

FEDERAL RESOURCES FOR SMALL BUSINESSES

Request for Proposals: Independent Verification and Validation (IV&V)

Publish Date: January 25, 2021

Proposals Due: February 3, 2021, by 11:59 pm E.S.T.

Project Period: Through April 30, 2022

Submission: Questions and Proposals: Bids@covid-sb.org

To receive additional information and updates regarding this R.F.P., please send an email to Bids@covid-sb.org, Subject: Updates Requested

Overview:

Pursuant to section 1103 of the CARES Act (PL 116-136) America's SBDC (ASBDC) and the Association of Women's Business Centers (AWBC) have jointly launched a web platform to provide resource information to small businesses and training for the Small Business Administration (S.B.A.) Resource Partner advisers in response to the COVID crisis called the Resource Partner Training Portal (RPTP). This Request for Proposals (R.F.P.) outlines the services requested to provide **an Independent Verification and Validation (IV&V)** to the Resource Partner Training Portal (RPTP) project to ensure the success of the project throughout the project lifecycle through project closure. The two target audiences are for the platform are: 1) small businesses 2) business advisors of the S.B.A. Resource Partners (SBDCs, WBCs, VBOCs, and SCORE).

The purpose of the IV&V is to ensure the statutory requirements and Notice of Award (N.O.A.) Terms and Conditions (T&Cs) from the S.B.A. are met by conducting an independent assessment of the work product(s) and the system development project's progress.

Expectations for requirements extend to the following:

- All minimum requirements of the public-facing Content Management System (C.M.S.) (www.covid-sb.org)
- All minimum requirements of the Learning Management System (L.M.S.) (for business advisors of resource partners)

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- Desired features, as applicable from the N.O.A. T&Cs
- Documentation to support the grant and program reporting to S.B.A. (quarterly and at closing)

Scope of the IV&V

Milestones indicated below are the minimum time-bound deliverables expected by the project owners. Please elaborate on these and all proposed deliverables in the proposal bid.

- 1) **Milestone #1:** 30 days from date of hire
 - Independent and objective observation of the requirements, expectations, and product(s)
 - Initial scorecard report
 - Owner-level review meeting on the covid-sb.org product (C.M.S. and L.M.S.)
 - The scorecard should be updated every 30 days as the project progresses
- 2) **Milestone #2:** 60 days from date of hire
 - Initial IV&V assessment
 - Initial findings report
 - Owner-level review meeting on the covid-sb.org product(s)
- 3) **Milestone #3:** 90 days from date of hire
 - Recommendations report, following review and based on a review of assessment findings
 - Owner level review meeting on the recommendations
 - Ongoing tracking and documentation of action, status, and findings resolved
- 4) **Milestone #4:** Project Close (April 2022)
 - Documentation of findings resolved/ open
 - Final scorecard
 - Project closeout report

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Budget:

The RPTP project leaders have not specified a budget for this project. Pricing will be an evaluation factor in the award of the contract. The contract resulting from this R.F.P. will be for the remaining term of the RPTP project ending roughly April 30, 2022.

The RPTP Project Owners understand that there are multiple methodologies and approaches to conducting an IV&V. We aim not to be overly prescriptive; however, we'd like to understand your timeline and phases in the process. Please explain the methodology and the deliverable associated with each phase. An example of phases could be planning, assessment, and reviews, followed by oversight, including status reporting. This R.F.P. is not outlining a pre-determined budget; however, due to the project's integrity and the responsibility to be conservative stewards of tax-payer dollars, all proposals will be scored on competitive pricing and qualifications, as well as fit for the project. Include, in the proposal, the estimated project cost indicating with the month(s) costs is anticipated and associated with deliverables.

Minimum Qualifications:

For offers to be considered responsive, offerors must meet the following minimum requirements. Please ensure the start and end dates (month and year) are indicated and that experience is detailed sufficiently to verify all aspects of the minimums below. Offerors should be aware of the approaches being taken concerning the development of the RPTP.

1. Must demonstrate similar oversight, including evaluating, auditing, or monitoring similar projects within the past five (5) years
2. Preference to demonstrate experience working on two (2) projects within the last five (5) years for clients using similar web development and learning management system development approaches
3. Must have a minimum of three (3) years within the last five (5) years of experience conducting IV&V work, preferably in learning systems related projects

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About the current RPTP Team:

Project Management:

ASBDC and AWBC have hired an RPTP Project Manager to manage the project's performance and develop project performance reports. The website (C.M.S.) and training platform (L.M.S.) developer also has a project management team to manage its implementation.

Financial Reporting:

An RPTP Comptroller has been hired. Working with the Comptroller, the Project Manager is responsible for collecting and submitting the required financial reports.

Training Program:

An RPTP Training Manager has been contracted to plan and design the training program for the business advisors. The information held by the RPTP must be based on the needs of the covered small business concerns. The RPTP will conduct an annual needs assessment to ascertain their need for general reference materials and their interest in having this information led by the training manager. Working jointly with the Training Manager, the Project Manager will submit the Annual Needs Assessment (refer to the S.B.A. Funding Opportunity Announcement).

Project and Program Integrity:

The IV&V provider and all project partners must avoid engaging in any actions that may harm this project's integrity. You and your employees must avoid both organizational and individual conflicts of interest in accordance with the principles identified in 2 CFR 2701.

Phases of RPTP Project Work:

Phase 1 – Alpha release of the C.M.S. (completed)

Phase 2 – Beta release of the L.M.S. (completed)

Phase 3 – Initial Operational Capability (I.O.C.) release (planned for March 2021)

Phase 4 – Ongoing maintenance and performance (planned for March 2021 – April 2022)

Phase 5 – Project closure (planned for April 2022)

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Project Closeout:

At the end of the award date and project period, this project will cease, and the final performance and financial reports must be completed. Additional details regarding project Closeout are obtained in the Notice of Award Terms and Conditions and found in Subpart D of 2 CFR 200.

