	SAN ANTONIO RIVER AUTHORITY	POLICY	POLICY NUMBER: FN 015
SUBJECT: Grants Management		FINANCE	REPLACING POLICY NUMBER:
RESPONSIBLE MANAGER: Budget Services Manager		EFFECTIVE DATE: REVISED DATE:	
			PAGE: 1 of 3

POLICY

It is the policy of the San Antonio River Authority (River Authority) to financially manage grants in accordance with federal, state, local, and other grantor guidelines.

PURPOSE

Provides policy direction regarding accounting for, managing, maintaining and reporting on grants awarded to the River Authority to ensure compliance with all applicable guidelines, procedures and requirements – both the River Authority’s and the granting agencies – and to ensure timely and accurate billings to the grantor.

The San Antonio River Authority (River Authority) is committed to leveraging its resources to advance the organization’s priorities. One strategy to accomplish this is the use of grant funding. The River Authority will seek grant funds based on the annual strategic plan as well as the priorities established through the annual budget process.

The Support Services Division is primarily responsible for facilitating the entire grant process from pre-proposal to close out. As grant funding opportunities are identified either by Support Services or any employee throughout the River Authority, Support Services will work with the individual or department who will be the sponsor throughout the grant process and program.

The River Authority’s annual strategic plan sets the organization’s overall goals and objectives. The budget process then identifies programs, projects and activities that support the strategic plan. Not all of these may be funded during the budget due to the amount of available funding. The budget process results in the identification of unfunded priorities; these should be a priority when seeking grant funding.

DEFINITIONS

Refer to the San Antonio River Authority Grants Procedures for definitions of terms.

POLICY GUIDELINES

General Grant Guidelines

- A. Throughout the fiscal year, Support Services staff will support prospecting for and acquiring new grant funding and will work to ensure that an identified grant opportunity advances the River Authority's goals and objectives identified in the strategic plan and that it is used, whenever possible, to fund identified priorities from the annual budget development process. Grant opportunities need to be evaluated from an organization-wide perspective.
- B. The grant's sponsor or subject matter expert will be responsible for developing the technical aspects of the grant application. Support Services staff will assist the sponsor or subject matter expert with the proposal, as necessary, developing the grant budget and gathering other information required by the grant. Once completed through this joint effort, Support Services will submit the grant and, if awarded, facilitate establishing the grant budget. Support Services will also provide assistance with grant compliance and reporting, submissions for reimbursement as well as grant close out.
- C. Grant agenda items will be presented to the Board of Directors, whenever possible, prior to submission of the grant. The Board will be asked to authorize submission of the application, to accept the funds if awarded (this also authorizes establishing the grant budget if funds are awarded), and authorize the General Manager to negotiate and accept the terms of the grant application and execute amendments to the grant as needed. If a grant deadline precludes Board approval prior to submission, the Board will be asked to ratify the submission, accept award and authorize the General Manager to execute documents and amendments. If the grant, as awarded, is substantially different from the original grant submission, the award must be taken to the Board of Directors for acceptance of the revised award. In all cases, grant awards will be reported to the appropriate Board Committee. All official grant award notices will be made to Support Services to ensure timely creation of the grant budget.
- D. The River Authority will conduct grant management duties in compliance with the rules and guidelines set forth by this policy, the San Antonio River Authority Grants Procedures, OMB Circular A-133 – Auditors of States, Local Governments and Non-Profit Organizations – when applicable, federal regulations under federal regulations 44 CFR and 2 CFR 225 App. B as applicable, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (also known as the Super Circular and codified as 2 CFR 200), State of Texas Single Audit Circular when applicable, and any applicable provisions of the grant contract with the grantor.
- E. All grants have specific contract provisions, laws, regulations, or rules that must be followed. Most federal grants must follow certain compliance requirements. These requirements relate to Activities Allowed or Unallowed; Cash Management; Financial Reporting; Equipment and Real Property Management; Matching/Cost Sharing Funds; In-Kind Contributions and Donated Services; Procurement; Program Income; Monitoring; Records Retention; and Travel. These requirements are described in further detail in this policy, in the San Antonio River Authority Grants Procedure and in OMB Circular A-133.

