Uniform Guidance
Subpart D
Administrative Requirements
Purpose and Introduction

• Understanding the Uniform Guidance is essential to increase accountability of managing grant funds.
• The Administrative Requirements provide the foundation to build sound business practices and policies around financial management systems and areas.
• The requirements in Subpart D are intended to help the grant recipients and their subrecipients to manage their grants in an efficient and effective manner.
Purpose and Introduction

EIGHT different circulars CONSOLIDATED in ONE!

Changes impact how grants are AWARDED and MANAGED

Consolidated resources to address POST-AWARD REQUIREMENTS

Requirements for PASS-THROUGH ENTITIES
SECTION 1: Post-Award Requirements

SECTION 2: Financial and Program Management Requirements: Subpart D

SECTION 3: Additional Administrative Requirements

SECTION 4: Subrecipient Monitoring and Management
Course Objectives

At the end of this course, you will be able to:

• Identify the applicability of and significant changes to the Administrative Requirements.

• Identify the new requirements or changes for financial and program management.

• Review additional management requirements such as procurement, property, reporting and closeout.

• Define the enhanced requirements for monitoring of subrecipients including performance management.
SECTION 1: Post-award Requirements
Post-Award Requirements

2 CFR Part 200.300

Responsibilities
Federal Agents

• Manage and administer awards.
• Ensure compliance with statutory and public policy requirements.

Responsibilities
Recipients

• Comply with all requirements.
• Manage and administer subawards.
Applicability

Administrative Requirements apply to all recipients and subrecipients of a Federal award including but not limited to the following:

- State and local governments
- Institutes of Higher Education
- Non-profit organizations
- For profit or commercial entities
- Indian Tribes
- Foreign organizations and foreign public entities
Post Federal Award Requirements

2 CFR 200.300 to 200.345

Post-Federal Award Requirements

- Subpart D of the Uniform Guidance
- 200.300 to 200.345

Additional Administrative Requirements for DOL Awards

- DOL Published exceptions
- CFR 2900.6 to 2900.15
Knowledge Check

Knowledge Check

- A) True
- B) False
The answer is True.

Please keep in mind that for grant recipients and subrecipients that were awarded funds prior to Dec. 26, 2014, the old rules at 29 CFR 95 and 97 still apply. Any awards made after that time would adhere to 2 CFR Part 200 and CFR 2900.
The post-award requirements apply only to non-Federal entities.

A) True
B) False
The answer is False.

Post award requirements apply to both Federal agencies and non-Federal entities. Essentially, Subpart D includes requirements for both Federal agencies and their grant recipients or non-Federal entities when managing awards after issuance.
The post-award requirements do not apply to commercial or for profit entities.

A) True
B) False
The answer is False.

Any commercial entity or for profit entity that is either a grant recipient or subrecipient of DOL funds awarded after Dec. 26, 2014, must adhere to the Uniform Guidance in accordance with the DOL exception at 2 CFR 2900.2.
SECTION 2: Financial and Program Management Requirements: Subpart D
Standards for Financial & Program Management

• 200.300 Statutory and national policy requirements
• 200.301 **Performance Measurement**
• 200.302 Financial management
• 200.303 **Internal controls**
• 200.304 Bonds
• 200.305 Payment
• 200.306 **Cost sharing or matching**
• 200.307 Program income
• 200.308 **Revision of budget and program plans**
• 200.309 Period of performance.

**NOTE:** Sections in **blue, bold type** have significant changes
Statutory and National Policy Requirements

All Federal awards must be expended and in compliance with U.S. statutory and public policies, including:
- FFATA
- Salary limits
- SAM
- Whistleblower protection
- And more

Performance Measurement

Requires performance metrics/goals to improve program outcomes and use cost effective practices.
2 CFR 200.302

For Financial Management standards, States will continue to use and expend the Federal award in accordance with State policies and procedures.

Identification of all Federal receipts and expenditures includes the Federal program, CFDA number, award identifier and Federal agency, and the name of the pass-through agency (assuming there is one). Parts of these requirements are new.

Records that identify source and application of funds must include information on awards, obligations, assets, expenditures and income. *Recipients must have source documentation to support records.*

Accurate, current, and complete disclosure of financial results for each award that is in accordance with financial reporting requirements, monitoring, and program performance requirements.
Effective control over and accountability for funds means safeguarding all assets. Recipients must ensure that funds are used only for authorized purposes.

Comparisons of actual expenditures should be done often enough to ensure compliance.

Written procedures for payments and allowable costs must be sufficient to implement payment requirements and determine allowability of all costs charged to the Federal award. The guidance now specifies that procedures be written and that these standards be components of the required internal control systems.
Internal Controls were moved to administrative requirements to:

- Mitigate risk of waste, fraud and abuse of Federal funds.