Qualifications:

The project proposal should include the qualifications of the organization and the key personnel assigned, including:

1. Detail the experience associated with IV&V for federal agencies, and in particular for SBA-related projects, if applicable
2. Detail the experience associated with websites and/or learning management systems
3. Detail the experience associated with documentation management
4. Detail the experience associated with databases, data management, cybersecurity, training programs, product management, software testing, risk management, and project management
5. Provide an overview of your organization's operational approach to IV&V
6. Submit information about the organization, including information about the location(s) of the offices and associated key personnel, size of the organization, ownership structure, and status (i.e., is it a small business, veteran or service disabled-owned, minority-owned, woman-owned, 8a or other)
7. Provide IV&V pricing, indicating the billing method. Note: contract services are billable monthly and payable for performance (milestones and hours); no flat-rate billing or contract is permitted

Bid Compliance, Incorporated by Reference

The following contract clauses must be included by reference:

- Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)
- Debarment and Suspension (Executive Orders 12549 and 12689)
- 22 U.S.C. § 7101 et seq. (Trafficking Victims Protection Act of 2000)
- 49 U.S.C. App. 1517 (Fly America Act)
- 41 U.S.C. § 701 et seq. (Drug-Free Workplace Act of 1988), as implemented by 2 C.F.R. Part 182
- 13 C.F.R. Parts 112, 113, and 117 (Civil Rights Compliance)
- 13 C.F.R. Part 146 (Restrictions on Lobbying)

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- 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements)
- Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency)
- Executive Order 13513 (Federal Leadership on Reducing Text Messaging While Driving)

Submission of Proposals

a) Proposals should provide straightforward and concise descriptions of the Bidder's ability to satisfy the requirements of this R.F.P. The proposal must be complete and accurate. Omissions, inaccuracies, or misstatements may be cause for rejection of a proposal. The Bidder is solely responsible for the costs of developing the proposal, and the costs will not be charged to ASBDC or AWBC. Provide an overview of your firm, including organizational structure. Provide detailed information on your core competencies, experience, and past performance.

Please include details of rates of personnel, monthly and annual fees, including payment terms.

b) In preparing proposals, bidders must include:

- The name, address, email, and phone numbers of the principal contact are responsible for the engagement's oversight. Indicate the weekly availability of this person for meetings with the management of ASBDC and AWBC.
- The CV or bio of the principal contact(s) will be available to the management of ASBDC and AWBC on a day-to-day basis during the Agreement.
- All proposals must be submitted by email to Bids@covid-sb.org by 11:59 pm E.S.T. on February 1, 2021. Proposals received after this date and time will not be considered.
- Proposals received by fax or mail will be rejected.

Notice of Award

Once a contractor is selected, an agreement will be signed between ASBDC, AWBC, and the chosen contractor, to allow immediate engagement.

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B. Project and Budget Periods

This Award will be made for a two-year project period not to exceed 24 (twenty-four) months.

C. Governing Authority/Order of Precedence

This Award is subject to the following requirements and representations, whether stated explicitly or incorporated by reference:

1. The statutes, regulations, and policy documents cited in Blocks 1 and 14 of the Notice of Award cover pages and any other, subsequently enacted laws.
2. Funding Opportunity Announcement No. OED-2020-01, and any subsequently issued SBA policy guidance.
3. Those terms and conditions set forth below.
4. Your accepted application for this Award, including all forms and assurances, and any subsequently approved additions or modifications.

In the event of a conflict between these requirements, the Order of Precedence listed above will determine which prevails. Unless explicitly stated otherwise, all deadlines discussed in this Notice of Award will be measured in terms of calendar days. By signing Block 23 of the Notice of Award cover page, You acknowledge Your acceptance of all these requirements.

II. SPECIAL TERMS AND CONDITIONS

A. Corrective Action Required

None.

B. Grant Recipient Responsibilities

You, the Recipient, acknowledge you will:

1. Comply with the requirements and authorities set forth in Parts I(B) above and III(A)(14) below.

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2. Conduct the project funded under this Award in accordance with your approved Technical Proposal, and Budget. Changes to these guiding documents must be submitted to SBA for pre-approval in accordance with Part III(A)(10) below.
3. Be responsive to SBA requests for information and communication. Changes to your organization's contact information, including your AOR or other designated representatives, must be immediately updated in SAM.gov and reported promptly to SBA.
4. Promptly advise SBA of any difficulties You encounter or anticipate encountering that may affect the conduct of your project.
5. Maintain adequate staffing levels for the delivery of the project, including replacing Key Personnel no more than 90 days after they cease their involvement with the project.
6. Submit and update information to USASpending.gov, as required.

Additional Responsibilities:

Requirements for the Online Platform for Covered Small Business Concerns

a. Minimum Technical Requirements:

- Must meet or exceed Federal IT security and privacy requirements
- Hosted in a public, FedRAMP certified cloud. Examples include, Azure or AWS environment.
- Commercial-Off-The-Shelf or open source solution
- Configurable cloud-based solution
- Capture user metrics using Google Analytics (such as user logins, page views, time on content, etc.)
- Home page must reflect "Supported by SBA Logo Materials"
- Monitor system performance (e.g. response time, latency, availability and error rates)
- Platform end user availability time of 99.9%
- Mobile first - Accessible from all devices and platforms
- Authentication via secure user login with data protection (applies to administering content on the Content Management System)
- Content management system
- Section 508 Accessibility compliant
- Technical helpdesk Tier 2 and 3, and interact with Tier I support

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- Modern and engaging user interface with aesthetic and minimal design
- Track and monitor concurrent users, capturing behavior on the platform in the aggregate to determine how well the service meets user needs

b. Desirable Features:

