

CITY OF LOS ANGELES

CALIFORNIA

CAROLYN M. HULL
GENERAL MANAGER

**ECONOMIC AND WORKFORCE
DEVELOPMENT DEPARTMENT**



1200 W. 7TH STREET
LOS ANGELES, CA 90017

ERIC GARCETTI
MAYOR

DATE: June 26, 2020

TO: LA's Workforce Development System Service Providers

FROM: Gerardo Ruvalcaba, Director
Workforce Development Division

Catherine Bondoc, Director
Financial Management Division

**SUBJECT: FMD DIRECTIVE NO. 20-001
FINANCIAL CLOSEOUT INSTRUCTIONS FOR FY 2019-2020**

EFFECTIVE DATE:

This directive is effective on date of issue.

PURPOSE:

The purpose of this directive is to provide financial closeout instructions for all City of Los Angeles (City) service providers and contractors (professional services) for the period ended June 30, 2020. These instructions are applicable to the following grants/programs:

- **Federal and State Grants:**
 - WIOA Adult,
 - WIOA Dislocated Worker,
 - WIOA Youth,
 - WIOA Rapid Response,
 - WIOA Regional Plan Development and Training,
 - WIOA CA Wildfires NDWG,

- WIOA Keeping LA at Work Initiative,
 - WIOA Underserved COVID-19 Impacted Individual Grants,
 - DOL Youth Reentry Grant, and
 - DOJ Second Chance Act Program.
- **LA City-funded Programs:**
 - Cash for College,
 - Day Labor Resource Center,
 - Gang Injunction Curfew Settlement,
 - Hire LA,
 - Los Angeles Regional Initiative for Social Enterprise (LA Rise 5.0), and
 - Summer Youth Employment Program (SYEP).
- **LA County Grants:**
 - Juvenile Justice Crime Prevention Act (JJCPA),
 - Project Invest,
 - Measure H – LA RISE 3.0,
 - Performance Partnership Pilot (P3),
 - Relay Institute,
 - Systems Involved Youth,
 - WIOA Adult, Dislocated Worker, and Youth,
 - WIOA Keep LA Working, and
 - Youth@Work.
 - CalWORKS,
 - Other Underserved Youth (OUY), and
 - Foster Youth.
- **Other Programs:**
 - EWDD Summer Youth Employment Programs – Other Sources and
 - Summer Training and Employment Program for Students (STEPS).

BACKGROUND:

City contracts provide that the final financial closeout package must be submitted to the Economic and Workforce Development Department (EWDD) Financial Management Division (FMD) within a set number of days (mostly 15 or 20 calendar days) following the period being closed or expiration of the contract. However, these deadlines may change as the City receives reporting instructions from Federal, state, and local grantors.

This directive sets forth the official deadlines for the submission of the final financial closeout report and other required related schedules and supporting documentation for the period ended June 30, 2020 and supersedes the closeout deadline provided for in City contracts, if different.

POLICIES AND PROCEDURES:

A. CLOSEOUT TIMEFRAMES/DEADLINES:

For LA County Grants:

June 30, 2020	Last day to incur expenditures. Expenditures beyond this date are not allowable.
July 6, 2020	Deadline for submission of June 2020 invoice for inclusion in the City's billing to LA County.
July 20, 2020	Deadline for submission of Final Closeout package.
July 31, 2020	Last day to liquidated or pay all expenditure accruals.
August 10, 2020	Deadline for submission of Schedule of Expenditure Accruals – Status Update .

For all other Grants/Programs:

June 30, 2020	Last day to incur expenditures. Expenditures beyond this date are not allowable.
July 15, 2020	Deadline for submission of Final Closeout package.
July 31, 2020	Last day to liquidated or pay all expenditure accruals.
August 10, 2020	Deadline for submission of Schedule of Expenditure Accruals – Status Update .

These deadlines were established to allow FMD to meet grantors' financial reporting deadlines. However, the coronavirus (COVID-19) crisis has severely impacted the operations of many of the City's service providers. If additional time is needed to complete the closeout reports, please notify FMD as soon as possible by sending an email to [**Catherine.Bondoc@lacity.org**](mailto:Catherine.Bondoc@lacity.org).

B. REQUIRED REPORTS AND DOCUMENTATION:

1. Final Closeout Package:

A complete Final Closeout package must be submitted on or before the deadline stated in Section A above. This package must include the following:

- Cover Letter,
- Cash Request (CR),
- Expenditure Report (ER),
- Attachment to Expenditure Report,
- Schedule of Personnel Costs,
- Schedule of Expenditure Accruals (see **Attachment #1**),

- General Ledger (GL) and Reconciliation with ER (see **Attachment #2**),
- Bank and Cash Account Reconciliation (*for accounts used for City funds*),
- Refund Check payable to “City of Los Angeles – EWDD” (*if applicable*), and
- Closeout Forms: (see **Attachment #3**)
 - Subrecipient Release Form,
 - Subrecipient’s Assignment of Refunds, Rebates, and Credits, and
 - Contract Closeout Certification.

An incomplete closeout package will not be processed.

If a Final Closeout package is not submitted by the deadline, the last CR and ER submitted will be used to unilaterally closeout the City contract.

For Professional Service Agreements (PSA): Please submit your invoice(s) through June 30, 2020, including all required schedules and/or supporting documentation, to the Workforce Development Division (WDD). PSA invoices may only be processed by FMD with the certification of the WDD program monitor.

2. Schedule of Expenditure Accruals – Status Update:

A status update on the Schedule of Expenditure Accruals submitted with the Final Closeout package is due on or before **August 10, 2020**. Columns G, H, and I of the schedule must be filled out.

