



GRANTS

Administration Manual



Approved by Lee Board of County Commissioners on
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MANUAL UPDATES AND REVISIONS

This manual may require updates and revisions based on federal, Florida, or BoCC laws, regulations, and guidance. Additionally, processes, workflows, tools, and other circumstances may necessitate updates and revisions to the manual. The County Manager's Office (County Administration) is the owner and control manager for updates and revisions of this document.

Table 1. Grants Administration Manual Revision Log.

Number	Revision	Date	Editor
Creation	Lee Board of County Commissioners approved Administrative Code 3-17, the Lee County Grants Administration Policy and this manual.	6/20/2023	Strategic Resources and Government Affairs

CHAPTER 1: LEE COUNTY GRANTS ADMINISTRATION POLICY

A. PURPOSE/SCOPE

Lee County's Administrative Code (AC 3-17: Grant Program Administrative Procedures) establishes the Lee Board of County Commissioners' (BoCC) Grants Administration Policy and establishes the Lee County Grants Administration Manual as the process- and role-driven uniform guidance to manage the life cycle of Lee County grants to meet the Grantor's and County's objectives.

Lee County seeks grant funding as an option to fund projects and services that advance the County's core functions and emerging needs. Grant funding comes with expectations that all work including the management of the grant award will follow the highest standards of project performance, budgetary adherence, and regulatory compliance. The BoCC Grants Administration Policy is implemented to optimize how the County Manager's Office, departments, and staff pursue and administer grant projects and funds. Adherence to this policy will result in alignment with a strategic approach to funding opportunities, a uniform and transparent approach to pursuing grants, grant tracking, reporting, and accountability for each grant compliance requirement.

Under the authority of the County Manager's Office, all departments, individual employees, contractors, subcontractors, and subrecipients that pursue or manage grants on behalf of the BoCC are required to participate in the Grants Administration Program as outlined in the policy and detailed in the Grants Administration Manual.

Due to the significant legal and ethical responsibility carried by the County upon acceptance of grant funding, the project/grant leadership shall define specific tasks and responsibilities and hold the project/grant staff accountable for the timely expenditure of funds, successful completion of tasks, and submission of deliverables, in order to achieve the desired outcome of the projects and grants.

B. ADMINISTRATIVE CODE 3-17: GRANT ADMINISTRATION NOTICE OF POLICY

This section is a reference to Lee County Administrative Code 3-17, Grant Program Administrative Procedures.

GRANTS ADMINISTRATION NOTICE OF POLICY

It is the policy of the Lee BoCC to establish and maintain a Grants Administration Program that supports the pursuit of grant funding and the implementation of grant-funded projects to accomplish the timely expenditure of funds, successful completion of tasks and submission of deliverables, and the desired outcome of the projects and grants. The Program will comply with Grantor funding agreements and requirements; BoCC Administrative Codes; the Lee County Procurement Management Ordinance; the Lee County Employee Policy Manual; the Lee County Clerk of Courts General Accounting Office - Finance Department policy and guidebooks for fiscal management; and federal and state requirements applicable to funding agreements.

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It is the policy of the BoCC to apply the high standards of compliance, efficiency, quality assurance/quality control, and ethics that are implemented in these regulations and in Lee County's "One-Org" culture of honesty, collaboration, trust, innovation, and professionalism to obtain alternative funding to meet the County's needs. The BoCC expects grant operations to emphasize an ownership and control environment, risk assessment and management, activity controls, information and communication, and activity monitoring.

It is the policy of the BoCC to hold staff involved with the Grants Administration Program accountable for reporting observed misuse of funds, fraud, or criminal activity related to grants. Lee County's Human Resources Policies and Procedures Manual describes the means for employees to confidentially report suspected violations of policies and or suspected instances of fraud or other criminal activity, including those related to federal grant programs, additionally a Grantor and grant program may require specific procedures for reporting fraud, waste and abuse. Management will address breaches of the code of conduct, ethics policy, instances of fraud, or other criminal activity; take remedial actions to prevent future violations; and notify the appropriate state or federal agency as required.

This policy is implemented through a systematic and unified Grants Administration Program that:

1. Establishes the Grants Administration Manual as the comprehensive guidance to implement the Grants Administration Program which:
 - Provides the framework for grants administration under the County Manager's Office and the County's Departments. Additionally, as it relates to grants management, the manual references the Board's policies, processes, and procedures; significant federal and state laws; and regulations.
 - Applies to all grants pursued by and awarded to Lee County.
 - Describes specific roles and responsibilities of employees related to the Grants Administration Program.
 - Establishes that all provisions of this manual apply to agents, contractors, and subrecipients who perform functions associated with any award or pass-through award.
 - Focuses on the most common federal and state compliance requirements for grants management. The manual is not a final and all-inclusive guide to compliance. Each grant funding agreement, terms and conditions, and guidance from the Grantor must be reviewed for compliance deliverables and required activities.
 - Complements department procedures. Any conflicts with department procedures or Grantor requirements will be brought to the attention of the Grants Management Coordinator to help develop a solution to the conflict.

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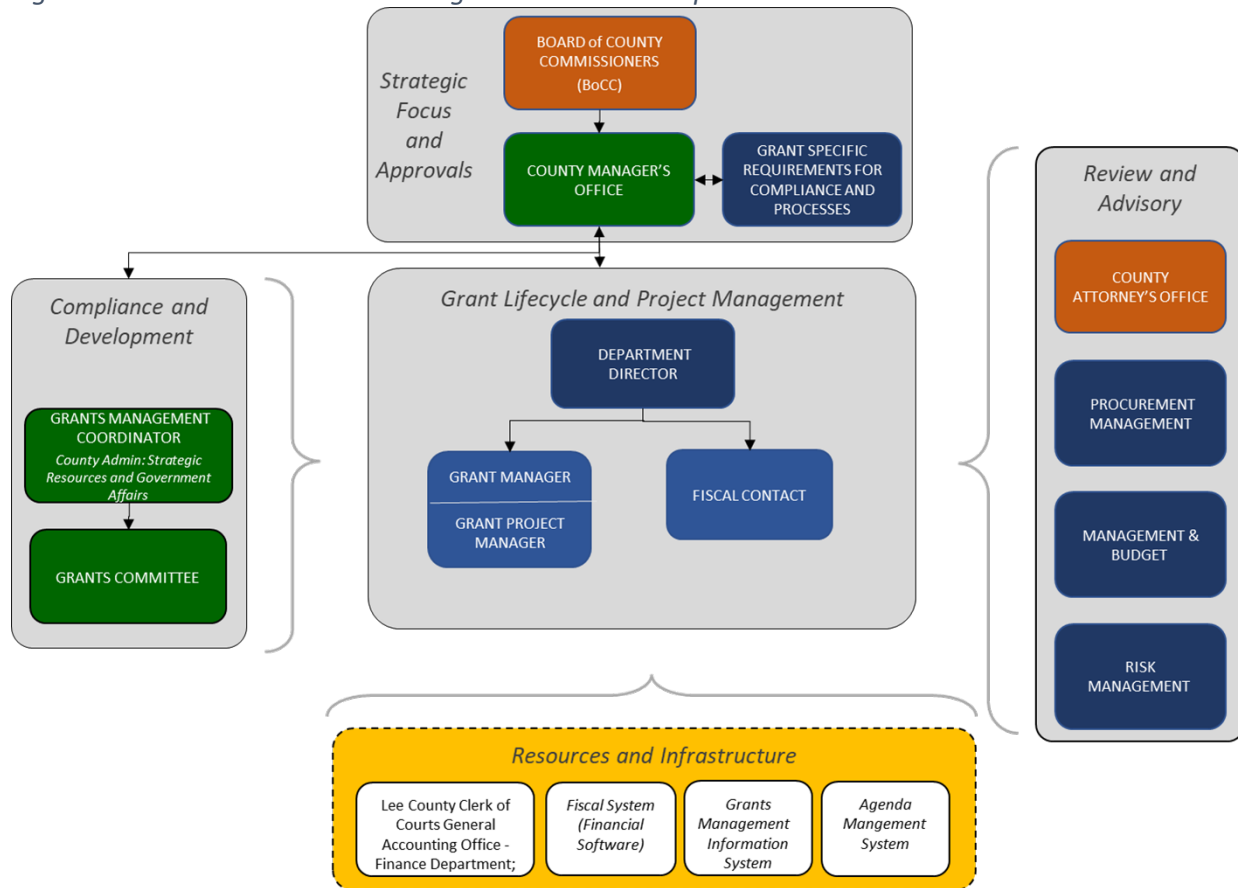
2. Defines the administrative and operational roles and responsibilities to ensure the timely expenditure of funds.
3. Outlines the internal processes for ensuring compliance, efficiency, and ethics that generally follow the Committee of Sponsoring Organizations (COSO) Framework (<https://www.coso.org>) for internal controls to provide reasonable assurance that the County is operating ethically, transparently, and in accordance with established regulatory requirements. The processes address the policy expectations to:
 - Identify and vet projects that are appropriate candidates for grant funding;
 - Research and identify grant funding opportunities for select projects and services;
 - Track grant awards/projects and manage expenditures of the grantee and subrecipients, program income, accomplishment of tasks, and submission of deliverables within compliance requirements through a central Grants Management Information System (GMIS) that tracks grant requirements, objectives, and status. The information system will be sufficient to provide transparency and reports to make data-driven decisions related to grants;
 - Define the performance metrics to analyze the program's effectiveness; and
 - Document program processes and procedures.
4. Establishes that subrecipients, contractors, and others involved in Lee County grants are subject to this policy and its related regulations, and that staff have additional compliance responsibilities as it relates to these relationships.
5. Establishes the requirement that all staff, subrecipients, contractors and others involved in the Grant Administration Program understand its federal, state, and local regulatory requirements.
6. Establishes the requirement for continued grants-related training and development as the foundation for compliance and success of the program.
7. Emphasizes that staff who fail to comply with the provisions of this manual will be subject to all job performance review policies as outlined in the Lee County Employee Manual. This provision extends to consultants or other contractors or vendors under the Lee County Procurement Ordinance and all of its provisions for evaluation of performance. The provision includes the expectation of compliance with any grant-specific action plan, compliance outline, funding agreement or other grant-implemented document adopted by the Board of County Commissioners or signed by the Chairman of the Board, the County Manager, or their designee.

CHAPTER 2: ROLES, RESPONSIBILITIES, AND RESOURCES

Lee County approaches grant management as a set of process-driven activities with defined roles and responsibilities within a compliant and controlled environment wherein risks are identified and minimized, and systems are implemented for information management, communication, and activity monitoring to effectively deliver the desired grant objective.

All staff involved in any aspect of grants management must understand their roles and specific responsibilities to ensure the effective delivery of the grant objectives and compliance with all grant terms and conditions, budgetary requirements, and regulatory requirements.

Figure 1. Grants Administration Program Roles and Responsibilities



A. MAJOR ROLES AND RESPONSIBILITIES

1. BOARD OF COUNTY COMMISSIONERS (BOCC)

The BoCC exercises powers and duties to approve, or designate an approver, for all grant contracts in accordance with the approval hierarchy, as defined within the Grants Administration Manual.

2. COUNTY MANAGER'S OFFICE (COUNTY ADMINISTRATION)

The County Manager and the Assistant County Managers (the Senior Team) will oversee the Grants Administration Program, guide Department Directors in strategic planning to analyze grant opportunities and oversee the grant-related activities of the Office of Strategic Resources and Government Affairs, the Department of Procurement Management, the offices of Management & Budget and Risk Management. The County Manager's Office appoints and oversees a Grants Management Coordinator to develop and maintain the Grants Administration Program. The County Manager's office will oversee specific grantor requirements as needed.

3. GRANTS MANAGEMENT COORDINATOR

The Grants Management Coordinator ensures that grant activities meet the priorities and desired outcomes of the Board of County Commissioners and the County Manager's Office, including the production of high-level reports. The coordinator reviews all processes outlined in this manual to ensure compliance and interdepartmental efficiencies and oversees the Grants Management Information System (GMIS) to ensure transparent oversight at the highest level of County administration.

This Coordinator also leads the Grants Committee, which assembles key departmental staff to ensure interdepartmental cooperation and overall compliance and to find solutions for process bottlenecks and temporary spikes in demand for staff resources. The Coordinator schedules the frequency of the committee meetings, which must be at least quarterly, issues the invitation to attendees, and sets the agenda.

The Committee fosters a grants-related culture characterized by:

- Open communication among staff and grantors, subrecipients, contractors and vendors, and other stakeholders;
- Ethical behavior;
- Training and grant-related staff development;
- Grants Administration Program reviews;
- Internal controls and monitoring;
- Data-informed decision making; and
- Compliance-focused operation to meet federal and state requirements for fiscal responsibility and reporting, record retention, disaster recovery, and security.

The coordinator supports the departments in their response to audit reports and compliance responses including:

- Single Audit Reports coordinated by the Lee County Clerk of Courts General Accounting Office - Finance Department;
- US Department of the Treasury compliance reviews;
- US Department of Justice compliance reviews; and
- Operational Self-Assessment (Office of Audit Services) reports.

On a quarterly basis, the Grants Management Coordinator will review:

- New requests for grants being vetted at the department level and new grants-related BoCC agenda items to ensure that they are entered into the Grants Management Information System (GMIS) and in line with current BoCC priorities;
- Required reporting on existing grants, specifically including:
 - Deadlines for interim monitoring reports and assignment of tasks to compile the reports;
 - Deadlines for closeout reports and assignment of closeout tasks;
 - Assignment of signatory responsibility for approval of report documents; and
 - Quarterly fiscal reports prepared by the County Fiscal Analyst for Grants Management.

4. GRANTS COMMITTEE

The Grants Committee is a working group led by the Grants Management Coordinator. The Committee includes designated departmental grant staff and representatives from Management & Budget and Procurement Management. The Committee must facilitate interdepartmental communications regarding project identification, grant opportunities and challenges, and training needs. The Committee provides input and feedback to ensure that the centralized Grants Management Information System (GMIS) meets the needs for documentation and reporting.