- Innovative built-in system training for end user (screen tips, etc.), guided tutorial
- Ability to send email notifications to user
- Choose serial and/or asynchronous learning
- Connect or integrate with one-to-one live video chat for business counseling
- Connect or integrate with a virtual mentoring platform
- Instructor interaction through video conferencing, virtual classrooms and virtual meeting spaces
- Connect or integrate a survey system to survey registered users in a systematic way to easily collect feedback
- A wiki/resource library for document management and configuration management
- Search function to support searchable content and discussions across the platform, able to distinguish type in results
- Ability to library, connect or integrate live content delivery (video on demand, hosted live online events, webinars) and recorded for future viewing
- Ability to have an instructor conduct a live, online class
- Facilitate customer engagement, i.e., shares, likes, comments through a social media like mechanism for learners to connect with each other
- Share links and posts through major social media channels (i.e., Facebook, LinkedIn, Twitter, Instagram, etc.)
- Capability to police, moderate and facilitate discussions
- Document sharing
- User profiles with demographic information, business information and goals
- Learners able to virtually communicate with each other

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- i. Within a session to ask questions of peers also taking the learning path and discuss topics
 - ii. Outside of sessions for general discussion of issues and ideas
 - iii. Teams of people who are solving a specific problem (includes sharing documents)
 - Ability for learners to provide feedback on the value of the content
 - Ability for a teaching assistant to provide feedback to a learner
- c. The RPTP must consolidate resources and information available across multiple Federal agencies for covered small business concerns related to COVID-19. The RPTP must provide the following COVID-19 related resources, such as:**
- Disaster recovery information;
 - SBA guaranteed loans;
 - SBA publications, research papers, reports, etc., and keep them on file electronically for access by the SBDC, WBC, SCORE, and VBOC network and the SBA. Where applicable the RPTP must maintain an accessible link to the SBA website on its webpage.
 - The site must include numerous organized COVID-19 resources for use in business and industry research as well as a link with SBA information and SBA's website. The site will serve as a major source of COVID-19 for the covered small businesses looking for information on the Internet.
 - The online platform will provide a training area for SBDC, WBC, SCORE, and VBOC counselors.
- d. The RPTP must be capable of responding to a covered small business concerns, SBDC, WBC, SCORE, and/or VBOC counselor seeking information via mail, email, and/or webpage. The RPTP must also have a system for delivering applicable materials to SBDC, WBC, SCORE and/or VBOC counselors electronically. The choice of means of communication/transmission of information will be at the discretion of the requestor or the RPTP, based on factors such as urgency of request, amount of information requested, etc.**

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You must provide all the necessary elements to provide customer service support, development, modernization and enhancements, operations and maintenance, and security for the SBA's on-line RPTP.

You must provide a workforce possessing the skills, knowledge and training to satisfactorily perform the services required under this grant, in order to perform the minimum technical requirements, see Part II(B)(a) above.

You must provide a workforce possessing the skills, knowledge and training to make a good faith effort to deliver on the desirable features, see Part II(B)(b) above.

You must attend status meetings. You must maintain meeting notes, capture action items, and provide status of current tasks and action items. You must also track issues and risk associated with completing task or action items.

You must prepare specific deliverables and associated due dates according to below deliverable table. Formal government acceptance of all deliverables will be given in writing (i.e. an email from the GOTR) in accordance with the agreed to Work Product Plan.

Deliverables	Title	Initial	Subsequent
1	Work Product Plan	10 calendar days after Grant Award Date	Quarterly Review
2	Performance Metrics	10 calendar days after Grant Award	Quarterly or as directed by the Agency
3	Sprint Roadmap	10 calendar days after Grant Award Date	Monthly Review
4	Sprint Plan	30 Days after Grant Award	Every two weeks
5	SCRUM Meeting to Review the Sprint	30 Days after Grant Award	Daily Team Stand-up with a SCRUM Master
6	Risk Register	30 Days after Grant Award	Quarter Review
7	Communication Plan	10 calendar days after Grant Award	Quarterly Review

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8	Dev Platform Ready	20 calendar days after Grant Award	Continuous Security Monitoring
9	Staging Platform Ready	20 calendar days after award	Continuous Security Monitoring
10	Production Platform Ready	60 Workdays after Grant award	Continuous Security Monitoring
11	Alpha Environment	90 Workdays After Grant Award	Continuous Security Monitoring
12	Beta Environment	90 Workdays After Alpha Delivery	Continuous Security Monitoring
13	IOC Environment	45 Calendar Days after Beta Delivery	Continuous Security Monitoring
14	User Documentation	15 calendar days Alpha Delivery	As required
15	User Training Assets and FAQs	45 calendar days after Alpha Delivery	As required
16	FISMA Compliance evidence and support documentation	45 Workdays after Alpha Delivery	Annual
17	Management and Monitoring Incident Report	Beta Delivery	Monthly, as directed by the Agency

Minimum Requirements for the Training Program

- a. A comprehensive online training program to educate the SBDC, WBC, VBOC, and SCORE counselors on the information and resources available on the online platform.
- b. The RPTP must also maintain a continuously updated COVID-19 training materials for the use of SBDC, WBC, VBOC, and SCORE counselors.

You must prepare specific deliverables and associated due dates according to below deliverable table, see Part II(B)(a)(b). Formal government acceptance of

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all deliverables will be given in writing (i.e. an email from the GOTR) in accordance with the agreed to Work Product Plan.

Phase	Training Program Milestones to be Accomplished	Initial
1	<ul style="list-style-type: none">Onboarding staff, consultants, and contractorsRPTP instructional framework completedCurate Initial RPTP content	30 calendar days after Grant Award Date
2	<ul style="list-style-type: none">Conduct training design conferenceDevelop Advisor training curriculum	30 days after Phase 1 60 days after training design conference
3	<ul style="list-style-type: none">Develop additional content	On-going or as directed by the Agency

Other Requirements

- a. **The RPTP must retain enough personnel to provide the services required under this award. Personnel providing services must possess the necessary experience and ability to perform the following tasks:**
- Administration of the day-to-day activities of this project or similar programs, oversight of other staff members in the performance of their duties, and overall project coordination as required.
 - Develop, maintain and update a comprehensive procedures manual for the RPTP, as necessary.

