

Florida Department of Law Enforcement
Office of Criminal Justice Grants

Application Review, Risk Assessment, & Monitoring Process for Federal Subawards

November 9, 2017



Agenda

Brief description of FDLE's pass-through grant programs and federal requirements

Subaward Application Process

- Application Review Checklist

- Subaward Risk Assessments

Subaward Monitoring Process

- Expenditures

- Performance

- Documents / Questionnaires

- Reports, Management Decisions, Corrective Action

Common Findings & Areas of Non-compliance

FDLE's Pass-through Grant Programs

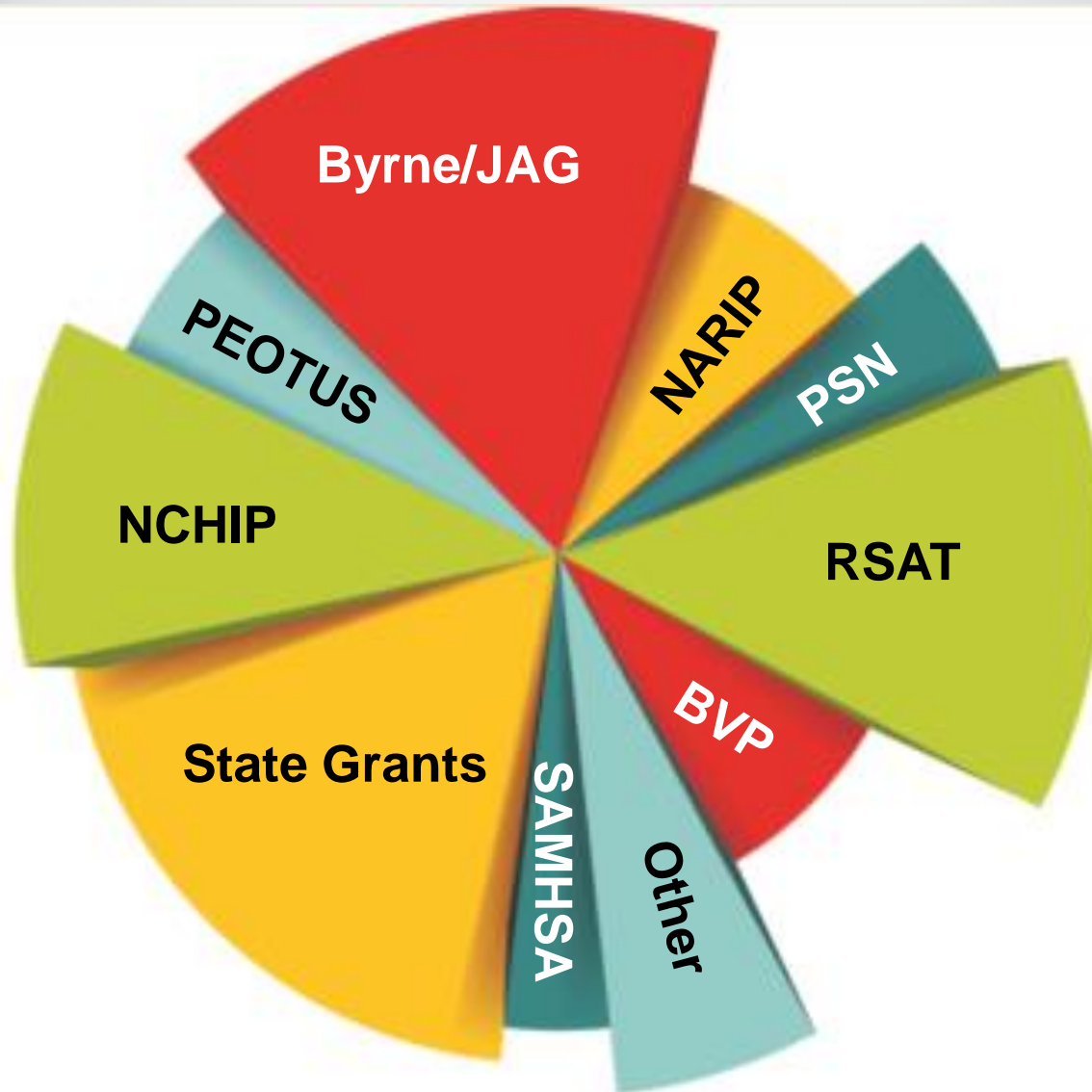
State Grant Programs

Legislative Proviso / Member Projects
Investigative Support / Cyber
Statewide Crime Laboratory System Funding

