
FRESNO COUNTY SUPERINTENDENT OF SCHOOLS**Business and Noninstructional Operations**
FEDERAL GRANT FUNDS

To ensure the lawful expenditure of any federal formula or discretionary grant funds, the County Superintendent or designee shall comply with the requirements of the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (the "Uniform Guidance"), as contained in 2 CFR 200.0-200.521 and Appendices I-XII.

All staff involved in the administration or implementation of programs and activities supported by federal funds shall receive information and training on the allowable use of federal funds, purchasing procedures, and reporting processes commensurate with their duties. The County Superintendent's financial management and internal control systems processes and procedures shall provide for the following: (2 CFR 200.302, 200.303)

1. Identification in County Superintendent's accounts of each federal award received and expended and the federal program under which it was received
2. Accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the reporting requirements of 2 CFR 200.328 and 200.329
3. Records and supporting documentation that adequately identify the source and application of funds for federally funded activities, including information pertaining to federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income, and interest
4. Effective control over and accountability for all funds, property, and other assets and assurance that all assets are used solely for authorized purposes
5. Comparison of actual expenditures with budgeted amounts for each federal award
6. Written procedures to implement provisions governing payments as specified in 2 CFR 200.305
7. Written procedures for determining the allowability of costs in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the federal grant award

Transactions shall be properly executed, recorded, and accounted for so that the County Superintendent or designee can prepare reliable financial statements and federal reports, maintain accountability over assets, and demonstrate compliance with federal laws, regulations, and conditions of the federal award. (2 CFR 200.61, 200.62, 200.303)

Allowable Costs

Prior to obligating or spending any federal grant funds, the County Superintendent or designee shall determine whether a proposed purchase is an allowable expenditure of federal funds in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the federal grant award. He/she shall also determine whether the expense is a direct or indirect cost as defined in 2 CFR

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

200.413 and 200.414 and, if the purchase will benefit other programs not included in the grant award, the appropriate share to be allocated to the federal grant.

The County Superintendent or designee shall review and approve all transactions involving federal grant funds and shall ensure the proper coding of expenditures consistent with the California School Accounting Manual.

Period of Performance

All obligations of federal funds shall occur on or between the beginning and ending dates of the grant project and shall be paid no later than 120 days after the end of the funding period, unless specifically authorized by the grant award to be carried over beyond the initial term of the grant. (2 CFR 200.77, 200.308, 200.309, 200.344)

All transactions involving the use of federal grant funds shall be reviewed and approved and shall ensure the proper coding of expenditures consistent with the California School Accounting Manual.

Procurement

The County Superintendent or designee shall comply with the standards specified in 2 CFR 200.317-200.326 and Appendix II of Part 200 when procuring goods and services needed to carry out a federal grant as well as any more restrictive applicable state laws and County Superintendent policies concerning the procurement of goods and services.

As appropriate to encourage greater economy and efficiency, the County Superintendent or designee shall avoid acquisition of unnecessary or duplicative items, give consideration to consolidating or breaking out procurements, analyze lease versus purchase alternatives, consider entering into an interagency agreement for procurement of common or shared goods and services, and/or use federal excess or surplus property. (2 CFR 200.318)

The procurement of goods or services with federal funds shall be conducted in a manner that provides full and open competition in accordance with state laws and County Superintendent policies and the following requirements:

1. Any purchase of supplies or services that does not exceed the "micro-purchase" threshold specified in 48 CFR 2.101 may be awarded without soliciting competitive quotes, provided that the County Superintendent considers the price to be reasonable and maintains written evidence of this reasonableness in the record of all micro-purchases. (2 CFR 200.67, 200.320)
2. For any purchase that exceeds the micro-purchase threshold but is less than the "simplified acquisition" threshold specified in 48 CFR 2.101, the County Superintendent or designee shall utilize "small purchase" procedures that include obtaining price or rate quotes from an adequate number of qualified sources. (2 CFR 200.320)
3. Contracts for goods or services over the simplified acquisition threshold shall be awarded by sealed bids pursuant to applicable California law and County Superintendent policy, unless exempt from bidding under the law.