Updates include:

- Internal control systems should comply with standards in the Green Book and COSO framework.
- Taking reasonable precautions to safeguard data.
IPERA/Improper Payments Act

- IPERA improper payments requirements
- Remittance of interest income of $500 annually.
  - WIOA requirement for program income

DOL Exceptions

- Impose restrictions on advances depending on specific conditions.
- Requires liquidation of existing advances before new request.

2 CFR 200.305

2 CFR 2900.6 and 2900.7
Financial & Program Management Standards

2 CFR 200.306 and 200.307

Cost Sharing or Matching

• Higher standards for documentation.
• Must be verifiable through adequate records.
• 2900.8 DOL exception requires that contributions/funds received for match purposes be expended on program purposes.

Program Income

• Addition method required for ETA grants (Deduction is default in Uniform Guidance).
Budget and Program Plans

2 CFR 200.308

• If the Federal award is over the Simplified Acquisition Threshold (currently set at $150,000), prior approval is needed.

• The Simplified acquisition threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 and in accordance with 41 U.S.C. 1908.

Please refer to [www.acquisition.gov](http://www.acquisition.gov) for the current threshold.
Budget and Program Plans

Revision of Budget and Program Plans

- Recipients must report deviations if conditions warrant.
- Approval must be received prior to actions taken.
- Federal agencies must take action within 30 days.

2 CFR 200.308

2900.12 DOL Exceptions

- No blanket approval.
- Submit 30 days before effective date.
- Must be in writing.
- Only approving official is the Grant Officer.
Knowledge Check

Knowledge Check
There is an increased emphasis on the use of performance data in the awarding of Federal funds.

- A) True
- B) False
The answer is True.

There is an increased emphasis on the use of performance data in the awarding of Federal funds.
The requirements for IPERA are incorporated into the payments section.

A) True
B) False
The answer is True.

The requirements for IPERA are incorporated into the payments section.
Internal control requirements are incorporated into financial system standards and have increased importance.

- A) True
- B) False
The answer is True.

Internal control requirements are incorporated into financial systems standards and have increased importance.
Question 4

The CFDA number must now be identified in all Federal receipts and expenditures.

- A) True
- B) False
The answer is True.

The CFDA number must now be identified in all Federal receipts and expenditures. Additional information on the Catalog of Federal Domestic Assistance can be found at www.cfda.gov.
SECTION 3: Additional Administrative Requirements
### Additional Post-Award Requirements

Which sections of the Uniform Guidance have significant changes?

- **200.310-.316** Property Standards
- **200.317-.326** Procurement Standards
- **200.327** Performance and Financial Monitoring and Reporting
- **200.330-.332** Subrecipient Monitoring and Management
- **200.338-.342** Remedies for Noncompliance
- **200.333-.337** Record Retention and Access
- **200.343** Closeout
- **200.344-.345** Post-Closeout Adjustments & Continuing Responsibilities

**NOTE:** Sections in blue, bold type have significant changes
Property Standards

2 CFR 200.310 to 316

These requirements cover real property, Federally owned property, equipment management and disposition, supplies, and intangible property.

Facilities and Lease Agreements
No use allowances are allowed.

Equipment
The same threshold, >$5000, applies. Information technology systems are also included.

Supplies
Computing devices are included.

Intangible Property
A DOL clarification at 2 CFR 2900.13 specifies that intangible or intellectual property developed with grant funds requires a Creative Commons license for publication and replication.
States will continue to follow state standards for procurement.

New standards apply to all other non-Federal awardees, subrecipients of states.

Who needs to follow the new rules for procurement standards?

- Micro-purchases
- Conflict of interest
- Simplified acquisition threshold
- Consultants

What new items were added to the procurement standards?

2 CFR 200.318 to 200.326
The Guidance allows for procurements under $3,000 to be made without a solicitation.

Micro-purchases

The standards are greatly expanded and specify relationships and requirements to avoid conflict and require written standards.

Conflict of Interest

This is specified currently at $150,000. Procurements under the threshold may follow a specific method.

Simplified Acquisition Threshold

Awarding noncompetitive contracts to consultants is considered to be a situation restrictive of competition.

Consultants
### Current

- All contracts must, as applicable, contain all of **10 possible contractual provisions**:
  - Contractual provisions located in **Appendix II**
  - **Simplified acquisition threshold** determines which contractual provisions are applicable.

### Changes

- Contractual provisions from H to K are reordered.
- Energy Policy and Conservation Act (42 U.S. 6201) is removed.
Only OMB-approved formats may be used.

2 CFR 200.327-329

Requirements for the reporting of real property assets is addressed at 2 CFR 200.329. These requirements detail the rules related to property reports, including disposition requirements and reporting.

NOTE: Only OMB-approved formats may be used.
Financial records are kept for a period of 3 years.

Real property and equipment records are maintained for 3 years from the date of disposition.

Program Income records expended post-award are maintained for 3 years from the date of expenditure.
Who Can Access Records?
The regulations specify when the Federal agency may request to transfer records and who has access to records.

How long do they have the right to access records?
The right of access must remain as long as the records are maintained.

