

Legacy Resource Management Program Guidelines for Receiving an Award

How Legacy Funds Are Awarded and Proposals Approved

The Director, Environment, Safety, and Occupational Health (ESOH) makes the final determination about which proposals are approved and are thus eligible to receive funding from the DoD Legacy Resource Management Program (Legacy Program). All funding awards are contingent upon the Legacy Program receiving its annual appropriations from Congress. This means that award notifications will be made only after the Legacy Program receives funding. Notifications will arrive via email, and will state that the “Proposal” has been changed in the Legacy Tracker (Tracker) to “Project.” After this happens, your proposal will no longer be listed under the Proposal tab in the Tracker, but under the Project tab.

What To Do If Your Proposal Is Approved

The Legacy Program is a source of natural and cultural resources management funds for projects that support the military’s testing and training mission. The Legacy Program is NOT a grants program. Instead, to receive Legacy Program funding, the recipient(s) must enter into a bilateral agreement or contract with DoD (via a Designee). The agreement or contract is conditional and based on the completion of agreed-upon periods of performance, satisfactory delivery of expected product(s), and other factors specified in detail in the agreement or contract.

Legacy Program funding recipients must specify which type of funding document (e.g., Cooperative Agreement, Military Interdepartmental Purchase Request (MIPR), Project Order) you intend to receive. Once the Legacy Program and Designee understand the request, the Designee will send the funding documents, which contain all terms and conditions, to the recipient. Prior to signing the agreement, you must review and concur with the stipulated terms and conditions, particularly the project completion dates, products and expected delivery dates, personnel contact information, and budget stipulations/breakdowns, as *these may have changed from the original proposal request. Any changes made at this stage must be coordinated with the Designee and approved by the Legacy Program.*

There may be a lag time between project approval and funds disbursement due to fluctuations in Department fiscal budget releases. Regardless, you must make any adjustments to project completion dates and expected product due dates prior to signing the final contractual agreement with the Designee, and you must coordinate those changes with the Legacy Program. Projects that receive partial Legacy Program funding will require budget and scope of work adjustments in the Legacy Tracker.

Which Funding Document To Use

The Designee primarily uses three funding vehicles to distribute Legacy Program funds:

- Cooperative Agreements (CA);
- Military Interdepartmental Purchase Requests (MIPR); and
- Project Orders.

Cooperative Agreements

A Cooperative Agreement (CA) is a legal instrument that, consistent with 31 U.S.C. 6305, agencies use to enter into the same kind of relationship as a grant, except that the Designee and recipient substantially coordinate when carrying out the funded activity. Designees use CAs with

non-federal governmental entities, such as universities, companies, state agencies, non-profit, or for-profit organizations. The non-federal entity signs the CA with the Designee, on behalf of the Legacy Program. When both parties sign the bilateral agreement, the Legacy Program considers those funds obligated to the non-federal entity. The agreement's period of performance begins the day the Designee ratifies the agreement, and ends on the date listed in the Legacy Tracker as the project's completion date.

Military Interdepartmental Purchase Requests (MIPR)

A Military Interdepartmental Purchase Request is a type of interagency agreement that the Legacy Program uses to place orders for supplies and non-personal services with Military Departments, state National Guard units, or other non-DoD federal entities (Agencies) under the authority of the Economy Act. MIPRs only apply to contract service orders and do not apply to "in-house" labor and travel. Agencies that receive their funds via MIPRs must expend those funds before the end of the current fiscal year. However, if Agencies obligate funds by making a third-party award via sub-contract, funds may be expended by the subcontracted group into the following fiscal year.

Project Orders

A Project Order is essentially a MIPR with the ability to "carry-over" some orders from one fiscal year to the next. This provides freedom from the fiscal year-end accounting adjustments for ongoing, but unfinished work. Project Orders require recipients to perform at least 51% of the proposed work in-house. Project Orders must include definitive statements of work and a schedule of completion for all deliverables.

The Designee may make initial updates or changes to the pre-signed, pre-finalized agreements in the course of reviewing budget-related matters. The Designee will ensure that you are aware of these updates or changes before you sign the agreement. This particularly relates to possible deliverable due date changes and the date associated with the project's overall completion. If you or the Designee proposes changes to the pre-finalized agreement, the Designee will coordinate any revisions with you and Legacy Program staff prior to finalizing project and deliverable completion dates and the overall agreement. Legacy Program staff will update the Tracker to reflect these changes or updates.

How the Legacy Team Uses the Tracker

Once a Proposal becomes a Project, the Legacy Tracker becomes a tool for monitoring ongoing progress, including Progress Report submittal and the status of expected products/deliverables.

At this stage, Project Authors must ensure that you:

- submit all expected products and progress reports on time;
- provide Legacy staff with a draft deliverable for review and comment before the final expected product due date;
- address all Legacy comments in the final draft of each expected product;
- submit all expected products/deliverables according to Legacy requirements; and
- secure Legacy approval and Designee authorization for any change to personnel (Project Author, Technical POC, or Financial POC) or project scope of work.

Because the Tracker is the primary means of coordinating project and funding actions, it is crucial that all information is correct. If changes arise, please contact the Legacy staff as soon as possible to ensure the Tracker is properly updated. Any proposed changes to the project after the Legacy Program disburses funds must be approved by the Legacy Program and authorized by the Designee.

What To Do If You Have Questions or If Complications Arise

If you have any questions, or if situations arise that prevent you or your subcontracted partners from meeting the terms of the contract or agreement (e.g., expected product due dates, deadlines, project completion dates), please contact the Legacy staff by clicking the “Contact Us” link on the Legacy Program website homepage (www.dodlegacy.org).