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

4. If a purchase is exempt from bidding and the County Superintendent's solicitation is by a request for proposals, the award may be made by either a fixed-price or cost-reimbursement type contract awarded to the entity whose proposal is most advantageous to the program, with price and other factors considered. (2 CFR 200.320)
5. Procurement by noncompetitive proposals (sole sourcing) may be used only when the item is available from a single source, the need or emergency will not permit a delay resulting from competitive solicitation, the awarding agency expressly authorizes sole sourcing in response to the County Superintendent's request, and/or competition is determined inadequate after solicitation of a number of sources. (2 CFR 200.320)
6. Time and materials type contracts may be used only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost is the sum of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general administrative expenses, and profit. (2 CFR 200.328)

For any purchase of \$25,000 or more, the County Superintendent or designee shall verify that any vendor which is used to procure goods or services is not excluded or disqualified by the federal government. (2 CFR 180.220, 200.214) Prospective contractors shall certify compliance with debarment and suspension requirements.

All solicitations shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description shall avoid detailed product specifications to the extent possible, but may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. When it is impractical or not economical to make a clear and accurate description of the technical requirements, a brand name or equivalent description may be used to define the performance or other salient requirements of procurement, clearly stating the specific features of the named brand which must be met by offers. In addition, every solicitation shall identify all requirements which the offer must fulfill and any other factors to be used in evaluating bids or proposals. (2 CFR 200.319) County Superintendent or designee shall ensure adequate time is allowed for prospective contractors to review the solicitation and submit a proposal. (2 CFR 200.320(c)(1))

The County Superintendent or designee shall maintain sufficient records to document the procurement, including, but not limited to, the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and the basis for the contract price. (2 CFR 200.318)

The County Superintendent or designee shall ensure that all contracts for purchases using federal grant funds contain the applicable contract provisions described in Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. (2 CFR 200.327) The selected contractor shall procure domestic materials and products as required by Federal law unless a limited exception applies. For food purchases, Contractor may only purchase non-domestic food when competition reveals the cost of domestic food is significantly higher or is not available in a satisfactory quality consistent with applicable law. (2 CFR 210.21 and 220.16)

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

Equipment purchased with federal funds shall be properly inventoried and adequately maintained to safeguard against loss, damage, or theft of the property.

Buy American Provision

The County Superintendent will provide a preference for the purchase of domestic products as appropriate and to the extent consistent with law. (2 CFR 200.322) For the purchase of foods as part of a child nutrition program, the selected contractor shall purchase, to the maximum extent practicable, domestic commodities and products. (42 USC 1760(n)) The selected contractor shall retain records documentation any limited exception to the satisfaction of the County Superintendent.

Capital Expenditures

The County Superintendent or designee shall obtain prior written approval from the awarding agency before using federal funds to make capital expenditures, including the acquisition of land, facilities, equipment, and intellectual property and expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life. (2 CFR 200.12, 200.13, 200.20, 200.33, 200.48, 200.58, 200.89, 200.313, 200.439)

Conflict of Interest

No County Superintendent, County Superintendent employee, or County Superintendent representative shall participate in the selection, award, or administration of a contract supported by federal funds if he/she has a real or apparent conflict of interest, such as when he/she or a member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of them has a financial interest in or a tangible personal benefit from a firm considered for a contract. Such persons are prohibited from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or subcontractors unless the gift is an unsolicited item of nominal value. (2 CFR 200.318)

The County Superintendent and County Superintendent employees engaged in the selection, award, and administration of contracts using federal grant funds shall also comply with County Board Bylaw 9270 - Conflict of Interest in relation to such contracts.