The River Authority will adhere to all applicable, specific grant requirements from federal, state, local, or other entities.

Activities and Allowable Costs

- A. The River Authority will adhere to all requirements related to each grant and will only expend funds for allowable activities. The River Authority will only budget for and expend funds that are allowed under the grant, to include direct and indirect costs.

Cash Management

- A. The River Authority has established methods and procedures for payment that minimize the time between the receipt of grant funds and disbursement to the River Authority's vendor(s), in accordance with federal regulation 44 CFR Subpart C 13.20 (b) (7) and 13.21 (b).

Equipment and Real Property Management

- A. Assets purchased with federal or state funds must adhere to River Authority Policy FN 0014 - Fixed Assets. The River Authority will adequately maintain all grant acquired equipment and property.

Program Income

- A. If program income is received by the River Authority, it will be applied as specified in the grant and will always be used to the benefit of the grant, not the River Authority.

Procurement

- A. The River Authority will use its own procurement procedures and will comply with applicable federal, state and local laws and regulations. Refer to River Authority policy FN 0009 Purchasing Procedures and the San Antonio River Authority Grants Procedures for details.

Approved



Suzanne B. Scott, General Manager

11/20/15

Date



GRANTS MANAGEMENT PROCEDURES

Effective Date: November 21, 2015

Revised Date: February 2, 2017

Responsible Manager: Budget Services Manager

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DEFINITIONS

Allowable Costs – As defined by the OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments," costs must be *reasonable* and necessary for performance and administration of award; costs must be *allocable* (goods or services are charged to each cost objective in accordance with benefits received); costs must be *consistently treated* through application of Generally Accepted Accounting

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Principles (GAAP) (i.e., must be consistently applied as direct or indirect costs); costs must *conform* to laws, regulations, circulars, and grant agreements; costs must be *net of credits* that reduce or offset direct or indirect costs (i.e., purchase discounts, rebates, etc) – these refunds must be recorded against the costs that were incurred; and costs must be *documented* in accordance with the OMB Circular A-102 Common Rule for State, Local, and Indian Tribal Governments.

Fixed Asset – Land, buildings, infrastructure, improvements, machinery and equipment and all other tangible or intangible assets that are used in operations and have initial useful lives longer than one year and meet the River Authority’s capitalization threshold of \$5,000.

Grant – A contract reflecting a relationship between federal, state, local, or other entities and the River Authority in which the entities provide the River Authority with money, property, or services for the River Authority to accomplish a specified purpose. The money, property, or services granted to the River Authority are legally restricted to expenditures or uses for that specified purpose.

Grantee – Refers to the San Antonio River Authority.

Grantor – Funding agency or organization awarding money, property, or services to the River Authority for a particular purpose.

In Kind – Contributions of a reasonable value of property or services including River Authority staff services in lieu of cash contributed to a grant.

Indirect Cost – Activity under which the costs are incurred for a common or joint purpose, that benefit the activity generating direct costs and that also benefit more than one project and cannot, therefore, be directly identified with a specific project – for example, human resources’ staff is an indirect cost.

Matching – Costs incurred in the grant that are not borne from the grantor; it is the River Authority’s or required subgrantee’s contribution in time or dollars towards the grant.

ONESolution – River Authority’s financial accounting system. ONESolution is the River Authority’s system of record. All financial grant reporting must be derived from ONESolution.

Program Income – Income received by the River Authority or sub-grantee directly generated by a grant supported activity, or earned only as a result of the grant agreement during the grant period.

Subgrantee – An entity to which the grantee passes through a portion or all of the day to day operations of the grant for a specified time and dollar amount.

Tracked Property – Any asset purchased from grant funds that are managed and tracked in the River Authority’s financial and/or asset management systems and are not considered River Authority fixed assets.

Unallowable Activity – An activity that results in costs that do not meet the general criteria outlined in OMB Circular A-87 or the grant award. These unallowable costs are costs that do not provide a benefit to the grant program’s specific purpose or are considered not acceptable charges as a matter of public policy.