5. DEPARTMENT

The County Departments, under authority of their respective Assistant County Manager, have primary responsibility for identifying grant opportunities, applying for grants, meeting the performance and compliance requirements, meeting fiscal accounting requirements, reporting as required, and cooperating with auditors.

a. Department Director

The Department Director has programmatic and fiscal responsibilities for a designated department. The director ensures adequate resources are provided to staff for the appropriate conduct of project management duties and grant award management. The Department Director will:

- 1) Establish departmental standard operating procedures to ensure that:
 - Potential grants are feasible and consistent with the County's mission and strategic priorities, departmental services, or emergent needs;

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- Departments obtain the necessary authorization for grant applications and grant awards. Authorization hierarchies are provided in the Grants Administration Manual. These are detailed in CHAPTER 3: PROCESS AND PROCEDURES;
 - Grant managers and fiscal staff are following all requirements of the Grants Management Information System (GMIS);
 - Personnel, subrecipients, contractors, and other grant-related entities understand the applicable laws, and are trained and qualified to carry out tasks related to grant administration;
 - Programmatic reports are accurate; and
 - Critical reporting timelines (internal and external) are met and grants comply with all applicable regulations.
- 2) Identify a separate Grant Project Manager and Fiscal Contact and ensure:
- Separation of duties between the Grant Project Manager and the Fiscal Contact as internal controls require that no one individual may simultaneously serve in both positions;
 - Compliance with the requirements outlined in this manual;
 - Familiarity with the grant guidelines and deliverables;
 - Compliance with cross-cutting federal and/or state requirements of the grant;
 - Initiate the grant applications, including the identification of requirements of the application, scope of work, and sources of matching funds or in-kind services for each grant; and
 - Manage the County approvals for grants, including the Agenda Management process.

b. Grant Manager and Grant Project Manager

Depending upon the scale/scope and the department's operational preferences, grant project management roles and responsibilities may be combined and carried out by a single individual, or they may be separated under a Grant Manager, who coordinates with multiple Grant Project Managers within a department. In either case, these roles and responsibilities will be distinguishable and separate from the Fiscal Contact responsibilities to maintain internal controls and separation of duties. The Grant Manager and Grant Project Manager typically reside within the department receiving the grant. However, there may be exceptions to facilitate interdepartmental efficiency.

If required by the terms and conditions of the funding agreement, the Grant Manager or Grant Project Manager will:

- 1) Manage/oversee the grant life cycle, including:
- Attending Grants Committee meetings, informing the committee of any grants that are being vetted and pursued, and contributing to the grants management process as outlined in this manual;
 - Overseeing grant contract compliance and ensuring compliance with all grant funding agreement terms, reporting, and requirements. Collaborate and communicate with the Fiscal Contact to ensure successful execution of the grant;

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- Maintaining consistent communication with the Grantor's representative and attend all project status meetings with the Grantor.
- 2) Initiate all approved grant applications by identifying the purpose, scope of work, requirements, and sources of matching funds or in-kind services for each grant;
- 3) Attend Grants Committee meetings and contribute to the BoCC grants management process as necessary;
- 4) Collaborate with Procurement Management prior to application for any grant that includes a purchase of goods, services, or construction, to build a realistic project schedule and ensure that major milestone deadlines are feasible;
- 5) Coordinate with the Department Director for the required involvement of the BoCC, County Manager or the designee, for required approvals, amendments, etc.;
- 6) Support the Agenda Management process in coordination with the Department Director for any requirements for all grants;
- 7) Cooperate with the Fiscal Contact to ensure complete task tracking and document storage in the Grants Management Information System (GMIS);
- 8) Notify Management & Budget and the Grants Management Coordinator upon receipt of a notice of a site or monitoring visit to be performed by the grantor; and
- 9) Ensure that real property acquisition, appraisal, negotiation, and relocation grant requirements are met.

c. *Fiscal Contact*

The Fiscal Contact manages the financial requirements and maintains the award record in the County's financial system. Although some tasks may be delegated, the Fiscal Contact is primarily accountable for the overall fiscal conduct of the grant award, for meeting the budgetary terms and conditions of the award, and for representing the accounting of the project to the grantor. A Fiscal Contact typically resides within fiscal services for the department receiving the grant; however, there may be exceptions to facilitate interdepartmental efficiency.

Fiscal Contact responsibilities are distinguishable and separate from the Grant Manager or Grant Project Manager. The Fiscal Contact and the Grant Manager or Grant Project Manager will collaborate, communicate, and cooperate to ensure successful execution of the grant.

The Fiscal Contact will:

- 1) Attend Grants Committee meetings and contribute to the BoCC grants management process as necessary;
- 2) Oversee compliance of fiscal activities;
- 3) Ensure compliance with all grant terms, reporting, and requirements;
- 4) Prepare the budget portion of grant requests in coordination with the Grant Project Manager and/or Department Director;
- 5) Coordinate with Management & Budget for the generation of the grant identification project numbers and set up new accounts;
- 6) Assign split funding cost accounting for staffing and budget items;
- 7) Request grant reimbursements;

- 8) Identify and track sources of cost match or in-kind services for grant applications in collaboration with Department Director.
- 9) Notify Management & Budget and the Grants Management Coordinator upon receipt of a notice of a Single Audit or any other audit, and prepare and participate in all required monitoring reviews and audits;
- 10) Cooperate with the Grant Manager or the Grant Project Manager to ensure complete task tracking and document storage in the Grants Management Information System (GMIS); and
- 11) Communicate the financial status of the grant to the Grant Project Manager, Grant Manager, and Department Director.

6. PROCUREMENT MANAGEMENT

Procurement Management is the primary monitor of Procurement Ordinance compliance for grant projects funding agreements and procurement of grant-funded services and goods. Procurement Management supports the departments during grant project scoping and implementation by reviewing agreements, preparing solicitation packages in compliance with grant requirements, reviewing contracts, collaborating on purchasing timelines, and providing guidance for questions regarding compliant purchases.

7. MANAGEMENT & BUDGET

The Office of Management & Budget supports the departments and the Grants Administration Program during the grant planning and project execution by coordinating with departments to generate budgetary account codes for all grant awards, maintaining a grants inventory reference list, supporting audit responses, and coordinating with departments on project budgets.

8. RISK MANAGEMENT

Risk Management supports the department during the grant planning and implementation phases to identify potential liability to the County and appropriate remedies.

9. COUNTY ATTORNEY

The County Attorney's Office reviews agreements for legal liability and for legal sufficiency and form if the BoCC is the signatory on the funding agreement. The County Attorney's Office also responds to departments requesting reviews of grant agreements.

B. RESOURCES AND INFRASTRUCTURE

1. GRANTS MANAGEMENT INFORMATION SYSTEM (GMIS)

The County provides a Grants Management Information System (GMIS) for all departments to centralize grant project information. The system supports grant level project planning for compliance deliverables, milestones, project tasks and allows for uploads of key grant-related documents. Key documents that chronicle the proposal submission, receipt of award, agreement, reporting, and other key management documents and correspondence through award closeout, will be added to the Grants Management Information System. Data updates will be made to the grant entry throughout the lifecycle of the grant project.

All reports of suspected noncompliance, waste, fraud, or criminal activity will be recorded in the Grants Management Information System (GMIS) by the Grant Manager, Grant Project Manager, or Fiscal Contact. These entries will comply with anonymity provisions under [Section 214, Whistleblowing, Lee County Employee Manual](#).



Grants Management Information System *Users' Guide* (employee Intranet):
[Home - Project: Grants Management \(leegov.com\);
 https://intranet.leegov.com/Administration/PerformanceAnalytics/GrantsManagement/default.aspx](https://intranet.leegov.com/Administration/PerformanceAnalytics/GrantsManagement/default.aspx)

Contact the Grants Management Coordinator for questions regarding the Grants Management Information System (GMIS).

2. FINANCIAL SOFTWARE

The Lee County Clerk of Courts General Accounting Office – Finance Department provides all Board of County Commissioner Operations with a financial management system. It allows for systematic management of grant funds, separation of duties, and accounting of expenditures. It will serve as the grant project's general ledger. Grant Fiscal Contacts will be trained on the system and procedures.

3. AGENDA MANAGEMENT SYSTEM (NOVUS)

When it is determined that the grant action needs to be approved by the Board, an Agenda Item Report (AIR) is created.

It is the responsibility of the preparer and department management to ensure that all AIRs are prepared with content that complies with County guidelines. Failure to comply with the guidelines could result in a delay of the agenda item being heard by the Board.



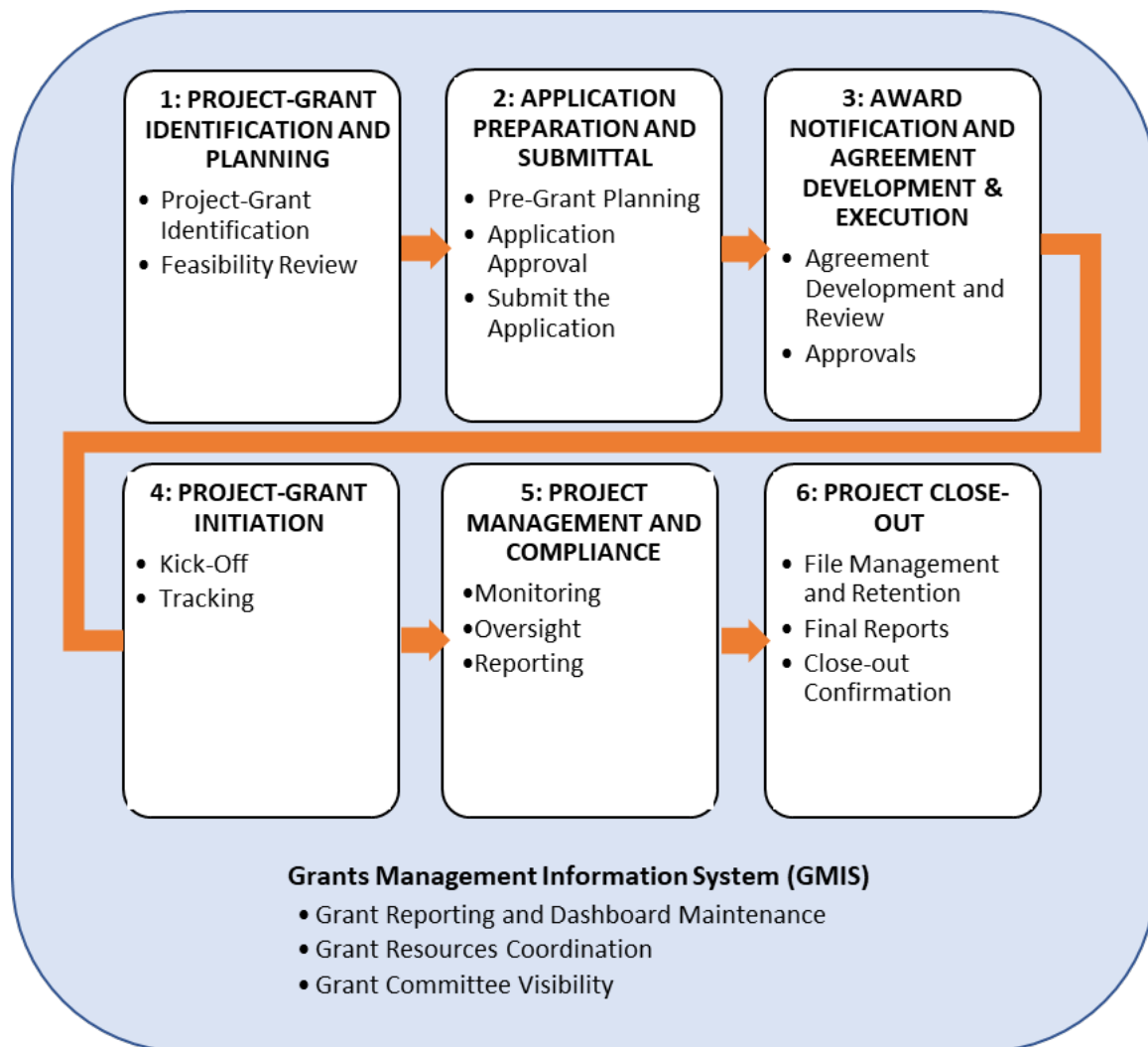
Agenda Management Process and Agenda Item Requirements (employee Intranet):
<https://employee.leegov.com/novus>
 For questions regarding the AIR process and item requirements, please contact the Lee County Agenda Item Administrator in the County Manager's Office.

CHAPTER 3: PROCESS AND PROCEDURES

Lee County Government recognizes the grant life-cycle processes below as a conceptual means for internal communication regarding grants administration workflow. While all grant processes are viewed through this sequence, all phases, processes, and subprocesses may not apply to all grants.

- 1) Project-Grant Identification and Planning
- 2) Application Preparation and Submittal
- 3) Award Notification and Agreement Development and Execution
- 4) Project-Grant Initiation
- 5) Project Management and Compliance
- 6) Project Closeout

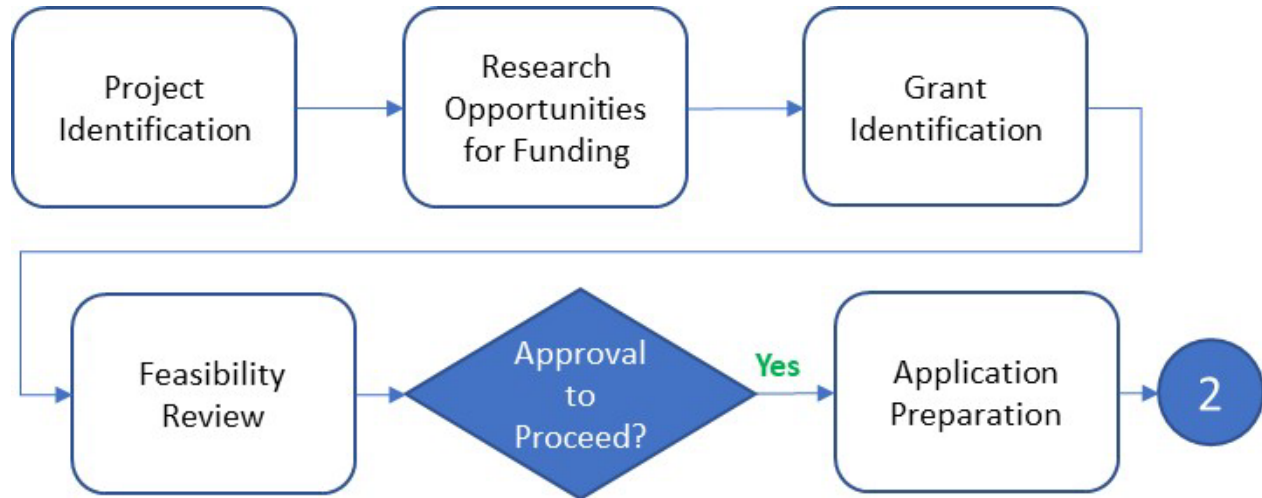
Figure 2. Grant Management Process



More information for each of the six steps above is provided in the Process Step sections below.