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- Timely compilation of all required reports.
- Maintenance of accurate and timely accounting records in accordance with general accepted accounting standards.
- Updating of the RPTP's resources in accordance with the Library of Congress' standards.
- UI/UX Design; Front-End Development; Back-End Development, Learning Management System Development; Admin Panel Development, Final Development; SSL certificate; integration with live chats; mobile ready design; search engine optimization; copywriting; social media marketing, etc.
- Traffic source; new vs. returning visitors; bounce rate; average time on site; conversion rate; time spent on eLearning course; Online Learner Preferences; Learner Satisfaction Ratings; Online Learner Proficiency; etc.

III. GENERAL TERMS AND CONDITIONS

A. Administrative Requirements

This award is subject to the requirements listed below. For further guidance regarding the administrative requirements applicable to this award see 2 C.F.R. Part 200 (Subparts A-E).

1. Non-Transferability

This award may not be transferred or assigned (either in whole or in part) without prior written approval from SBA. Additionally, no interest in this award may be conferred upon a third party and the award may not be pledged as collateral or security. For further guidance regarding the prior approval process, see Part III(A)(10) below.

2. Subgranting/Subcontracting

This award may not be sub-granted, either in whole or in part, to one or more third parties. You also may not act as a pass-through or fiscal agent channeling award funds to other parties. You also may not contract out the overall administration or day-to-day management of this project to any other party.

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You may follow your own procurement policies and procedures when contracting with Project Funds, but you must comply with the requirements of 2 C.F.R. Part 200 (Subparts A-E) with the exception of the competitive procurement requirements.

3. Record-Keeping

You must maintain complete and accurate records and supporting documentation of sufficient detail to facilitate a thorough financial and/or programmatic audit or examination of this project. You must make these records available to SBA, its agents, its Office of Inspector General, and/or Federal investigators on demand and provide them with unrestricted access to review and make copies of all products, materials, and data, including those prepared or stored electronically. At a minimum, the records you must maintain on this project include:

- a. The time and attendance of employees whose salaries are charged to this award, with sufficient detail to substantiate the claimed percentage of work performed in support of this project.
- b. An inventory of equipment purchased, in whole or in part, with award funds. This inventory must comply with the requirements of 2 C.F.R. 200 (Subparts A-E).
- c. Your ledgers and annual A-133 Audit Report. If you are not subject to the requirements of the Single Audit Act, you must have an annual audited financial statement. Unaudited financial statements are not an acceptable substitute.
- d. Copies of receipts, invoices, contracts, leases, and other supporting documentation for all expenses paid with Project Funds.
- e. Copies of checks, receipts, letters of donation, and other supporting documentation for all matching contributions related to this award.

Records may be kept in hard copy, electronic, or facsimile form and must be retained for no less than three years from the date the final project report is due.

4. Reporting Requirements

You must submit the reports identified in Parts III(A)(5) and (7) below to the GOTR on a quarterly basis. Reports must be submitted to the GOTR

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in electronic format via email attachment. Quarterly reports must be received by the GOTR no later than 30 days after the conclusion of the applicable reporting period. The final quarterly report must be received by the GOTR no later than 90 days after the conclusion of the budget year. If you fail to submit timely or adequate reports, SBA may withhold funding until this deficiency is corrected.

The quarterly reporting periods for this Award are as follows:

- 5/01/2020 – 7/31/2020 report due by 08/31/2020
- 08/01/2020 – 10/31/2020 report due by 11/30/2020
- 11/01/2020 – 01/31/2021 report due by 02/28/2021
- 2/01/2021 – 4/30/2021 report due by 5/31/2021
- 5/01/2021 – 7/31/2021 report due by 08/31/2021
- 08/01/2021 – 10/31/2021 report due by 11/30/2021
- 11/01/2021 – 01/31/2022 report due by 02/28/2022
- 2/01/2022 – 4/30/2022 report due by 5/31/2022

5. Performance Reports

In accordance with the schedule listed in Part III(A)(4) above, You must submit your Performance Progress Reports using either Standard Form PPR (SF PPR) or your own custom-designed format that includes all the same information required by the SF PPR. You must attach a narrative statement to Your SF PPR that details:

Quarterly Annual Performance Reports consolidating the Inquiry/Response Record data will be compiled and submitted to the Grant's Officer Technical Representative (GOTR) for review. Quarterly reports are required to be furnished 30 days after the end of each quarter.

A consolidated Annual Performance Report shall be submitted to the GOTR within 30 days after the completion of each 12-month budget period. This report will serve as the Quarterly Performance Report for the fourth quarter.

Performance reports must address the legislative mandates of the CARES Act, which include:

1. Outlining the efforts to develop and evolve the online platform for covered small business concerns.

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2. Outlining the efforts to develop and evolve the training program for SBDC, WBC, SCORE, and VBOC counselors on the information and resources of the online platform.
3. The number of counselors trained.

6. Annual Needs Assessment Reports

The information held by the RPTP must be based on the needs of the covered small business concerns. The recipient will conduct an annual needs assessment in order to ascertain their need for general reference materials and their interest in having access to this information.

- Prepare an Annual Needs Assessment; refer to Funding Opportunity Announcement, Section 6.4.

7. Financial Reports

In accordance with the schedule listed in Part III(A)(4) above, You must submit your Federal Financial Reports using Standard Form 425 (SF 425). You must also provide detailed information regarding your actual expenditures broken down by the same cost category line items identified in your approved budget. SBA recommends use of the Quarterly Detailed Expenditure Worksheet for this purpose, but you may present the detailed cost data using your own format if format addresses all the required categories of information. You must include a narrative explanation each time your actual expenditures exceed the amount you budgeted for a given cost category. For further guidance on varying from budgeted cost category amounts, see Part III(B)(4) below.