POLICY GUIDELINES

General Grant Guidelines

- A. Throughout the fiscal year, Support Services staff will support prospecting for and acquiring new grant funding. Grant opportunities are identified by staff throughout the organization. All grant opportunities need to be brought to the Support Services Division so that Support Services staff can help facilitate the process. Support Services staff will work to ensure that an identified grant opportunity advances the River Authority’s goals and objectives identified in the strategic plan and that it is used, whenever possible, to fund identified priorities from the annual budget development process. The grant proposal submitted by the River Authority should reflect the River Authority’s highest priority for an eligible, currently unfunded program, project or activity. This includes an on-going project that does not have funding for future phases or continuation of existing phases. To accomplish this, the grant opportunity needs to be evaluated from an organization-wide perspective. Support Services has responsibility for meeting this objective.
- B. The grant’s sponsor or subject matter expert will be responsible for developing the technical aspects of the grant application. Support Services staff will assist the sponsor or subject matter expert with writing or editing the proposal, as necessary, developing the grant budget and gathering other information required by the grant (e.g. organization’s bylaws, Board of Directors, audited financials, management structure, etc.). Once completed through this joint effort, Support Services will submit the grant and, if awarded, facilitate establishing the grant budget. Support Services will also provide assistance with grant compliance and reporting, submissions for reimbursement as well as grant close out.
- C. Support Services staff will work with the sponsor or subject matter expert for the individual grant submission to develop the materials and presentations that are provided to the Fiscal Committee and Board of Directors. In general, the subject matter expert needs to provide the business case and resulting benefits for the grant proposal. Support Services staff will provide the fiscal and/or resources impact as well as any grant process or background information. Grant agenda items will be presented to the Fiscal Committee and Board of Directors, whenever possible, prior to submission of the grant. The Fiscal Committee will be asked to indicate Committee support for presenting to the San Antonio River Authority Board of Directors a recommendation authorizing submission of the application, acceptance of the funds if awarded (this also authorizes establishing the grant budget if funds are awarded), and authorizing the General Manager to negotiate and accept the terms of the grant application and execute amendments to the grant as needed. Following action

from the Fiscal Committee, the item will be placed on the agenda for Board of Director consideration.

If a grant deadline precludes Board approval prior to submission, the Fiscal Committee and Board of Directors will be asked to ratify the submission, accept award and authorize the General Manager to execute documents and amendments. If the grant, as awarded, is substantially different from the original grant submission, the grant award must be taken to the Board of Directors for acceptance of the revised award. In all cases, grant awards will be reported to the appropriate Board Committee.

All official grant award notices will be made to Support Services to ensure timely creation of the grant budget. Upon award, Support Services will provide support in acceptance, tracking compliance and ensuring reporting and close out procedures are completed.

- D. Support Services will conduct grant management duties in compliance with the rules and guidelines set forth by this policy, OMB Circular A-133 – Auditors of States, Local Governments and Non-Profit Organizations – when applicable, federal regulations under federal regulations 44 CFR and 2 CFR 225 App. B as applicable, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (also known as the Super Circular and codified as 2CFR 200), State of Texas Single Audit Circular when applicable, and any applicable provisions of the grant contract with the grantor.
- E. Support Services will monitor expenditures on a monthly basis to ensure compliance. The River Authority, through the Finance Department, will maintain effective control over all grant and subgrant cash, property and other assets. The River Authority will ensure adequate safeguards for all such property are established, enforced and that property is used solely for the authorized purposes.
- F. The River Authority may receive funds from grants in advance of payment for expenditures. The River Authority must obtain written permission from grantor to pre-draw funds for federal grants and for any other grants where the granting agency requires written permission. The time requirement for when these advance funds must be encumbered and disbursed varies by grantor. The River Authority must receive in writing from the grantor the time period in which funds received in advance must be spent for federal grants and for any other grant where the granting agency requires this action. Grant funds will be set up so that interest is earned and credited to the grant in the case of advances. For federal grants, interest earned on grant funds will be promptly (and at least quarterly) remitted to the federal agency providing the grant funds. The River Authority will keep up to \$100 per year in interest earnings on each federal grant for administrative expenses.

