CONTRACT ~~CRITERIA FOR~~ EXTENSION ~~OF PREVIOUS PROGRAM YEAR CONTRACTS~~REQUEST POLICY

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. The Commission delegates authority for evaluating and approving or denying extension requests to the Division Director.

STATEMENT OF POLICY

It is the policy of this commission that:

Prior to presentation to the ~~commission~~Division Director, the division must receive by June 30 of the expiration year a written statement from the district board ~~that explains~~explaining why an extension is necessary and confirming that the district has the technical assistance available to assist the applicant. The decision to request an extension is solely at the discretion of the district board and is not required for any contract. 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~~a description of why the contract was not completed ~~in the time normally allotted~~within the original timeframe.

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.~~ The Division Director will automatically approve extensions for BMPs that require three years to implement (such as prescribed grazing and similar practices).

The Division Director will approve extensions for contracts that have not had an approved design for at least 12 months, provided the district documentation supports the delay, and the district has been actively engaged in obtaining necessary technical assistance.

Generally, the ~~commission~~ Division Director 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 scheduled expiration year ~~the contract was originally scheduled to expire~~. However, the

~~commission~~Director ~~will~~ may consider extension requests when the district can document that delays resulted from a justifiable reason.~~where the district can document that it has been unable to provide needed technical assistance in a timely manner.~~ The Director will not consider an extension when delays result from inaction by the cooperator or disagreements over technical standards or district recommendations.

~~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,~~ All other extension requests must be approved by the ~~commission~~ Division Director.

If the Division Director denies an extension request, then the board may appeal directly to the Commission by appearing at the first Commission meeting of the fiscal year to request the extension. To fulfill this requirement, a supervisor must participate in either the Commission work session or business meeting virtually or in-person. If the district supervisor presents at the work session, attendance is not required during the Business Meeting unless the Commission has outstanding questions or requests additional clarification following the work session presentation.

~~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.~~

CONTRACT EXTENSION REQUEST POLICY

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. The Commission delegates authority for evaluating and approving or denying extension requests to the Division Director.

STATEMENT OF POLICY

It is the policy of this commission that:

Prior to presentation to the Division Director, the division must receive by June 30 of the expiration year a written statement from the district board explaining why an extension is necessary and confirming that the district has the technical assistance available to assist the applicant. The decision to request an extension is solely at the discretion of the district board and is not required for any contract. 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, and a description of why the contract was not completedwithin the original timeframe.

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

- Date of application by cooperator
- 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., engineering approval received, 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.

The Division Director will automatically approve extensions for BMPs that require three years to implement (such as prescribed grazing and similar practices).

The Division Director will approve extensions for contracts that have not had an approved design for at least 12 months, provided the district documentation supports the delay, and the district has been actively engaged in obtaining necessary technical assistance.

Generally, the Division Director 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 scheduled expiration year. However, theDirector may consider extension requests when the district can document that delays resulted from a justifiable reason. The Director will not consider an extension when delays result from inaction by the cooperator or disagreements over technical standards or district recommendations.

Division staff is 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. All other extension requests must be approved by the Division Director.

If the Division Director denies an extension request, then the board may appeal directly to the Commission by appearing at the first Commission meeting of the fiscal year to request the extension. To fulfill this requirement, a supervisor must participate in either the Commission work session or business meeting virtually or in-person. If the district supervisor presents at the work session, attendance is not required during the Business Meeting unless the Commission has outstanding questions or requests additional clarification following the work session presentation.