Federal Grant Programs

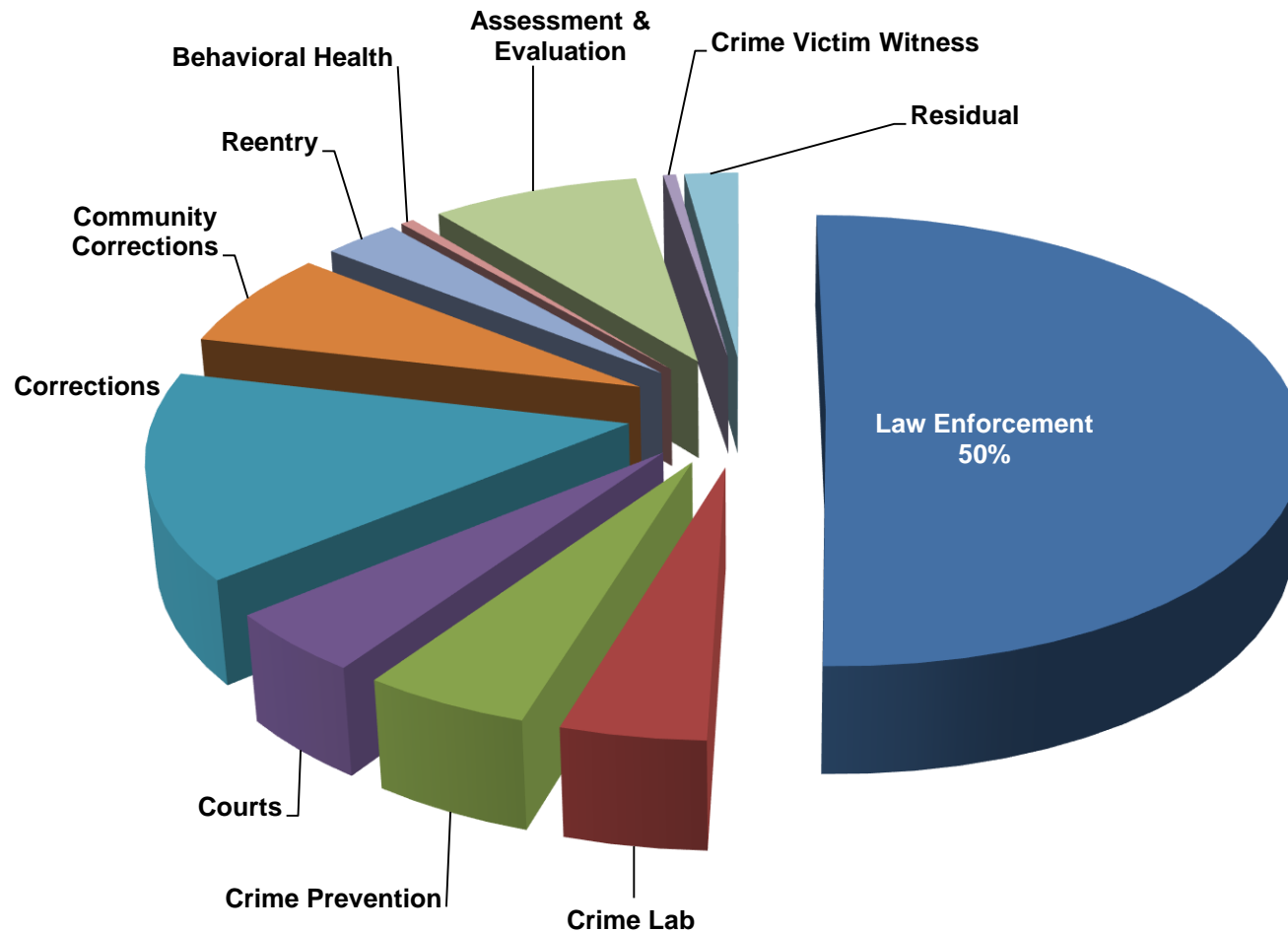
Edward Byrne Memorial Justice Assistance Grant (JAG)
Byrne/JAG Prison Rape Elimination Act (PREA)
JAG Precipitous (JAG Emergency Funds)
Residential Substance Abuse Treatment (RSAT)
National Criminal Improvement Program (NCHIP)
NICS Act Record Improvement Program (NARIP)
President-Elect Security Program
Project Safe Neighborhoods (PSN)
Bulletproof Vest Program (BVP)

FDLE's Pass-through Grant Programs



FDLE's Pass-through Grant Programs

FY16 Edward Byrne Memorial Justice Assistance Grant (JAG) Subawards



Subaward Application Process

Federal Compliance & Eligibility Requirements

2 C.F.R. Part 200, DOJ Grants Financial Guide, Award & Subaward Conditions

FDLE's pre-award review for FY17 subgrants includes validating each subrecipient's eligibility based on the following requirements:

