



- Bureau Order
 Special Order

Order No.: **GTSB 20-03**

- Procedure
 Plan
 Rule

Iowa Department of Public Safety Governor's Traffic Safety Bureau

TITLE/SUBJECT: Administrative and Performance Monitoring for Non Enforcement Contracts

IDENTIFIER: 47-02.11

TO: All GTSB Personnel

CC:

RELATED DIRECTIVES/FORMS: U.S. DOT Common Rule – Title 49 CFR 2, Sub. A, Chapter II, Part 200, Sub. D 200.328

APPLICABLE CALEA STANDARD(S):

EFFECTIVE DATE: 2-26-2020

REVISION #: 2

INSTRUCTIONS: Changes have been made in Section IV.

APPROVED BY:

Patrick J. Hoye

DATE:

February 26, 2020

Patrick J. Hoye, Bureau Chief

I. Purpose

A. The purpose of monitoring is to:

1. Maintain control of a project
2. Detect problems
3. Identify changes or training needed
4. Provide data for planning and evaluation
5. Ensure that grantees are in compliance with applicable federal requirements
6. Ensure that performance goals are being achieved
7. Create opportunities for the GTSB to provide technical assistance when needed.

II. Policy

It is the policy of the Governor's Traffic Safety Bureau to ensure that GTSB contract grantees adhere to federal and state regulations that govern the contract projects.

III. Definitions

A. **Program Administrator (PA)** – The GTSB staff member assigned to manage specific contracts with grantees.

B. **Grantee** - For the purpose of this policy a *grantee* means the government to which a grant is awarded from the Governor's Traffic Safety Bureau and which is accountable for the use of the funds provided.

C. **Funding Level** – The total dollar amount of a contract granted to a grantee.

1. Level 1 = \$1 – 74,999
2. Level 2 = \$75,000 – 199,999
3. Level 3 = \$199,000 ^

D. Monitoring Types

1. **Desktop** – A review of reports, claims and other submissions by a grantee on a prescribed GTSB form. Desktop monitoring does not preclude the Program Administrator from conducting On-Site visits.
2. **On-Site** – A GTSB Program Administrator conducts an on-site visit at the grantees facility.

IV. Procedure

A. Level 1 = Funding \$1 – 74,999 (Applies only to Non-Enforcement projects)

RESPONSIBLE PARTY	REQUIRED ACTION	NOTE/COMMENT
Program Administrator	1. Once, between October 1 and September 30 of each year, the PA responsible for the contract shall conduct at least one on-site or desktop monitoring session utilizing approved GTSB monitoring forms.	Requires 1-onsite or desktop review per year.
	2. Discuss deficient areas with the contractor representative that indicates a consistent pattern of noncompliance over a period of 3 months. Note outcome on approved GTSB monitoring forms.	
	3. Discuss non-compliant areas with grantee immediately or within 7 calendar days from date of on-site visit and identify remedies that will be implemented to correct the non-compliant areas. Utilize approved GTSB monitoring forms to detail corrective actions to be taken by grantee.	
	4. Furnish a hard or electronic copy of the approved GTSB monitoring form(s) to the grantee.	
	5. Forward all completed original monitoring forms to Grants Administrator.	
Grantee	6. Within 21 calendar days from the onsite visit sign and return approved GTSB monitoring form(s) verifying that corrective actions identified have been implemented and that the non-compliant area(s) is(are) in compliance.	

Program Administrator	7. If grantee does not comply with corrective actions by the required date, contact the grantee agency head to advise that the contract will be out of compliance if corrective measures are not implemented and verified.	
Grants Administrator	8. If grantee does not comply with corrective actions, discuss with BC and PA and prepare a memorandum of intent to cancel contract and send by certified mail to grantee agency head.	
Grants Administrator	9. If grantee still does not comply with corrective actions, discuss with BC and PA and prepare a memorandum canceling contract and send by certified mail to grantee agency head.	
	10. Update monitoring file as needed through life of contract cycle.	
	11. Provide copies of all monitoring forms to Program Administrator.	
	12. Note receipt of monitoring forms in tracking report	
	13. File monitoring forms in master contract file.	
	14. When necessary, provide each PA with a monthly Tracking Report Summary, GTSB Form 64	

B. Level 2 = \$75,000 – 199,999

RESPONSIBLE PARTY	REQUIRED ACTION	NOTE/COMMENT
Program Administrator	1. Once, between October 1 and March 31 and once between April 1 and September 30 of each year, the PA responsible for the contract shall conduct an on-site or desktop monitoring session utilizing approved GTSB monitoring forms.	Requires 2-onsite or desktop reviews per year.
	2. Discuss deficient areas with the contractor representative that indicates a consistent pattern of noncompliance over a period of 3 months. Note outcome on approved GTSB monitoring forms.	

	3. Discuss non-compliant areas with grantee immediately or within 7 calendar days from date of on-site visit and identify remedies that will be implemented to correct the non-compliant areas. Utilize approved GTSB monitoring form(s) to detail corrective actions to be taken by grantee.	
	4. Furnish a hard or electronic copy of the approved GTSB monitoring form(s) to the grantee.	
	5. Forward all completed original monitoring forms to Grants Administrator	
Grantee	6. Within 21 calendar days from the onsite visit sign and return approved GTSB monitoring form(s) verifying that corrective actions identified have been implemented and that the non-compliant area(s) is(are) in compliance.	
Program Administrator	7. If grantee does not comply with corrective actions by the required date, contact the grantee agency head to advise that the contract will be out of compliance if corrective measures are not implemented and verified.	
Grants Administrator	8. If grantee does not comply with corrective actions, discuss with BC and PA and prepare a memorandum of intent to cancel contract and send by certified mail to grantee agency head.	