For federal grants, if a grant has funds available at the grant's year-end, the River Authority will either have written permission from the grantor as documentation for a carry-forward or will return the funds to the grantor.

- G. All grants have specific contract provisions, laws, regulations, or rules that must be followed. Most federal grants must follow certain compliance requirements. These requirements relate to Activities Allowed or Unallowed; Cash Management; Financial Reporting; Equipment and Real Property Management; Matching/Cost Sharing Funds; In-Kind Contributions and Donated Services; Procurement; Program Income; Monitoring; Records Retention; and Travel. These requirements are described in further detail in this policy and in OMB Circular A-133. The then current OMB Circular A-133 Compliance Supplement to review is available to all departments who receive federal funds. The River Authority will adhere to all applicable, specific grant requirements from federal, state, local, or other entities.
- H. The River Authority may draw funds on their specific grants for incurred and paid expenditures not less than every thirty days, unless prohibited by the grantor. The General Fund may float grant expenditures up to thirty days, maximum. Constant monitoring of grants and draws by the River Authority will provide sound cash management practices and mitigate the possibility of incurring grant deficits due to funds not being drawn in a timely manner. Dated downloads or hard copies of financial data generated from ONESolution will be retained for documentation to support draw requests. Funds associated with a grant awarded to the River Authority must be deposited into the appropriate designated grant fund at all times.
- I. Required reports to the grantor(s) will be submitted timely and accurately. All financial information will be verified and will come from the River Authority's official financial records. Dated downloads or hard copies of financial data from ONESolution and reconciliation schedules will be retained for documentation to support submitted reports. Annual and final fiscal reports or vouchers for Federal grants will include a certification signed by an official authorized to legally bind the River Authority and will include the required wording.
- J. The Finance Department is responsible for reviewing and responding to any request from a grantor regarding overpayments. These issues will be responded to within five business days.
- K. Capital assets procured with grant dollars will be capitalized if above the River Authority's capitalization threshold. If the asset purchased is below the River Authority's capitalization threshold, the asset shall be recorded as tracked property. Refer to policy FN 0014 Fixed Asset Policy for details.

Activities and Allowable Costs

- A. The River Authority recognizes that activities and expenditures allowed (or not allowed) under a grant are unique to each federal, state or local grant and costs are determined by the laws, regulations, and provisions of contracts and grant agreements. The River Authority will adhere to all requirements related to each grant and will only expend funds

for allowable activities. The River Authority acknowledges that, should funds be inadvertently spent for non-allowable activities, the River Authority may have to reimburse the grantor for costs related to those activities from available River Authority funds.

- B. The River Authority will only budget for and expend funds that are allowed under the grant, to include direct and indirect costs.
- C. The River Authority will include, when allowed and in accordance with the granting agency's requirements, indirect costs in grant submissions and requests for payment.
- D. Submissions for reimbursement of salaries and wages are based on records that accurately reflect the work performed.

Cash Management

- A. For reimbursement grants, the River Authority will have documented, paid program costs prior to requesting a reimbursement.
- B. The River Authority has established methods and procedures for payment that minimize the time between the receipt of grant funds and disbursement to the River Authority's vendor(s), in accordance with federal regulation 44 CFR Subpart C 13.20 (b) (7) and 13.21 (b).
- C. For grants where funds are provided as an advance:
 - 1. The River Authority will comply with all applicable regulations from the grantor.
 - 2. The River Authority will make drawdowns as close as possible to the time of making disbursements when advances are made by letter-of-credit or electronic transfer of funds.
 - 3. The River Authority will minimize the time elapsing between receipt of funds and disbursement of funds for expenditures. The River Authority will make payment within 30 days of receipt of an invoice and will work to make payment within 15 days of receipt.
 - 4. If the funds are provided to a subgrantee, the River Authority will monitor payments by the subgrantee and work to ensure payment within 30 days of receipt of an invoice.
 - 5. Interest earned on advances will be credited to the grant, will be properly reported and remitted in accordance with the specific grant agreement. For federal grants, interest earnings will be handled in accordance with General Grant Guidelines Section (C) above.

