

Questions submitted at CCIT – September 16, 2009

ARRA

General Information: New ARRA contract record types have been created for ARRA reporting. **PR** – Prime Recipient, **IR** – Internal Recipient, and **SR** – Sub-Recipient

The **PR** record type will need to be completed by the Agency who received the Federal Award. Some of the fields have dropdown boxes to assist in the population of the needed data. The total fields will be protected because they are calculated fields, and for those agencies using COFRS, the fields related to vendors and Sub-Recipients payments under \$25,000 and payments to individuals, will also be protected.

The **IR** record type should be used when ARRA money is transferred internally between State Agencies and/or Institutions of Higher Education. For those Agencies using COFRS, the fields related to vendors and Sub-Recipients payments under \$25,000 and payments to individuals, will also be protected. IR records should be linked to PR records when the PR record is available.

The **SR** record type should be completed by the Agency who awarded the ARRA money to the Sub-Recipient. SR records should be linked to PR records when the PR record is available.

The CMS Instructions for PR, IR, and SR record types have been updated on the OSC ARRA website to identify the fields that are mandatory, optional, conditional (complete if applicable, and auto fill from CMS or COFRS at month end). The updated CMS instructions are located at:

http://www.colorado.gov/dpa/dfp/sco/contracts/ARRA/ARRA_Main_Page.htm

1. Regarding the Sub-Recipient reporting template: a) Do we submit aggregate data to OIT monthly? b) Is it correct to assume that we keep back-up documentation and not pass that along to OIT as well? c) Can we add our own instructions to the template to help our sub-grantees?

ANSWER:

a) The Prime Recipient submits aggregate and cumulative-to-date non-financial reporting information (such as jobs created or retained) to CMS if the Prime Recipient is a State Agency, and to OIT if the Prime Recipient is an Institution of Higher Education (IHE) or the Colorado Department of Transportation (CDOT). “Aggregate” data means that the Prime Recipient adds together all jobs created or retained (as detailed on spreadsheets for Internal Recipients, Subrecipients and Subrecipient Vendors, and Recipient Vendors), as well as any jobs created or retained by the Prime Recipient. “Cumulative-to-date” means that the data should be reported as of the award date up to and including the last day of the reporting month.

In addition, every month, agencies and IHEs will submit the Subrecipient Reporting spreadsheet to OIT who will then aggregate Subrecipient Vendor information.

b) Yes, that is correct. Agencies and IHEs should keep back up documentation on all jobs created or retained reporting. There is no need to send this documentation to OIT.

c) Absolutely. Templates can be supplemented with department specific instructions to assist in the reporting process.

2. Regarding the Sub-Recipient reporting template (monthly reporting template): Question #4 on the template (Total Inception to date sub-award Funds Received) – what is the purpose of this? We have not seen this from our federal funding agency as a requirement.

ANSWER:

As noted in the answer to Question #1 above, the data submitted should reflect cumulative-to-date information from the time of award. This field was included to comply with OMB requirements.

3. How do you modify an ARRA record once it has been created and the Continue button clicked? We have been unable to get back into the record to make updates/modifications?

ANSWER:

The problem was traced and it was discovered that Users were not assigned to an ARRA department. CMS now contains a profile for Departments and ARRA-Departments, essentially two separate departments to allow for separation of data and reporting efficiency.

What happened when they created an ARRA record and saved it, the system assigned it to ARRA-Department and since their User profile did not include that department, they could not go back and access the record they created. This has been corrected.

4. Regarding the Quarterly Activity Project Description: Is this field updated by us each quarter as an aggregate number?

ANSWER:

Agencies that are Prime Recipients shall update this field in CMS each month and include an aggregate cumulative-to-date number, as explained in Question #1 above.

This field is included in the Prime Recipient Record in CMS. See “CMS Instructions for Prime Recipient Record” on the OSC ARRA website:

http://www.colorado.gov/dpa/dfp/sco/contracts/ARRA/ARRA_Main_Page.htm

The CMS Instructions include the following for this field: “Description of the overall purpose and expected outputs and outcomes or results of the award and first-tier subaward(s), including significant deliverables and, if appropriate, units of measure. For an award that funds multiple projects such as a formula.”

