

OGM 08-12: Grant Amendments

Version: 1.2

Effective Date: April 1, 2024

Policy Statement and Rationale

Minnesota Statutes, section 16B.97, subdivision 4(a)(1) states that the Commissioner of Administration shall “create general grants management policies and procedures that are applicable to all executive agencies.” 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. Minnesota Statutes, section 16B.98, subdivision 5 (a) (2) requires that the Commissioner of Administration must approve grant amendments. Grant contract agreement amendments and amendments to grant award notices as defined in Policy 08-04 are not valid or binding unless approved by the Commissioner of the Department of Administration.

Grant contract agreements and grant award notifications may be amended only when the purpose of the amendment is similar to the original purpose 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, and 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 the Department of Administration. Per Minnesota Statutes, section 16B.98, subdivision 5 (b), grant programs that seek an exception to the five-year period, must request approval from the Commissioner of Administration by completing and submitting a [Grants Policy Exception Request form](#).

Applicability

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 grant programs that have been provided a statutory exemption to the contract procedures. 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.

Definitions

- **Formula Grant:** For the purposes of this policy, a formula grant refers to:
 - Allocations of money to States or their subdivisions in accordance with distribution formulas prescribed by law or administrative regulation, for activities of a continuing nature not confined to a specific project.
 - Noncompetitive awards based on a predetermined formula awarded to eligible entities or individuals based on an allocation determined by a program's authorizing legislation or administrative regulation.

Formula grants are typically based on entitlements or reimbursement of specified costs.

- **Grant:** Per [Minnesota Statutes, section 16B.97, subdivision 1 \(a\)](#), “grant” refers to the transfer of cash or something of value to a 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 including, as applicable, notice of preaward risk assessment of potential grantees as described in OGM [Policy 08-06](#).
 - 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.
 - As applicable, state agency completes preaward risk assessment of the potential grantee as described in OGM [Policy 08-06](#), and decides to award the grant.

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:** Per [Minnesota Statutes, section 16B.97, subdivision 1 \(a\)](#), a grant contract agreement is “a written 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 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.
- **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.
- **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.

Resources and Related Information

- [Minnesota Statutes, section 16B.97](#)
- [Minnesota Statutes, section 16B.98](#)
- [Minnesota Statutes, section 16B.981](#)
- [See the OGM website for sample amendment templates.](#)

History and Updates

Version	Description	Date
1.0	Initial Publication	December 18, 2008
1.1	Revision	June 30, 2020
1.2	Revision	April 1, 2024

Policy Owner/Contact

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