



## Phase 35 Key Changes and Program Clarifications



This Key Changes and Program Clarifications section is provided to assist in your annual reading and review of the EFSP Responsibilities and Requirements Manual (EFSP Manual); it is not a substitute for the EFSP Manual. All State Set-Aside Committee members, Local Board members and all Local Recipient Organizations (LROs) are advised to read the entire Phase 35 EFSP Manual thoroughly for complete guidelines regarding their responsibilities, program operations, acceptable expenditures and documentation requirements as significant changes have been made.

### GRANT AGREEMENT ARTICLES, FINANCIAL TERMS AND CONDITIONS & OTHER TERMS AND CONDITIONS

The Emergency Food and Shelter National Board Program (EFSP) is a restricted federal grant. All federal grants have terms and conditions that apply to ALL parties participating in the grant. For the EFSP, all parties means the National Board which is considered the Recipient, State Set-Aside Committees (SSAs), Local Boards, and Local Recipient Organizations (LROs) that are considered the Sub-Recipients. All parties need to ensure their understanding of the EFSP Manual and the statements on the Certification Forms. By signing the Certification Forms, they are agreeing to specific program requirements of the National Board as well as those mandated by the Federal government, including those that do not appear to apply to the types of programs and activities eligible under the EFSP. All parties will be held accountable for the provisions of the grant.

For further detail, please reference [pages 45-56](#).

### ELECTRONIC SIGNATURES

Starting in Phase 35, all Local Board Plans, Local Recipient Organization Certifications, Fiscal Agent/Fiscal Conduit Relationship Certification Forms, Lobbying Certifications, Second Payment Requests, Final Reports and Spending Period End Date Extension Requests must be electronically signed using DocuSign. You do not need a DocuSign account to electronically sign EFSP documents and there is no cost for using DocuSign for EFSP documents. Please review the updated Website User Guide for step-by-step instructions for submitting forms on the EFSP website and electronically signing. The User Guide may be found on the EFSP website, ([www.efsp.unitedway.org](http://www.efsp.unitedway.org)).

### ADVERTISING AND ACKNOWLEDGEMENT OF FUNDS

All parties as referenced in the Grant Agreement Articles must acknowledge EFSP funding as Federal funds awarded through the Department of Homeland Security. The acknowledgment must be included in Local Boards' advertisement of funding to the jurisdiction and any printed material, including request for proposals, bid invitations, etc.

For further detail, please reference [pages 26-27, 45-46, and 109-111](#).

## **COMMUNICATING WITH THE NATIONAL BOARD VIA EMAIL**

There are two email addresses for communicating with the National Board. Effective as of July 1, 2016, ALL documents submitted by State Set-Aside Committees, Local Boards and LROs via email to the Emergency Food and Shelter Program (EFSP) office must be sent to [documentstoefsp@uww.unitedway.org](mailto:documentstoefsp@uww.unitedway.org).

Also, effective as of July 1, 2016, the new email address to send inquiries to the program is [efsp@uww.unitedway.org](mailto:efsp@uww.unitedway.org). Only questions concerning the program should be sent to this email address.

For further details, please reference [pages 30 and 63](#).

## **AUDIT REQUIREMENTS – CHANGE TO THRESHOLDS**

LROs must have their records audited by an independent certified or public accountant if receiving \$100,000 or more in EFSP funds. If an LRO receives from \$50,000 to \$99,999, they must have an annual accountant's review.

Local Boards must ensure that LROs expending \$750,000 or more in Federal funds, comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget.

For further details, please reference [pages 37, 42, 59, 80, 92-93, and 103-106](#).

## **LOCAL BOARD MEMBERSHIP – HOMELESS PARTICIPATION**

Legislation requires all Local Boards to include in their membership a homeless or formerly homeless person. Local Boards must seek recommendations from LROs for an appropriate representative.

Local Boards who are unable to secure a homeless or formerly homeless representative must have a past recipient of food or shelter services or a homeless advocate on their Local Board. A homeless advocacy group may be invited to serve this roll only if those noted previously are unavailable to serve.

For further detail, please reference [pages 24-26, and 92](#).

## **LOBBYING CERTIFICATION**

By signing the LRO Certification Form, each LRO is certifying that EFSP funds will not be used for any type of lobbying activities. Additionally, LROs receiving \$100,000 or more in EFSP funds must complete and submit the Certification Regarding Lobbying Form. The total of the funds is based on the original allocation to the LRO, plus any combination of subsequent awards to the LRO, including reallocations made by the Local Board.

If the Certification Regarding Lobbying Form is not submitted to the National Board, the funds may be held until it has been provided.

For further detail, please reference [pages 42, 49 60-61, and 95](#).

