

## Appendix B: Subrecipient Requirements

Successful applicants will be required to abide by the grant requirements outlined below as well as all OGR Sub-recipient Grant Conditions to be provided at time of contracting.

### 1. Grants Management

- sub-recipients of funds must maintain current registrations in the System for Award Management (SAM) formerly the Central Contractor Registration (CCR) database. The SAM database is the repository for standard information about federal financial assistance applicants, recipients, and sub-recipients. Information about registration procedures can be accessed at [www.sam.gov](http://www.sam.gov). If your organization was previously registered in CCR and you have not yet made the migration to SAM, information about registration procedures can be accessed at [www.sam.gov](http://www.sam.gov).
- Federal grant applicants who are registered with the System for Award Management (SAM) are assigned a Unique Entity Identifier (UEI). The UEI is assigned by and viewable within SAM, but Grants.gov users can also find it listed under their organization profile. (Grants.gov retrieves the UEI from SAM). To view your organization's UEI, follow the instructions at [www.fsd.gov](http://www.fsd.gov)
- Timely submission of all quarterly/annual financial reports, programmatic reports, requests for supporting documentation or any other pertinent documents by prescribed dates.
- Cooperation during OGR monitoring endeavors, including site visits and desk reviews.
- Grant funds are subject to federal accounting and audit requirements including the prohibitions on co-mingling funds. Organizations that receive Formula Grant Program funds along with other federal funds must treat funds independently with separate cost and reporting centers. An audit trail is required for the federal and matching (if applicable) portions of the project each year and is expected to be accessible upon the request of OGR. The sources of receipts, expenditures, and disbursements for each portion of funding are to be accounted for separately.
- Supplanting of funds is strictly prohibited. Funds for programs and services provided through this grant are intended to supplement, not supplant, other state or local funding sources.
- All costs paid with grant funds must be direct and specific to the implementation of the Formula Grant Program.
- No grant funds may be spent for construction, office furniture, or other like purchases.
- In-state travel costs associated with the Formula Grant Program shall include mileage rates not in excess of \$0.62 per mile, actual tolls, or actual parking. No grant funds may be spent for out-of-state conference fees, out-of-state travel, or out-of-state lodging without prior written approval from OGR.
- Funds may not be spent on food or beverages for training, conferences or staff meetings. However, funds may be spent on food and beverages for components of the program that involve direct-service programming for the youth served by the project.
- No consultant or trainer may be paid more than \$650 for an eight-hour work day or \$81.25/hour without the prior written approval from OGR and the U.S. Department of Justice. Requests for a waiver of this requirement with documented justification must be made in writing at the time of application.
- Units of local government and non-profit sub-recipients that expend \$750,000 or more in a year in federal awards (not just those awarded by OGR) must have a single or program-specific audit conducted for that year in accordance with the provisions of the Code of Federal Regulations (CFR) Title 2 Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Subpart F – Audit Requirements at <https://ecfr.io/Title-02/sp2.1.200.f>. OGR's local government and non-profit sub-recipients will be required to submit an A-133 audit summary to OGR annually upon request.

- In accordance with civil rights laws and regulations, all sub-recipients of federal funds, regardless of the type of entity or the amount of money awarded, must certify that they will not discriminate against any person on the grounds of race, color, religion, sex, national origin, age or disability, in any program or activity funded in whole or in part by federal financial assistance. In addition, sub-recipients meeting certain funding and agency-specific criteria are required to develop and file an Equal Employment Opportunity Plan (EEO). Additional civil rights compliance and reporting requirements will be addressed with sub-recipients upon award of the grant.
  - All sub-recipients will be required to complete a Certification of Compliance with Regulations form, responding to either Section A- Declaration Claiming Complete Exemption from the EEO Requirement, Section B- Declaration Claiming Exemption from the EEO Submission Requirement and certifying that an EEO is on File for Review or Section C-Declaration Claiming EEO Submission Requirement. Some sub-recipients may be required to submit their EEO or EEO Short Form to the U.S. Department of Justice, Office for Civil Rights (OCR). Each sub-recipient’s Certification, EEO, or EEO Short Form must be submitted to OCR in accordance with 28 CFR 42.301-308. Details will be provided prior to contracting.
- All publications, (e.g., written, visual or sound), published or produced with the use of Formula Grant Program funds must contain the following statement:

*This project was supported by Grant Award numbers 2020-JX-FX-0051, awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs to the Massachusetts Executive Office of Public Safety and Security, Office of Grants and Research. The opinions, findings, conclusions, and recommendations expressed in this publication, program, exhibition, etc. are those of the author(s) and do not necessarily reflect the views of the state of Massachusetts or the Office of Justice Programs.*

## 2. Procurement

- Sub-recipients choosing to further sub-grant to an implementing agency or an independent contractor, all or any part of the amount of the Formula Grant Program funds, shall include the provisions of the OGR standard sub-grant conditions and enter into a written contract or memorandum of agreement (MOA) with the implementing agency or independent contractor. At a minimum, the contract or MOA must explicitly outline the expected deliverables, timeframes/hours, and rates. A copy of the contract or MOA must be submitted to the OGR for the sub-recipient grant folder once an award is made.
- Procurement of services, equipment, and supplies must follow M.G.L. Ch. 30B for units of local government and non-profit entities and Operational Services Division (OSD) Purchasing Guide for state agencies. Units of local government must ensure that subcontracts with private organizations have provisions ensuring any goods and services provided by the subcontractor are done consistent with M.G.L. Ch. 30B procedures.
- Non-profit agencies may not sub-contract to state agencies. However, state agencies may sub-contract to non-profit agencies or units of local government.

## 3. Other Grant Requirements

- All sub-recipients must comply with the Federal Funding Accountability and Transparency Act as will be further instructed by EOPSS prior to contracting.
- The Anti-Lobbying Act of 18 U.S. Code § 1913 prohibits the use of federal funds for “grassroots” campaigns that encourage third parties, members of special interest groups or the general public to contact members of Congress or a State or local legislator or an official of any government in support of or in opposition to a legislative, policy or appropriations matter. It applies to activities both before and after the introduction of legislation.

- In addition to the requirements set forth above, successful applicants are required to agree to and abide by all state and federal rules, regulations, and conditions pertaining to the receipt, administration, and management of federal funds.

4. *Reporting Alleged Waste, Fraud and Abuse*

- It is the responsibility of the sub-recipient to report alleged Fraud, Waste, or Abuse including any alleged violations, serious irregularities, sensitive issues or overt or covert acts involving the use of public funds in a manner not consistent with federal statutes, related laws and regulations, or appropriate guidelines for purposes of the grant. Reports should be made to the Inspector General for the U.S. Department of Justice and/or to the Offices of the Massachusetts Inspector General or State Auditor.

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