Equipment and Real Property Management

- A. Assets purchased with federal or state funds must adhere to River Authority Policy FN 0014 - Fixed Assets.
 - 1. An asset will be considered a fixed asset by the River Authority if it has a useful life of more than one year and it costs, individually, at least \$5,000.
- B. The River Authority will use equipment and real property purchased with federal grant funds solely for the original program/purpose for which it was acquired. The River Authority will not dispose of or encumber the equipment or property unless and until it is no longer needed for the originally authorized purpose. The River Authority will dispose of real property purchased with federal funds in one of the following manners, using the instructions provided by the awarding agency.
 - 1. Retention of Title – The River Authority will retain title after paying the awarding agency the appropriate amount. This amount will be computed by applying the awarding agency’s percentage of participation in the cost of the original purchase to the fair market value of the property. If the River Authority is acquiring replacement real property under the same program, the net proceeds from the disposition may be used to offset the cost of the replacement property.
 - 2. Sale of Property – The River Authority may sell the property and compensate the awarding agency by applying the awarding agency’s percent of participation in the cost of the original purchase to the proceeds of the sale. If the grant is still active, the net proceeds from the sale will be used to offset the original cost of the property. The River Authority will use a method of sale that provides competition whenever possible and results in the highest possible return.
 - 3. Transfer of Title – The River Authority may transfer title of the property to the awarding agency or to a third party approved by the awarding agency. The River Authority will be paid for the property by applying the River Authority’s percent of participation in the original purchase to the current fair market value of the property.
- C. Title to equipment and real property acquired with federal funds vests with the River Authority. Title requirements for state funded purchases relating to equipment and real property will be determined by the individual grant requirements.
- D. The River Authority will maintain equipment records that include a description, serial number or other identification number, the source of the property, where title is held, the acquisition date, the cost, the percentage of participation by the granting agency in the cost of the property, the location, use and condition and any disposition data including the date and sale price.

- E. The River Authority will complete a physical inventory of equipment purchased with federal funds at least once every two years unless an alternate length is specifically stated in the grant the River Authority will reconcile inventory observations to equipment records and make changes to the records as needed.
- F. The River Authority has a control system in place to ensure adequate safeguards to prevent loss, damage or theft of property and will investigate and loss, damage or theft. The Finance Department is responsible for this system and any investigations.
- G. The River Authority will adequately maintain all grant acquired equipment and property.

In-Kind Contributions and Donated Services

- A. River Authority in-kind contributions reflect a reasonable value of property or services in lieu of cash. The River Authority will value contributions at the market value at the time of donation.
 - 1. The River Authority will value the use of donated equipment or space using the fair rental rate of the equipment or space.
- B. Donated or volunteer services may on occasion be furnished to the River Authority by professional and technical personnel, consultants, and other skilled and unskilled labor for the benefit of a grant activity. The River Authority may use their value either as a direct or indirect cost to help meet cost sharing or matching requirements as allowed by the individual grant.
 - 1. Unpaid services will be valued at rates consistent with those ordinarily paid for similar work at the River Authority either using employee rates for employees performing similar work or the rates will be consistent with those ordinarily paid by other employers for similar work in the same labor market if no River Authority employees do the same work. In either case, fringe benefits costs will be included in the valuation.

Matching/Cost Sharing Funds

- A. The River Authority will meet matching or cost sharing requirements by:
 - 1. Incurring allowable costs – either the River Authority or its subgrantee – including costs borne by non-federal grants or other cash donations from non-federal third parties. River Authority labor costs for staff time is a method of cost sharing/matching.
 - 2. Third party in-kind contributions during the grant period.

