

## Minnesota Department of Administration Office of Grants Management

Operating Policy and Procedure

Issue Date: 12/18/08

Revision Date: 6/30/20

Policy Number: 08-12

Policy on Grant Amendments

### **Statutory References**

[Minn. Stat. §16B.97](#)

[Minn. Stat. §16B.98](#)

### **Policy**

Minn. Stat. §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 contract agreements, grant award notifications, and grant contract 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 contract agreement or grant award notification using a fully executed grant contract agreement amendment. Grant contract agreements and grant award notifications may be amended only when the purpose of the amendment is similar to the purpose of the grant contract agreement or grant award notification and when the grantee duties are within the scope of the original request for proposal, notice of grant opportunity or grant application.

Grant contract agreements or grant award notifications must be amended whenever there are changes to the total obligation, compensation, or the expiration date.

Grant contract agreement attachments, exhibits, approved grant application materials with corresponding grant award notices may also be revised as part of a grant amendment.

A grant contract agreement or grant award notification 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 contract agreements, grant award notifications 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 Contract Agreement:**

A grant contract 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 Award Notification:**

For the purposes of this policy, this refers to the state agency's official notice of a grant award that takes place after the corresponding grant application process has been completed. The grant award notification is issued as a result of the following:

- Grant application materials include the standard grant contract language and assurances.
- Applicants accept the terms and conditions of the grant funds based on their signature and submission of application materials.
- State agency completes the grant application review process.

The grant award notification incorporates the approved application materials, including the assurances accepted by the grant applicant, and officially notifies grantees that they may begin work on the grant. Signature steps are conducted in an order that results in an expedited process with a legally binding agreement.

### **Grant Contract Agreement Amendment:**

A grant contract agreement amendment is an addition, deletion or change to a fully executed grant contract agreement or to a grant award notice.

### **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 Contract Agreement Attachments and Exhibits:**

Grant contract agreement attachments and exhibits are documents that are attached to, and become part of, the grant contract agreement. Attachments and exhibits must be referenced in the grant contract agreement language to be considered a part of the grant contract 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 contract agreement or grant award notification.
2. The grant amendment clearly indicates what is being added, deleted, or changed.