

# **OVERALL WORK PROGRAM**

## **Subrecipient Award & Monitoring**

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## Overview

The purpose of this document is to outline and describe the procedures & requirements for the award and monitoring of planning studies programmed in OahuMPO's Overall Work Program.

A subrecipient is defined as one of OahuMPO's participating agencies (Hawaii DOT, DTS and HART), or a state or local government agency.

## Subrecipient Responsibilities

OahuMPO staff will perform a risk assessment for each subrecipient prior to the awarding of funds to determine specific requirements. Subrecipients are responsible for:

1. **Submitting an OWP Candidate Work Element Form for each new proposed work element.** For more information on proposing a work element, refer to the *Overall Work Program Processes & Procedures*, available on this page:  
<https://www.oahumpo.org/resources/subrecipient-monitoring-and-support/>
2. **Review and file a Sub-Award Agreement for each work element.** OahuMPO staff will prepare a subaward terms document for each work element that is funded through the OWP. The agreement will specify:
  - a. The subrecipient's name;
  - b. The subrecipient's Unique Entity ID (UEI) and Employer Identification Number (EIN);
  - c. The Federal Award Identification Number;
  - d. The Federal award date;
  - e. The subaward budget period (beginning and end dates);
  - f. Amount of Federal funds obligated by the work element;
  - g. Total amount of Federal funds obligated to the subrecipient;
  - h. Total amount of the Federal award;
  - i. Federal award project description;
  - j. Name of the Federal awarding agency and pass-through entity, and contact information for the awarding official;
  - k. CFDA number and name; the dollar amount made available under each Federal award and the CFDA number at the time of disbursement;
  - l. Identification of whether the award is for Research & Development;
  - m. Indirect cost rate for the Federal award (if applicable);
  - n. All requirements imposed on the subrecipient by OahuMPO;
  - o. Requirements imposed on the subrecipient in order for OahuMPO to meet its own responsibilities to the Federal awarding agency, including any required financial and performance reports;

- p. A requirement that the subrecipient permit OahuMPO's auditors to have access to the subrecipient's records and financial statements as necessary for OahuMPO to meet its audit requirements; and
  - q. Appropriate terms and conditions concerning closeout of the sub-award
3. **Conforming to Federal procurement requirements.** In some cases, Federal requirements may not match State requirements, so the subrecipient must use the more restrictive requirement in order to comply with both. Prior to solicitation, the subrecipient must perform a cost or price analysis in connection with every procurement action in excess of \$150,000.<sup>1</sup> The subrecipient must invite OahuMPO staff to serve as a voting or non-voting member of any selection or evaluation committee. The project contract must be consistent with the scope and tasks identified in the work element as it appears in the approved OWP. A copy of the final draft contract and negotiated scope-of-work must be provided to OahuMPO staff for a consistency determination prior to the execution of the contract. The subrecipient must take all necessary affirmative steps to assure that minority business, women's business enterprises, and labor surplus area firms are used when possible.<sup>2</sup> The subrecipient must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where a cost analysis was performed.<sup>3</sup>
  4. **Managing the work element(s).** This includes working cooperatively with OahuMPO staff for the monitoring of all work tasks; completing and delivering all project reports and work products, including drafts, databases, and shapefiles; and preparing the project status reports by the milestone deadline.
  5. **Submitting annual progress reports.** The Progress and Expenditure Report form is provided in *Attachment A*. Because the work element is funded, in part, by Federal monies, the work must comply with all Federal requirements. OahuMPO is the pass-through agency for the Federal funds and is responsible for ensuring that Federal requirements are met.
  6. **Maintaining records.** The subrecipient must maintain and make readily available to the OahuMPO staff upon request records sufficient to detail the history of procurement, including, but not necessarily limited to<sup>4</sup>:
    - a. Rationale for the method of procurement;
    - b. Selection of contract type;
    - c. Contractor selection or rejection; and
    - d. The basis for the contract price.

The subrecipient may use a time and materials type contract only after a determination that no other contract is suitable and only if the contract includes a ceiling price<sup>5</sup>. All subawards from OahuMPO are not-to-exceed amounts. Any costs overruns incurred beyond the award limit are the responsibility of the subrecipient.

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<sup>1</sup> 2 CFR §200.323(a)

<sup>2</sup> 2 CFR §200.321(a)

<sup>3</sup> 2 CFR §200.323(b)

<sup>4</sup> 2 CFR §200.318(i)

<sup>5</sup> 2 CFR §200.318(j)

7. **Requesting prior approval for changes.** Subrecipients must request and receive prior approval<sup>6</sup> from OahuMPO staff for one or more of the following reasons:
  - a. Change in scope or objective of the project or program (even if there is no associated budget revision);
  - b. Change in a key person (usually the project manager) specified in the approved OWP work element;
  - c. Disengagement from the project for more than three months, or a twenty-five-percent reduction in the time devoted to the project, by the project manager;
  - d. The inclusion of new costs or funds;
  - e. A reduction or transfer of funds originally budgeted for support costs of the participating agency;
  - f. New subawards, transferring, or contracting out of any work under the Federal award; and
  - g. Changes in the amount of approved cost-sharing or matching provided by the participating agency.

In some instances, the requested change will require a formal amendment to the OWP, including a public and intergovernmental review period. Subrecipients are encouraged to request change approvals from OahuMPO staff as soon as possible to prevent unnecessary delays or work stoppage while the OWP amendment is processed.

8. **Submitting reimbursement requests.** Requests for reimbursement must be submitted to the OahuMPO staff through the subrecipients' fiscal offices or departments. Each reimbursement request must include the monthly Disadvantaged Business Enterprise (DBE) payment certification. Travel reports, consultant invoices, staff time sheets (when applicable), related receipts, and supporting documentation for allowable costs must also accompany reimbursement requests. **The OahuMPO staff will not process a subrecipient's reimbursement request without that subrecipient having filed a current Progress and Expenditure Report due in October/November for the prior state fiscal year. Other requirements may apply.**
9. **Completing the work element within the specified budget period.** Federal regulations allow the period of performance to be extended only once, by up to 12 months<sup>7</sup>. Refer to the Overall Work Program Processes & Procedures for more information on study schedules.
10. **Submitting draft work products and final reports.** Along with reimbursement requests, the subrecipient must provide an electronic version of the work products and final report via email or on CD, DVD, or other acceptable media, along with two printed copies of the project's final report. Deliverables need to include all databases, shapefiles, and other materials used in the development of the final product. Project close-out cannot occur until the consultant's final DBE report and Hawaii Compliance Express compliance certificate and final DBE report has been provided to OahuMPO.

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<sup>6</sup> 2 CFR §200.308(c)

<sup>7</sup> 2 CFR §200.308(d)(2)

11. **Retaining Records.** Financial records, supporting documents, and all other records pertinent to the award must be retained for no less than three (3) years from the date of submission of the final expenditure report<sup>8</sup>. The records must be made available to OahuMPO's auditor upon request.

Failure to meet one or more of these requirements may result in the loss of continued funding for the work element and subject the subrecipient to greater scrutiny under OahuMPO's risk assessment methodology. The subrecipient may also be required to payback any Federal funds used in support of the work element.

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<sup>8</sup> 2 CFR §200.333