8. Project and Program Integrity

You must avoid engaging in any actions that may harm the integrity of this project. In the event key project employees are determined to have engaged in conduct reflecting a material lack of business integrity or honesty, you must immediately remove them from involvement in this project.

You and Your employees must avoid both organizational and individual conflicts of interest in accordance with the principles identified in 2 C.F.R. § 2701.112.

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You may not discharge, demote, or otherwise discriminate against any of Your employees, which includes volunteers, as a reprisal for their disclosing to an authorized person or body as described in 41 U.S.C. § 4712(a)(2) any information that the employee reasonably believes is evidence of one or more of the following: gross mismanagement of Your grant; a gross waste of Federal funds; an abuse of authority relating to Your grant; a substantial and specific danger to public health or safety; and/or a violation of law, rule, or regulation related to Your grant. Any of Your employees who believe they have been subjected to such a reprisal may submit a complaint to SBA's Inspector General Hotline via the internet at www.sba.gov/OIG/Hotline, via telephone at 1-800-767-0385 (telephone), or via mail at Office of Inspector General, ATTN: Hotline, 409 3rd Street, S.W., Suite 7150, Washington, D.C. 20416. You must inform Your employees in writing of the rights and remedies discussed in this paragraph in the predominant native language of Your workforce.

9. Project Closeout

For general guidance regarding project closeout procedures, see Subpart D of 2 C.F.R. 200.

At the end date of this award (i.e., after the base period concludes and all available option periods have been exercised or declined and any no cost extension has expired, as applicable), this project will cease and you may not incur any new reimbursable expenses. You must submit your final performance and financial reports and your final requests for payment within 90 calendar days of the project end date. If you do not submit your final payment requests within 90 days of the project end date, all remaining, undisbursed Federal funds will be de-obligated and will no longer be available to you. If you have not received a follow-on award, you must include a list of all equipment purchased with Project Funds along with your final performance and financial reports. That list must describe each piece of equipment and identify its purchase price, the percentage of that purchase price paid with project funds, and its current, depreciated value. You must also ask the GOTR how to dispose of that equipment. For further guidance regarding the disposition of equipment purchased with Project Funds, see 2 C.F.R. 200 (Subparts A-E). Where SBA has designated another organization as your successor for purposes of the Project, you must turn over all equipment, materials (including top-level domains and web content), and unexpended supplies purchased with project funds, as well as copies of all project records (including client files), to your designated successor in accordance with the procedures

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and timeline provided by SBA. You must make a good faith effort to facilitate the smooth transition of the project to your designated successor.

10. Actions Requiring Prior Approval

Before taking any of the following actions, you must obtain advance approval from SBA:

- a. Changing the scope of the project (including eliminating previously approved activities, adding new unapproved activities, altering the project service area, or amending the approved project goals/milestones);
- b. Transferring Project Funds between individual cost categories where the cumulative amount involved equals 10 percent or more of Your total approved budget;
- c. Changing your Key Personnel;
- d. Purchasing a piece of equipment that has an acquisition cost of \$5,000 or more, or disposing of a piece of equipment purchased with Project Funds that has a value of \$5,000 or more;
- e. Making improvements to land, buildings, or equipment, or making project-specific alterations to facilities;
- f. Establishing or reorganizing a legal entity;
- g. Incurring costs associated with individuals' attendance at meetings, conferences, symposia, or training programs;
- h. Making use of SBA's logo;
- i. Selling or marketing products or services that are necessary for the performance of this project; or
- j. Engaging in foreign travel.

You must submit requests for prior approval to the GOTR 30 calendar days prior to the date of the proposed action. See 13 C.F.R. Part 130 and 2 CFR 200 (Subparts A-E) for further guidance regarding prior approval requirements, as applicable.

11. Acknowledgment of SBA Support/Use of SBA's "Powered by SBA" logo Publication Requirements

It is important that the general public are aware of the Resource

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Partner Training Portal and SBA's role in this project, as well as the taxpayer funded support the Agency is providing under this Award. Therefore, you must include the following acknowledgment of support statement on all materials produced in whole or in part with Project Funds:

"Funded through a grant from the U.S. Small Business Administration."

For purposes of this requirement, the term "materials" includes, but is not limited to, press releases, brochures, pamphlets, handouts, reports, advertisements, books, curricula, websites, video or audio productions, and similar items regardless of the medium employed. The term "materials" does not include stationery or business cards and the "Powered by SBA" logo may not be used on such items. The "Powered by SBA" logo will be provided by your GOTR.

Where you use Project Funds to produce materials featuring editorial content, you must use the following alternate acknowledgment of support statement (either independently or in conjunction with the "Powered by SBA" logo):

"Funded through a grant from the U.S. Small Business Administration. All opinions, conclusions, and/or recommendations expressed herein are those of the author(s) and do not necessarily reflect the views of the SBA."

In addition, you must display signage featuring the "Powered by SBA" logo at all facilities that are open to the public and which are being used for project activities. Such signage must prominently feature the acknowledgment of support statement identified above.

Where used, the acknowledgment of support statement must be presented in a legible typeface, font size, and (where applicable) color contrast and must appear verbatim and may not be altered or replaced with substitute language. However, on materials with severe space constraints such as signs and banners, you may use "SBA" in the acknowledgment of support statement instead of "U.S. Small Business Administration."

You must make a reasonable effort to use the "Powered by SBA" logo on materials produced with Project Funds. You may contact the GOTR in order to obtain a high-resolution copy of the "Powered by SBA" logo and a copy of SBA's Graphic and Use Guide. Where used, the "Powered by SBA" logo may be positioned in close proximity to your organization's

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logo or may be placed in a prominent location elsewhere in the material. However, the “Powered by SBA” logo may not be placed in proximity to any third party’s logo, or used in such a way as may imply that a relationship exists between SBA and any third party (Note: Your organization’s parent entity is not considered a third party).

