Federal Broadband Grant Monitoring, Compliance, and Documentation

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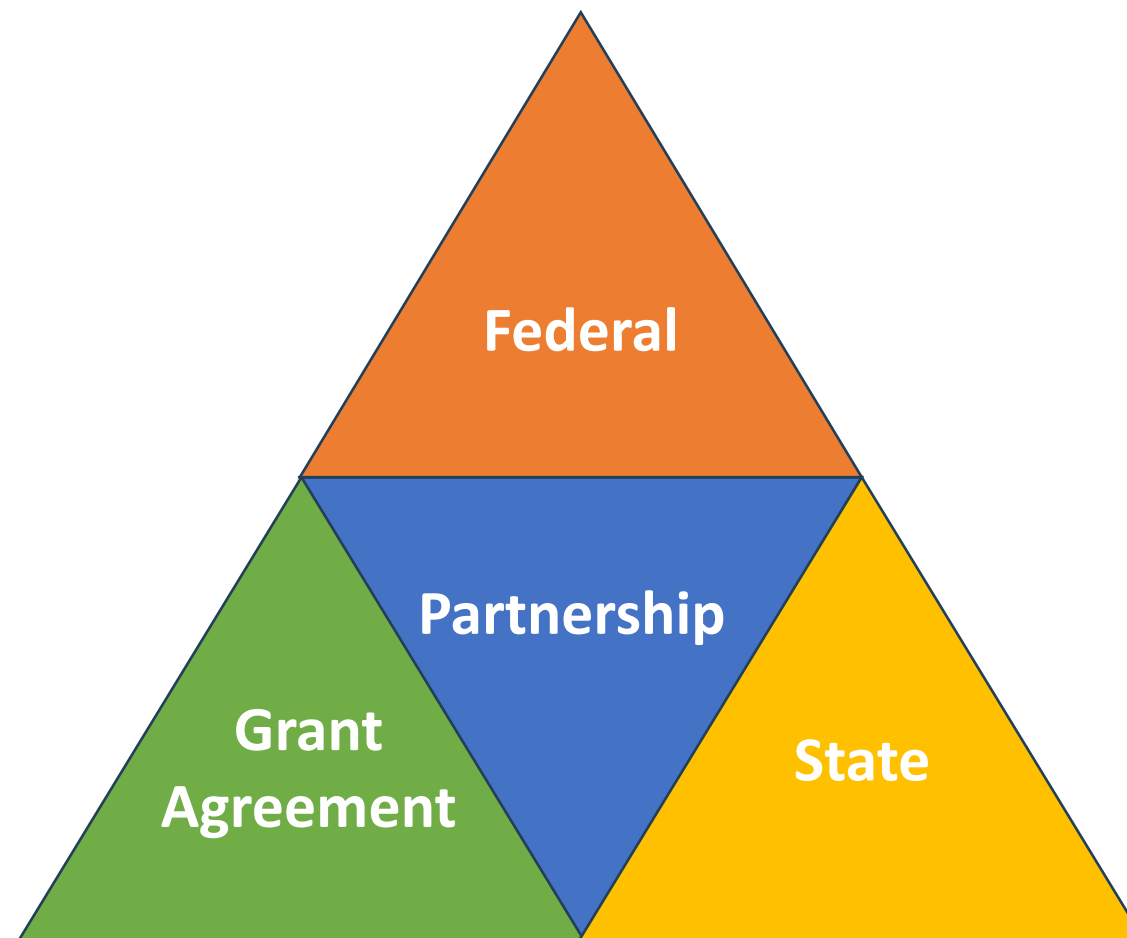
Wisconsin Broadband Office

Information contained in this webinar is specific to the Capital Projects Fund (CPF) Digital Connectivity and Navigators (DCN) Grant Program 05 –CPF-2024

