**Section 885.230 Amendments to Grant Agreement**

a) The grantee must obtain an amendment to the grant agreement for the following project changes:

1) An increase in the total amount of grant funds awarded under this Part;

2) The addition or deletion of one or more project sites; or

3) The extension of any contractual or grant completion date for the project.

b) The grant agreement may be amended only by the mutual consent of the parties set forth in writing as a formal grant agreement amendment, signed and dated by the Agency and the grantee. The grantee may request an amendment at any point during the grant term. Requests for amendments must be submitted on forms prescribed by the Agency and must include all reports due under Section 885.245(a) of this Part that have not been submitted. Grant amendments at the request of the grantee will be considered by the Agency only if the grantee is current on all reporting requirements set forth in Section 885.245(a) of this Part.

c) Project changes other than those identified in subsection (a) of this Section must be approved by the Agency pursuant to Section 885.232 of this Part.

d) No more than 90 days after receipt of a request for an amendment to the grant agreement the Agency shall notify the grantee in writing of its approval or rejection of the requested amendment.

e) The Agency shall not approve any amendment to the grant agreement in violation of the limitations on grants set forth in Sections 885.200 and 885.201 of this Part.

f) The Agency shall approve an amendment to the grant agreement, to the extent that the Agency may approve the amendment consistent with Sections 885.200 and 885.201 of this Part, if the grantee makes a showing that:

1) The original project cost approval was based on estimated costs or contractor bids, where the actual costs or contractor bids are over or under the estimated costs;

2) Amendments to State statutes have affected or will affect the project costs;

3) A project element was inadvertently omitted; or

4) A project element was added pursuant to requirements of the Site Remediation Program.

g) If the Agency approves a requested amendment to the grant agreement, the Agency shall sign the amendment and the amendment shall become a part of the grant agreement. The amendment becomes effective on the date it is signed by the Agency.

h) A grantee cannot obtain an amendment to the grant agreement by default due to the Agency's failure to act within the time frames set forth in this Section.

(Source: Amended at 31 Ill. Reg. 5774, effective March 30, 2007)