- ✓ Valid federal ID number (DUNS) and current registration in good standing in federal systems (SAM.gov)
- ✓ Written procurement policies that meet minimum federal standards
- ✓ Meet all Civil Rights and EEO requirements of the Safe Streets Act
- ✓ Ability to account for, manage, and report on federal funds (compliance with standards for financial management systems)
- ✓ Procedures for verifying and documenting vendors and providers are not debarred or suspended

Subaward Application Process

Subrecipient Risk Assessments

200.331 – Requirements for Pass-through entities

FDLE &
Subrecipients
with Tiered Subs

(b) Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring described in paragraphs (d) and (e) of this section, which may include consideration of such factors as:

- 1. The subrecipient's prior experience with the same or similar subawards;*
- 2. The results of previous audits including whether or not the subrecipient receives a Single Audit in accordance with Subpart F—Audit Requirements of this part, and the extent to which the same or similar subaward has been audited as a major program;*
- 3. Whether the subrecipient has new personnel or new or substantially changed systems; and*
- 4. The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).*

Subaward Application Process

Subrecipient Procurement Requirements

Procurement procedures must be formally documented and periodically reviewed to ensure compliance with applicable regulations.

A State must follow the same policies and procedures it uses for the State's procurement for its non-Federal funds.

Subrecipients must:

- Have a documented process to check for organizational conflict of interest with potential contractors;
- Have a process in place to ensure that contracts are not awarded to contractors or individuals on the List of Parties Excluded from Federal Procurement and Non-procurement Programs; and
- Perform a System for Award Management (SAM) review of potential contractors or individuals.

Subaward Application Process

FDLE Federal Subaward Risk Assessment Tool

Method for monitoring determined by the pre-award risk assessment score

Site visit or Desk reviews

Other factors that may determine the type of monitoring include:

- number of years since last site visit

- complexity of program

- amount of funds awarded

- new or no key grant contacts

Subaward Monitoring Process

DOJ Grants Financial Guide, Section 3.14 Subrecipient Monitoring

Purpose

- ensure subaward is being used for the approved purpose
- is in compliance with state and federal requirements, laws, regulations
- performance goals are achieved

Requirements

- Develop systems, policies, and procedures for subrecipient reviews
- Reviews conducted according to program and Federal requirements
- Require subrecipient to obtain single audits (or exemptions), and audit findings identified in reports are timely and effectively resolved

Subaward Monitoring Process

200.331 – Requirements for Pass-through entities

(d) Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subrecipient must include:

- 1. Reviewing financial and performance reports required by the pass-through entity.*
- 2. Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and other means.*
- 3. Issuing a management decision for audit findings pertaining to the Federal award provided to the subrecipient from the pass-through entity as required by §200.521 Management decision.*

Subaward Monitoring Process

FDLE Monitoring Reports

Difference between a Finding and a Recommendation

What to expect on the final report and letter to Authorized Official

Compliant – No Findings or Recommendations

Compliant – with Recommendations

Non-compliant – Findings

Non-compliant – Findings and Recommendations

Issues of non-compliance require corrective action and documented resolution and response within 30 days.

Subaward Monitoring Process

Common Findings and Areas of Non-compliance

SAM.gov registrations expiring in the middle of a grant period and not renewed prior to submitting expenditure reports

Failure to return Certificate of Acceptance

Delinquent performance and expenditure reports, or not submitting reports

Lack of quality and accuracy of reports

Budget to actual expenditures

Contract or project management issues that lead to reporting or payment issues

Subaward Monitoring Process

Key grant contacts change but are not updated

Lack of written policies, or the procurement policies don't meet minimum federal standards

Not able to document federal eligibility of vendors or providers verified

LEP policies

Sole source

Accounting for confidential funds, imprest funds, reconciliation

Subaward Monitoring Process

Earning program income, but not “budgeting” it on the subaward or submitting expenditure reports to account for the use of program income

Lack of sufficient documentation for financial management systems or general ledgers accounting for receipt and expenditure of grant funds

Documentation not able to be provided to verify equipment or capital outlay items are placed on inventory

Disposing of equipment or property purchased on previous awards

Surveillance cameras

Subaward Monitoring Process

Net personnel increase documentation

Legacy funded projects and federal investment in positions

Supporting documentation for time and effort reporting for contracted staff



Subaward Monitoring Process

Review and pre-approval for printed materials and publications

Timely deployment and use of grant-funded items

Subcontracting or subawarding

- submitting contract for review / pre-approval

- passing-through standard conditions

- excluded parties list verification

- deliverables and performance of receipt of goods/services

Inaccurate determination for subcontract or subaward agreements