A. PROCESS STEP 1: PROJECT-GRANT IDENTIFICATION AND PLANNING

Figure 3. Process Step 1



1. PROJECT IDENTIFICATION

Each department will identify and document projects and service opportunities that are candidates for grant funding. All efforts to secure new grant funding or decisions of whether to continue or renew current grant programs must begin with an evaluation of whether the grant program addresses underfunded core services, emerging needs, or aligns with at least one of the priorities of the Lee Board of County Commissioners, which may be updated annually.

The opportunities may be current, or new, services or projects. For example, a department's project-grant opportunity list could include approved projects on the 5-year capital improvement plan, long-term planned projects, underfunded core services, or special services such as disaster response. Departments will inform the Grants Management Coordinator of all projects being vetted for grant funding.

2. GRANT IDENTIFICATION

The grant-seeking process must be part of the department's strategic planning and funding identification process. After having identified project and funding opportunities, the department will begin a feasibility review process.

3. PROJECT-GRANT FEASIBILITY REVIEW

The Department Director and the Grant Project Manager will perform a review that may include the following:

- How does the funding opportunity align with the department's core mission and the County's strategic priorities?
- What level of approval does the grant application require?
- What public notice does the grant require?

- What is the funding match or in-kind contribution; and what is the plan to address these requirements?
- What additional costs are associated with this grant, particularly federal grants (e.g., construction, engineering, and inspections costs (CEI), an environmental review, land acquisition, or the hiring of a consultant to support the grant identification, planning, and project management process)?
- What are the long-term operations, maintenance, personnel, and equipment costs/concerns? How will they be funded?
- What cost-benefit advantages does the grant project provide (e.g., conduct a funding analysis; this analysis is separate from a cost-benefit analysis that may be required by Grantors to prioritize their awards)?
- What are the obligations of compliance to the policies of the funding source and its agreements?
- What is the period of performance timeframe for the grant? Can all phases of the project be completed within that timeframe?
- What are the closeout requirements (e.g., disposition of equipment)?
- Can the County achieve all the deliverables within the time constraints of the grant, considering staff workloads, procurement timeframes, cash-flow, workload, supplies and equipment, and current projects/other grants?

The Department Director will determine if the project-grant opportunity will move forward to the grant application preparation and submittal process. At this point, the director or designee will ensure that the County Manager's Office, including the Grants Management Coordinator, is informed of the intention to apply for grant funds. It is the responsibility of grant project managers and department directors to notify the County Manager's Office of all failures to obtain approval prior to submission of the application. The decision on whether or how to proceed with the grant will be subject to County Manager review.

4. USING A CONSULTANT FOR GRANT SUPPORT TASKS

At either the County Manager or Departmental level, staff may consider hiring a consultant to assist with any part of the grant process, including feasibility analysis, application submittal, and/or project management. This may be implemented through the County's existing procurement practices for new solicitations or for change orders to existing contracts. It may occur as part of the County's regular fiscal planning or in compliance with federal Procurement Standards for emergency declarations under 2 CFR Part 200.

In any scenario and prior to engaging a consultant, the process must include:

- Approval through the County Manager or Department Director for hiring the grant management consultant;
- Consideration of whether all or a portion of the consultant's fee will be paid from grant proceeds or will be reimbursable under any other funding stream;
- Consultation with Procurement Management to ensure compliance with Lee County, federal, state, and grantor procurement compliance;
- A specific Scope of Work that may include, but is not limited to:
 - Period of performance;

- Deliverables and tasks with clear performance standards;
- Clear delineation of the consultant’s responsibilities and how the consultant specifically interacts with Lee County staff; and
- A plan for communicating status reports to the Lee County Grant Project Manager.

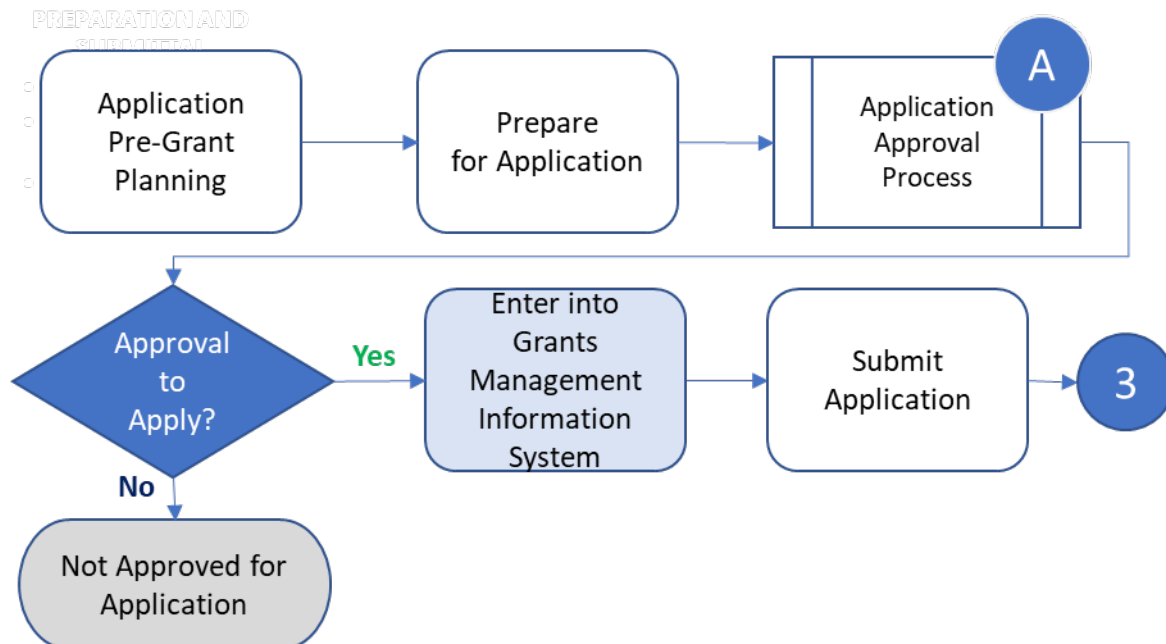
The Lee County Grant Project Manager, not the consultant, is responsible for complying with the Lee County Grants Administration Program including all provisions of this manual and use of the Grants Management Information System (GMIS).

[Lee County’s Procurement Ordinance Appendix II](#) deals with compliance for hiring grant management consultants and other contractors during emergencies. Please contact Procurement Management for the current version and to initiate the process for procuring such services.

<https://www.leegov.com/procurement/Documents/APPENDIX%20II%20CLAUSES%20May%202021.pdf>

B. PROCESS STEP 2: APPLICATION PREPARATION AND SUBMITTAL

Figure 4. Process Step 2



1. PRE-APPLICATION PLANNING

Application planning and preparation is the responsibility of the submitting department. As part of planning, project roles will be defined for inter- and intra-departmental cooperation, project management and fiscal responsibilities, including the tasks of application, which department's budget will receive the funding, and the grantors point of contact.

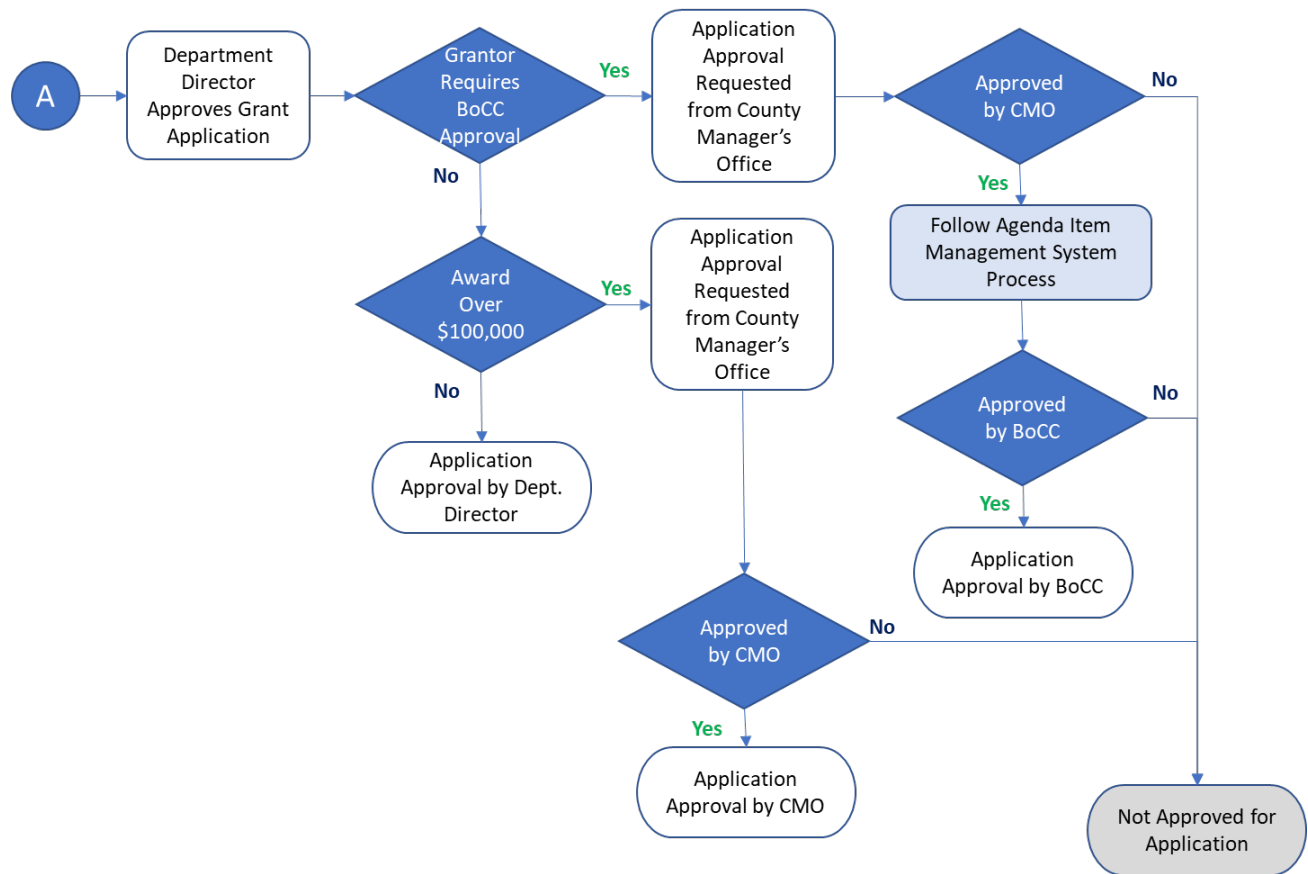
2. APPLICATION PREPARATION

When preparing for an application, the submitting department will review the eligibility, pre-requisites, application sections and requirements for submission, and the grant compliance obligations, if awarded. This may include a final review of topics that may also have been covered in the feasibility review.

Application Planning:

- Contact Procurement Management for guidance on estimating costs, searching for comparable scopes of work, and scheduling a project timeline, as required by the application.
- Consult the Grant Management Coordinator and Fiscal Contact to discuss proposed budget lines for administrative fees, in-kind services, and any required match.
- Consult the Grant Management Coordinator, Procurement Management, and Grant Project Managers on how to package environment review, design services, and construction implementation costs and phases.
- For submissions using web portals that require registration for multiple users, consult the Grant Management Coordinator **prior to registration**. This discussion will ensure that the County is properly registered in the system of the Grantor. It is important that the appropriate programmatic and fiscal personnel are established within these systems for access and award application/management. Some submissions may involve County Administration, County Attorney, Management & Budget, or personnel from departments other than the Grant Project Manager's department.
- The correct level of approval for the grant application will be determined. (See Figure 5.)

Figure 5. Application Approval Subprocess



3. AGENDA ITEM (APPROVAL TO APPLY WHEN REQUIRED)

When the Grantor requires approval of the application by the BoCC or when County Administration chooses to present it to the BoCC for approval, then the initiating Department Director will create an Agenda Item requesting permission from the Board to apply for the grant. Timing of the Agenda Item may be critical depending upon the Grantor deadline.

As part of the Agenda Item review, multiple departments will review the item, such as County Manager, County Attorney, Procurement Management, and Management & Budget.

The Board meeting completes the approval process to apply and the initiating department is authorized to formally submit the application to the Grantor contingent on BoCC approval.



Agenda Management Process and Agenda Item Requirements (employee Intranet):

<https://employee.leegov.com/novus>

For questions regarding the AIR process and item requirements, please contact the Lee County Agenda Item Administrator in the County Manager's Office.

4. APPLICATION SUBMITTAL

Once all required approvals have been obtained, the designated department will submit the application per the Grantor's requirements.

5. APPLICATION TRACKING

The County provides a Grants Management Information System (GMIS) for all departments to centralize management of all grant applications with final approval from either the Department Director, County Manager's Office or BoCC. Data updates will be made to the entry throughout the lifecycle of the grant project including decision of award.

