

10. POST AWARD ADMINISTRATION REQUIREMENTS

A. Official Award File

There shall be a single official award file for each award – which may be paper, electronic, or a combination of the two. The Grants Officer shall be the custodian of the official award file, 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, electronic forms of the documentation are included, 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 the required DOC forms including, but not limited to, the CD-511 and SF-LLL, when applicable.
2. The original applicant proposal, budget, budget justification, and any amendments to these documents. In addition, the NOFO as it appeared on Grants.gov.
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 or required by DOC or operating unit policy.
5. 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. Applicants shall comply with all requirements stipulated in 2 CFR § 200.206 (Federal agency review of risk posed by applicants) related to the review of applicant risk requirements;
 - c. Verification that a completed Form CD-511 (Certification Regarding Lobbying) is complete;

- d. The appropriate funding instrument was used in a particular transaction, i.e., grant, cooperative agreement, or contract, in accordance with 2 CFR § 200.201 (Use of grants, cooperative agreements, fixed amount awards, and contracts;
 - e. Assurance that the proposed award was coordinated with any other operating units or Federal agencies, as appropriate.
6. Original fully executed award documents and any amendments with all attachments (except OMB Circulars and applicable uniform guidance requirements, which will be listed on the award document).
7. Memoranda of negotiations with the recipient, if applicable, and correspondence between the recipient and the operating unit in the pre-award and post-award phases.
8. Advance understandings or waivers of generally applicable award requirements.
9. Documentation when delegation of authority is authorized in accordance with Chapter 4 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 2 CFR Part 200 (see 2 CFR § 200.102 (Exceptions)) 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 specific award condition included in the award to provide the less restrictive requirement or exception.
10. Performance/program, financial, patent, property, and other reports submitted by the recipient and all written evaluation/clearance by the Program Officer or other officials.
11. Property records, including any documentation relating to disposition of property or the filing of security interests. The Tangible Personal Property Report (SF-428) and the Real Property Status Report (SF-429) should be included in documentation, as applicable.
12. Recipient requests for changes requiring amendments, and all correspondence and evaluations of the proposed changes.
13. Site visit reports, as applicable.
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.

When DOC provides Federal funds to another Federal agency that is administering a collaborative project with DOC, the agreement governing that transfer of funds must stipulate that DOC funds shall not be used to pay for management fees in excess of costs or profits in a financial assistance award, unless statutorily authorized. *See also* Chapter 9 of this Manual.

B. Application of Cost Principles under DOC Awards

At 2 CFR § 200.101(a)(2), the Uniform Guidance provides that agencies may, but are not required to, apply Subparts A through E of 2 CFR Part 200, which include the cost principles at Subpart E, to for-profit organizations. Therefore, the Grants Officer in consultation with the Program Office may elect to apply the cost principles under the Uniform Guidance (*see* Subpart E to 2 CFR Part 200) or the Contract Cost Principles and Procedures (*see* 48 CFR Part 31) when making an award to a for-profit organization.

If the Grants Officer applies 48 CFR Part 31 to an award to a for-profit organization, then 2 CFR Part 200 Subpart E would not apply.

C. Amendments

DOC awards can only be amended, changed or modified by the cognizant Grants Officer. No other DOC official is authorized to make amendments, changes, or modifications to awards. When the change meets any of the following criteria, the Grants Officer must document said change by issuing an amendment to the award:

- Change in scope of work or objective;
- Revisions requiring additional funds;
- Request for a one-time or no-cost extension to the period of performance;
- 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 the Simplified Acquisition Threshold;
- Inclusion of costs requiring prior approval, as specified by the Cost Principles at 2 CFR Part 200 Subpart E; and
- Under non-construction projects: contracting for, sub-granting, or otherwise obtaining the services of a third-party to perform activities central to the purpose of the award.

FALD may need to review proposed competitive financial assistance awards where the amount of Federal funding exceeds the Simplified Acquisition Threshold. *See* Chapter 4.C.3.c. of this Manual for further guidance.

For no-cost administrative changes not included in the list above, the Grants Officer may elect to issue a letter notifying the recipient of the change and documenting said change in the official award file.

Examples of when a letter is acceptable for documenting change in the award include:

- Transfer of funds between direct and indirect cost categories;
- Foreign travel requiring approval under the Fly America Act;
- Changes in the federal Program Officer or grants administration officials; or
- Notification to recipients of compliance with specific award conditions.

D. Project Monitoring

The purpose of project monitoring is to ensure that recipients and subrecipients fulfill the terms and conditions of their awards or subawards. Project monitoring shall be the joint responsibility of the Grants Officer, Program Officer, award recipient, subrecipient, and/or their designees. Monitoring may include performing site visits, preparing written and/or oral reports, holding meetings, or any other form of communication deemed appropriate by the Grants Officer for keeping apprised of project progress. See 2 CFR § 200.329 (Monitoring and reporting program performance). Grants Officers 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 or <https://www.oig.doc.gov>.