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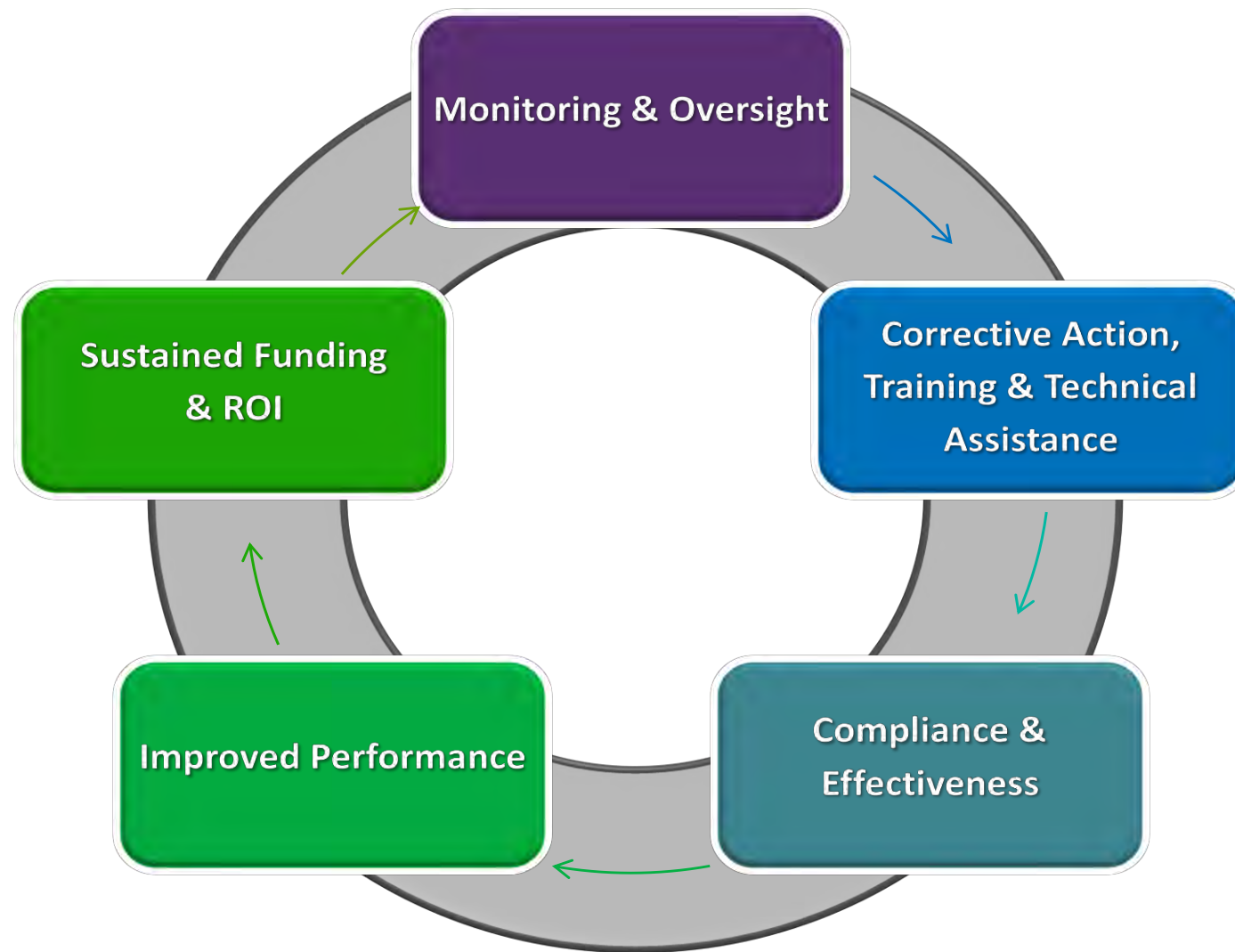
Learning Objectives

1. Identify why grant compliance and monitoring are important

2. Gain understanding of monitoring procedures

3. Build knowledge and awareness to implement policies/procedures related to applicable requirements

Grant compliance and monitoring provides the opportunity for training and support to help grantees feel more empowered to manage federal awards and seek future broadband funding.
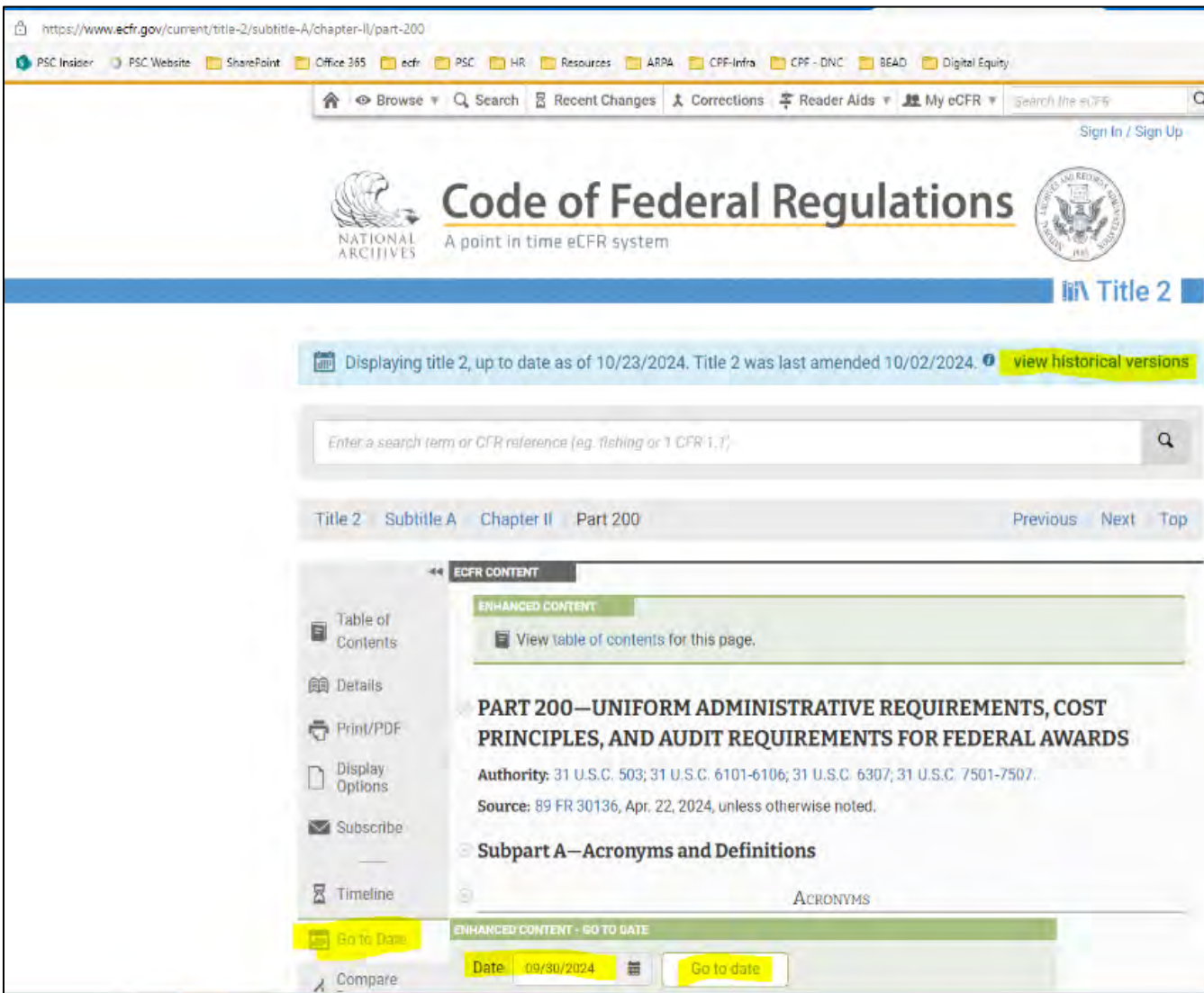
Federal