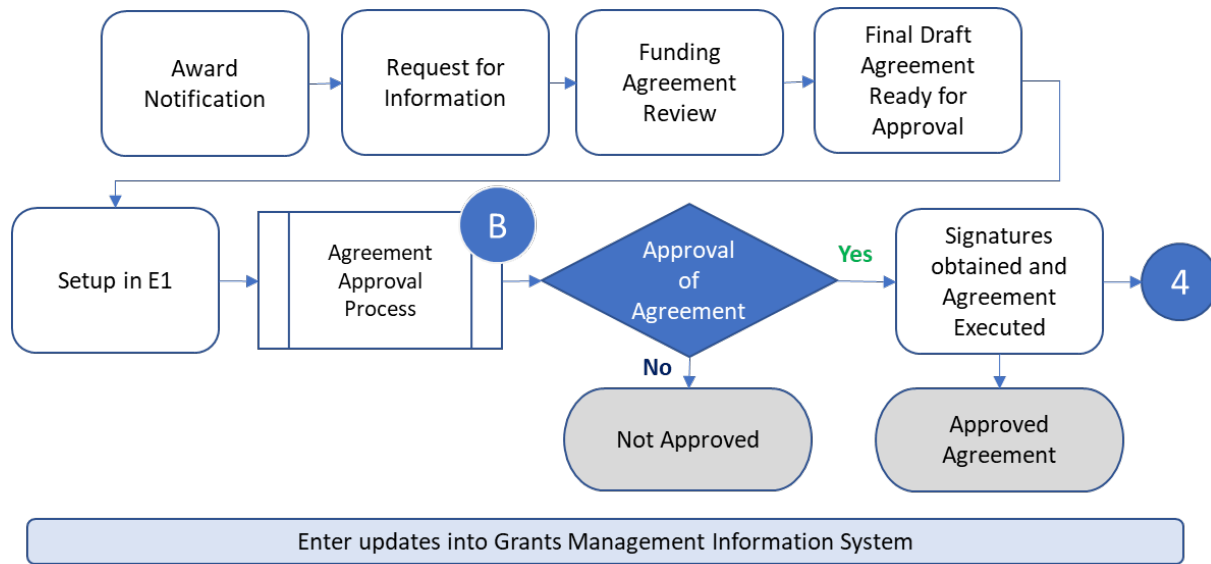


Grants Management Information System *Users' Guide* (employee Intranet):
[Home - Project: Grants Management \(leegov.com\);](https://leegov.com/Projects/GrantsManagement/)
<https://intranet.leegov.com/Administration/PerformanceAnalytics/GrantsManagement/default.aspx>

Contact the Grants Management Coordinator for questions regarding the Grants Management Information System (GMIS).

C. PROCESS STEP 3: AWARD NOTIFICATION, AGREEMENT DEVELOPMENT AND EXECUTION

Figure 6. Process Step 3



Depending on the type of grant (e.g., competitive grant vs. an entitlement grant), the process may begin at various points within this process.

1. AWARD NOTIFICATION

For competitive grants, Grantors may provide an award notice to begin discussions for the funding agreement. The Grants Management Information System (GMIS) will be updated regardless of whether the award is granted or denied.

2. REQUEST FOR INFORMATION

In preparation to provide a draft funding agreement, Grantors may initiate a process called the Request for Information (RFI), which consists of the grantor requesting additional information.

3. FUNDING AGREEMENT REVIEW

If the Grantor is offering terms different from the grant proposal (e.g., a reduced budget, period of performance, or deliverables and tasks) the County must ensure the grant can still be accomplished within the terms proposed by the Grantor. The Grant Project Manager will inform all stakeholders when these revisions are under consideration.

- When the award terms are negotiated to the initiating department's satisfaction, the Grantor must provide the updated draft funding agreement.
- When the department determines it cannot accept the revised terms, the County may choose not to accept the award. Whether to decline the award must be reviewed by the approval chain. The Department will follow the Grantor's process for declining the award.

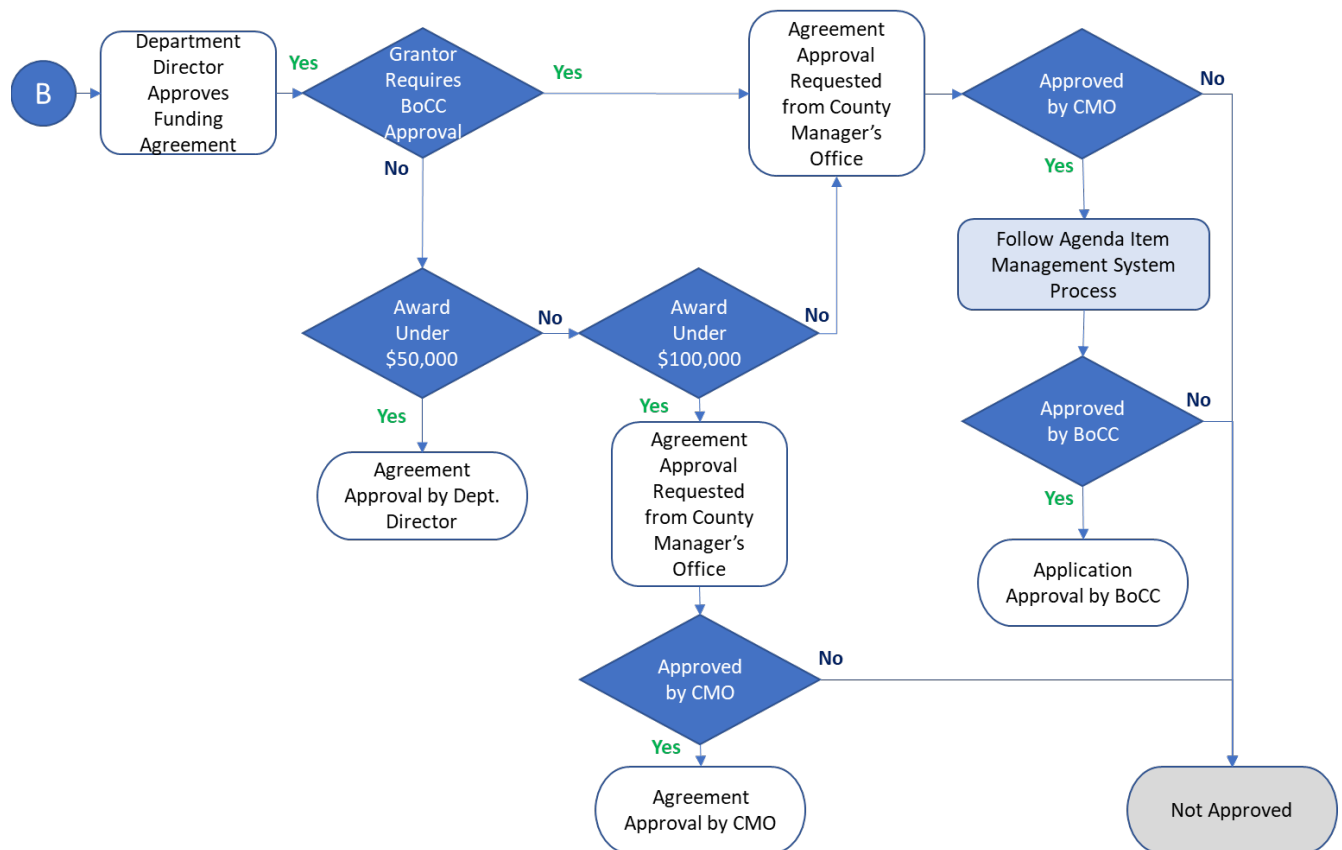
Once the award scope and budget are agreed upon, the draft funding agreement will be provided to the County by the Grantor.

LEE COUNTY GRANTS ADMINISTRATION MANUAL

The draft funding agreement will be reviewed by the project team for finalization of the grant amount, management and fiscal compliance requirements, and the appropriate signatory. Once the funding agreement has passed the project team review, the funding agreement is ready for approval by the Department Director, County Manager (or designee), or the BoCC. If the grant requires BoCC approval, the County Attorney's Office will review the agreement as part of the BoCC Agenda Item Review. Otherwise, the department may ask the County Attorney's Office to review the grant agreement.

For projects with subrecipients, please see CHAPTER 4: SUBRECIPIENTS for more details.

Figure 7. Agreement Approval Subprocess



Authorized Signatory Determination

- When the Grantor requires that the Board of County Commissioners serve as the authorized signatory, then the chair or official designee will sign the funding agreement and subsequent grant related documents.



Reference: Lee County AC 1-3 Rules of Procedure (Appointing and Duties of Chair; <https://www.leegov.com/bocc/Administrative%20Codes/AC-1-3.pdf>)

- When allowable, the County Manager or designee will sign as the authorized signatory for the funding agreement and subsequent grant related documents.

Code of Ordinance Article II. Section 2.1 grants executive responsibilities and powers of the County to the County Manager to carry out directives and policies of the BoCC and to enforce all orders, resolutions, ordinances, and regulations of the BoCC, the County Charter, and all applicable general law, to ensure that they are faithfully executed.

- When allowable, the Department Director or designee will sign as the authorized signatory for the funding agreement and subsequent grant related documents.

4. AGENDA ITEM TO BOARD (ACCEPTANCE AND APPROPRIATION)

When the Grantor requires approval of the funding agreement by the BoCC or when the agreement is presented to the BoCC for approval, then the initiating Department Director will create an Agenda Item requesting permission from the Board to approve the funding agreement. Certain budget adjustments or amendments for grants may also require board approval.

The Board meeting completes the local approval process to formally execute the funding agreement.

5. EXECUTED FUNDING AGREEMENT

Typically, once the agreement is signed by Lee County, the funding agreement is sent back to the Grantor for execution. Lee County must obtain a copy of the fully executed agreement. If the BoCC approved the agreement, then the Grants Project Manager will ensure the Lee County Clerk of Courts – Minutes receives a copy. The Grant Project Manager will provide an electronic copy of the fully executed grant agreement to all major stakeholders.

6. AWARD AND PROJECT SETUP IN FINANCIAL MANAGEMENT SYSTEM

After signing the funding agreement, the Fiscal Contact will contact Management & Budget to obtain the grant business unit for the Lee County Clerk of Courts General Accounting Office - Finance Department.

7. TRACKING

The Grants Project Manager will ensure that updates are made to the Grants Management Information System (GMIS) with additional project information required by the system.

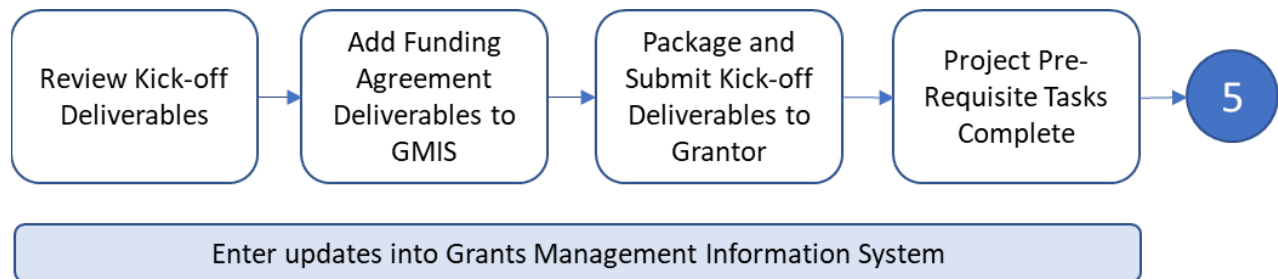


Grants Management Information System *Users' Guide* (employee Intranet):
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 https://intranet.leegov.com/Administration/PerformanceAnalytics/GrantsManagement/default.aspx](https://intranet.leegov.com/Administration/PerformanceAnalytics/GrantsManagement/default.aspx)

Contact the Grants Management Coordinator for questions regarding the Grants Management Information System (GMIS).

D. PROCESS STEP 4: PROJECT-GRANT INITIATION AND GENERAL QA/QC

Figure 8. Process Step 4



1. KICK-OFF TO PROJECT

Internal project teams will meet to:

- Review tasks/deliverables as outlined in the funding agreement and overall quality control/quality compliance requirements of the Grantor and the County;
- Use the Grants Management Information System (GMIS) to document the tasks/deliverables;
- Package and submit the kick-off deliverables as required by the Grantor; and
- Complete all pre-requisite tasks.

This process may be guided by an onboarding/introduction meeting held by the Grantor to reiterate the requirements of the funding agreement. Lee County's overall quality control/quality compliance requirements are drafted specifically to comply with 2 CFR Part 200, US Department of Treasury Requirements for RESTORE Act and ARPA, and the Florida departments of Transportation, Emergency Management, and Economic Opportunity – specifically the Office of Long-Term Recovery. If the Grantor identifies any inadequacies, the Grant Project Manager or Fiscal Contact will bring those items to the attention of the Grants Management Coordinator.

The Grants Management Coordinator ensures that all staff involved in grant project management follows the Quality Assurance/Quality Control (QA/QC) procedures addressed specifically in the Lee County Employee Policies and Procedures Handbook, the Lee County Procurement Ordinance, the Grants Administration Manual, and the Lee County Clerk of Courts

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General Accounting Office – Finance Department policy and guides, and BoCC policies specifically for grievances related to the Americans with Disabilities Act Title II, Civil Rights Act Title VI, Equal Employment Opportunity, and Harassment in addition to the grantors' specific requirements.

All other process concerns, public inquiries or complaints, compliance findings or general verbal or written statements of concern – including phone calls, emails, faxes, or letters that are received by the County, its contractors, and/or other program sources – will be reviewed by the Grants Management Coordinator and will be addressed at the Lee County Administration level.

A log of these interactions will be recorded both digitally and in print including:

- Name of the complainant and contact information;
- Date the complaint was received;
- Description of the complaint;
- Name of each person contacted in relation to the complaint;
- A summary of the result and the date of the response to complainant;
- Explanation of the resolution of the file; and
- Any follow-up actions.

The Grants Management Coordinator's investigation process will be similar to the County's established policies for ADA and Civil Rights investigations:

- Within 15 calendar days after receipt of the complaint, the coordinator or designee will meet with the complainant to discuss the complaint and the possible resolutions.
- Within 15 calendar days of the meeting, the coordinator or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Lee County and offer options for substantive response or resolution of the concern.
- If the response by the coordinator or designee does not satisfactorily resolve the issue, the complainant may appeal the response within 15 calendar days after receipt of the response to the County Manager or other appropriate high-level official designated as the County Manager's designee.
- Within 15 calendar days after receipt of the appeal, the County Manager or designee will meet with the complainant to discuss the complaint and possible resolutions.
- Within 15 calendar days after the meeting, the County Manager or other Lee County official or designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
- The County will provide the complainant with contact information for the grantor and other appropriate state and federal agencies if the complainant chooses to pursue concerns further.

