

Appendix A: Applicable Regulations, OMB Circulars and Agency-specific Guidance

The following regulations, OMB Circulars, and forms are available from public libraries and may also be accessed at the following internet websites:

- OMB (<https://www.whitehouse.gov/omb/>), or
- The Government Printing Office (<https://www.gpo.gov/>).

See *also* DOC GT&Cs and Chapter 2 of this manual for discussion of additional requirements, including, but not limited to:

- National Environmental Policy Act of 1969, as amended (Pub. L. No. 91-190; 42 U.S.C. § 4321 et seq., as implemented under 40 CFR Chapter V) (NEPA);
- Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d et seq.) and the DOC's implementing regulations at 15 CFR Part 8;
- 42 U.S.C. § 3123 and 42 U.S.C. § 6709 (for EDA recipients), and the DOC's implementing regulations at 15 CFR §§ 8.7-8.15;
- Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) and the DOC's implementing regulations at 15 CFR Part 8b;
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.) and the DOC's implementing regulations at 15 CFR Part 20;
- The Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) prohibiting discrimination on the basis of disability under programs, activities, and services provided or made available by State and local governments or instrumentalities or agencies thereto, as well as public or private entities that provide public transportation;
- 2 CFR Part 1326 (Non-Procurement Debarment and Suspension);
- 15 CFR Part 11 (Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs);
- 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, including the "Property Standards" set forth in 2 CFR §§ 200.310 (Insurance coverage) – 200.316 (Property trust relationship));
- 36 CFR Part 800 (Protection of Historic Properties);
- 48 CFR Part 31 (Contract Cost Principles and Procedures);
- OMB Standard Form 424C (Budget Information – Construction Programs);
- OMB Standard Form 424D (Assurances – Construction Programs) which references laws and regulations that may apply to particular awards;
- OMB Standard Form SF 428 (Tangible Personal Property Report) including Attachments A through C;
- OMB Standard Form SF 429 (Real Property Status Report) including Attachments A through C; and
- Davis Bacon Wage Rates.

1. The following is available from EDA:

- Public Works and Economic Development Act of 1965, as amended (42 U.S.C. § 3121 et seq.) (PWEDA)

- EDA regulations set forth at 13 CFR Parts 300 through 315
- EDA Standard Terms and Conditions for Construction Projects
- The Summary of EDA Construction Standards (with Exhibits)
- For the most current and up-to-date versions of the following Exhibits, contact EDA's –

Office of the Chief Counsel

HCHB, Room 72023

(202) 482-4687

jroberson@eda.gov, or rgamble@eda.gov:

(a) Exhibit A – Sample Mortgage Cover Letter

(b) Exhibit B – Sample Mortgage

(c) Exhibit C – Sample Covenant Cover Letter

(d) Exhibit D – Sample Covenant

2. The following are available from NOAA:

- NOAA (Construction) Grants Policy Directive
- NOAA Grants Standard Operating Procedures – Construction Grants

3. The following are available from NIST:

- NIST Standard Terms and Conditions for Extramural Construction Projects