Can a Federal Agency impose additional restrictions on public access to records?
Federal agencies are prohibited from additional restrictions on public access to records, except when handling Personally Identifiable Information (PII), and in cases where the records would not be subject to release under the Freedom of Information Act (FOIA).
### Remedies for Non-Compliance

**Termination Requirements**
- Termination for cause.
- Termination for convenience.
- Notification of termination.

**Remedies**
- Expansion of enforcement actions.
- Options to object, hearings and appeal.

**Effects**
- Addresses the effect of suspension and termination on grant awards.

---

2 CFR 200.339 to 200.342

**NOTICE OF TERMINATION**
What is the closeout period?
The regulations define the closeout report submission period as 90 calendar days after the period of performance ends.

What happens in the closeout period?
Recipients must liquidate all accrued expenditures, as specified in the DOL exception at 2 CFR 2900.15.

What are some examples of closeout activities?
Submit the required reports, which include:
  - Financial, property, performance and other reports, as required.
Additionally, prompt payment of funds are due.

How long does it take to finalize a closeout?
Once the closeout documents have been accepted, Federal agencies have one calendar year to complete and finalize the closeout.
### Post–Closeout and Debt Collection

#### Requirements for Recipients

- Payment is required **within 90 days** of debt establishment (unless appealed).
- Federal agencies may **reduce debt** by:
  - Withholding funds.
  - Offset.
  - Imposition of interest penalties.

#### Requirements for Pass-through Entities

- Similar to requirements for subrecipients.
- Found at 200.344.
- Must notify subrecipient and promptly collect amount due.
- Similar options for collection with the exception of offset.

---

**2 CFR 200.345**
Knowledge Check
200.301 requires awards to contain measurable performance metrics that will be used to measure success.

- A) True
- B) False
The answer is True.

The Uniform Guidance places an increased emphasis on performance, including requirements to track and report performance against specified metrics and the use of such data in funding arrangements.
Property standards now address the use of Creative Commons licensing.

- A) True
- B) False
The answer is True.

Intangible property requirements specify the use of Creative Commons, also known as open licensing through a DOL exception.
The Simplified Acquisition Threshold determines when contractual provisions must be included in awards.

- A) True
- B) False
The answer is False.

The Simplified Acquisition Threshold determines the applicability of contract provisions. These apply only to contracts, not awards or subawards.
There are few sanctions for non-compliance with the revised Uniform Guidance.

- A) True
- B) False
The answer is False.

There are specific sanctions for non-compliance, and they must be imposed as necessary.
SECTION 4: Subrecipient Monitoring and Management
Subrecipients

- Determines eligibility.
- Responsible for programmatic decision making.
- Carrying out the program for public purpose.

Contractors

- Formerly known as “vendors.”
- Obtains goods and services for use of awardee.
- Normal business operations and ancillary to Federal program.

2 CFR 200.330
Provide subrecipients with monitoring tools and guidance.

Provide guidance regarding indirect costs.

Classify each subaward as a subrecipient or a contractor.

Use judgment based on criteria.
What are the responsibilities of Pass-Through Entities?

- Ensure subawards are appropriately identified
- Specify required information for each award
- Include Federal Award Identification Number (FAIN) and DUNS numbers
- Include CFDA Number and dollar amount of each
- Evaluate risk of non-compliance
- Monitor subaward activities
- Honor ICRs or De Minimis rate
- Verify audit coverage, as required
Knowledge Check
Pass-through entities have increased responsibilities under the Uniform Guidance.

- A) True
- B) False
The answer is True.

There are precise requirements specified for the identification and management of subawards.
Pass-through entities may rely on the subrecipient for a determination of contractor or subrecipient.

A) True
B) False
The answer is False.

The pass-through entity is responsible for the identification of all contractors and subrecipients, and this is done according to specific criteria.
Monitoring of subrecipients is an integral part of subgrant management.

○ A) True
○ B) False
The answer is True.

Pass-through entities must monitor all activity and maintain responsibility for ensuring compliance and imposing sanctions, if needed.
Section 1: Post-Award Requirements

- The applicability of and significant changes to the Administrative Requirements.
- The differences between the responsibilities for Federal agencies vs. the responsibilities of recipients.
- All recipients and subrecipients must follow the Administrative Requirements.

Section 2: Financial and Program Management Requirements: Subpart D

- New requirements and changes to financial systems and program management requirements.
- Requirements for financial systems used by non-Federal agencies
- Changes to internal controls.
- Changes to the Improper Payment Act.
Section 3: Additional Administrative Requirements

- Additional management requirements such as procurement, property, reporting, and closeout.
- Sections of the Uniform Guidance that have undergone significant change.
- Changes to the property standards, procurements standards and changes that impact contractual provisioning.

Section 4: Monitoring and Management

- Enhanced requirements for monitoring of subrecipients, including performance management.
- Characteristics of contractors and subrecipients.
- Requirements and responsibilities for pass-through entities.
This presentation is complete.