All written complaints received by Lee County's ADA Coordinator or designee, appeals to the County Manager or other appropriate designee, and responses from these two offices will be retained by Lee County for at least five years or for a longer time if specified by the Grantor.

The Grants Management Coordinator will track all complaints quarterly to determine if there is a pattern developing and whether policy changes or staff training are needed.

2. TRACKING

The Grants Management Information System (GMIS) tracking will be updated with status and documentation required.

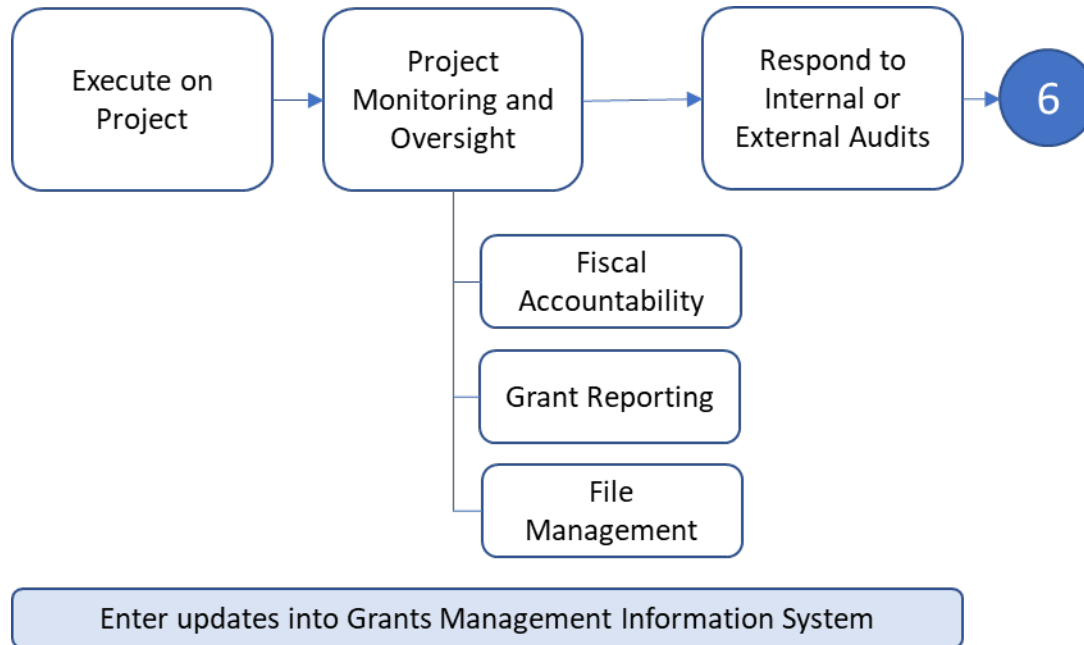


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Contact the Grants Management Coordinator for questions regarding the Grants Management Information System (GMIS).

E. PROCESS STEP 5: PROJECT MANAGEMENT AND COMPLIANCE

Figure 9. Process Step 5



Once all initial compliance requirements and pre-requisites have been met, the project may begin.

1. MONITORING OF THE GRANT

a. County Administration/Senior Team-Level Monitoring

High-level project oversight for all Lee County grants is assigned to the Grants Management Coordinator. To comply with federal Single Audit requirements, there is a centralized Grants Management Information System (GMIS) that tracks grants, deliverables/tasks, timelines, and documentation. The system enables visibility countywide to Grant Project Managers and Fiscal Contacts and is the database from which the County Manager's Office can request reports.

b. Department-Level Monitoring

The Department Director must assign department-level grant oversight responsibility and implement processes for timely and updated communication to all project stakeholders.

The Grant Manager, Grant Project Manager and Fiscal Contact carry out the departmental oversight in accordance with CHAPTER 2: ROLES, RESPONSIBILITIES, AND RESOURCES. The departmental process extends the administration-level monitoring and must be recorded and implemented in a way that can be consistently articulated in the Single Audit.

2. PROJECT MANAGEMENT OVERSIGHT

a. Communicating Project Status

The Grant Manager or Grant Project Manager will oversee executing the funding agreement and other project contract deliverables and tasks, including project status meetings, risk

mitigation, and performance reviews. In this stage of the grant lifecycle, particular attention should be paid to:

b. Key Personnel Changes

Promptly notify the Grantor, Management & Budget, and the Grants Management Coordinator upon the reassignment, termination, or retirement of any key grant program staff member to ensure that proper retention of information and continuous grants management occurs during the transition period. Grantor approval may be required to modify key grant personnel.

c. Notice of Audit, Monitoring Visit, or Review

Promptly notify the Grants Management Coordinator and Management & Budget upon receipt of a notice of Single Audit or notice from the Grantor/Grant Administrator of a site or monitoring visit or audit. The County Manager's Office may assist in preparations for grant-related site visits, reviews, or audits.

d. Fiscal Accountability

Fiscal accountability for each grant is controlled by Lee County Board of County Commissioners policy, Procurement Ordinance, Lee County Clerk of Courts General Accounting Office - Finance Department policy and guides, and the fiscal requirements of the Grantor. The Fiscal Contact ensures that grant funds are expended in full compliance of all applicable laws and regulations only for allowable activities and in accordance with applicable cost principles.

e. Risk Assessment

The overall goal of project management and oversight includes review of the risk level of all grant activities – programmatic and financial. This assessment includes how and why monitoring is conducted, the frequency of monitoring, and which items are monitored. In reference to HUD Community Development Block Grants, the Grants Management Coordinator will specifically reference 83 FR 28 regarding risk assessment and monitoring of the County's own grant management and the assessment of the County's grant subrecipients.

f. Timely Expenditure of Funds

As required by Grantors, Grant Managers or Grant Project Managers will track and submit required reporting to demonstrate grant performance to ensure timely expenditure of funds within the grant performance period. This will be accomplished through a combination of status meetings to review projected/budgeted to actuals, milestones and tasks, key data points, reporting from the financial management system and reporting from the Grants Management Information System (GMIS).

When applicable, grant project managers and fiscal contacts will also document:

- How program income will be accounted for and managed;
- The process to reprogram funds in a timely manner for stalled activities; and

- Performance of contractors and subrecipients (both projected and actual performance and expenditures).

Grant Managers, Grant Project Managers, and Fiscal Contacts are encouraged to inform the Grants Management Coordinator if there are barriers to compliance and to timely preparation of status reports, tasks, and deliverables. Assistance from the Coordinator and other attendees of the Grants Committee will be offered to keep projects running on time and in compliance.

3. REPORTING OF SUSPECTED NONCOMPLIANCE, WASTE, FRAUD, OR CRIMINAL ACTIVITY

As noted in the Lee County Employee Policies and Procedures Manual, Section 214, Whistleblowing,

<https://www.leegov.com/hr/Documents/Policy%20and%20Procedures%20manual/214-%20Whistleblowing.pdf>

Lee County staff are required to report all suspected cases of misconduct. All employees must bring their concerns of suspected grant noncompliance, fraud, or criminal activity to the attention of their immediate supervisor or department director, the Director of Human Resources or designee(s), up to the County Manager as appropriate, and must also report to the County Grants Management Coordinator. The confidentiality of the report will be handled consistent with Section 202.3 Complaint Procedure in the Lee County Policy Manual

<https://www.leegov.com/hr/Documents/Policy%20and%20Procedures%20manual/202-Harassment%20Policy.pdf>

(Reference 2 CFR 200.112) and procedure for investigating the specific grant-related complaint will be handled in accordance with the Grants Administration Manual QA/QC policy, including:

- Provision for confidentiality;
- Assignment of the task of verification of accuracy of information provided by applicants to the Grants Management Coordinator, whose report will be independently reviewed by a designee of the Director of Human Resources; and
- Timely response within 15 days.

Additional external resources for reporting fraud or criminal activity include:

- FEMA Disaster Fraud Hotline: 866-720-5721
- Department of Housing and Urban Development (HUD): 800-347-3735 or email: hotline@hudoig.gov
- Rebuild Florida Grants

Constituents, employees and contractors may report suspected fraud, waste, or abuse by contacting Constituent Management Services staff, submitting information via the Report Fraud, Waste or Abuse online form (<http://floridajobs.org/rebuildflorida/report>); (all contact information fields are optional to allow for anonymity) or by sending an e-

mail to cdbg-dr_antifraudwasteabuse@deo.myflorida.com. All suspected cases of fraud will be taken seriously, and complaints will be reported to OLTR's Compliance and Reporting Manager and DEO's Office of the Inspector General at OIG@deo.myflorida.com. If DEO's OIG determines that it is appropriate, it will coordinate its investigation with agencies such as the Florida Office of the Inspector General, the Florida Office of the Attorney General, or the Florida Department of Business and Professional Regulation. All substantiated cases of fraud, waste, or abuse of government funds will be forwarded to the United States Department of Housing and Urban Development (HUD), Office of Inspector General (OIG) Fraud Hotline (phone: 1-800-347-3735 or email: hotline@hudoig.gov) and DEO's HUD Community Planning and Development (CPD) Representative. OLTR must provide a timely response within 15 working days of the receipt of a complaint, as stated in 84 FR 169.

- Lee County Clerk of Courts Inspector General Hotline phone: 239-337-7799 or email: Info_InspectorGeneral@leeclerk.org

All reports of suspected noncompliance, waste, fraud, or criminal activity will be recorded in the Grants Management Information System (GMIS) by the Grant Manager, Grant Project Manager, or Fiscal Contact.

4. GRANT REPORTING

All grant awards have reporting requirements specified in the grant agreement. It is critical that all reports are complete, accurate, and submitted per the specified dates in the agreement.

Types of Reports

- Performance/Progress/Narrative/Status: The recipient department's Grant Project Manager is required to regularly submit to the Grantor and retain performance reports that reflect grant-funded operational progress as required by the grant funding agreement. Compliance reporting will vary by the individual grant but is usually either monthly or quarterly.
- Financial: The Fiscal Contact is required to regularly submit and retain financial reports that reflect a grants fiscal status as required by the grant funding agreement and supporting documents.
- Closeout/Final: Dependent upon the conditions of the grant contract, after the expiration or termination of the grant, the Grant Project Manager, in collaboration with the Fiscal Contact, is required to submit all financial, performance, and other reports required in the grant conditions.

5. FILE MANAGEMENT, ACCESS, AND RETENTION

Grant Project Managers will comply with the terms and conditions of their grant funding agreements for grant-related documentation, file management, access, and document retention. The Grant Manager or Grant Project Manager and the Fiscal Contact are required to have a file management and record retention plan for the grant project that identifies the documents, format, location, and the period for retention.

Lee County follows at minimum the state and federal guidelines for record retention and will extend the time for, or format of, retention if required by the Grantor. If any litigation, claim, negotiation, audit, or other action involving grant records has been started before the expiration of the retention period, the records must be retained until completion of the action and resolution of that activity.

(Record Retention Schedules GS 1-SL as approved by the State of Florida, Bureau of Archives and Records Management.)

The Grants Management Information System (GMIS) alone does not accommodate all requirements, such as availability in print or the period for retention. The file management and record retention plan will be uploaded to the Grants Management Information System.

6. GRANT MODIFICATIONS

During a grant lifecycle, it may become necessary to modify the grant. Typically, grant amendments that extend the period of performance or alter the funding level are allowable. However, it is important to follow the Grantor's procedures and the County's procedures for the modification. These changes must be pre-approved by the Grantor before they are considered eligible. Department Directors and County Manager's Office must be made aware of the need for modification as they are ultimately responsible. Additionally, the Grants Management Coordinator must be made aware of all amendments to competitive grants (non-entitlement grants) to determine the approval path. Documentation on all requests and amendment approvals will be stored on the Grants Management Information System (GMIS).

Written confirmation from the Grantor is required before any money is spent on items different from what was approved in the original budget. Also, project activities that deviate from those originally proposed in the grant application will be documented and prior approval will be received from the grantor before instituting these changes.

Budget amendments or similar documentation affecting the grant budget will be entered into the fiscal management system and the Grants Management Information System (GMIS) for proper tracking. If additional funding is provided by the Grantor agency, a budget amendment resolution must be approved by the Board of County Commissioners if the Commissioner Chairman is the signatory of the grant.

Any modifications to the Grant Agreement must be reviewed and approved by the County Attorney's Office pursuant to the grant review process.

a. Cancellations

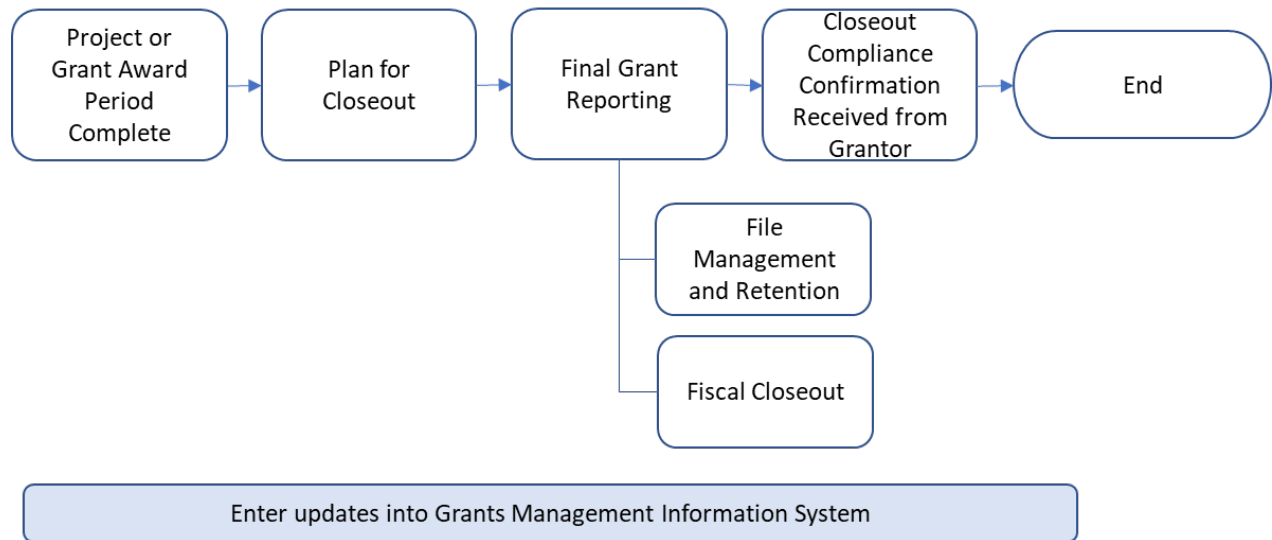
In the event a grant funding agreement must be terminated, standard practices for closing out a grant will be completed. In each of these cases, coordination will occur between the department, Grants Management Coordinator, and the County Manager's Office to discuss the impact and strategy for ending the grant.

b. Renewal and Continuation of Agreements

If a grant is set to be renewed, coordination will occur between the department, Grants Management Coordinator, and the County Manager's Office to discuss the grant's contribution to County priorities, to determine evaluation intervals, goals and outcome measures; and to review actual costs and potential benefits.

