

## 10. POST-AWARD ADMINISTRATION REQUIREMENTS

**A. Official Award File** There shall be a single official award file for each award. The Grants Officer shall be the custodian of the official award file, is responsible for maintaining a complete and accurate official award file, and shall determine where the file is maintained. The file shall be DOC's official record of all administrative, financial, and programmatic activities which occurred under the award. The official award file shall be used for managing the award, resolving disputes, litigation, audits, reporting to Congress, answering FOIA requests, and for all other official purposes. Grants Office and Program Office personnel shall ensure that all pertinent correspondence, notes, reports, amendments, and other relevant information are included in the official award file. Wherever the Manual requires written documentation, it is understood that includes electronic forms of the documentation, so long as it is clear where the electronic information is located and that it can be retrieved as necessary. At a minimum, and as applicable, the official award file must include or have available for easy access the following:

1. The original signed application forms, as applicable (SF-424 form family, or OMB approved alternative to these forms). In addition, the official file must include required DOC forms including, but not limited to, the CD-346, CD-478, CD-511, and SF-LLL, when applicable.
2. The original applicant proposal, budget, and any amendments.
3. Documentation of the analysis upon which the award selection was based including evaluations, scores, justifications, etc. This documentation must clearly demonstrate that the selection procedures have met the requirements contained in Chapter 8 of this Manual.
4. Internal review and clearance documents including all required signatures from the budget office, legal counsel, OIG, grants office, and any other pertinent reviews and/or concurrences determined to be necessary by the Grants Officer.
5. Name check documents, when applicable, including form CD-346 and follow up documents provided by the OIG.
6. Signed certification that all required and applicable pre-award administrative procedures were completed. These procedures include but are not limited to the following:
  - a. Assurance that the recipient was competitively selected by an independent review process or that appropriate noncompetitive review procedures were followed in accordance with Chapter 8 of this Manual and that the official award file contains the required documentation with respect to review and selection procedures;
  - b. Review of credit reports to determine if negative findings are reported;
  - c. Consideration of results of name check review;

- d. Review of the GSA “Excluded Parties List System (EPLS)” to determine whether the applicant has been debarred, suspended, or otherwise excluded from receiving financial assistance;
  - e. Verification that a completed Form CD-511, "Certification Regarding Lobbying," is present;
  - f. The appropriate funding instrument was used in a particular transaction, i.e., grant, cooperative agreement, or contract;
  - g. Review of past performance evaluations if the applicant has received past funding under the program;
  - h. Review of any known unresolved or unimplemented audit findings over six months old;
  - i. Review of accounts receivable listings to determine if the applicant has delinquent debts with the Department; and
  - j. Assurance that the proposed award was coordinated with any other operating units or Federal agencies, as appropriate.
7. Original fully executed award documents and any amendments with all attachments (except OMB Circulars and applicable uniform administrative requirements, which will be listed on the award document).
  8. Memoranda of negotiations with the recipient, if applicable, and correspondence between the recipient and the organization unit in the pre-award and post-award phases.
  9. Advance understandings or waivers of generally applicable award requirements.
  10. Documentation when delegation of authority is authorized in accordance with Chapter 4, Section A.2., of this Manual. The following is the minimum documentary information which must be a part of the official file when the Grants Officer exercises this delegation of authority:
    - a. The specific section of 15 CFR Part 14 for which a less restrictive requirement is imposed or for which a case-by-case exception is made;
    - b. The reason/justification for approval of the less restrictive requirement or the exception; and
    - c. The special award condition included in the grant or cooperative agreement to provide the less restrictive requirement or exception.
  11. Performance/program, financial, patent, property, and other reports submitted by the recipient and all written evaluation/clearance by the Program Officer or other officials.