Partnership

Grant Agreement

State

Monitoring Drives Continuous Improvement

- Monitoring & Oversight
- Corrective Action, Training & Technical Assistance
- Compliance & Effectiveness
- Improved Performance
- Sustained Funding & ROI

Uniform Guidance Updates

CFR 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

At this time, the Capital Projects Fund (CPF) Grants will be monitored based on the Uniform Guidance available prior to October 1, 2024. This is subject to change and the PSC will continue to update subrecipients.

Uniform Guidance Updates

Types of Monitoring

Quarterly, Final & Post-Award Reporting

Reimbursement Request Reviews

Intake Questionnaire

Desk Review Survey
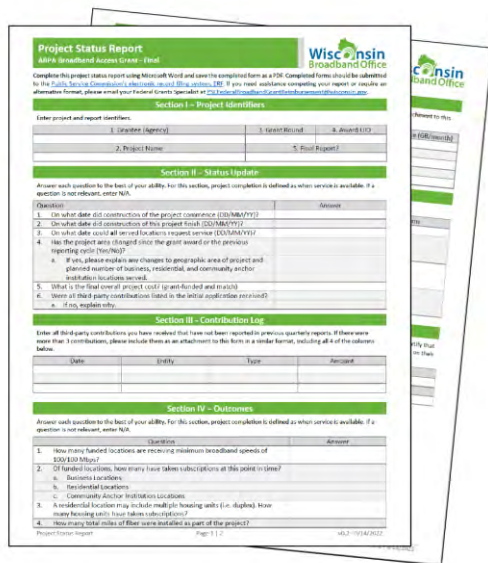
Site Visit

Program Review

- Quarterly: Inform WI Broadband Office (WBO) of the status of your project

- Final (end-of-project): Includes the final report form, location data file in addition to optional submissions of photos, press releases, and access programs

- Additional Reporting information can be found on the CPF Digital Connectivity and Navigators webpage at PSC Capital Projects Fund DCN (wi.gov)

Types of Monitoring: Reimbursement Requests

- Provides verification of allowable costs and budget category spending
- Submitted with supporting documentation, such as receipts, invoices, and labor information
- Report filings must be up-to-date to receive reimbursement
- Additional Reimbursement information can be found on the CPF Digital Connectivity and Navigators webpage at PSC Capital Projects DCN (psc.wi.gov)

- Conducted after the grant agreement is signed
- Important tool used to identify program risks
- Aids in prioritizing grantees for technical assistance and monitoring

Types of Monitoring
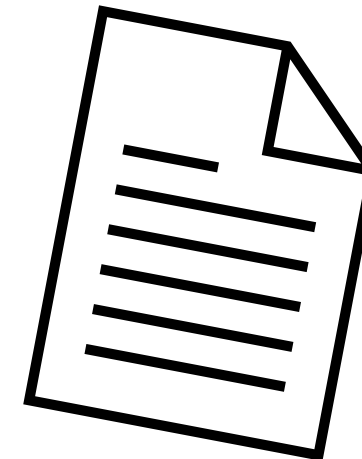
Desk Reviews:

- Conducted virtually for all grantees selected for monitoring
- Determine compliance with administrative, financial management, and programmatic operation requirements
- Each Desk Review Survey is tailored to the grantee's project and specific needs

Site Reviews:

- Prompted when the intake questionnaire, desk review concerns, or other risk indicator arise regarding capacity to administer the award
- Conducted in-person
- May include: Interviews, tours, additional document requests & other items as needed

Program Reviews:

- Conducted at time of final reporting and includes contacting customers subscribed to service funded by the federal award to ensure project outcomes and completion

Types of Monitoring: Desk Review Process

Notification Email → Virtual Kickoff Meeting → ERF Documentation Submission

WBO Desk Review → Monitoring Report → Corrective Action Plan (If required)

Corrective Action Plan Acknowledgement Letter (if required)
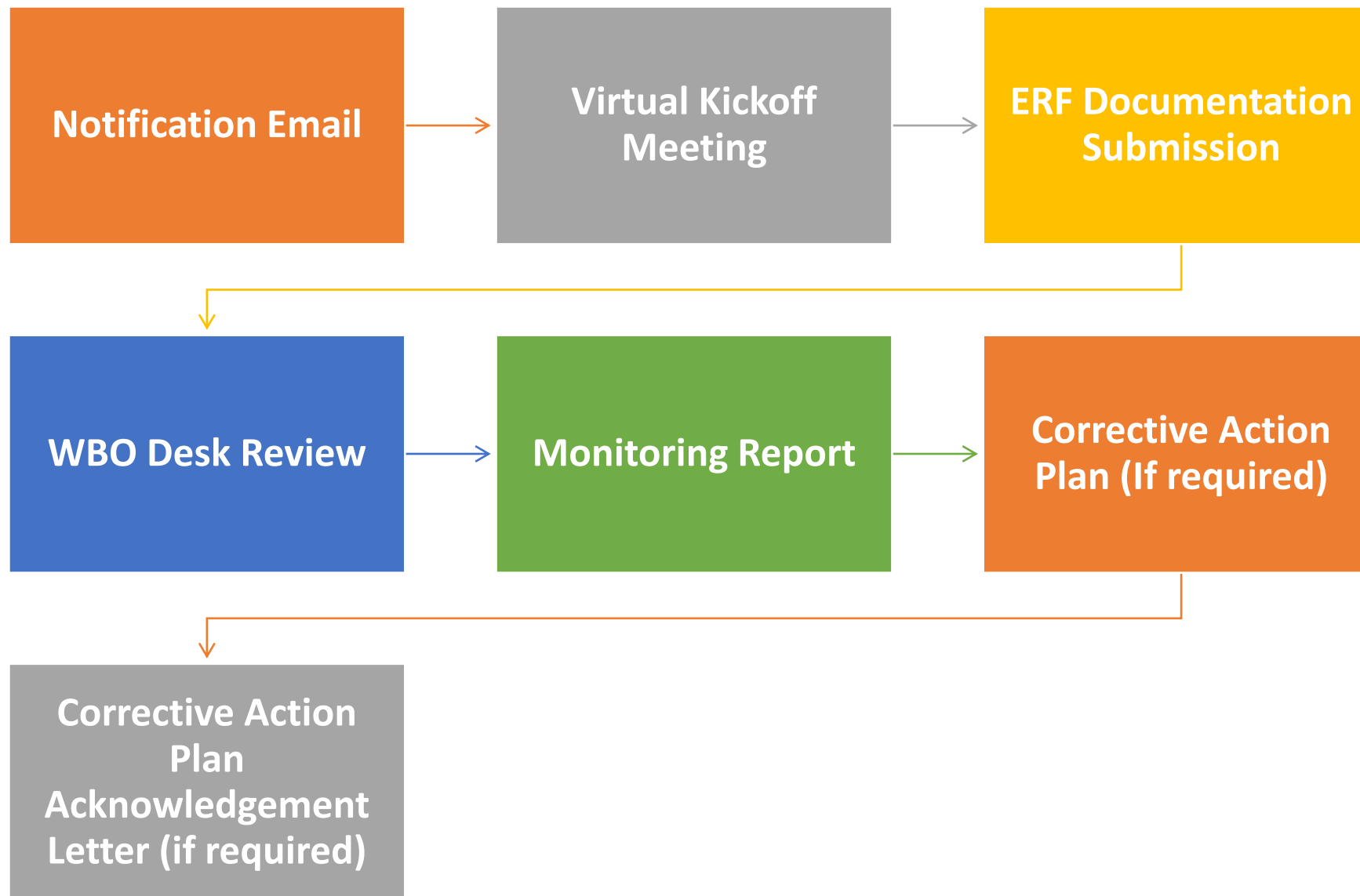
Types of Monitoring: Site Review Process

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Notification Email        →    Virtual Kickoff    →    ERF Documentation
(Site and/or Desk              Meeting                 Submission
Review)                                                      │
                                                             ↓
WBO Desk Review           →    Site Review        →    Site Visit
                               Notification Email            │
                               (If not already              │
                               notified)                    ↓
Monitoring Report         →    Corrective Action  →    Corrective Action
                               Plan (If required)          Plan
                                                           Acknowledgement
                                                           Letter (If required)
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Monitoring Report

Finding

- An area of concern which presents a failure to meet internal control standards, a requirement of regulations, or grant agreement terms and conditions; findings will usually require further follow-up actions by the subrecipient and WBO

Observation

- Is not a specific compliance violation but may have negatively impacted the program or could lead to a finding in the future if not addressed. Typically, no corrective action is required but may instead include suggestions for improvement

Monitoring Report

Condition

What is the specific problem or violation?

