

June 1, 2018

DYLAN WRIGHT
DIRECTOR
OC COMMUNITY RESOURCES

CYMANTHA ATKINSON
DEPUTY DIRECTOR
OC COMMUNITY RESOURCES
& INTERIM DIRECTOR
OC ANIMAL CARE

RENEE RAMIREZ
DIRECTOR
OC COMMUNITY SERVICES

JULIA BIDWELL
DIRECTOR
OC HOMELESS, HOUSING
& COMMUNITY
DEVELOPMENT

STACY BLACKWOOD
DIRECTOR
OC PARKS

HELEN FRIED
COUNTY LIBRARIAN
OC PUBLIC LIBRARIES

To: WIOA Subrecipients of the Orange County
Development Area

From: Brian Rayburn 
Interim Director

**Subject: Standards for Oversight and Monitoring
Information Notice No. 17-OCDB-22**

PURPOSE

This policy transmits to the subrecipients of the Orange County Development Board (OCDB) the general standards for the oversight and monitoring responsibilities regarding the Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker (DW), Young Adult, and special projects and programs.

REFERENCES

- WIOA (Public Law 113-128)
- Title 20 CFR WIOA, "Department of Labor; Final Rule", Parts 603, 651, 652, et al.
- Title 20 CFR WIOA, "Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule", Parts 676, 677, and 678
- Title 2 Code of Federal Regulations (CFR) Part 200: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Uniform Guidance)
- Title 2 CFR Part 2900: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (Department of Labor Exceptions)
- State Workforce Services Directive WIAD00-7, Standards for Oversight and Instructions for Monitoring

EFFECTIVE DATE

This policy is effective immediately upon issuance.

BACKGROUND:

The WIOA Section 107(d)(8)(A)(i) requires that the Local Board, in partnership with the Chief Elected Official (CEO), shall conduct oversight of the WIOA programs and the One-Stop delivery system in the local area.



**ORANGE COUNTY
DEVELOPMENT BOARD**

1300 SOUTH GRAND
BLDG. B, THIRD FLOOR
SANTA ANA, CA 92705
PHONE: 714.480.6500
FAX: 714.834.7132



The WIOA Section 184(a)(2)(A) requires that each State and local area (including the CEO for the area) and provider receiving funds under Title I shall comply with the applicable uniform cost principles included in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) or rules for the type of entity receiving the funds. Section 184(a)(3)(A) requires that each State and local area (including the CEO for the area) and provider receiving funds under Title I shall comply with the appropriate uniform administrative requirements for grants and agreements applicable for the type of entity receiving the funds, as promulgated in the Uniform Guidance.

Title 20 CFR Section 683.200 sets forth the general fiscal and administrative rules applicable to the use of WIOA Title I funds. Allowable costs must be determined under the Uniform Guidance.

Title 20 CFR Section 683.400(c)(1) requires that each recipient and subrecipient must monitor grant-supported activities in accordance with 2 CFR Part 200. Section 683.410(a) requires that each recipient and subrecipient must conduct regular oversight and monitoring of its WIOA activities and those of its subrecipients and contractors. The purpose of this requirement is to ensure that expenditures meet the cost category and cost limitation requirements of WIOA and the regulations; that there is compliance with other provisions of WIOA and the regulations and other applicable laws and regulations; assure compliance with 2 CFR Part 200; and, ensure compliance with the nondiscrimination, disability, and equal opportunity requirements of Section 188 of WIOA, including the Assistive Technology Act of 1998 (29 U.S.C. 3003).

The Uniform Guidance requires subrecipients to ensure that the procurement, receipt, and payment for goods and services received from vendors complies with laws, regulations, and the provisions of vendor contracts and agreements. The State Directive WSD17-18 provides combined State and federal guidance regarding the procurement of goods and services.

The State WIOA Directive WSD17-01 provides guidance regarding nondiscrimination and equal opportunity in contracts, job training plans, and policies and procedures.

Title 20 CFR Section 683.410(b)(6) states that the Governor may issue additional requirements and instructions to subrecipients regarding monitoring activities.

POLICY AND PROCEDURES

Definitions

Subrecipient: (2 CFR §200.93) Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

Contractor: (2 CFR §200.23) Contractor means an entity that receives a contract as defined in 200.22 Contract. [(2 CFR §200.22) Contract means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award.]

Standards for Subrecipient Oversight

The Subrecipient shall conduct regular oversight and monitoring of activities, conducted under the executed agreement with the County of Orange.

The monitoring and oversight must be consistent with the requirements stated in WIOA and its associated regulations, as well as other relevant regulations and Uniform Guidance.

The oversight shall include the following:

1. Annual internal monitoring review of all programs at least once each Program Year. The annual internal monitoring review shall be separate from regular (day-to-day) internal review processes.
2. Monitoring for the current Program Year is conducted within that same Program Year (including monitoring of Sub-Subrecipients).
3. Onsite review of programs and activities is both fiscal and programmatic, consistent with the requirements stated in Title 20 CFR Sections 667.400(c)(1) and 667.410(a).
4. The assurance that the procurement, receipt, and payment for goods and services received from contractors, including work-based learning employers, complies with laws, regulations, and the provisions of contracts and agreements.
5. While contractors are not subject to the scope of the monitoring requirements for subrecipients, Subrecipients are responsible for ensuring compliance regarding contractor transactions. The procurement of goods and services from contractors must comply with federal and State requirements.
6. The program complies with federal and State requirements regarding nondiscrimination and equal opportunity.
7. Follow a standardized review methodology that will result in written reports which record findings, any needed corrective actions, and due dates for the accomplishment of corrective actions.
8. Provide systematic follow-up to ensure that necessary corrective action has been taken.

9. All written reports and other documentation pertaining to monitoring and other oversight activities must be made available for review by federal, State and County officials.

10. Reports and other records of monitoring activities must be retained for three years from the date of submission of the final expenditure reports regarding the funding sources monitored. If any litigation, claim, audit or other action involving the records has been started before the expiration of the three-year period, the records must be retained until completion and resolution of all such actions or until the end of the three-year period, whichever is later [Title 29 CFR Sections 95.53(b) and 97.42(b)(c)].

ACTION

Bring this policy to the attention of all affected staff and all relevant parties.

INQUIRIES

If you have any questions regarding this policy, please contact your Contract Administrator (714) 480-6500.