F. PROCESS STEP 6: GRANT CLOSEOUT

Figure 10. Process Step 6



The grant closeout is the process by which the Grantor and the County finalize all requirements in the grant agreement. Preparation for closeout usually begins 60 or 90 days prior to the end date of the grant to accurately forecast expenses and make any adjustments to accounting entries. Generally, the closeout process addresses the physical completion of work and the administrative and financial requirements for closeout.

Grant Project Managers will indicate in the Grants Management Information System (GMIS) that they have initiated the grant closeout process and will include confirmation from the Grantor once received.

CHAPTER 4: SUBRECIPIENTS

Only when allowed by the grant, the County may contract with non-county entities to provide specific services to fulfill objectives of grants. These service activities are funded through agreements with subrecipients and contractors.

In instances where federal funds are involved, it is important that subrecipients and contractors be defined accurately, to ensure compliance with the uniform guidance specific requirements for each as provided in 2 CFR 200.331: Subrecipient and Contractor Determinations.

A. PROCUREMENT AND SUSPENSION AND DEBARMENT

Lee County will not award agreements, grant assistance, or contracts to those who are debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549.

Procurement Management will ensure that any potential contractor or subcontractor or subrecipient who will be funded through a grant award is not prohibited from receiving federal or state funds due to suspension or debarment. A person or entity debarred or suspended is excluded from federal financial and non-financial assistance and benefits under federal programs and activities. Debarment or suspension of a participant in a program by one agency has government-wide, reciprocal effect.

The Grant Project Manager will coordinate with Procurement Management to ensure that the federal Excluded Parties List System (EPLS) site and the state Convicted/Suspended/Discriminatory/Complaints Contractor Lists are checked prior to entering any contractual relationship or use of services.



Excluded Parties List System (EPLS): The System for Award Management (SAM) is the official federal system that consolidated the capabilities of CCR/Fed Reg, ORCA, and EPLS. It is accessed at: <https://sam.gov/content/exclusions>.

Convicted/Suspended/Discriminatory/Complaints Contractor Lists are accessed at: http://www.dms.myflorida.com/business_operations/state_purchasing/vendor_information/convicted_suspended_discriminatory_complaints_vendor_lists.

LEIE: The U.S. Department of Health and Human Services Office of Inspector General maintains a list of all excluded individuals and entities called the List of Excluded Individuals and Entities. These individuals and entities are excluded from providing services for federally funded health care programs. It is accessed at: <http://exclusions.oig.hhs.gov/>.

B. SUBRECIPIENT

Subrecipients. A subaward is for the purpose of carrying out a portion of a federal award and creates a federal assistance relationship with the subrecipient. Characteristics which support the classification of the non-federal entity as a subrecipient include when the non-federal entity:

- Has responsibility to determine who is eligible to receive financial assistance;
- Has its performance measured in relation to whether objectives of a federal program were met;
- Has responsibility for programmatic decision making;
- Is responsible for adherence to applicable federal program requirements specified in the federal award; and
- In accordance with its agreement, uses the federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the pass-through entity.

C. CONTRACTOR

Contractors. A contract is for the purpose of obtaining goods and services for the non-federal entity's own use and creates a procurement relationship with the contractor as specified in 2 CFR 200.331. Characteristics indicative of a procurement relationship between the non-federal entity and a contractor are when the contractor:

- Provides the goods and services within normal business operations;
- Provides similar goods or services to many different purchasers;
- Normally operates in a competitive environment;
- Provides goods or services that are ancillary to the operation of the federal program; and
- Is not subject to compliance requirements of the federal program as a result of the agreement, though similar requirements may apply for other reasons.

The Grant Project Manager will contact Procurement Management to determine if a proposed agreement between the County and another non-federal entity would be considered a subrecipient or contractor agreement. The substance of the relationship is more important than the form of the agreement. All characteristics listed above may not be present in all cases, and the County must use judgment in classifying each agreement as a subaward or a procurement contract.

D. SUBAWARDS TO SUBRECIPIENTS

1. SUBRECIPIENT RISK ASSESSMENT

The Grant Project Manager will evaluate each subrecipient's risk of noncompliance with federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring as identified in 2 CFR 200.331, which may include consideration of such factors as:

- The subrecipient's prior experience with the same or similar subawards;
- The results of previous audits including whether or not the subrecipient received a Single Audit in accordance with 2 CFR 200 Subpart F – Audit Requirements, and the

- extent to which the same or similar subaward has been audited as a major program;
- Whether the subrecipient has new personnel or new or substantially changed systems; and
- The extent and results of federal awarding agency monitoring (i.e., if the subrecipient also receives federal awards directly from a federal awarding agency).

A template for Subrecipient Risk Assessment is available from the Grants Management Coordinator.

In reference to HUD Community Development Block Grants, the Grants Management Coordinator will specifically reference 83 FR 28 regarding risk assessment and monitoring.

2. SPECIAL SUBAWARD CONDITIONS

Lee County may impose specific subaward conditions upon the subrecipient based upon the evaluation of risks as described below:

- Past failure to comply with the general or specific terms and conditions of a federal award;
- Failure to meet expected performance goals; and
- Lack of experience or resources.

Subaward conditions may include:

- Requiring payments as reimbursements rather than advance payments;
- Withholding authority to proceed to the next phase until receipt of evidence of acceptable performance within a given period of performance;
- Requiring additional, more detailed financial reports;
- Requiring additional project monitoring;
- Requiring the subrecipient to obtain technical or management assistance; or
- Establishing additional prior approvals.

If specific subaward conditions are imposed, Lee County will notify the subrecipient as to the nature of the additional requirements, the reason why they are being imposed, the nature of the action needed to remove the additional requirement, the time allowed for completing the actions, and the method for requesting reconsideration of the additional requirements imposed.

Lee County will promptly remove any specific conditions once the conditions that prompted them have been corrected.

3. SUBRECIPIENT AGREEMENTS

Subaward contracts to subrecipients of federal grants will include the following information: Reference: 2 CFR 200.332 Requirements for pass-through entities.

- a. Federal Award Identification:
 - Subrecipient name;
 - Subrecipient unique entity identifier;
 - Federal Award Identification Number (FAIN);
 - Date of award to Lee County by the federal agency or pass-through entity;

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- Subaward period of performance start and end date;
 - Subaward budget period start and end date;
 - Amount of federal funds obligated by the current contract from Lee County to the subrecipient;
 - Total amount of federal funds obligated to the subrecipient by Lee County including current obligation;
 - Total amount of the federal award committed to the subrecipient by the pass-through entity;
 - Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA);
 - Name of federal awarding agency, pass-through entity, and contact information for awarding official of the pass-through entity;
 - Assistance Listings Number and Title; the pass-through entity must identify the dollar amount made available under each federal award and the Assistance Listings Number at time of disbursement;
 - Identification of whether the award is research and development (R&D); and
 - Indirect cost rate for the federal award (including if the de minimis rate is charged per 2 CFR 200.414).
- b. Requirements imposed by Lee County on the subrecipient so that the federal award is issued in accordance with federal statutes, regulations, and the terms and conditions of the federal award;
- c. Additional requirements that Lee County imposes for the subrecipient to meet its own responsibility to the federal awarding agency including identification of any required financial and performance reports;
- d. An approved, federally recognized indirect cost rate negotiated between the subrecipient and the federal government or, if no such rate exists, either a rate negotiated between Lee County and the subrecipient (in compliance with 2CFR200.331), or a de minimis indirect cost rate as defined in 2CFR200.414 Indirect Facilities and Administration (F&A) costs;
- e. A requirement that the subrecipient permit Lee County and auditors to have access to the subrecipient's records and financial statements as necessary for Lee County to meet the requirements of 2 CFR 200.331;
- f. Appropriate terms and conditions concerning closeout of the subaward;
- g. Grants Project Managers must consider whether these project specific components will be added to the Subrecipient Agreement:
- Project Details/Scope of Work;
 - Project Budget;
 - Project Deliverables;
 - Grant-specific Requirements; and
 - Insurance Requirements (Risk).

All subrecipient agreements will follow the same approval process as outlined in this Manual for all grant funding agreements.

4. MODIFYING SUBAWARDS (AMENDMENTS AND TERMINATION)

Circumstances or conditions may require changes to the subrecipient contract. When approved by the Grantor, changes which are mutually agreed upon by the Grantee and Subgrantee will be

incorporated in written amendments to the subrecipient contract including:

- a. Period of performance extension;
- b. Change in the scope or objective of the activity, project, or program;
- c. Additional federal funds to complete the activity, project, or program;
- d. Transfer of funds between direct cost categories or programs, functions, or activities if the award exceeds the Simplified Acquisition Threshold (defined at 2 C.F.R. § 34.803) and the cumulative amount of such transfers exceeds 10 percent of the total budget as last approved by the Grantor;
- e. Subawarding, transferring or contracting out of any work unless approved in the grant award (does not apply to acquisition of supplies, material, equipment, or general support services); and
- f. Inclusion of costs that require prior approval in accordance with 2 C.F.R. Part 200 - Cost Principles (unless approved in contract). Grantor and Grantee may only terminate grant agreements in accordance with 2 C.F.R. §200.340 (Termination). All proposed amendments to subrecipient agreements must be reviewed and approved by Procurement Management and the County Attorney prior to execution and will be routed through the BoCC Agenda Management System as required.

5. SUBRECIPIENT MONITORING

The departmental Grant Project Manager or department designee will monitor subrecipient activities to ensure that the subaward is used for authorized purposes in compliance with statutes, regulations, and the terms and conditions of the subaward to ensure that the subaward performance goals are achieved. Monitoring will be a requirement of the funding for most federal grants and subrecipients will be advised of all requirements.

Monitoring will include:

- Reviewing financial and performance reports required to comply with federal grants;
- Routine review of expenses to budget;
- Onsite visits if required;
- Review annual audit reports from any subrecipients required to complete an audit;
- Follow-up to ensure that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the award as detected through risk assessment, audits, on-site reviews, and other means; and
- Issue a management decision for audit findings pertaining to the award provided to the subrecipient.

The Grant Project Manager may use the following monitoring activities to ensure proper accountability and compliance with program requirements and achievement of performance goals:

- Provide subrecipient with training and technical assistance on program-related matters; and
- Perform on-site reviews of the subrecipient's program operations.

Based on the results of the subrecipient's audits, on-site reviews, or monitoring activities, Lee County may consider taking enforcement action against a noncompliant subrecipient.

A template for Subrecipient Grant Monitoring is available from the County Grants Management Coordinator.

6. SUBAWARD CLOSEOUT

An integral part of subcontract monitoring is closeout of the subcontract at the end of the project period. In general, a subcontract is closed when all deliverables have been met and the final payment has been made.

CHAPTER 5: COMPLIANCE REQUIREMENTS AND STANDARDS

This section of the Grants Administration Manual focuses on the most common federal and state compliance requirements for grant management but is not a final and all-inclusive guide to compliance. Each grant funding agreement, terms and conditions, and/or guidance from the Grantor must be reviewed for compliance deliverables and activities to be completed.

All staff involved in grant management and grant administration oversight are expected to understand and comply with all requirements applicable to the specific terms and conditions of the grants they manage as well as guidance from the Grantor (e.g., HUD, Treasury, FTA, DOT, FDEP, FDEM, or FDEO). Failures to do so will be addressed in annual job performance reviews.