3. Using donated real property which will be valued at the current market value; however, for federal grants, only the non-federal share of the property will be counted as cost sharing or matching.
- B. The River Authority will not meet matching or cost sharing requirements for a federal grant using costs borne by another federal grant with the exception of income earned by the River Authority from a contract awarded under another federal grant.
 - C. The River Authority will use costs and in-kind contributions only once, within a single grant and will not use the same costs as a match for multiple grants or programs.
 - D. The River Authority will not use program income to satisfy a match requirement for a federal grant unless expressly permitted in the grant.
 1. Contractors may earn income from activities carried out under the grant; however, no costs of services or property supported by this income will be counted toward satisfying a cost sharing or match requirement unless expressly permitted in the grant.
 - E. The River Authority will maintain records so that costs and in-kind contributions can be verified. The records will show how the value was derived, including for volunteer services that will be valued using the same methods as used for regular personnel costs.
 - F. The River Authority may use third party in-kind contributions to help satisfy a cost sharing or matching requirement when the payment for the services would be an allowable cost.
 1. For federal grants, the River Authority will use third party in-kind contributions that would have been indirect costs as cost sharing or matching requirements only if the River Authority, its subgrantee(s) or contractor(s) has established, along with its regular indirect cost rate, a special rate for allocating to individual projects or programs the value of the contributions.
 2. For federal grants, the River Authority will use a third party in-kind contribution to a fixed price contract as part or all of a cost sharing or matching requirement only if it results in an increase in the services or property provided under the contract without additional cost and/or it results in a cost savings to the River Authority or subgrantee.

Monitoring

- A. The River Authority is responsible for managing the day-to-day operations of grant and subgrant supported activities. The Finance Department will monitor grant and subgrant supported activities to ensure compliance with all applicable federal, state and local grantors' requirements. The Finance Department will work with the grantor agency

through all monitoring visits and/or audits and provide all information needed by the agency to effectively complete the review/audit. River Authority department(s) managing the grant activities must ensure that performance goals are achieved.

- B. Financial reports will be filed in a timely manner, will have supporting documentation and will have been reconciled to all River Authority financial records.
- C. The River Authority will report in writing in a timely manner to the Federal awarding agency or pass-through entity all known violations of Federal criminal law involving fraud, bribery or gratuity violations potentially affecting a Federal award.
- D. Performance reports will be filed in a timely manner and will compare the goals established versus actual accomplishments during the grant reporting period. Whenever possible, the River Authority will relate financial data to performance accomplishments and provide cost information to demonstrate cost effective practices. Details regarding any variance from established versus actual goals will be provided. This will include any information on cost overruns, if applicable.
- E. The Finance Department will ensure that audits are completed, when necessary, by an independent auditor in accordance with generally accepted accounting standards to comply, when applicable, with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507); 31 U.S.C. 503, 1111; Executive Order 8248; Executive Order 11541; and revised OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
 - 1. The River Authority will procure independent auditing services in accordance with federal regulation 44 CFR 13.36 and any other granting agencies' requirements.
 - 2. The River Authority will ensure that subgrantees expending the stated federal limit or more in federal awards in a fiscal year have met all audit requirements and are in compliance with federal regulation 44 CFR 13.26 (b).
 - a. The River Authority will adjust its own records as necessary based on the results of any subgrantee audit.
 - b. The River Authority will require subgrantees to permit independent auditors to have access to their records and financial statements.
 - 3. The River Authority will ensure that appropriate corrective action is taken within six months after receipt of the audit report in instance(s) of noncompliance with federal, state and local laws and regulations either by the River Authority or a subgrantee..

Program Income

- A. If program income is received by the River Authority, it will be applied as specified in the grant. This could be as a reduction to grant funding requested from the grantor, an addition to the program budget and/or to meet the match requirements of the grant. Program income will always be used to the benefit of the grant, not the River Authority. Income could be generated from fees, rental of property acquired with grant funds, sale of items or assets purchased with grant funds, and/or debt service on loans made with grant funds.
- B. The River Authority will provide documentation relating to program income to the independent auditors and the grantor(s).

Records Retention

- A. Records related to fiscal activity and other supporting documentation will be retained for a period of at least three years. The retention period is recognized to generally start at the close of the fiscal year covered by the grant. The River Authority will comply with all requirements in federal regulation 44 CFR 13.42.
- B. For pending, ongoing or unresolved litigation, audits, or claims, documentation will be retained for three years after completion, resolution, or negotiation of settlements and in compliance with federal regulation 44 CFR 13.42.
- C. Destruction of records must also be in accordance with policies and procedures of the Texas Local Government Records Act and River Authority policies and procedures.
- D. The awarding agency or any of their authorized representatives will have the right to access any pertinent books, documents, papers or other records of the River Authority and subgrantees pertinent to the grant.

