

**Minnesota Department of Administration
Office of Grants Management
Operating Policy and Procedure
Issue Date: 12/18/08
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Policy on Grant Amendments

Statutory References:
Minn. Stat. 16B.97

Policy

Minnesota Statutes 16B.97 Subd. 4(a)(1) provides that the Commissioner of Administration shall “create general grants management policies and procedures that are applicable to all executive agencies.”

Because fully executed grant agreements and grant agreement amendments are legally binding documents for enforcing the terms of a grant, it is the policy of the State of Minnesota to document changes to a grant agreement using a fully executed grant agreement amendment. Grant agreement amendments should be fully executed before the expiration of the existing grant agreements or amendments.

If the original grant agreement and/or any existing amendments have expired, contact the agency’s grant coordinator or legal representative immediately for additional guidance.

Grant agreements may be amended only when the purpose of the amendment is similar to the purpose of the grant agreement and when the grantee duties are within the scope of the original request for proposal or notice of grant opportunity.

Grants agreements must be amended whenever there are changes to the total obligation, compensation or the expiration date.

Grant agreement attachments and exhibits may also be revised as part of a grant amendment.

Grant agreement amendments must include sufficient detail to document why the amendment is necessary.

A grant agreement plus any amendments to it must not exceed five years without written permission from Commissioner of Administration.

Scope of Coverage

This policy applies to grant-making at all executive branch agencies, boards, committees, councils, authorities and task forces that make grants.

This policy applies to competitive, legislatively made, formula and single and sole source grants, but does not apply to bonding and capital grants.

This policy does not apply to grant programs that have been provided a statutory exemption to the contract procedures of the Commissioner of Administration or to Minnesota Statute Chapters 16A, 16B or 16C.

This policy supersedes other state agency policies that concern grant agreements and contracts except when the existing state agency policy is stricter.

Grant programs that seek an exception to this policy must complete a Grants Policy Exception Request and submit it to the Office of Grants Management for the approval of the Commissioner of Administration.

Definitions

Grant Agreement:

A grant agreement is a legally enforceable instrument or electronic document defining a legal relationship between a granting agency and a grantee when the principal purpose of the relationship is to transfer cash or something of value to the recipient to support a public purpose authorized by law.

Grant Agreement Amendment:

A grant agreement amendment is a legally binding addition, deletion or change to a grant agreement that is fully executed.

Notice of Grant Opportunity/Request for Proposal:

A notice of grant opportunity or request for proposal is a document that notifies potential grant applicants of a competitive grant opportunity and includes information on grant requirements, selection criteria, timelines and process.

Grant Agreement Attachments and Exhibits:

Grant agreement attachments and exhibits are documents that are attached to, and become part of, the grant agreement. Attachments and exhibits must be referenced in the grant agreement language to be considered a part of the grant agreement.

Procedures

1. The state grant-making agency creates a grant amendment using a template provided by the Department of Administration or a template that is developed by the agency. All amendments must be numbered and approved in the same manner as the original grant agreement.
2. The grant amendment clearly indicates what is being added, deleted or changed and includes sufficient detail to document why the amendment is necessary.

3. Grant amendments should be fully executed before the expiration of existing agreements. If the agreement has expired, contact the agency's grant coordinator or legal representative immediately for additional guidance.