A. LOCAL REQUIREMENTS

Lee County's Grant Project Teams, especially Grant Project Managers and Fiscal Contacts, must be aware of the provisions within the funding agreements as well as those that may apply to procurement. The Board of County Commissioners' governing documents below are local requirements and could be grant compliance deliverables. This includes, but is not limited to:

- [Lee County Administrative Code Sections; https://www.leegov.com/bocc/codes](https://www.leegov.com/bocc/codes)
 - [AC-1-10](#) Organization of County Departments and Agencies
 - [AC-1-4](#) Lee County Affirmative Action Plan (41 CFR §§ 60-741)
 - [AC-1-3](#) Rules of Procedure
 - [AC-3-1 through AC3-25](#) – Financial/Fiscal/Budget
 - [AC-3-6](#) Budget Amendment, Revenue and Expenditure Authority
 - [AC-3-9](#) Criteria for Evaluating CIP Projects
 - [AC-3-17](#) Grant Program Administration Procedures for Federal Payments (2 CFR 200.305)
 - [AC-3-20](#) Change Funds/Petty Cash/Imprest Accounts
 - [AC-3-21](#) Travel Authorization and Reimbursable Expense (Florida Statute 112.0261)
 - [AC-7-1](#) Risk Management Requirements for Contracts
- [Lee County Human Resources Policy Manual; https://www.leegov.com/hr/policies](https://www.leegov.com/hr/policies)
 - [101](#) – Behavior of Employees,
 - [201](#) – Equal Employment Opportunity (41 CFR §§ 60-741)
 - [202](#) – Harassment Policy
 - [205](#) – Drugs and Alcohol in the Workplace (24 CFR, Part 24, Subpart E) and 41 (CFR part 710)
 - [206](#) – Code of Ethics / Conflict of Interest Policy (2 CFR § 200.318(c)(1-2))
 - [214](#) – Whistleblowing
 - [401 - 408](#) – Leave of Absence from Work (2 CFR 200.431 Compensation – Leave)
 - [501](#) – Salary Administration
 - [502](#) – Performance Evaluations
 - [503](#) – Pay Procedures (2 CFR 200.431 Compensation – Fringe Benefits)
 - [504](#) – Pay for Work During Emergencies or Disasters

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- [601](#) Corrective Action Disciplinary Procedure
- [602](#) Grievance Procedure
- [Lee County Procurement Ordinance](#):
<https://www.leegov.com/procurement/essential-policy-and-procedures1>
 - General Procurement Standards (2 CFR 200 317-327)
 - Division 10. – Grants
 - Cash Management Procedures (2 CFR 300.302(b)(6) and 2 CFR 200.305)
 - Cash Allowability (2 CFR 300.302(b)(7))
 - Travel Policy for Grant Contractors (2 CFR 200.475 (a))
 - Conflict of Interest Policy (2 CFR 200 318 c (1-2))
 - Competition (2 CFR 200 319(d)(1-2))
 - Technical Evaluations and Proposals and Selecting Recipients (2CFR 200.320 (b) (2) (ii))
 - Proposals (2 CFR § 200.320(b)(2)(i-iv))
 - EEO/AA (41 CFR 60-741.5(a))
- Lee County Clerk of Courts General Accounting Office - Finance Department policies and guides
 - Policies 10.1 through 10.6, Grant Management
 - Fixed Assets Users Guide (2 CFR 200.313 (d))
 - Fraud, Waste, and Abuse Policy
- Lee County Department Standard Operating Procedures

B. FLORIDA REQUIREMENTS

Lee County may be a recipient, a subrecipient, and/or a pass-through entity of funding awards from the State of Florida. Grant Project Managers and Fiscal Contacts must be aware of the provisions within the funding agreements as well as those that may apply to procurement. Governing laws and regulations referenced within funding agreements include Florida Statutes, Florida Administrative Code, Rules of the Auditor General, Chapter 10.550, Local Governmental Entity Audits, State Agency Policies and Guidance.

Requirements include, but are not limited to:

- FS 215.97 – Florida Single Audit Act
- FS 255.5025 – Advertising for competitive bids or proposals
- FS 287.055 – Selection of professional services (engineers, architects, landscape architects and surveyors and mappers)
- FS 125 – Powers and Duties
- FS 760 – Discrimination in the Treatment of Persons; Minority Representation
- FS 112 – Whistle-blowers Act

C. FEDERAL REGULATION AND REQUIREMENTS

Lee County may be a recipient, a subrecipient, and/or a pass-through entity of federal funding awards. Grant Project Managers and Fiscal Contacts must be aware of the provisions specific to each federal funding agreement as well as the cross-cutting federal requirements that govern all County operations by ordinance and policy.

1. NATIONAL POLICY REQUIREMENTS

County staff will adhere to National Policy Requirements affecting grants. It is also the responsibility of the Grant Project Manager to ensure that subgrantees adhere to applicable policies. To satisfy general requirements, Lee County maintains a quarterly log of calls regarding the County's compliance to Civil Rights, Equal Employment Opportunity, and Americans with Disabilities acts.

A sample of the policy requirements are provided below but are not intended to be all-inclusive.

a. Civil Rights

Title VI and Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. and its implementing regulations provide that no person will be subjected to discrimination on the basis of race, color, national origin, sex, age, disability, religion, income, family status, or pregnancy under any program or activity that receives federal financial assistance. In most cases, when a recipient receives federal financial assistance for a particular program or activity, all operations of the recipient are covered by Title VI, not just the part of the program that uses the federal assistance.

Title VI includes requirements to accommodate for persons with Limited English Proficiency (LEP) where it is a barrier to accessing important benefits or services, understanding, and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. Title VI requires that recipients take reasonable steps to ensure meaningful access to the information, programs, and services they provide.



Lee County Reference: [Lee County's Civil Rights Act, Title VI webpage;](https://www.leegov.com/civilrights)
<https://www.leegov.com/civilrights>

Title VI of the Civil Rights Act of 1964

b. Equal Services Provider

Lee County is an equal employment and services provider. All grant decisions are based on merit and program need, and not on race, color, citizenship status, national origin, ancestry, gender, sexual orientation, age, weight, religion, creed, physical or mental disability, marital status, veteran status, political affiliation, or any other factor protected by law.



Lee County References:

[Lee County's Human Resources Employment Plan Reports;](https://www.leegov.com/hr/jobsearch/employmentreports)
<https://www.leegov.com/hr/jobsearch/employmentreports>

[Lee County's Employee Policy 201 – Equal Employment Opportunity;](https://www.leegov.com/hr/Documents/Policy%20and%20Procedures%20manual/201-Equal%20Employment%20Opportunity.pdf)
<https://www.leegov.com/hr/Documents/Policy%20and%20Procedures%20manual/201-Equal%20Employment%20Opportunity.pdf>

c. Americans with Disabilities Act (ADA)

In the broadest sense, ADA requires that state and local governments be accessible to people with disabilities. The Lee County Board of County Commissioners will not discriminate against qualified individuals with disabilities on the basis of disability in the provision of services, programs, or activities. For more information on Lee County's obligations under the ADA and to obtain a copy of Lee County's Grievance Procedure, visit <https://www.leegov.com/ada>.



Lee County Reference: [Lee County's ADA Notice webpage;](https://www.leegov.com/ada/)
<https://www.leegov.com/ada/>

Title II of the Americans with Disabilities Act of 1990, as amended

d. Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) is a federal law which establishes minimum wage, overtime pay eligibility, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in federal, state, and local governments.



Title VIII of the Civil Rights Act of 1968, better known as the Fair Housing Act (FHA); Fair Housing Amendments of 1988

Lee County Reference: [Lee County's Fair Housing web page;](https://www.leegov.com/dhs/fairhousing)
<https://www.leegov.com/dhs/fairhousing>

2. CFR TITLE 2: UNIFORM GUIDANCE FOR FEDERAL AWARDS

2 CFR Part 200 (also referred to as the Super Circular or Uniform Guidance) is the regulation that establishes uniform guidance for all entities receiving and administering federal awards. All staff involved with federally funded grants must follow the guidelines established in 2 CFR Part 200.

CFR references within the funding agreements must be reviewed in detail at www.ecfr.gov; search under Title 2. The code will provide details on requirements for Procurement, Costs (Necessary and Reasonable), Equipment, Subrecipients, Audits, Monitoring and Closeouts. A few highlights from 2 CFR 200 are below:

a. Procurement

Lee County's Procurement Ordinance has been reviewed for federal grant projects funded by EPA, FEMA, HUD, and Treasury, and by Florida DEO, DEP, DOT, and DEM as pass through agencies and has been found compliant with those statutory requirements of the Grantors. (Reference: 2 CFR Part 200.318 through 2 CFR Part 200.327 – Procurement Standards) This includes requirements for outreach and contracting with small and minority businesses and women's business enterprises.



Lee County Reference: [Lee County Procurement Ordinance; https://www.leegov.com/procurement/essential-policy-and-procedures1](https://www.leegov.com/procurement/essential-policy-and-procedures1)

b. Conflict of Interest

As a part of the grant application process, the grant preparer must positively state on any grant form, when asked, that there is an absence of a financial or other interest or affiliation held by them or a member of their immediate family in the funding agency or in companies from which goods and services will be obtained under the supported activity. For federally funded grants, conflict of interest language must be included in the application; and, if a potential conflict of interest is identified during grant administration, the Grant Project Manager must disclose the potential conflict, in a timely manner, in writing, to the Grant Management Coordinator and the applicable federal agency or pass-through entity. (Reference: 2 CFR 200.112)

In general, two types of conflicts of interest must be considered:

- 1) Employee Conflict of Interest. No employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.
- 2) Organizational Conflict of Interest. Organizational conflict of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving the related organization.

If there is an employee or organizational conflict of interest within the County, the initiating department will disclose, in writing, to the Grant Management Coordinator and the federal awarding agency or pass-through entity in accordance with applicable federal awarding policy.



Lee County References: [Lee County Human Resources Policy Manual; 206 – Code of Ethics / Conflict of Interest Policy; https://www.leegov.com/hr/Documents/Policy%20and%20Procedure%20manual/206-%20Code%20of%20Ethics.pdf](https://www.leegov.com/hr/Documents/Policy%20and%20Procedure%20manual/206-%20Code%20of%20Ethics.pdf)

Lee County Reference: [Lee County Procurement Ordinance; https://www.leegov.com/procurement/essential-policy-and-procedures1](https://www.leegov.com/procurement/essential-policy-and-procedures1)

c. Lobbying

The cost of certain influencing activities associated with obtaining grants, contracts, cooperative agreements, or loans is an unallowable cost. Departments seeking federal funds for projects must disclose the lobbying activities. Use federal form SF-LLL Disclosure of Lobbying Activities when applying for federal funding. (Reference: 2 CFR 200.450)



Lee County Reference: Lee County's Code of Ordinance; [Article VI - Lobbying Restrictions and Requirements Ordinance](#)
https://library.municode.com/fl/lee_county/codes/code_of_ordinances?nodeId=PTIICO_CH22LIBURE_ARTVILO&wdLOR=cC67DA089-B560-4DF9-9B77-8AB49E1B0127

d. Fiscal Management

Compliance to federal fiscal management practices for grants include these references:

- Written Cash Management Procedure – [§ 200.302\(b\)\(6\)](#) and [§ 200.305](#);
- Written Cost Allowability Procedures – [§ 200.302\(b\)\(7\)](#);
- Written Travel Policy – [§ 200.475\(a\)](#);
- Written Employee Benefits Policy – [§ 200.431](#);
- Procedures for Managing Equipment – [§ 200.313\(d\)](#)



Lee County References: [Lee County Reference: Lee County Procurement Ordinance](#);
<https://www.leegov.com/procurement/essential-policy-and-procedures1>

Administrative Codes AC 3-1 to AC 3-25 [Financial/Fiscal/Budget](#), specifically including AC-21 Travel Authorization and Reimbursable
<https://www.leegov.com/bocc/codes>

Expenses (Florida Statute 112.061); and Lee County Clerk of Courts General Accounting Office – Finance Department Fixed Asset Guide

Fiscal Contacts will review Procurement Ordinance, Section 10 – Grants; Lee County Board of County Commissioners Administrative Codes AC3-1 through AC3-25: Financial, Fiscal, Budget for these provisions which comply with 2 CFR 200 302 (b)(7) Financial Management and 2 CFR 200.403 Factors Affecting Allowability of Costs:

The costs must:

- Be necessary and reasonable for the performance of the federal award (and be allocated to that use);
- Conform to limitations or exclusions regarding type or cost;
- Be consistent with the policies and procedures the organization would apply to non-federally financed work;

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- Be treated consistently with other comparable costs – for example, a cost may not be treated as a direct cost if a cost incurred for the same purpose in similar circumstances was allocated as an indirect cost;
- Be determined in accordance with US generally accepted accounting principles except as otherwise provided in 2 CFR 200 (for state and local governments and Indian tribes only);
- Not be used to meet cost-sharing or matching requirements of any other federally financed program (see also 2 CFR 200.306(b)) unless specifically permitted by all relevant federal agencies;
- Be adequately documented (see also 2 CFR §§ 200.300-200.309); and
- Must be incurred during the approved budget period. The federal awarding agency is authorized, at its discretion, to waive prior written approvals to carry forward unobligated balances to subsequent budget periods pursuant to § 200.308(e)(3).

3. CFR TITLE 7: AGRICULTURE

Code of Federal Regulations (CFR) Title 7 contains regulations of the Department of Agriculture. County staff will adhere to these regulations as required by the funding agreement. To reference the most recent version, go to www.ecfr.gov and search under Title 7 Agriculture. A sample list of regulations is provided below but is not intended to be all-inclusive.

- 7 CFR, Part 1780 – Water and Waste Loans and Grants
- 7 CFR, Part 1782 – Servicing of Water and Waste Programs
- Section 306 of the Consolidated Farm and Rural Development Act – A common additional reference under provisions of 7 CFR when a project involves Real Estate Loans.

4. CFR TITLE 24: HOUSING AND URBAN DEVELOPMENT

Code of Federal Regulations (CFR) Title 24 contains regulations on Housing and Urban Development. County staff will adhere to these regulations as required by the funding agreement. To reference the most recent version, go to www.ecfr.gov and search under Title 24. A sample list of regulations is provided below but is not intended to be all-inclusive.

- 24 CFR Part 58 – Environmental Review Procedures
- 24 CFR Part 75 – Economic Opportunities for Low- and Very Low-Income Persons
- 24 CFR Part 570 – Community Development Block Grants

5. CFR TITLE 29: LABOR

Code of Federal Regulations (CFR) Title 29 contains regulations on Labor. County staff will adhere to these regulations as required by the funding agreement. To reference the most recent version, go to www.ecfr.gov and search under Title 29. A sample list of regulations are provided below, but are not intended to be all-inclusive.

- 29 CFR Part 1 - Procedures for Predetermination of Wages
- 29 CFR Part 3 - Contractors and Subcontractors
- 29 CFR Part 5 - Labor Standards Provisions

6. CFR TITLE 40: PROTECTION OF ENVIRONMENT

Code of Federal Regulations (CFR) Title 40 contains regulations on Protection of the Environment. County staff will adhere to these regulations as required by the funding agreement. To reference the most recent version, go to www.ecfr.gov and search under Title 40. A sample list of regulations are provided below, but are not intended to be all-inclusive.