5. Regarding the Number of Jobs Created or Retained: Is this number also updated quarterly in the PR record? For the first Quarter, should we put the number of jobs funded, but not yet hired?

ANSWER:

The Prime Recipient updates the number of jobs created or retained each month. See Question #1 above. The OMB provides very specific guidance for calculating the jobs created based on full time equivalent (FTE). It is not equal to the number of jobs funded. Please see “Jobs Created or Retained Guidance” on OSC ARRA website.

6. Since Higher Education is not using CMS for reporting ARRA data, how do we report/route non-competitive awards?

ANSWER:

The Non-Competitive Sourcing Justification Form (Appendix 7 of the ARRA Procurement Guidance) is an ARRA staff requirement, and must be completed by any Agency or Institution of Higher Education making a non-competitive award; it does not matter whether the Agency or

Institution of Higher Education is not subject to the Procurement Code or that they do not report on CMS. They need to prepare the form and forward it to the ARRA staff.

7. Is a bid that returns only one response considered non-competed?

ANSWER:

If an RFP, or any other procurement vehicle is solicited, then it has been competed. It is the fact that it was competed, not the number of responses received, that is important.

8. Will there be a Waiver for P-card transactions?

ANSWER:

No. P-Card transactions are still reported as expenditures. Since virtually all of the transactions are below \$25,000, they will be reported in the aggregate. Copied below is the pertinent section from the 6/22/09 OMB Implementing Guidance on §1512 reporting requirements.

P-Card users are expected to use the State Price Agreements when making purchases or, if items are unavailable, to obtain at least two quotes and document.

6/22/09 OMB Implementing Guidance on §1512 reporting requirements

2.4 What are the relevant requirements for prime recipients reporting on sub-recipient payments of less than \$25,000 or to individuals?

Section 1512(c)(4) and this Guidance allows for prime recipients to aggregate reporting on 1) sub-awards less than \$25,000; 2) sub-awards to individuals; and 3) payments to vendors less than \$25,000. Prime recipients should provide a separate aggregate dollar total for each of the three categories.

As previously mentioned in this Guidance, it is important to note that while individual recipients of Recovery funds, either directly from a Federal agency or from a prime recipient, are not required to report into the centralized reporting solution themselves, the Federal agency or prime recipient awarding those funds will report by aggregating the amounts disbursed to individuals.

CMS

9. Does the Controller's Office want any documentation attached to the CMS record? Can attachments to CMS be used in lieu of routing actual hard copy documents?

ANSWER:

The State Controller's policy – "Routing of Contracts," lists several items that must be part of any contract request sent to the OSC for review. The policy requirements include:

- a. The contract and all exhibits, attachments, schedules, tables, etc. referenced therein (the OSC retains one original set).
- b. A copy of the original contract and all prior modifications in the case of a contract modification, including, a list of all amendments and other contract modifications related to the original contract.
- c. Any documentation supporting a "fair and reasonable" determination; for example, an appraisal for purchase of an interest in real property or vendor bids.
- d. A copy of Colorado Secretary of State Webpage information regarding the Contractor, if any (individuals are not required to register).
- e. Copies of any required Central Approver approval documents, including, the following:
 - i. OIT certifications for IT contracts,
 - ii. DHR personal services review or certification form,
 - iii. If the contract term extends beyond five years, the SPO Director's approval thereof, and

- iv. If it is a sole source contract, a DPA/SPO Sole Source waiver.
- f. A copy of the encumbrance ready for level 3 approval (do not pre-approve it);
- g. A copy of any risk analysis performed.
- h. All other necessary documentation such as explanations (emails, letters, etc) regarding contract issues, unusual contract situations, extenuating circumstances, statutory violations, and late contracts.

In addition, a print screen of the top of the Contract Details Screen from the CMS (Contract Management System) record should be included with routed contract documentation. You can do this by pressing the Prt Scr button on your keyboard then pasting (Ctrl V) onto a new Word Document, then printing. Or, you can Right-click your mouse and select Print. Then adjust the print Preferences to print 2 pages on one sheet.

Note: The OSC will retain one original set of everything sent.

For further information, all contract related policies are located on the OSC website. Select the “Contracts” tab, then scroll until you see the words, “New Contract Policies”.