## **SPENDING PERIOD EXTENSIONS**

The National Board may determine on an annual basis to exercise the option to extend the spending period when the receipt of funding is delayed in the federal appropriations or award process. The National Board may choose to exercise this option when funds are received after the first quarter of the federal fiscal year. The National Board will determine the dates of the extension option beyond the end of the calendar year. The National Board has exercised this option; the spending period options for Phase 35 are

<b>October 31, 2017</b>	<b>April 30, 2018</b>	<b>October 31, 2018</b>
<b>November 30, 2017</b>	<b>May 31, 2018</b>	<b>November 30, 2018</b>
<b>December 31, 2017</b>	<b>June 30, 2018</b>	<b>December 31, 2018</b>
<b>January 31, 2018</b>	<b>July 31, 2018</b>	<b>January 31, 2019</b>
<b>February 28, 2018</b>	<b>August 31, 2018</b>	
<b>March 31, 2018</b>	<b>September 30, 2018</b>	

For further detail, please reference [pages 15 and 35](#).

## **LOCAL BOARD - LRO CERTIFICATION FORMS**

Local Boards are required to have all agencies selected as LROs on the Local Board Plan e-sign and date the LRO Certification Form at the beginning of each funding cycle. A copy of this form must be retained by both the Local Board and the LRO. The certification forms for all funded LROs must be submitted electronically and e-signed by accessing the forms under LRO Plan. Funds will not be issued to any LRO who has not e-signed and dated the LRO Certification Form. Only the LRO Certification Form provided by the National Board for the funding cycle will be accepted. The National Board's LRO Certification Form process has changes from prior phases with the introduction of DocuSign. The National Board's form may not be amended in any way. Local Boards wishing to have appropriate additional requirements regarding the funding of LROs may submit an addendum with the National Board's form. The addendum must also be submitted to EFSP with the Local Board Plan.

For further detail, please reference [pages 92 and 93](#).

## **LOCAL RECIPIENT ORGANIZATION - LRO CERTIFICATION FORMS**

Each Local Recipient Organization (LRO) is required to sign and date the LRO Certification Form at the beginning of each funding cycle. A copy of this form must be retained by the LRO and provided to the Local Board for submission to the National Board. Funds will not be issued to any LRO who has not provided the signed, dated LRO Certification Form. Only the LRO Certification Form provided by the National Board for the funding cycle will be accepted. The National Board's LRO Certification Form has changes from prior phases. The National Board's form may not be amended in any way. Local Boards making appropriate additional requirements regarding the funding of LROs may add an addendum to the National Board's form. The addendum must also be submitted to EFSP by the Local Board with the Local Board Plan.

For further detail, please reference [page 93](#).

## **STATE SET-ASIDE COMMITTEE (SSA) - MINIMUM AWARD PER JURISDICTION**

The minimum award that may be awarded to a jurisdiction by the SSA Committee for Phase 35 is \$2,800.00 and applies to all jurisdictions selected for funding by the SSA. This minimum award applies even if the SSA is giving additional

funding to a jurisdiction that was funded by the National Board's formula. SSAs acting as Local Boards must follow the Local Board requirements regarding minimum awards to LROs.

For further detail, please reference pages 20-21.

### **LOCAL BOARD - MINIMUM AWARD TO A LOCAL RECIPIENT ORGANIZATION (LRO)**

The minimum funds that may be awarded to an LRO by a Local Board for Phase 35 is \$500.00 and applies to all LROs selected for funding by the Local Board. If an LRO is receiving only administrative funds; the award amount may be less than the \$500 minimum.

For further detail, please reference pages 22 and 28.

### **DOCUMENTATION REQUIREMENTS**

#### **LOCAL BOARD AND LRO FORMS:**

Only EFSP provided forms will be accepted from State Set-Aside Committees, Local Boards and LROs and must be e-signed using DocuSign. EFSP provided forms may not be altered by either Local Boards or LROs. Local Boards making additional appropriate requirements may add an addendum to the National Board's LRO Certification Form for LROs to also sign and date. This addendum must be submitted to the National Board. (Note: LROs may use their own forms for intake and to document expenditures. EFSP provides several sample forms in the Annex section of the Manual. These forms may be copied onto LRO letterhead and the use of these samples should eliminate compliance problems, provided the forms are fully and accurately completed.) For further detail, please reference pages 97-102.