Any officer, employee, or agent of the County Superintendent's office who violates SP 3230, this AR 3230, or BB 9270 with regard to the selection, award, or administration of a contract supported by a federal award will be subject to disciplinary actions, up to and including dismissal. (2 CFR 200.318)

Cash Management

The County Superintendent or designee shall ensure the County Superintendent's compliance with 2 CFR 200.305 pertaining to payments and cash management, including compliance with applicable methods and procedures that minimize the time elapsing between the transfer of funds to the County Superintendent and the County Superintendent's disbursement of funds. (2 CFR 200.305)

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

When authorized by law, the County Superintendent may receive advance payments of federal grant funds, limited to the minimum amounts needed and timed in accordance with the actual immediate cash requirements of the County Superintendent for carrying out the purpose of the program or project. Except under specified conditions, the County Superintendent shall maintain the advance payments in an interest-bearing account. The County Superintendent shall remit interest earned on the advanced payment to the awarding agency on an annual basis, but may retain interest amounts specified in 2 CFR 200.305 for administrative expenses. (2 CFR 200.305)

When required by the awarding agency, the County Superintendent shall instead submit a request for reimbursement of actual expenses incurred. The County Superintendent may also request reimbursement as an alternative to receiving advance payments. (2 CFR 200.305)

The County Superintendent or designee shall maintain source documentation supporting the expenditure of federal funds, such as invoices, time sheets, payroll stubs, or other appropriate documentation.

Personnel

All County Superintendent employees who are paid in full or in part with federal funds, including employees whose salary is paid with state or local funds but is used to meet a required match or in-kind contribution to a federal program, shall document the amount of time they spend on grant activities. (2 CFR 200.430) Such records shall be incorporated into the official records and shall be subject to a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated in accordance with 2 CFR 200.430.

Salaries and wages of employees whose salary is paid with state or local funds but are used to meet a cost-sharing or matching requirement of the federal grant shall be documented in the same manner as salaries and wages claimed for reimbursement under a federal grant. (2 CFR 200.430)

Records

The County Superintendent shall submit performance reports to the awarding agency in accordance with the schedule and indicators required for that federal grant by law and the awarding agency. (2 CFR 200.301, 200.328) Except as otherwise provided in 2 CFR 200.334, or where state law or County Superintendent policy requires a longer retention period, financial records, supporting documents, statistical records, and all other County Superintendent records related to a federal award shall be retained for a period of three years from the date of submission of the final expenditure report or, for a federal award that is renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report. (2 CFR 200.334)

Audits

Whenever the County Superintendent expends \$750,000 or more in federal grant funds during a fiscal year, it shall arrange for either a single audit or a program-specific audit in accordance with 2 CFR 200.507 or 200.514. (2 CFR 200.501)

The County Superintendent or designee shall ensure that the audit meets the requirements specified in 2 CFR 200.500-200.521.

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

Specified records pertaining to the audit of federal funds expended by the County Superintendent shall be transmitted to the clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the audit period, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (2 CFR 200.512)

In the event that the audit identifies any deficiency, the County Superintendent or designee shall promptly act to either correct the identified deficiency, produce recommended improvements, or demonstrate that the audit finding is invalid or does not warrant action. (2 CFR 200.26, 200.508, 200.511)

Adopted: 10/30/2017

Amended: 05/18/2023

Legal ReferencesEducation Code

42122-42129 Budget requirements

Code of Federal Regulations, Title 2

180.220 Amount of contract subject to suspension and debarment rules

200.0-200.521 Federal uniform grant guidance, especially:

200.1-200.99 Definitions

200.100-200.113 General provisions

200.317-200.326 Procurement standards

200.327-200.329 Monitoring and reporting

200.333-200.337 Record retention

200.400-200.475 Cost principles

200.500-200.521 Audit requirements

Code of Federal Regulations, Title 34

76.730-76.731 Records related to federal grant programs

Code of Federal Regulations, Title 48

2.101 Federal acquisition regulation; definitions