Cause

What is causing the condition?

Criteria

What standard or requirement is being used to evaluate the condition?

Corrective Actions

What action is required to eliminate the cause and thus correct the condition?

Corrective Action Plan (CAP)

Common Finding/Observations & Remedies
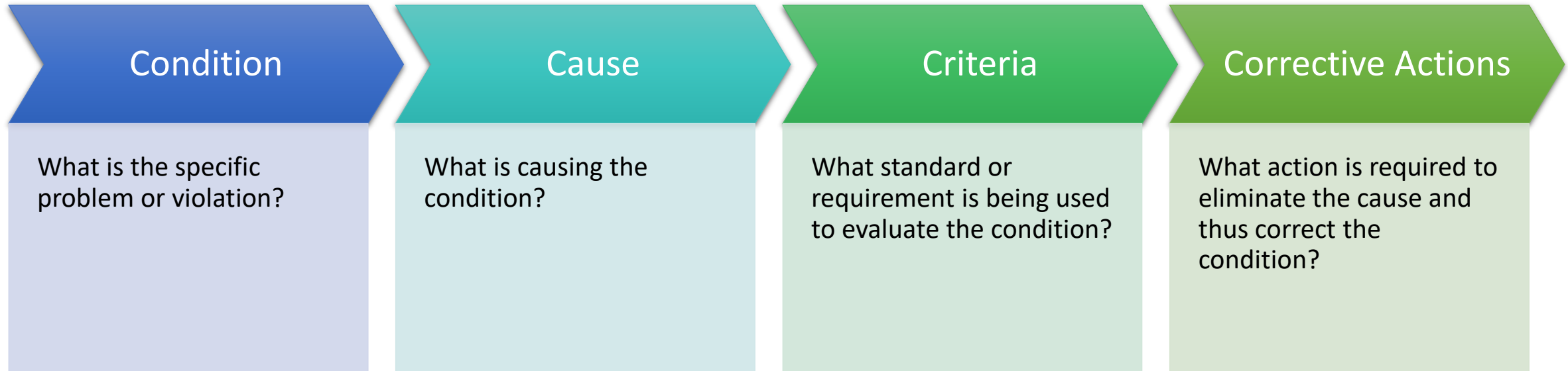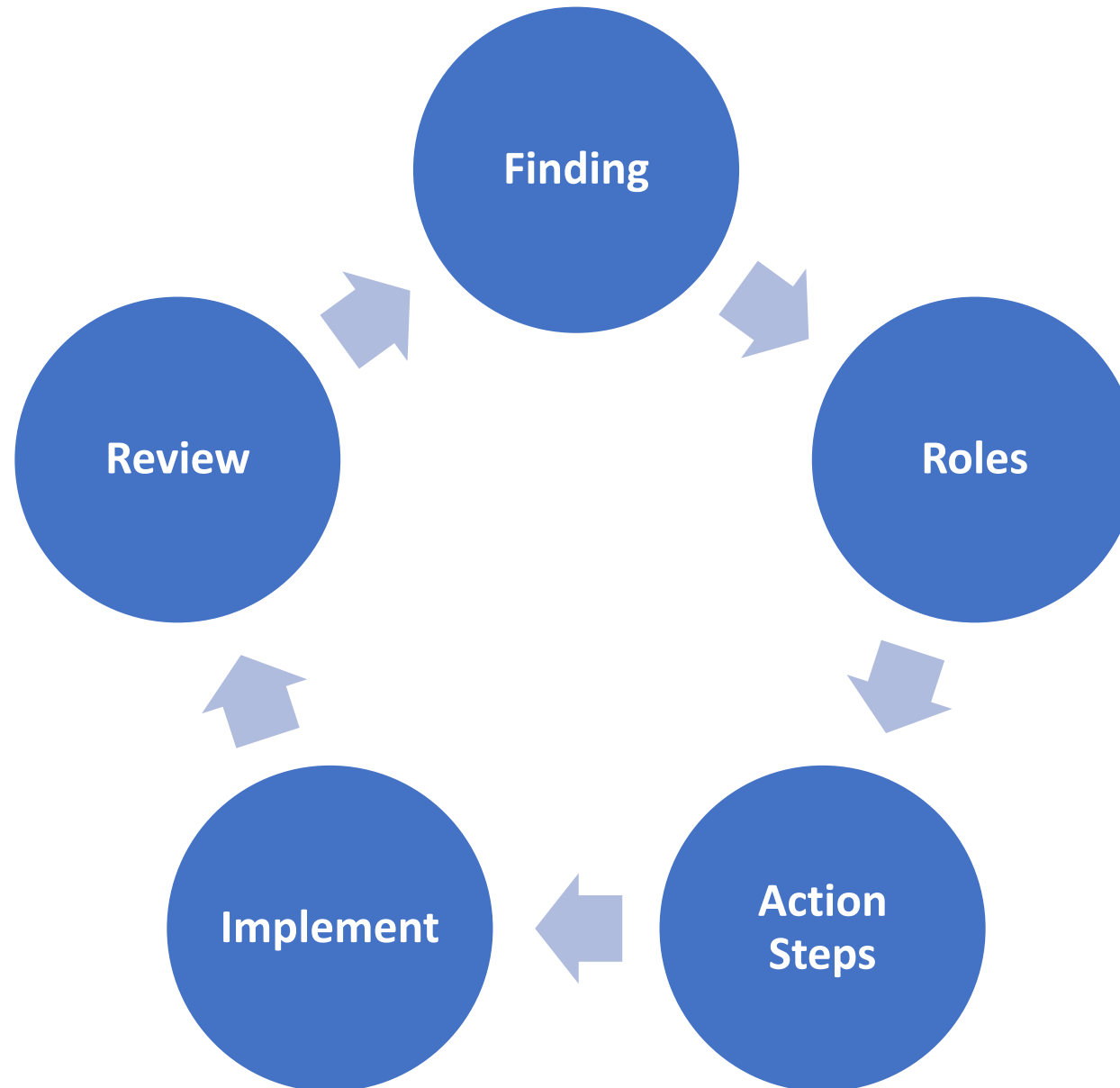
Records Management