- 40 CFR Part 1500-1508 – National Environmental Policy Act (NEPA)

7. CFR TITLE 41: PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Code of Federal Regulations (CFR) Title 41 contains regulations on Public Contracts and Property Management. County staff will adhere to these regulations as required by the funding agreement. To reference the most recent version, go to www.ecfr.gov and search under Title 41. A sample list of regulations is provided below, but is not intended to be all-inclusive.

- 41 CFR 101 Property Management Regulations

8. CFR TITLE 23 AND 49: TRANSPORTATION

Code of Federal Regulations (CFR) Title 23 and 49 contains regulations on Transportation, this applies to Department of Transportation, Federal Highway Administration, and the Federal Transit Administration. County staff will adhere to these regulations as required by the funding agreement. To reference the most recent version, go to www.ecfr.gov and search under Title 23 and 49. A sample list of regulations is provided below but is not intended to be all-inclusive. For projects funded through the Florida Department of Transportation, County staff will comply and adhere to all provisions in the Local Programs Manual, [LAP Manual \(fdot.gov\)](http://LAP Manual (fdot.gov)).

a. *Disadvantaged Business Enterprise (DBE)*

All funding agreements that require DBE compliance will be managed to meet the requirements.

Transportation grant projects may require, for example:

- Selection of contractors and subcontractors that comply with requirements of the Florida Department of Transportation and the Federal Highway Administration (49 CFR 26.13(b));
- Lee County participates in the Florida Department of Transportation DBE Program Plan (49 CFR Part 26); and
- Lee County and specific departments, such as LeeTran, has a signed policy statement that establishes a DBE program. (49 CFR 26.13)
- 49 CFR Part 26 Disadvantaged Business Enterprise (DBE) Program is assigned to the LeeTran Compliance Coordinator.

b. *Buy America*

FTA funded projects will adhere to all Buy America requirements set forth in for 49 CFR part 661, 49 CFR part 663, and 49 U.S.C. § 5323(j)(1). This requirement ensures the steel, iron, and manufactured goods used in the project are produced in the United States. This includes provisions for rolling stock procurements. Rolling stock purchases are subject to the pre-award and post-delivery Buy America audit provisions set forth in 49 U.S.C. § 5323(m) and 49 CFR part 663.

9. FEDERAL REQUIREMENTS FOR CONSTRUCTION PROJECTS

It is the responsibility of the recipient department, including the Grant Project Manager and Fiscal Contact to ensure compliance with the following federal requirements involving construction-related projects. Departments must plan accordingly to ensure that adequate time, funding, and staffing are available to carry out these additional responsibilities. These requirements will flow-down to all subcontractors funded through a grant award. Federal grant programs can waive some of these requirements, review by the department of all conditions and terms of the grant agreement/contract is needed.

In coordination with Procurement Management, the Grant Project Manager will ensure that contracts and agreements include required clauses for ADA Title II and, when applicable, Civil Rights Act Title VI and Davis Bacon Act. Oversight of the Procurement Management Director is assigned to the Assistant County Manager over the Procurement Management Department, who will also investigate any concerns about procurement compliance.

a. Davis-Bacon Act

The Davis-Bacon Act is a federal law that established the requirement for paying prevailing wages on public works projects. All funding agreements that require this certification will be managed and procured to meet these requirements. (Reference: 40 U.S.C. 3141, et seq., the Davis-Bacon Act, as amended)

b. Uniform Relocation Assistance Act

The Uniform Relocation Assistance Act (a.k.a. Uniform Act) of 1970 is a federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The Uniform Act's protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federally funded projects. All funding agreements that require compliance with this act will be managed to meet the requirements.

c. Buy American Act

Buy American Act requires U.S. Government to prefer U.S. made products in its purchases. It does not necessarily mean a product has to be purchased in America but does give preference to domestic construction material. All funding agreements that require compliance with this act will be managed to meet the requirements.

d. National Environmental Policy Act (NEPA)

NEPA is a federal law that mandates assessment of the impacts on the environment of construction funded with federal dollars. All funding agreements that require compliance with this act will be managed to meet the requirements.

e. American Iron and Steel Act (AIS)

Requires recipients of certain federal funds, including State Revolving Fund (SRF) loans, to use iron and steel products that are produced in the United States for the construction, alteration, maintenance, or repair of a public water system or treatment works. All funding agreements that require compliance with this act will be managed to meet the requirements.

f. Disadvantaged Business Enterprise (DBE)

All funding agreements that require DBE compliance will be managed to meet the requirements.

10. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA)

In compliance with 2 CFR § 200.303(e) Internal Controls, the Grant Project Manager will review the funding agreement or grant guidance to determine the FFATA subaward reporting requirements. Prime awardees are required to upload the subrecipient information in the FFATA Sub-Award Reporting System (FSRS) <https://www.fsrs.gov/index>. Subrecipients must maintain an active registration in the System for Award Management (SAM) to receive federal funding.

- The Grant Project Manager will notify the Grants Management Coordinator when a FFATA reporting form is requested by the granting agency.
- The Grant Project Manager will complete an FFATA Subaward Reporting Form for all applicable subaward obligations as required.
- The recipient department will enter the information through the federal reporting system.



FFATA Sub-Award Reporting System (FSRS)
<https://www.fsrs.gov/index>.

11. DUPLICATION OF BENEFITS

Grant Project Managers and Fiscal Contacts will ensure the grant project does not duplicate benefits. A duplication of benefits (DOB) occurs when a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance.

The Grantor may require that an affidavit or form be completed to check compliance. When required by the Grantor, this duplication of benefits analysis should include:

- The defined period of performance;
- The procedure used to verify the benefits provided and the source of that information, which may include FEMA, the National Flood Insurance Program, the Small Business Association, other funding agencies and pass-through administrators.

Warning: Any person who knowingly makes a false claim or statement to any federal agency or grantor or causes another to do so may be subject to civil or criminal penalties under 18 U.S.C. 2, 287, 1001 and 31 U.S.C. 3729.” [Section III.A.1.a.(3)(c)].

If required by the Grantor, Lee County will have a certification statement on payment requests. Below is the standard certification statement:

By signing this request, I certify to the best of my knowledge and belief that the request is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the agreement. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729–3730 and 3801–3812).



Section 312 of 42 U.S.C. 5155 et seq.
18 U.S.C. 2, 287, 1001 and 31 U.S.C. 3729.” [Section III.A.1.a.(3)(c)]

<https://www.govinfo.gov/app/details/USCODE-1995-title42/USCODE-1995-title42-chap68-subchapIII-sec5155>

<https://www.govinfo.gov/app/details/USCODE-2021-title18/USCODE-2021-title18-partI-chap15-sec287>

<https://www.govinfo.gov/app/details/USCODE-2010-title31/USCODE-2010-title31-subtitleIII-chap37-subchapIII-sec3729>

12. REPORTING OF SUSPECTED NONCOMPLIANCE, WASTE, FRAUD OR CRIMINAL ACTIVITY

As detailed in CHAPTER 3: PROCESS AND PROCEDURES, the Lee County Employee Policies and Procedures Manual, particularly Section 202.3 Complaint Procedure and 2 CFR 200.112 detail requirements for reporting suspected noncompliance, waste, fraud, or criminal activity. The Lee County Clerk of Courts Inspector General Hotline (phone: 239-337-7799 or email: Info_InspectorGeneral@leeclerk.org) is available to report these instances, which must also be reported to the Grants Management Coordinator and recorded in the Grants Management Information System (GMIS). Additional external resources for reporting fraud or criminal activity include:

- FEMA Disaster Fraud Hotline: 866-720-5721;
- Department of Housing and Urban Development (HUD): 800-347-3735 or email: hotline@hudoig.gov; and
- Rebuild Florida Grants: Report Fraud, Waste or Abuse online form <http://floridajobs.org/rebuildflorida/report>; all contact information fields are optional to allow for anonymity or by sending an e-mail to: cdbg-dr_antifraudwasteabuse@deo.myflorida.com

13. PERSONALLY IDENTIFIABLE INFORMATION

Records of federally funded grants may not be disseminated with Personally Identifiable Information (PII), which is defined to include a person's name in combination with information such as a social security number, passport number, credit card number, bank number, health records, and similar information. PII required to be disclosed by law is excluded.

14. FAIR HOUSING

County staff will adhere to Fair Housing requirements. A sample of the activities are provided below, but are not intended to be all-inclusive.

- Name a Fair Housing Coordinator available to assist with fair housing questions or registering complaints
- Analysis of Impediments to Fair Housing Choice



Title VIII of the Civil Rights Act of 1968, better known as the Fair Housing Act (FHA); Fair Housing Amendments of 1988

Lee County Reference: [Lee County's Fair Housing web page;](https://www.leegov.com/dhs/fairhousing)
<https://www.leegov.com/dhs/fairhousing>

D. EXTERNAL AUDITS

The Board engages independent auditor(s) to review the County's financial reports and grant reports for compliance and deficiencies. These auditors are managed by the Lee County Clerk of Courts General Accounting Office - Finance Department and annually review the CAFR (Comprehensive Annual Financial Report) and SEFA (Schedule of Expenditure of Federal Awards).



Lee County Reference:

[Comprehensive Annual Financial Reports webpage;](https://www.leeclerk.org/departments/finance/financial-reports/comprehensive-annual-financial-reports-cafr)
<https://www.leeclerk.org/departments/finance/financial-reports/comprehensive-annual-financial-reports-cafr>

1. FEDERAL SINGLE AUDIT ACT

Because Lee County expends well over \$750,000 annually in federal awards from a variety of federal sources, all federal grant programs are subject to the Single Audit process that complies specifically with 2CFR 200.514. The Lee County Clerk of Courts hires the auditor for this purpose. The auditor selects the grant agreements that are subject to the audit in any given year.

Federal audit and annual reporting requirements are contained in 2 CFR Part 200 Subpart F (200.5 Compliance and Audit Requirements.) Non-federal entities expending \$750,000 or more in a year in federal awards are required to have a single or program-specific audit conducted for that year, performed by an outside auditor. It is important that all grant activity and any changes to the grant are well documented to facilitate any audit. Audit findings made during the audit are provided to the County and the Grantor, which could prompt an audit by the Grantor.

The following activities are the fourteen types of compliance requirements considered in every audit conducted under 2 CFR Part 200 Subpart F, and are found highlighted throughout this manual:

- Activities: Allowed or Unallowable;
- Allowable Costs/Cost Principles;
- Cash Management;
- Compliance with Terms & Conditions (e.g., Davis-Bacon Act);
- Eligibility;
- Equipment and Real Property Management;
- Matching, Level of Effort, Earmarking;
- Period of Availability of Federal Funds;
- Procurement, Suspension and Debarment;
- Program Income;
- Real Property Acquisition and Relocation Assistance;
- Reporting;
- Subrecipient Monitoring; and
- Special Tests and Provisions.



Lee County Reference: [Single Audit Reports webpage](https://www.leeclerk.org/departments/finance/financial-reports/single-audit-reports)
<https://www.leeclerk.org/departments/finance/financial-reports/single-audit-reports>

2. FLORIDA SINGLE AUDIT ACT

The Florida Single Audit Act establishes uniform audit requirements for state financial assistance and follows the same cost principles and requirements established in the Federal Single Audit Act, at a \$750,000 threshold.



Florida Statutes: [FS 215.97](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0215/Sections/0215.97.html)
http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0215/Sections/0215.97.html

3. GRANTING AGENCY OR PASS-THROUGH AGENCY AUDITS

Each Grantor and/or pass-through agency may conduct an audit. Access to grant files and all related programmatic and fiscal documentation must be made available for audits.

E. INTERNAL AUDITS

1. COUNTY AUDIT

The Internal Audit Division audits operations of the Board of County Commissioners and the Lee County Clerk of the Courts. Grants will be evaluated as part of the Clerk's audit of a department.



Lee County Reference: [Clerk of Courts Internal Audit and Investigation; https://www.leeclerk.org/departments/inspector-general/internal-audit-investigation](https://www.leeclerk.org/departments/inspector-general/internal-audit-investigation)

CHAPTER 6: TRAINING AND DEVELOPMENT

Grant management personnel are required to receive training as required by grantors and by Lee County Policies including those below:

- Lee County Grants Administration Manual;
- Lee County Human Resources Policies and Procedures Manual:
 - 101 – Behavior of Employees
 - 201 – Equal Employment Opportunity
 - 202 – Harassment Policy
 - 205 – Drugs and Alcohol in the Workplace
 - 206 – Code of Ethics / Conflict of Interest Policy
- Fiscal procedure and policy covered by:
 - The Office of Management and Budget (OMB); 2 CFR Part 200 -- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
 - Standards for Internal Control in the Federal Government (GAO-14-704G) issued by the Comptroller General as part of the U.S. Government Accountability Office "Green Book"
 - Internal Control United Framework issued by the Committee of Sponsoring Organizations (COSO) of the Treadway Commission; and
 - Cross-cutting Federal Compliance:
 - Annual Fraud or Criminal Activity Reporting as required by County Policy
 - Annual ADA Policy Review
 - Annual Civil Rights and EEO Policy Review.

REFERENCES

A. SAM ID (UNIQUE ENTITY ID)

The federal government requires that all applicants for federal grants, cooperative agreements, and subawards, with the exception of individuals other than sole proprietors, have a SAM ID (Unique Entity ID) to better identify organizations that are receiving funding under grants and to provide consistent name and address data for electronic grant application systems.

Lee County's SAM ID is SS8JCN35XH77

B. TAX ID

Lee County's Tax ID: 59-6000702

C. (GAO-14-704G) "GREEN BOOK"

Standards for Internal Control in the Federal Government (GAO-14-704G) issued by the Comptroller General as part of the U.S. Government Accountability Office "Green Book. The Lee County uses the Green Book and COSO as framework for the grants management process.

<https://www.gao.gov/assets/gao-14-704g.pdf>

D. STANDARDS FOR INTERNAL CONTROL IN THE FEDERAL GOVERNMENT

Internal Control United Framework (COSO)

The grants administration processes will follow the COSO Framework (www.coso.org) for internal controls to provide a reasonable assurance that the County is operating ethically, transparently and in accordance with established regulatory requirements. As such, grant operations will emphasize an ownership and control environment, risk assessment and management, activity controls, information & communication, and activity monitoring.