

## **CRITERIA FOR EXTENSION OF PREVIOUS PROGRAM YEAR CONTRACTS**

### **STATEMENT OF INTENT**

On June 30 of each program year all outstanding third year contracts automatically expire and all funds encumbered to those contracts are returned to state accounts. The commission recognizes that to a very limited extent some contracts should be extended one additional year. The intent of this policy is to restate and clarify the commission's policy on criteria for extension of previous program year contracts and to specify minimum documentation required to support the request to extend the contract.

### **STATEMENT OF POLICY**

It is the policy of this commission that:

Prior to presentation to the commission, the division must receive by June 30 of the expiration year a written statement from the district board that explains why an extension is necessary and that the district has the technical assistance available to assist the applicant. The district must also provide to the division a timeline of key dates involving the contract, an explanation of the amount of work already completed under the contract, and an explanation as to why the contract was not completed in the time normally allotted.

The timeline of key dates should (at a minimum) include:

- Date of application by cooperator for cost share assistance
- Date contract approved by district supervisors
- Date contract approved by division
- Approximate date the cooperator began work on implementing the contracted best management practices (BMPs)
- Other applicable dates of significance (e.g., date required engineering approval received, date materials or equipment ordered and delivered)
- Date installation will begin, and
- Date installation will be completed.

Cost Share Program contracts can be extended one year beyond the original three-year period.

Contracts for annual conservation tillage or repairs will not be extended for any reason.

Generally the commission will not approve an extension unless at least 1/3 of the required work in the cost share contract is completed prior to June 30 of the year the contract was originally scheduled to expire. However, the commission will consider extension requests where the district can document that it has been unable to provide needed technical assistance in a timely manner. The commission will not consider an extension where delays result from the inaction on the part of the cooperator or disagreements over technical standards or district recommendations.

Division staff is authorized to deny any request for extension that does not meet the above criteria.

Division staff is also authorized to approve extension requests for purpose of payment if the contract is completed and the request for payment is received by the day before the July Commission meeting. Otherwise, extension requests must be approved by the commission.

## Commission Cost Share Programs

If the request for payment is not received by the day before the July commission meeting, a district supervisor must appear before the commission to request the extension.