- Record retention schedules that meet Grant Agreement requirements

Property Management

- Identify and account for inventory/equipment purchased through federal funding
- Address security of facilities and equipment

Internal Controls

- Do not rely on common practice
- Have written policies and procedures

- Monitoring reviews **DO NOT** encompass all areas of the Grant Agreement or related state and federal regulations

- Provide a compliance check on a subset of items

- Grantees should rely on the Grant Agreement and applicable state and federal regulations when developing policies and procedures related to their projects

- Section 5.0 Recordkeeping, Examination of Records and Facilities
  - Minimum acceptable record descriptions for:
    - Financial Records (5.5 - See Reimbursement Request Webinar)
    - Digital Device (5.6)
    - Digital Navigator Service (5.7)
    - MDU Wi-Fi Service (5.8)
    - Participant Record (5.9)

- Attachment G – Monitoring Data Elements

5.6 Digital Device Minimum Acceptable Record Consists of:

- Create and maintain a list of devices in specific fleet clearly depicting the date of acquisition, deployment information, and other details as instructed by Commission staff
  - Each digital device will need to be assigned a **unique identifiable number**;
  - Device type (laptop, tablet, desktop computer, Wi-Fi equipment, other),
  - Digital device deployment start and end date per individual receiving the device.

5.7 Digital Navigator Service Minimum Acceptable Record Consists of:

- Service start date;
- Description of services provided;
- Service end date;
- Identify the program participant(s) that received the digital device and required contact information.

5.8 MDU Wi-Fi Service Minimum Acceptable Record

Consists of:

- Service start date;
- Service end date
- Identify the location/address that received the digital device or service

5.9 Program Participant Minimum Acceptable Record Consists of:

- Eligibility Determination / Program Participant start date
- All Program participants need to be assigned a **unique identifiable number** (Helps with PII during monitoring)
- Participant's address
- Participant's county or Tribal Nation
- Participant's household size (including the participant) at enrollment

Attachment G – Monitoring Data Elements

- Self-Attestation – also known as a participant statement
    - Individual identifies their status for permitted elements (underserved, under connected, low income, affected by COVID-19, address, county, household size)
    - Individual signs and dates a written form attesting to this self-identification

- Paper and electronic records are acceptable

Monitoring Resource

Digital Device Delivery File Review Guide is available on the DCN webpage under monitoring resources.

- FAQ – Post Award
- Subrecipient vs Contractor Checklist
- Background for Contract Provisions
- Procurement Standards
- Sole Procurement Justification
- Procurement Guide

All available on the DCN webpage.

Subrecipient vs Contractor Checklist

This resource is available to help grant recipients determine whether each agreement it makes for the disbursement of federal program funds casts the entity receiving the funds in the role of a subrecipient or a contractor. Based on 2 CFR 200.331, the following information is intended for use by all non-federal entities.

Subrecipient means an entity, usually but not limited to non-Federal entities, that receives a subaward from a passthrough entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award.

Contractor means a dealer, distributor, merchant or other seller providing goods or services that are required to implement a Federal program. These goods or services may be for an organization's own use or for the use of the beneficiaries of the Federal program.

Subrecipient vs Contractor Checklist

Subrecipient	Contractor
• Determines who is eligible to receive what Federal assistance	• Provides similar goods or services to many different purchasers
• Performance is measured by whether objectives of Federal program are met	• Provides the goods and services within normal business operations
• Has responsibility for programmatic decision making	• Provides goods and services that are ancillary to the operation of the Federal program
• Responsible for adhering to applicable Federal program requirements	• Not subject to the compliance requirements of the Federal program
• Uses Federal funds to carry out a program for a public purpose	• Provides goods and services for the grant recipient's own use, creating a procurement relationship
• Funded by a subaward	• Typically, funded by a procurement contract

Procurement Standards

o All non-federal entities must follow procurement standards outlined in 2 CFR 200.317-200.327

o Procurement History File, 2 CFR 200.318(i)
   o Must include a rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

o There are informal and formal methods of procurement
   ▪ Micro-purchases
   ▪ Simplified Acquisitions
   ▪ Sealed bid
   ▪ Competitive proposals
   ▪ Noncompetitive (Sole Source)

Noncompetitive/Sole Source Procurement

o Sole source procurements by all other grant recipients, including subrecipients of a State, must adhere to the standards set forth in 2 CFR 200.320(c)

o All sole source procurements by non-Federal entities other than States require adequate written justification in their history of procurement file.

o See the Justification for Non-Competitive Procurement resource on the DCN webpage for additional details.