- 10.** Is there a way to connect/associate the system pre-set Tasks to a contract entry, or can we create and save a template to avoid creating Tasks every-time we enter a contract?

ANSWER:

Functionality exists to have pre-set Tasks associated with certain Contract Types and different Departments. What this means is that if ABC department always wanted to have 4 pre-set Tasks for all of its contracts, the system could be configured to accommodate this preference. Also, if it's determined that Personal Services contracts will always have to have 3 review Tasks (for example) then that contract type can be configured to always create those pre-set Tasks when selected. Taken together, if ABC department creates a Personal Services contract record, 7 pre-set Tasks will appear when the Continue button is clicked – the 4 ABC department Tasks and the 3 Personal Services contract Tasks. The CMS Change Committee is currently looking into this topic of interest.

- 11.** Why are modification documents not in the “Contract Type” and “Template” lists? Task Orders, Amendments, Funding Letters, Options etc., would be very useful.

ANSWER:

When the system was first implemented, a limited number of “model”/template documents were ready for addition and use. The process for adding documents to the system is a matter of first ensuring the document used is current and applicable, and second a matter of “matching” fields in CMS to the proper spots in the document itself. This mapping is currently being conducted on various documents (including those mentioned) and new templates will appear as they are completed in the near future.

- 12.** Why is there still both Personal Services and Purchased Services in the list?

ANSWER:

Purchased Services contracts are a type of Personal Services contracts, just as a Construction contract is a type of Personal Services contract. In an effort to retain the ability to search and report on the number of Purchased Services contracts the State may enter into, the decision was made to list them separately.

- 13.** Why can't certain answers from the drop-down lists drive other areas to “gray out” or activate? For example, a field asks if it is a Sole Source and if it is answered “No,” why do the other questions about SS still come up? And, if you select “OTHER,” as the solicitation method, why can't this force the next field to be completed?

ANSWER:

This is not part of the software's current functionality. Such conditional logic would have to be coded. A future release by the vendor could possibly include this functionality.

14. Can the question that asks if a contract is Exempt from SB228 also include Option letters and Amendments and not just Task Orders? Suggest changing it to "prior to 7-1-09 Original Contract."

ANSWER:

This suggested change has been submitted to the CMS Change Committee for review and possible implementation.

15. I was entering a new Record into CMS and it was taking a considerable amount of time. When finished, I click on Continue but nothing was saved – no CMS ID # was assigned and all my data was gone. What happened?

ANSWER:

The system is set to time-out after 60-minutes whether you are idle or not. What this means is that if you took longer than 60 minutes to create a record before clicking Continue, the system had already timed-out and was no longer reading anything you put in. That is why nothing was saved. So, unlike other programs such as Excel, Word, etc., where you can take hours before saving if you'd like and unless the system shuts down or you didn't touch the keypad or mouse for a long time, you wouldn't lose anything, CMS gives you 60 minutes before you *must* click on Continue if you hope to retain your work.

Good rule of thumb if you think it might take you longer than 60 minutes – enter all the * fields, click Continue then go back and add the rest.

16. We have a sub-grantee that is concerned about the data we will be required to enter about their sub-grant with us. Their grant is over \$100k so we know we have to give them a rating. Are we rating them on their project management performance or the performance of the population served?

ANSWER:

The sub-grantee can only manage their program to the best of their ability, as described to you in their grant applications. Whether the populations served under the program actually complete the program and follow the steps necessary to be helped, is beyond their control. You are rating them on how they conduct their program.

GENERAL

17. Will the State Controller be creating/issuing Rules for Amendment 54?

ANSWER:

The Preliminary Injunction struck down all provisions in Amendment 54 as unconstitutional except for the reporting provision. The OSC is waiting for the final Supreme Court decision before issuing rules.

18. Do Purchase orders have termination language?

ANSWER:

Yes. Refer to Fiscal Rule 2-2 (pages 7 – 9; items 19 – 21) for the State's Purchase Order terms and conditions. Fiscal Rules can be found at: www.colorado.gov/dpa/dfp/sco/FiscalRules.

19. What is the Routing Policy for contracts? What is and isn't needed when sending contracts through for signature?

ANSWER:

See response to Question #9 above.