Additionally, in each instance where you use the “Powered by SBA” logo, you must also include the acknowledgement of support statement in reasonable proximity to the logo.

Neither the “Powered by SBA” logo nor the acknowledgment of support statement may be used in connection with activities outside the scope of this Award. In particular, **UNDER NO CIRCUMSTANCES may the “Powered by SBA” logo or acknowledgment of support statement appear on items used in conjunction with fundraising, lobbying, or the express or implied endorsement of any goods, service, entity, or individual.** For further guidance regarding the prior approval process, see Part III(A)(10) above.

12. Project Website

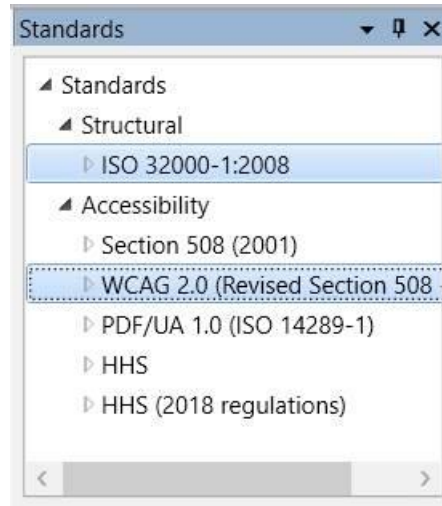
You must maintain a website, or a clearly defined subsection of an existing website, for the purpose of publicizing and conducting project activities. The project website must make reasonable accommodations for access by persons with disabilities and must feature the SBA logo and acknowledgement of support clause in a prominent location in accordance with Part III(A)(11) above. In addition, project websites are subject to the project closeout requirements of Part III(A)(9) above.

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You must meet the Web Content Accessibility Guidelines (WCAG) 2.0 and then also the structural standard:



You may not use the project website to advertise, promote, or endorse alcoholic beverages, tobacco products, sexual products (including dating services and pornographic materials); illegal or controlled substances or materials; gambling or gaming products or services; or any other products, services, or materials which may be harmful to the image or reputation of this project or SBA.

13. Co-Sponsored Activities

Your organization may collaborate with SBA, other Federal agencies, and other current SBA grant recipients for the purpose of co-hosting activities within the scope of this Award without the need for a separate written agreement. SBA's logo may be used in conjunction with such co-hosted activities. However, where a proposed activity includes contributors, co-hosts, or co-sponsors that are not current SBA grant recipients or other Federal agencies or involves undertakings that are outside the scope of this Award, the parties must work with SBA to execute a separate written co-sponsorship agreement. For further guidance regarding the use of SBA's logo, see Part III(A)(11) above.

14. Accessibility of Facilities and Events

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In accordance with the Americans With Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) and § 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), all facilities You use to provide services to the public in connection with this project must be accessible by persons with disabilities. In addition, all notices, promotional items, brochures, publications, and media announcements informing the public of events, programs, meetings, seminars, conferences and workshops conducted pursuant to this project must include the following accessibility/accommodations notice:

Reasonable accommodations for persons with disabilities will be made if requested at least two weeks in advance. Contact [insert contact information for the person who will make the arrangements].

15. Applicable Law

Except for circumstances in which Federal law defers to State or local law – such as zoning matters, building and business permits, and recording requirements – this award will be governed by and construed under Federal law. Specifically, this award is subject to the following laws, regulations, and policies in addition to those enumerated in the SF 424B (Assurances: Non-Construction Programs) you submitted as part of your approved application:

- 2 CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- 5 U.S.C. App. 1 (Inspector General Act of 1978);
- 15 U.S.C. § 631 et seq. (Small Business Act);
- 22 U.S.C. § 7101 et seq. (Trafficking Victims Protection Act of 2000);
- 31 U.S.C. § 6101 note (Digital Accountability and Transparency Act of 2014);
- 41 U.S.C. § 701 et seq. (Drug-Free Workplace Act of 1988), as implemented by 2 C.F.R. Part 182;
- 41 U.S.C. § 6306 (Prohibition on Members of Congress making contracts with Federal Government);
- 42 U.S.C. § 12101 et seq. (Americans with Disabilities Act of 1990), as implemented by 28

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- C.F.R. Parts 35 and 36;
- 48 U.S.C. § 1469a (Waiver of Matching Fund Requirements for Awards to Insular Areas);
- 49 U.S.C. App. 1517 (Fly America Act);
- 2 C.F.R. Parts 200
- 2 C.F.R. Parts 180 and 2700 (Nonprocurement Debarment and Suspension);
- 13 C.F.R. Parts 112, 113, and 117 (Civil Rights Compliance);
- 13 C.F.R. Part 146 (Restrictions on Lobbying);
- 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts, and Cooperative Agreements);
- Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency);
- Executive Order 13513 (Federal Leadership on Reducing Text Messaging While Driving);
- Executive Order 13333 (Amending Executive Order 13257 to Implement the Trafficking Victims Protection Reauthorization Act of 2003);
- 22 USC § 7104 (Prevention of Trafficking)
- Title 13, Code of Federal Regulations (CFR), Chapter 1, or SBA's Standard Operating Procedures (SOPs);
- Title VI of the Civil Rights Act of 1964;
- 44 USC § 3501 (Paperwork Reduction Act);
- Executive Order 12600 (Pre-disclosure notification procedures for confidential commercial information);
- 5 USC § 552 (Freedom of Information Act);
- 15 U.S.C. § 78dd-1 et seq. (Foreign Corrupt Practices Act)
- 22 U.S.C. § 7207 (Prohibition on United States Assistance and Financing to Certain Foreign Nations)
- 15 C.F.R. Parts 730-774 (Export Restrictions)

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- 22 C.F.R. Parts 120-130 (International Traffic in Arms)
- 31 C.F.R. Parts 500-598 (Foreign Assets Control)
- Coronavirus Aid, Relief, and Economic Security (CARES) Act (Public Law No: 116-136) §1103
- Small Business Act § 21 (a)(3)(A) (15 USC § 648 (a)(3)(A))
- Small Business Act § 29 (15 U.S.C. § 656)

16. Dispute Resolution

If a dispute arises between your organization and SBA regarding on any matter not involving the suspension, termination, or non-renewal of this Award, you may request formal resolution of that dispute in accordance with 13 C.F.R. Part 130. You may appeal the matter to SBA's Grant Appeals Committee. To be considered timely, your appeal petition must be received by the Committee within 30 calendar days of the date of the GMO's decision. Your appeal petition must be mailed to the following:

Grant Appeals Committee
U.S. Small Business Administration
Office of Grants Management
5th Floor, 409 3rd Street, SW
Washington, DC 20416.