Contract Provision

To provide the PSC reviewer with guidance regarding contract provisions/clauses. Contract Provisions for Non-Federal Entity Contracts Under Federal Awards 2 CFR 200, Appendix II

In addition to other provisions required by the Federal agency or pass-through entity, all contracts made by the grant recipient under the Federal award must contain provisions covering the following, as applicable. For full text, please refer to 2 CFR 200, Appendix II

Contract Provision

> $2,000	> $10,000	> $100,000 TO <$150,000	>$150,000*
• Equal Employment Opportunity (EEO) clause outlined in 41 CFR Part 60-1 • Debarment & Suspension • Rights to Inventions (applicable to non-profit and small business only)	• EEO clause outlined in 41 CFR Part 60-1 • Debarment & Suspension • Termination for Cause/Convenience • Rights to Inventions (applicable to non-profit and small business only) • Solid Waste Disposal Act	• EEO clause outlined in 41 CFR Part 60-1 • Debarment & Suspension • Byrd Anti-Lobbying • Termination for Cause/Convenience • Contract Work Hours/Safety Standards Act • Rights to Inventions (applicable to non-profit and small business only) • Solid Waste Disposal Act	• EEO clause outlined in 41 CFR Part 60-1 • Debarment & Suspension • Byrd Anti-Lobbying • Termination for Cause/Convenience • Contract Work Hours/Safety Standards Act • Rights to Inventions (applicable to non-profit and small business only) • Clean Air Act/Federal Water Pollution Control Act • Solid Waste Disposal Act

Desk Review Survey

Service Design and Delivery

- ✓ Implementation
- ✓ Program Services

Program Operations

- ✓ Budget
- ✓ Property Management
- ✓ Procurement and Contract Administration
- ✓ Performance Management
- ✓ Subrecipient Management and Oversight
- ✓ Records Management
- ✓ Personnel
- ✓ Civil Rights and Notices

Financial Management

- ✓ Internal Controls
- ✓ Payment and Cash Management
- ✓ Allowable Costs and Cost Classification
- ✓ Program Income
- ✓ Audits

Service Design & Delivery - Implementation

Documentation	Requirement	Tips for Your Desk Review
Provide any statement, press releases or any marketing or promotional materials describing the project	Grant Agreement	• CPF Infrastructure specific language requirements, "This project [is being] [was] supported, in whole or in part, by federal award number CPFFN0201 awarded to [name of Grant Recipient] through $[grant award amount] of funds from the U.S. Department of the Treasury through the American Rescue Plan Act and the State of Wisconsin, acting by and through the Public Service Commission of Wisconsin."
Organization Chart	Grant Agreement	• An organization chart helps with understanding the ownership and management structure.
Provide sample of program participant intake/eligibility documentation	Grant Agreement	• Sample can be blank, do not include any PII

Program Operations – Property Management

Documentation	Requirement	Tips for Your Desk Review
Equipment/Property Control Policy and/or Inventory Procedures	Grant Agreement 2 CFR 200.313	Procedures to account for federal property / equipment. This includes but is not limited to: • Acquisition, management, and disposition of equipment • Procedures for safeguarding property such as security of facilities, receiving procedures, and insurance. • Physical inventory procedures.
Certificate of Liability Insurance showing proof of motor vehicle insurance	Grant Agreement	
Supplies Policy and/or Procedures	Grant Agreement	

Program Operations – Procurement & Contract Administration

Documentation	Requirement	Tips for Your Desk Review
Contractor or subaward Agreement(s)	Grant Agreement 2 CFR 200.331	Entities should have written contracts/subawards, agreements, and/or agreed upon pricing covering the scope of work with their subcontractors. *Non-Federal Entity contracts must follow 2 CFR 200 Appendix II, see Background for Contract Provision resource for additional information. Subrecipient vs Contractor Checklist
Procurement history file	2 CFR 200.317-200.326	The procurement history file must include records that show the rationale for the procurement method, contract type selection, contractor selection or rejection, and the basis for contract price as required by 2 CFR 200.318(i).

Program Operations – Performance Management

Documentation	Requirement	Tips for Your Desk Review
Provide a list of all digital devices acquired with DCN grant funds	Grant Agreement	The list of digital devices must include the unique identifiable number, date of acquisition, device type, and deployment start and end date per individual or MDU receiving the device. The PSC Reviewer will select a random sample from this list and request specific program participant or location details (see Grant Agreement Section 5.9) after submission.