Travel

- A. Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by personnel of the River Authority who are in travel status on authorized business. The River Authority will pay reasonable and necessary travel expenses provided they are in compliance with River Authority policy FN 0011 and federal regulation 2 CFR Ch. II Pt. 225, App. B 43.

Procurement

- A. For purchases made with funds received from the federal government, the River Authority will verify the selected vendor has not been debarred or suspended from doing business with the federal government using website www.sam.gov prior to award of any federal contract, grant or subgrant.

1. The River Authority will not make any award to any party that is excluded from or ineligible for participation in federal assistance programs when using federal funds.
 2. The River Authority will, to the extent practicable, distribute micro-purchases (where the aggregate dollar amount does not exceed \$3,000) equitably among qualified suppliers.
 3. The River Authority will ensure that contractors perform in accordance with the terms, conditions and specifications of the contract or purchase order.
- B. The River Authority will use its own procurement procedures which reflect applicable federal, state and local laws and regulations. Refer to River Authority policy FN 0009 Purchasing Procedures for details.
1. No employee of the River Authority shall participate in selection, or in the award or administration of a contract if a conflict of interest, real or apparent, would be involved. If a potential conflict is identified, the River Authority will disclose in writing the potential conflict to the Federal Awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy. Such a conflict would arise when:
 - i. The employee, any member of his immediate family, his or her partner, or an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.
 2. Employees will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements unless the financial interest is not substantial or the gift is an unsolicited item of nominal value.
 3. Any employee who fails to follow these guidelines may be subject to disciplinary action in accordance with the River Authority's employee policies.
- C. Protest Procedures
1. The Purchasing Agent has the authority to settle or resolve any claim of an alleged protest of a recommended award. This includes but is not limited to protests of award or non-selection for award or other matters of a contractual or procurement nature. The procedures for notifying the River Authority are listed below. If vendor fails to comply with any of these requirements, the protest may be dismissed.
 - i. Vendor must deliver a written notice of protest to the Purchasing Agent within seven calendar days of the posting of the recommendation of intent

to award. If vendor does not file a written notice within this time, the vendor will have waived all rights to protest the recommended award. It is the vendor's responsibility to check the posted website.


- ii. Grounds for Protest - Only protests alleging an issue concerning the following subjects shall be considered:
 - 1. Errors in computing tabulation or evaluation of bid.
 - 2. Violation of rules or statutes.
 - 3. Discrepancies with material differences or quality of items.
- iii. Protest must be submitted in writing and must include the following information:
 - 1. The protestor's name, address, telephone number, email address, and fax number.
 - 2. The signature of the protestor or its representative.
 - 3. The item of protest.
 - 4. A detailed statement of the factual grounds for the protest and relief requested. Include all copies of any relevant documents.
- iv. When the Purchasing Agent receives a timely written protest, the Purchasing Agent shall review the record of procurement for legitimacy and procedural correctness.
- v. Based upon the nature of the protest the Purchasing Agent will convene an appropriate committee that will, within ten calendar days:
 - 1. Perform a full review of the filed protest.
 - 2. Convene a hearing if requested by protesting party.
 - 3. Protestor may bring a representative to present information to support the factual grounds of the protest.
 - 4. Protest committee meeting will be informal in nature and not subject to the open meeting act.
 - 5. Notify the recommended awardee that a protest has been filed.
 - 6. Make a decision and notify the Purchasing Agent of such decision.
 - 7. The Purchasing Agent will notify protestor of the decision or any other course of action to be taken within ten calendar days and will provide the protester all relevant information.

2. Appeals Process

- i. If the protestor is still not satisfied with the response from the Purchasing Agent, vendor will then have five calendar days to appeal to the General

Manager. The General Manager, or their designee, will review the appeal and render a decision. Such decision will be considered final with no further appeal process. The final decision of the General Manager, or their designee, regarding the bid protest will be incorporated in the Board of Directors items as part of the recommendation for award of the contract.

Approved



Suzanne B. Scott, General Manager



Date