You must also send copies of your appeal petition to the GMO and GOTR.

There is no prescribed format for the submission of an appeal petition. Formal briefs and other technical forms of pleading are not required, nor are you required to obtain legal representation. However, your appeal petition must be in writing and must be concise, factual, and logically arranged. In addition, your appeal petition must contain the following:

- a. your organization's name and address;
- b. Identification of the relevant SBA program office and the Award number;
- c. A statement of the facts underlying the dispute and the basis for the appeal (i.e., a specific explanation as to why you believe SBA's decision was incorrect);

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- d. Copies of any documents or other evidence supporting the appeal;
- e. A request for the specific relief desired on appeal; and
- f. A statement as to whether an oral hearing is being requested, and if so, the reasons why such a hearing is necessary.

The Committee will first rule on a request for an oral hearing before proceeding to consider the merits of an appeal petition. Within 60 calendar days of receiving your appeal petition, the Committee will present its decision in writing to you, the GMO, and the GOTR. The Committee's ruling will represent the final Agency decision on the subject of the dispute and will not be further appealable within SBA.

17. Termination/Suspension/Enforcement

If you materially fail to comply with the terms and conditions of this Notice of Award, or with any requirement imposed by statute, regulation, executive order, or other source of law or policy, SBA will take whatever enforcement measures it deems appropriate to remedy that non-compliance. SBA may also institute suspension or debarment proceedings against your organization as it deems necessary.

B. Financial Requirements

This Award is subject to the requirements listed below. For further guidance regarding the cost principles applicable to this award see 2 C.F.R. Part 200.

1. Charging Costs to this Award

All costs charged to this award are subject to audit and examination. You are responsible for insuring proper management and accounting of Project funds in order to avoid cost disallowances. All direct costs charged to this award must be reasonable given the relevant market and industry area and the nature of the good or service involved. Direct costs claimed by your organization must also be allowable under the relevant cost principles and be clearly and specifically allocable, either in whole or in part, to the project funded by this award. In addition, you are not permitted to charge costs associated with any of the following items or activities to this award:

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- Transactions with suspended or debarred entities, as discussed in Part III(B)(2) below;
- Construction or renovation of facilities or acquisition of real estate;
- Litigation, whether civil, criminal, or administrative;
- Providing matching contributions to any other Federal awards; and
- Meals, lodging, per diem, or other subsistence expenses associated with local travel (however, Project Funds may be used to pay transportation expenses for local travel). Local travel is any travel conducted entirely within a 50-mile radius of your organization's address of record.

2. Transactions with Suspended or Debarred Entities

You cannot use project funds or project resources to provide services to individuals or firms that are currently under suspension or debarment by a Federal agency. In addition, you cannot use project funds to pay salaries of employees or costs of consultants, contractors, or other service providers (e.g., accountants, lawyers, etc.) where such entities are currently suspended or debarred.

You are responsible for verifying that entities paid or assisted with project funds or project resources are not suspended or debarred in order to avoid subsequent disallowance of costs under this award. To determine if an individual or firm is suspended or debarred, you may consult the Excluded Parties List (<https://www.sam.gov/>). For further guidance regarding suspension and debarment, see 2 C.F.R. Parts 180 and 2700.

3. Liability/Indemnification

Any liability arising from the conduct of this project, except as it directly relates to SBA employees or facilities, is solely your responsibility. SBA will not indemnify you or your employees or officers and, with the exception of insurance, no project funds may be used to cover costs related to liabilities arising under this award. For further guidance regarding insurance costs, see 2 C.F.R. Part 200

SBA is not a party to any contracts, subgrants (where permitted), or other agreements between your organization and third parties. SBA will have no involvement in any disputes arising from such agreements. You are liable to SBA for any amounts paid from project funds to third parties which are subsequently determined to have been unallowable or otherwise improper.

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4. Adherence to the Approved Budget

You must expend project funds in accordance with your approved budget. However, you do have the discretion to transfer Project Funds between individual cost categories provided the cumulative result of all such transfers in a given budget period does not exceed 10 percent of your total approved budget. Before making any transfers that would cumulatively result in your exceeding this 10 percent cap, you must obtain approval from SBA. Failure to adhere to the approved budget or obtain the necessary prior approval will result in denial of payment by SBA. For further guidance regarding the prior approval process, see Part III(A)(10) above.

5. Funds from Multiple SBA Awards

If your organization holds any other current financial assistance awards from SBA, you must avoid commingling of funds and overlapping or double claiming of costs among those awards. You must treat each project as separate and discrete with individual reporting, accounting, and audit trails.

6. Matching Contributions

Your organization is not required to provide any matching contributions under this award. However, the availability of private sector resources or non-Federal funds should be noted in the technical proposal. Matching funds should not be included in the cost proposal budget nor in the quarterly budget reports, but may be included in the narrative. For further guidance regarding the budget, see 13 C.F.R. Part 130.

7. Refunds of Award Expenses

If you receive a refund of FICA/FUTA taxes or other project costs previously paid under this Award, you must immediately report such refund to SBA, regardless of whether the Project Period has ended. The amount of the refund must be remitted to SBA if the cost was paid with Federal funds.