Documentation	Requirement	Tips for Your Desk Review
Provide your subrecipient monitoring policies and/or procedures	2 CFR 200.332	Pass-through entities must monitor subrecipients to ensure that the subaward is: • Used for authorized purposes • In compliance with Federal statutes, regulations, and the terms and conditions of the subaward • Subaward performance goals are achieved
Provide your most recent subrecipient monitoring report and, if applicable, any corrective action plans.	2 CFR 200.332	

Documentation	Requirement	Tips for Your Desk Review
Record Retention Policy	Grant Agreement	Retain grant related records and files for at least five years following final payment of the Grant Award.

Program Operations - Personnel

Documentation	Requirement	Tips for Your Desk Review
Personnel Policies and Procedures, Employee Handbook	2 CFR 200.300 Grant Agreement	Personnel policies and procedures in place that align with state statute, federal regulations, and the grant agreement.
If including Labor in award budget, also must keep qualification requirements documented for grant-award related positions		If a grantee includes labor in their grant budget, they must have position descriptions or other documentation which includes qualification requirements for positions funded in part by grant funding.
Conflict of Interest Policy In addition to the policy provide proof that directors and staff have received and reviewed the policy	2 CFR 200.318(c) Grant Agreement Wis. Stat. §§ 180.0831, 180.1911(1), and 181.0831	Written standards of conduct covering the actions of employees engaged in the selection, award, and administration of contracts.

Documentation	Requirement	Tips for Your Desk Review
Picture of Know Your Rights: Workplace Discrimination is Illegal	Grant Agreement 2 CFR 200.300	Personnel policies and procedures in place that align with state statute, federal regulations, and the grant agreement. The Substance Abuse and Mental Health Services Administration also provides a helpful over of minimum requirements for organizations receiving a federal grant.
Drug Free Workplace Statement, Posted Notice, Awareness Program	Grant Agreement 31 CFR Part 20	
Picture of posted Wisconsin Contract Compliance Law Poster	Wisconsin Statute § 16.765 Wisconsin's Contract Compliance Law	
Protections for Whistleblowers	Grant Agreement	

Financial & Cash Management

Documentation	Requirement	Tips for Your Desk Review
Accounting Manual/ Financial Management Procedures Purchase Order Balance Sheet & Chart of Accounts	2 CFR 200.302 2 CFR 200.303	Ensure there are standards for internal control in place, **supported by approved policies**. This includes but is not limited to: • Processes used for recording and reporting of financial transactions • Segregation of duties • Consistent journal and account reconciliation • Standard approval processes for paying invoices and vouchers • Chart of Accounts • Detailed accounting procedures.
Timesheet(s) with corresponding fringe calculations, as applicable	Grant Agreement 2 CFR 200.430	
Bank account reconciliation(s) and corresponding bank statement(s)	2 CFR 200.302 2 CFR 200.400(a)	

Program Income

Documentation	Requirement	Tips for Your Desk Review
Provide any policies and procedures related to program income	2 CFR 200.307 Grant Agreement	Not all project plans to have program income. You will only have to provide this information if you project generates program income.

Audit

Documentation	Requirement	Tips for Your Desk Review
Most recent single audit report, which is required of a non-Federal entity that expends $750,000 or more in federal awards during the non-Federal entity's fiscal year If a single audit report is not required, must submit any other type of audit or financial management review conducted by a third party including any schedule of findings and responses	2 CFR 200.501 Grant Agreement	Determination of whether the audit report contains any findings or questioned costs related to the federal grant project(s). If so, has there been resolution to the conditions found in the audit report.

Submitting Documentation

- Submit via [Electronic Records Filing System (ERF)](#) using your monitoring specific docket number provided in your Desk Review Notification

- Use the document naming convention outlined in your Desk Review Survey

  - Example: CPF, 1. Publicity

- Convert each documented associated with a specific data element identified in the Desk Review Survey Checklist into a PDF and upload separately.

  - Do not upload one PDF with all supporting documentation

Submitting Confidential Documentation

- Must be a reasonable basis to conclude that the record, or portion of a record, is confidential such as trade secrets

- Upload the confidential file for WBO staff and a public redacted copy

- Notary is required as part of confidential requests

- More information can be found in the ERF User Manual

Submitting Confidential Documentation

- Confidentiality Reasons:
  - The record contains trade secrets as define dis Wis. Stat. 134.90
  - The record contains information which would aid a competitor of a public utility in competition with the public utility making the request under Wis. Stat 196.14
  - The record is an accident report under Wis. Stat 196.72
  - The record is protected business information under Wis. Stat 196.795(9)
  - The record may otherwise be exempt from disclosure under the Public records Law, Wis. Stat. 19.31 to 19.39

- More information can be found in the ERF User Manual

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How to Prepare?

- Read the grant agreement and applicable federal and state regulations
- Ensure policies are up to date, in place, and comply
- Train staff on new or updated policies and procedures
- Reach out to WBO staff

Questions? Connect with Us

PSCCapitalProjectsFund@wisconsin.gov

[PSC Capital Projects Fund Broadband Infrastructure (wi.gov)](https://wi.gov)

Thank you for your partnership!

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