub-recipient grant, or does FPR? UVM currently provides match and will continue to do so under their grant. Their grant will be reduced so that we can shift funding to FPR for this position and they will continue to provide match for the grant funds they receive. FPR has ample match available that can be used to offset the match no longer provided by UVM since this USFS grant is part of our consolidated grant (aka core funding) which is comprised of multiple grant programs. We consistently have ample match particularly in-the Forest Health program area and the match generated from other programs within our USFS consolidated grant is planned to be used as needed to match the Urban Forestry grant.
- The current award agreement, page 4, states that the end date will be 9/30/18. Why is the LTS request through 9/2020? The award which funds this position is received annually. The grant is part of FPR's core funding from the USFS and has been received by FPR for the past 26 years. The grant that would initially fund the position expires on 9/30/18 and we anticipate that we will continue to receive annual core funding from the USFS, dedicating a portion of subsequent USFS core federal funds to support this position.
- The RFR is signed by the Appointing Authority, but there are no signatures for the Supervisor's or HR sections. My apologies, I believe in the past I have been told by HR that it is fine to have just the Commissioner sign when we are completing the form for a vacant position. I just had the position supervisor sign, and inserted a new page 10 in the attached package. There are no staff from the HR department available to sign this morning but I can have them sign as soon as I am able and re-send another version.

Thanks,

Rich

Richard Donahey  
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## Daniel Dickerson

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**From:** Freeman, Kristin <Kristin.Freeman@vermont.gov>  
**Sent:** Wednesday, May 23, 2018 4:34 PM  
**To:** Daniel Dickerson  
**Subject:** Urban Forester Limited Service Request

Hi Dan,

I apologize for the delay with my response this afternoon. A colleague from IT was fixing my computer today and stopped at my desk immediately following our call. Below please find clarification about the budget and matching funds for the limited service Urban Forester position.

Our plan is to fund the Urban Forester position with \$45k of federal funds which are the funds that were formerly granted out to UVM and will now be retained in-house to fund this limited service position. Remaining funds needed to support the cost of this position are estimated to be \$45k and we will utilize a one-time limited special funding source, the Natural Resources Management Fund. We are currently planning for two years of funding from this source. The \$45k of federal is currently in our base budget as part of the budgeted grants out in the Forestry division. The \$45k of special funds are not in our base budget and would require an excess receipt. These matching funds would be applied to satisfy the 50/50 cost share requirement under the federal grant.

If the cost of the position (currently planned at \$80k), or travel and supplies (currently planned at \$10k) falls short of the budgeted amount I would aim for us to still utilize the full \$45k of available federal funding and necessary match would be provided through activity in our Forest Health Program. The Forest Health Program is another federally funded program under the same federal grant as our Urban and Community Forestry Program. Since these programs are under the same federal grant we can match across these program areas. We overmatch in the Forest Health Program (because we do not receive enough federal funding in this critical program area) and as a result we have ample matching funds available to cover any matching requirement needed for the Urban Forester program.

Please let me know if you have additional questions that I can answer.

Thank you,  
Kristin



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