8. Financial Stability

In order to continue being entrusted with public funds, your organization must maintain a sufficient level of financial stability. Examples of failure to maintain sufficient financial stability include, but are not limited to,

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excessive and/or unresolved indebtedness (whether to the Federal government or other parties), repeated failure to make payroll, and/or operating at a deficit for an extended period of time. Your lack of financial stability may lead SBA to suspend, terminate, or decline to renew this and any other awards you receive from the Agency and may also lead to your debarment by SBA.

For further guidance regarding enforcement actions SBA may take under this award, see Part III(A)(17) above. For further guidance regarding debarment, see 2 C.F.R. Parts 180 and 2700.

9. Payment

You may incur pre-award costs for up to 30 days prior to the issuance date of the award directly pursuant to the negotiation and in anticipation of the award where such costs are necessary for efficient and timely performance of the scope of work.

In accordance with 2 C.F.R. § 200.305(b)(6), SBA may withhold payments if You fail to comply with project objectives, Federal statutes, regulations, the terms and conditions of this Award, and/or the program requirements. Additionally, SBA reserves the right to offset any funds payable to You under this Award in order to collect debts or other financial claims the Agency may hold against you under this program or any other SBA program.

Payment will be made by reimbursement. For general guidance regarding payments under this Award, see 2 C.F.R. Part 200. You must draw down Federal funds only as needed to meet actual or estimated expenditures for the relevant reporting period. You must avoid accumulating Federal funds in excess of current disbursement needs. For further guidance regarding matching contributions see Part III(B)(6) above.

To receive payments, your organization must be in the Centralized Contract Register (CCR) and provide SBA with valid bank routing and account information for SBA's administrative accounting system and submit a signed Standard Form 270 – Request for Advance or Reimbursement signed by the authorized representative of your organization. Alternative formats for submissions without complete and accurate information will be denied payment and you will be notified accordingly.

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- a. Forms should be submitted via email to the GOTR. See Part 1(A)(2) above.
- b. Problems or questions relating to payment under this Grant should be direct promptly to Your GOTR at the above email, or mailing address; telephone number, and facsimile; see Part I(A)(2) above.
- c. You must enter in block 4 (Standard Form 270), the appropriate Agreement/Document Number to identify the budget year of the Federal Funds requested for payment.
- d. You must fill-in block 5 of the SF-270 (Partial Payment Request Number) in sequential order to indicate the cumulative number of forms submitted to the GOTR.

You are responsible for submitting all payment requests in a timely manner. **SBA will not process any payment request you submit more than 90 calendar days after the conclusion of the relevant budget period.** For further guidance regarding project closeout procedures, see Part III(A)(9) above.

For all Federal funds disbursed under this award, you must retain copies of receipts, invoices, subcontracts, evidence of matching contributions, and similar items providing documentary support in accordance with Part III(A)(3) above. All payments will be made based on your demonstrated, bona fide disbursement requirements, consistent with the approved budget and project goals and milestones.

When requesting payment in advance, You must justify why an advance is necessary, and detail how the advance funds will be expended over the specified period covered by the request. You will receive one Advance Payment for 15% of the approved budget upon issuance of the award. Advances are limited to the minimum amounts needed and must be timed to be in accordance with your actual, immediate disbursement requirements. You must deposit and maintain advances of Federal funds in interest-bearing, FDIC-insured accounts. You are encouraged to use banks that are at least 50 percent owned by women or minorities. If you do not fully expend an advance payment within 30 calendar days of disbursement, you must promptly refund any remaining amount to SBA. For further guidance regarding interest earned on advances of Federal funds, see 2 C.F.R. Part 200 or 13 C.F.R. Part 130, as appropriate.

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10. Request for Carryover of Funds

Carryover requests will not be permitted.

11. Request for a No-Cost Extension

You may request that SBA grant a one-time extension of the expiration date of this award for up to 12 additional months if you can demonstrate more time is necessary for the adequate completion of specific project objectives. A request for an extension must be in writing (with supporting justification) and must be received by the GOTR at least 45 calendar days prior to the scheduled expiration of this Award. SBA **will not** approve any extension request that:

- Is solely for the purpose of expending remaining funds;
- Is for a project that previously received an extension;
- Is more than 12 months in length;
- Requires the commitment of additional Federal funds; or
- Involves any change in the objectives or scope of the project.

Because a project may only be extended once, you are encouraged to request a full 12-month extension even if you believe less time is necessary for the completion of this project. For additional guidance regarding extensions, see 2 C.F.R. Part 200.

A. Definitions

The following terms are defined below as they are used in reference to the CARES Act and this FOA:

- **Agreement Officer:** The individual responsible for negotiation, award and business management of grants. An individual who has been delegated the authority to obligate Federal funds by signing the Notice of Award (Agreement Officer is also referred to as Grants Management Officer).
- **Applicant:** An eligible individual or enterprise which sends in a proposal seeking award of a grant or cooperative agreement by SBA.
- **Coronavirus Aid, Relief, and Economic Security (CARES) Act:** Public Law 11-136; Provides emergency assistance and health care response for individuals, families and businesses affected by the 2020 coronavirus pandemic.
- **Covered Small Business Concern:** A small business concern that has experienced, as a result of COVID-19, supply chain disruptions, staffing challenges, a decrease in gross receipts or customers, or a closure.

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- **Grants Officer Technical Representative (GOTR):** The Office of Entrepreneurial Development official who is appointed to monitor the programmatic aspects of the project.
- **Resource Partners:** As defined by the CARES Act, a Small Business Development Center or Women's Business Center.
- **Service Corps of Retired Executives (SCORE):** Refer to section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B)).
- **Small Business Development Center (SBDC):** Refer to section 3 of the Small Business Act (15 U.S.C. 632).
- **Veterans Business Outreach Center (VBOC):** Refer to section 32 of the Small Business Act (15 U.S.C. 657b).
- **Women's Business Center (WBC):** Refer to section 29 of the Small Business Act (15 U.S.C. 656).