	9. If grantee does still not comply with corrective actions, discuss with BC and PA and prepare a memorandum canceling the contract and send by certified mail to grantee agency head.	
	10. Update monitoring file as needed through life of contract cycle.	
	11. Provide copies of all monitoring forms to Contract Administrator.	
	12. Note receipt of monitoring forms in tracking report.	
	13. File monitoring forms in master contract file.	
	14. When necessary, provide each PA with a monthly Tracking Report Summary, GTSB Form 64.	

C. Level 3 = \$199,000^

RESPONSIBLE PARTY	REQUIRED ACTION	NOTE/COMMENT
Program Administrator	1. Once, between October 1 and January 31, once between February 1 and May 31 and once between June 1 and September 30 of each year, the PA responsible for the contract shall conduct an on-site or desktop monitoring session utilizing approved GTSB monitoring forms.	Requires 3-onsite or desktop reviews per year.
	2. Discuss deficient areas with the contractor representative that indicates a consistent pattern of noncompliance over a period of 3 months. Note outcome on approved GTSB monitoring forms.	
	3. Discuss non-compliant areas with grantee immediately or within 7 calendar days from date of on-site visit and identify remedies that will be implemented to correct the non-compliant areas. Utilize approved GTSB monitoring forms. to detail corrective actions to be taken by grantee.	
	4. Furnish a hard or electronic copy of approved GTSB monitoring forms. to the grantee.	
	5. Forward all completed original monitoring forms to Grants Administrator.	
Grantee	6. Within 21 calendar days from the onsite visit sign and return approved GTSB monitoring forms verifying that corrective actions identified have been implemented and that the non-compliant area(s) is(are) in compliance.	

Program Administrator	7. If grantee does not comply with corrective actions by the required date, contact the grantee agency head to advise that the contract will be out of compliance if corrective measures are not implemented and verified.	
Grants Administrator	8. If grantee does not comply with corrective actions, discuss with BC and PA and prepare a memorandum of intent to cancel contract and send by certified mail to grantee agency head.	
	9. If grantee does not comply with corrective actions, discuss with BC and PA and prepare a memorandum cancelling contract and send by certified mail to grantee agency head.	
	10. Update monitoring file as needed through life of contract cycle.	
	11. Provide copies of all monitoring forms to Program Administrator.	
	12. Note receipt of monitoring forms in tracking report.	
	13. File monitoring forms in master contract file.	
	14. When applicable, provide each PA with a monthly Tracking Report Summary, GTSB Form 64.	

Related Federal Directive

Title 2, Sub. A, Chapter II, Part 200, Sub. D

§200.328 Monitoring and reporting program performance.

- (a) *Monitoring by the non-Federal entity.* The non-Federal entity is responsible for oversight of the operations of the Federal award supported activities. The non-Federal entity must monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring by the non-Federal entity must cover each program, function or activity. See also §200.331 Requirements for pass-through *entities*.
- (b) *Non-construction performance reports.* The Federal awarding agency must use standard, OMB-approved data elements for collection of performance information (including performance progress reports, Research Performance Progress Report, or such future collections as may be approved by OMB and listed on the OMB Web site).
- (1) The non-Federal entity must submit performance reports at the interval required by the Federal awarding agency or pass-through entity to best inform improvements in program outcomes and productivity. Intervals must be no less frequent than annually nor more frequent than quarterly except in unusual circumstances, for example where more frequent reporting is necessary for the effective monitoring of the Federal award or could significantly affect program outcomes. Annual reports must be due 90 calendar days after the reporting period; quarterly or semiannual reports must be due 30 calendar days after the reporting period. Alternatively, the Federal awarding agency or pass-through entity may require annual reports before the anniversary dates of multiple year Federal awards. The final performance report will be due 90 calendar days after the period of performance end date. If a justified request is submitted by a non-Federal entity, the Federal agency may extend the due date for any performance report.
 - (2) The non-Federal entity must submit performance reports using OMB-approved government wide standard information collections when providing performance information. As appropriate in accordance with above mentioned information collections, these reports will contain, for each Federal award, brief information on the following unless other collections are approved by OMB:
 - (i) A comparison of actual accomplishments to the objectives of the Federal award established for the period. Where the accomplishments of the Federal award can be quantified, a computation of the cost (for example, related to units of accomplishment) may be required if that information will be useful. Where performance trend data and analysis would be informative to the Federal awarding agency program, the Federal awarding agency should include this as a performance reporting requirement.
 - (ii) The reasons why established goals were not met, if appropriate.
 - (iii) Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.
- (c) *Construction performance reports.* For the most part, onsite technical inspections and

certified percentage of completion data are relied on heavily by Federal awarding agencies and pass-through entities to monitor progress under Federal awards and subawards for construction. The Federal awarding agency may require additional performance reports only when considered necessary.

- (d) *Significant developments.* Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, the non-Federal entity must inform the Federal awarding agency or pass-through entity as soon as the following types of conditions become known:
 - (1) Problems, delays, or adverse conditions which will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation.
 - (2) Favorable developments which enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.
- (e) The Federal awarding agency may make site visits as warranted by program needs.
- (f) The Federal awarding agency may waive any performance report required by this part if not needed.