Adopted Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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4.4

Subrecipient Monitoring

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# 4.4.1 Purpose

The Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule, 2 CFR 200, Dec. 26, 2014, ("Uniform Guidance") sets forth standards for obtaining consistency and uniformity in organizations expending Federal awards.

In instances where Weber County subcontracts with another organization to perform duties required or necessitated by the award, the County is considered to be a pass-through entity. As a pass-through entity, the County has monitoring obligations to ensure that the sub-recipient uses the award for authorized purposes and that the goals of the award are achieved.

The following policy is to help departments ensure that subrecipients comply with applicable federal laws and regulations and provisions of grant award and that they achieve the performance goals required as part of the sub award.

# 4.4.2 Definitions

* **Subaward** means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.
* **Subrecipient** means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency

# 4.4.3 Policy

In accordance with Uniform Guidance 200.331, as a pass-through entity, the County will perform the following as it relates to the subrecipients of federal funds.

1. Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information:
   1. Federal Award Identification
      1. Subrecipient Name (must match the name associated with the DUNS number)
      2. Subrecipient Data Universal Number System (DUNS) number
      3. Federal Award Identification Number (FAIN)
      4. Federal Award Date
      5. Sub-award Period of Performance Start and End Date
      6. Amount of Federal Funds obligated by this action
      7. Total Amount of Federal Funds Obligated to the subrecipient
      8. Total Amount of the Federal Award
      9. Federal Award Project Description
      10. Name of Federal Awarding Agency and the contact information of the Weber County employee responsible for administering the sub award.
      11. CFDA Number and Name; if there are multiple CFDA numbers on a single award, disclose the award amount by CFDA number
      12. Identification of whether the award is R&D
      13. Indirect Cost Rate for the Federal Award
   2. All requirements imposed by the County on the subrecipient so that the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the Federal award;
   3. Any additional requirements that the County imposes on the subrecipient in order for the County to meet its own responsibility to the Federal awarding agency including identification of any required financial and performance reports;
   4. Subrecipient's federally-negotiated indirect cost rate agreement
   5. A requirement that the subrecipient permit County and County auditors access to the subrecipient's records and financial statements as necessary for audit requirements.
   6. Appropriate terms and conditions concerning closeout of the subaward.
2. Evaluate each subrecipient's risk for noncompliance with federal statutes, regulations, and the terms and conditions of the subaward to determine appropriate monitoring procedures. County departments may consider factors such as:
   1. Subrecipient’s prior experience with the same or similar awards
   2. Results of previous audits and whether or not the subrecipient receives a single audit in accordance with federal regulations.
   3. Whether the subrecipient has new personnel or new or substantially changed systems
   4. The extent and results of the monitoring of other agencies (federal or state)
3. Consider specific subaward conditions as appropriate.
4. Monitor subrecipient activities as necessary to ensure compliance with federal statutes, regulations, and the terms and conditions of the subaward.
   1. Review financial and programmatic reports.
   2. Follow up on audit findings to ensure timely and appropriate action.
   3. Issue a management decision for audit findings related to the subaward.
5. Determine monitoring tools as appropriate based on risk assessment.
6. Ensure that each subrecipient is audited pursuant to 200.501 Subpart F - Audit Requirements.
7. Consider whether the results of the subrecipient's audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to County's own records.
8. Consider taking enforcement action for noncompliance.

The County shall document its subrecipient monitoring efforts and provide copies of such documentation to the Comptroller on an annual basis.

# 4.4.4 Procedure

A County Department that intends to pass through all or a portion of a federal or state grant to a subrecipient shall do the following:

1. Before issuing an award to a subrecipient, the Department shall:
   1. Create and execute a Memorandum of Understanding and or a contract between the County and the subrecipient that clearly identifies the federal award information outlined in section 4.4.3.A.1 of this policy;
   2. Perform a search on SAM.gov to determine if the organization has been debarred or excluded from doing business with the federal government; and
   3. Notify the County Comptroller of the pending subrecipient award.
2. After issuing an award to a subrecipient, the County Department will:
   1. Monitor and approve programmatic progress of the subrecipient;
   2. Ensure that subrecipient invoices are timely, accurate, and contain the appropriate backup documentation to support the expense;
   3. Perform subrecipient monitoring at least annually by doing the following:
      1. Review subrecipient’s single audit report for findings. If there are significant findings, contact the County Comptroller for further direction.
      2. Review past and current performance, both financial and programmatic for compliance with the agreement; and
   4. The County department shall document their subrecipient monitoring efforts during each calendar year and forward documentation of their monitoring to the County Comptroller within 60 days of the end of the calendar year.

Reviewed and approved as to form and as being consistent with current law.

By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Passed and adopted on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ by the Board of Weber County Commissioners.

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Gage Froerer, Commission Chair

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ricky D. Hatch, County Clerk / Auditor