12. Property records, including any documentation relating to disposition of property or the filing of security interests.
13. Recipient requests for changes requiring amendments, and all correspondence and evaluations of the proposed changes.
14. Project audit reports, including documentation of actions taken, the resolution and implementation of audit findings.
15. Close-out documents including, but not limited to, final financial, progress, property, patent, copyright, and other close-out reports required under the terms and conditions of the award.
16. Other correspondence regarding the project including, but not limited to, interagency and Congressional correspondence.
17. Documentation of any agreements to transfer funds from other agencies including, but not limited to, interagency agreements pursuant to the Economy Act or other special agreements. The file must clearly reference the authority under which funds are transferred, the transferring agency's authority to transfer the funds and its ability to award financial assistance for such a project, and DOC's authority to accept the funds and to award funds for that specific project.

**B. Federal Assistance Awards Data System (FAADS)** FAADS is a central collection of selected, computer-based data on Federal financial assistance award transactions, compiled quarterly. All departments and major agencies of the Executive Branch of the Federal Government with grant making authority report to FAADS. The information in the FAADS is used to provide the Congress, the Executive Branch, other public agencies, and private groups with data on the geographic distribution of Federal funds. Policy oversight for FAADS is provided by OMB. All final decisions concerning FAADS, its operation, comprehensiveness, and coverage rest with OMB. The Bureau of the Census has been designated by OMB as the executive agent for FAADS. The FAADS is required by 31 U.S.C. § 6102(a). The objective of the FAADS is to provide Congressional and state government officials with comprehensive, timely information about financial assistance awards made to public and private recipients. Grants Officers are responsible for submitting information in accordance with the FAADS Users Guide to the OAM. OAM will oversee the submission of a consolidated DOC FAADS report to the Bureau of the Census. The Office of Systems and Technology provides OAM technical support for the FAADS database.

**C. Costs Under DOC Awards** Costs under DOC awards shall be governed by the applicable uniform administrative guidelines, cost principles, and award terms and conditions.

**D. Amendments** DOC awards can only be amended, changed or modified by the cognizant Grants Officer unless the Grants Officer has delegated the authority to approve no-cost amendments. No other DOC official is authorized to make either cost or no-cost amendments, changes, or modifications to awards. For no-cost administrative changes, the Grants Officer may elect to issue a letter notifying the recipient of the change and documenting said change in the

official award file, instead of issuing a CD-451, when the change does not meet any of the following criteria: 1) change in scope or objective; 2) revisions requiring additional funds; 3) budget revisions when the cumulative transfers among direct cost categories exceed 10% of the total Federal and non-Federal funds authorized by the Grants Officer and the Federal share is greater than \$100,000; 4) inclusion of costs requiring prior approval, as directed by the OMB Cost Principles; and 5) under non-construction projects: contracting out, sub-granting, or otherwise obtaining the services of a third-party to perform activities central to the purpose of the award. Examples of when a letter is acceptable for documenting approvals include: 1) transfer of funds between direct and indirect cost categories; 2) foreign travel requiring approval under the Fly America Act; 3) changes in the federal program officer or grants administration officials; and 4) notification to recipients of compliance with special award conditions.

**E. Project Monitoring** The purpose of project monitoring is to ensure that the terms and conditions of awards are fulfilled. Project monitoring shall be the joint responsibility of the Grants Officer, Program Officer, award recipient, and/or their designees. Monitoring may take the form of site visits, written and/or oral reports, meetings, or any other form of communication deemed appropriate by the Grants Officer for keeping apprised of project progress. See 15 CFR §§ 14.51-52 and 15 CFR §§ 24.40-41. Grants Offices and Program Officers may request audit assistance from the OIG in fulfilling their monitoring responsibilities. Allegations of fraud, waste, and abuse may also be referred to the OIG or made anonymously through the OIG Hotline at 1-800-424-5197.

**F. Recipient Responsibilities** Recipients of DOC financial assistance awards are responsible for achieving the scope of work and other activities delineated in the proposal as incorporated into their awards, and any DOC approved amendments thereto. Recipients are also responsible for ensuring that they comply with all of the terms and conditions of their awards and with the provisions made as part of the award including, but not limited to, exercising appropriate financial management, accounting, and control over award funds and other assets; and reporting to the Grants Officer and Program Officer as required under the terms and conditions of their award.