

## ATTACHMENT F

### Procedures for Dispute Resolution

#### I. DISPUTE PROCEDURES FOR GRANT PROGRAM APPLICATIONS DURING THE APPLICATION PROCESS

The following dispute procedures are available to any applicant that objects to any requirement(s) as outlined in a Request for Grant Applications (RFGA), amendment to RFGA or does not receive a distribution of funding as a grantee under a federal, state, or combined federal/state grant program. An applicant or grantee that disagrees with any element of the grant requirements or with the distribution of funding is also referred to herein as a “requestor.”

- A. **Request or Application for Funding.** Subject to conditions set forth in these procedures, any prospective applicant desiring to file a dispute concerning SCDES’s proposed evaluation of applications or proposed manner of distribution of funds (as outlined in the RFGA) shall e-mail a Notification of Appeal to the SCDES Program Area Director\*, within *three (3) business days* of the posting date of the RFGA or any amendment thereto. The notification of appeal must clearly specify the grounds of the dispute, and the relief requested. Within *three (3) business days* of receipt of a notification of appeal, the SCDES Program Area Director shall render a decision as to the disposition of the dispute and will e-mail written notification of this decision to the prospective applicant. If the prospective applicant is not satisfied with the decision rendered by the Program Area Director, the applicant shall e-mail written notification to the SCDES Deputy Director\* within *two (2) business days* of the date of the written notification of decision from the Program Area Director. The Deputy Director will conduct a review and e-mail a written decision to the prospective applicant within *three (3) business days*. The written decision will be final and may not be further appealed by the requestor.
- B. **Award to an Applicant.** A requestor with a dispute regarding the Notification of Award shall e-mail or mail a Notification of Appeal to the Program Area Director within *three (3) business days* of the date of posting of the Notification of Award. The notification of appeal must clearly specify the grounds of the dispute, and the relief requested. Within *three (3) business days* of receipt of a notification of appeal, the Program Area Director shall render a decision as to the disposition of the dispute and will e-mail written notification of this decision to the requestor. If the requestor is not satisfied with the decision rendered by the Program Area Director, the requestor shall e-mail written notification to the Deputy Director within *three (3) business days* of the date of the written response from the Program Area Director. The Deputy Director will conduct a review and e-mail a written decision to the requestor within *three (3) business days*. The written decision will be final and may not be further appealed by the requestor.

- C. **Notice of Decision.** A copy of all correspondence or decisions under this dispute resolution procedure shall be mailed or otherwise furnished immediately to the requestor and any other party intervening.

**Awards are not final until the dispute process has concluded.**

## **II. PROCEDURES FOR GRANT DISPUTES OR CONTROVERSIES REGARDING SCDES'S EVALUATION OF A GRANTEE'S EXPENDITURES IN THE POST-AWARD PHASE**

- A. **Applicability.** These procedures shall apply to controversies between SCDES and a grantee when the grantee disagrees with SCDES's evaluation of an expenditure by the grantee as "not allowed" under the grant program requirements. These procedures constitute the exclusive means of resolving a controversy between SCDES and a grantee of an awarded grant.
- B. **Complaint against Grant Program Management.** No later than *thirty (30) calendar days* after receiving notice that the agency's grant program area has denied an expenditure, a grantee must e-mail written notice identifying any dispute or controversy to the Program Area Director. The Program Area Director will, *within thirty (30) calendar days* thereafter, review and attempt to informally resolve the dispute or controversy. If the dispute cannot be mutually resolved within that timeframe, a grantee wishing to continue pursuit of the dispute must e-mail written notice of the dispute to the Deputy Director within *five (5) business days* following the 30-day review period. The Deputy Director or his/her designee will, within *ten (10) business days* of receipt of a written notice of the dispute, meet or hold a conference call with the grantee. Within *ten (10) business days* after such consultation with the grantee, the Deputy Director will e-mail the grantee with a written determination as to his/her decision regarding the disposition of the expenditure. The decision of the Deputy Director will be final and may not be further appealed by the requestor.

*\* Contacts are listed below:*

**Program Area Director:**

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