#### **SPREADSHEETS FOR ALL PROGRAM CATEGORIES:**

A spreadsheet for each program category (mass feeding, other food, mass shelter, other shelter, supplies/equipment, rent/mortgage, utilities and administration) must be maintained and must be provided when documentation is reviewed for the EFSP. The documentation for EFSP expenditures must support the information on the spreadsheet. Spreadsheets will provide an overview of how EFSP funds were spent and serve as a checklist with which the documentation can be compared. Sample spreadsheets can be found on the EFSP website. Specific information must be provided on the spreadsheets (i.e., check number, date of check, vendor, client name [as needed], amount of check, amount of check attributed to EFSP, etc.). Reference the sample spreadsheets on the website for the required elements for each spending category. Spreadsheets should be in the appropriate order as should the supporting documentation for each individual program category. EFSP will accept spreadsheets/schedules/reports from an LRO's financial system provided the spreadsheets/schedule/report contains the required elements.

**IMPORTANT CHANGE:** If an LRO pays \$100 or less on a past-due utility bill balance for a client, on the utility spreadsheet in the billing period column, please insert N/A. No billing period is required for the expenditure. Do not leave the column blank. If the column is left blank, it will result in a compliance exception.

For further detail, please reference pages 65-74, 79, and 83-91.

#### **PROOF OF PAYMENT:**

EFSP funding is intended to be used as necessary to meet emergency need and expenditures incurred under EFSP must be promptly paid to vendors. Generally, payments should be made to vendors within one accounting cycle (normally 30

days). However, the EFSP will allow payments made not more than 90 days from the invoice or intake date as appropriate. LROs must ensure any amount paid and attributed to EFSP is still due in its entirety at the time payment is made. Payments made more than 90 days following the invoice or intake date will be considered ineligible and funds will be subject to return to the National Board. It is the intent of EFSP that funds received by LROs are used for costs incurred during the program period and that vendors be paid during the program period to the extent possible. It is also the intent of EFSP that goods or services be purchased and used during the program period. Large purchases made at the end of the program period do not meet this intent and may be considered ineligible. For further detail, please reference pages 63-64 and 79.

#### **REMINDER – NO FEE REQUIREMENT FOR SERVICE**

No individual, family or household may be charged a fee for service or be required to attend religious/counseling services with relation to assistance received under EFSP. Please note, EFSP does not consider the receipt of donations to an agency to be the same as a fee for service. The receipt of donations does not prevent an agency from participating in the EFSP.

For further details reference page 63.

#### **REMINDER – CHARGING BACK OF ELIGIBLE EXPENDITURES**

LROs may submit expenditures for items and services procured prior to receiving EFSP funds. The expenditures must be incurred during the spending period and be eligible under EFSP program guidelines. All documentation requirements for the category in which the expenditures are reported will apply.

*(Documentation required:* Spreadsheets for the categories, documentation including invoices/receipts and proof of payment.)

For further details reference page 74.

#### **REMINDER – PAYMENT TO VENDOR (NOT MORE THAN 90 DAYS)**

Payments must be made to vendors for all eligible expenditures, by an approved method, not more than 90 days after the receipt/invoice date or the date of the client intake form. Payments made more than 90 days following the invoice or intake date will be considered ineligible and funds will be subject to return to the National Board.

For further details reference pages 63-64 and 79.

#### **REMINDER – DOCUMENTATION RETENTION**

LROs are to keep their documentation records for three years after each end of program year. Documentation includes but is not limited to: LRO Certification form, application for funding, Local Board approval of funding, Second Payment Request/Interim Report, Final Report, spreadsheets, all expenditure documentation (vendor invoices/receipts and proof of payment).

Since documentation must be retained for three years, all of those years are subject to review/audits at any time, even if the LRO has filed Final Reports and received clearing letters.

For further details, reference pages 35, 42, 58, and 105-106.

## **REMINDER - MEETING FREQUENCY**

The National Board requires Local Boards to select one of the following options for meetings during the Phase and specify such in the required materials (Local Board Plan Certification and Final Report submission). Meetings may be conducted via conference calls.

**QUARTERLY MEETINGS:** The National Board encourages Local Boards to meet quarterly to monitor the program and ensure LROs are implementing the program according to guidelines.

**SEMI-ANNUAL MEETINGS:** Local Boards electing to meet semi-annually must also monitor the program and ensure LROs are implementing the program according to guidelines. Local Boards electing to hold meetings semi-annually must submit copies of their meeting minutes with the jurisdiction's Final Report. Failure to return this information may result in the delay of any future funding to the jurisdiction.

For further detail, please reference [page 25](#).

## **REMINDER - LOCAL BOARD VOTING – ORGANIZATION AFFILIATION**

Local Board membership must have no relationship to funding and is not a guarantee of funding. Local Board members must abstain from voting on award applications for their own agency. Local Board members do not have to abstain from voting on award applications based on religious or other affiliations.

For further detail, please reference [page 23](#).