If any of these expenditure accruals do not materialize, a Revised Final Closeout package and a refund check, if applicable, must also be submitted.

3. Submission Instructions:

The Final Closeout package must be sent to the address below:

Economic and Workforce Development Department
 Financial Management Division
 Attn: Catherine Bondoc, Director
 1200 West 7th Street, 6th Floor
 Los Angeles, CA 90017

An electronic copy must also be emailed to EWDDfinancial@lacity.org and to the WDD program monitor.

C. EXPENDITURES:

1. Final Expenditures:

The Final Closeout reports must reflect the cumulative and final expenditures for the period. These are used by FMD as basis to close grants with grantors or to determine unexpended savings reprogrammed for the subsequent program year (20-21). Therefore, since funds may no longer be available, **no additional**

expenditures will be allowed after the Final Closeout report is submitted to and accepted by FMD.

The total final expenditures reported must reflect **both** cash and accrued expenditures incurred during the contract period. Expenditures incurred by June 30, 2020 but not paid as of June 30, 2020 are considered “accruals” and must be included in the Expenditure Report and listed in the **Schedule of Expenditure Accruals**. These accruals must be liquidated (i.e., paid) by July 31, 2020. An update on the status of these accruals must be submitted by August 10, 2020. If any accruals do not materialize, a Revised Final Closeout package must be submitted to reflect the reduction in expenditures and return of unused cash.

2. Unliquidated Obligations:

Unliquidated obligations are funds obligated, but for which goods or services have not been received or an accrued expenditure has not been recorded. Therefore, any unliquidated obligations as of June 30, 2020 are **not** accruals and must not be reported in the final closeout report as such. These unliquidated obligations are considered unexpended balances or savings.

D. EXPENDITURE LIMITATIONS:

1. Administrative Costs:

Administrative costs, as defined in 20 CFR §683.215, must be tracked and reported separately from program costs. This WIOA definition of administrative costs has been the standard definition used by the City for all WIOA and non-WIOA funding sources. The maximum administrative costs that will be allowed will be up to the limit or cap set forth in the City-approved budgets and/or contracts. Most are currently capped at 4% of the contract. However, the final allowable administrative costs will be reduced proportionately in cases where funds are not fully expended and/or program expenditures are disallowed in an audit, fiscal and/or program review conducted by the City, grant monitors, and/or outside independent auditors.

2. Salary and Bonus Limitations (for WIOA grants):

The salary and bonus of an individual, either as direct or indirect costs, may not exceed the annual rate of basic pay prescribed for level II of the Executive Schedule under 5 USC 5313. The two most recent annual rates are:

Year 2019	\$192,300
Year 2020	\$197,300

The salary and bonus limitation must be **prorated** based on the amount of time an employee is dedicated to a City grant program.

3. Training Requirement under SB 734 as modified by AB 1149 (for WIOA-funded WorkSource Centers only):

In accordance with the Year 20 Annual Plan Training Expenditure Requirement Policy, WorkSource Centers are required to expend a minimum of 42% of their Adult and Dislocated Worker funds on workforce training services. A portion of the minimum training expenditure requirement (an amount of up to 14% of the Adult and Dislocated Worker funds) may be met by applying designated leveraged resources used for training services.

WIOA Youth Out-of-School Expenditures (for WIOA Youth-funded YouthSource Centers only):

YouthSource Centers are required to expend a minimum of 75% of their WIOA Youth program funds (i.e., City award less 4% set aside for administrative costs) to serve out-of-school participants.

WIOA Work Experience Expenditures (for WIOA Youth-funded YouthSource Centers only):

In accordance with WDS Directive No. 16-11, dated May 23, 2016, YouthSource Centers are required to expend a minimum of 23% of their total allocation for work experience. Work experience expenditures must be tracked and reported separately from administrative and other program costs.

E. UNEARNED GRANT:

Any remaining unexpended cash received from the City that is in excess of the total final expenditures is considered unearned grant and must be returned promptly to the City.

F. INDIRECT COST RATE:

Indirect costs may be recovered if an indirect cost rate was approved by the indirect cost Federal cognizant agency (for direct Federal grant recipients), by EWDD FMD or if the use of a 10% *de minimis* rate had been requested and approved.

If the indirect cost rate was provisional, a final rate must be requested within six months after the end of the fiscal and/or calendar year used. If the final rate is higher than the provisional rate, please note that funds will not be available to cover the additional indirect costs. On the other hand, if the final rate is lower than the provisional rate, the indirect cost must be recalculated and any overpayment must be returned to the City within thirty days after receipt of the final rate.

Indirect costs must also be properly broken down between administrative and program costs using the definitions described in 20 CFR 683.215. The administrative portion of the indirect costs, together with all other direct administrative costs, will be subject to the administrative cost limit or cap. Improper classification may result in questioned or

disallowed costs.

Notwithstanding the above requirements, the City is implementing the Office of Management and Budget (OMB) Memorandum M-20-1, *Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Corona Virus (COVID-19)* issued on March 19, 2020, which allows subrecipients, upon request to continue to use the currently approved indirect cost rates (i.e., predetermined, fixed, or provisional rates) to recover their indirect costs for one additional year without submission of an indirect cost proposal.

G. INCOME:

Program income is the income received that is directly generated by the City's programs or earned as a result of the City contract during the contract period. Interest income is the interest earned on advanced funds received under the City's contracts. If approved by the City, program and/or interest income may be expended first before using grant funds. Any remaining unexpended program and/or interest income must be returned to the City, together with the Final Closeout package.

H. STAND-IN COSTS:

Stand-in costs are allowable costs incurred for the program but paid for with non-Federal sources. They may be used to **substitute** disallowed costs if they meet the following criteria:

- Must have been incurred in the same period as the costs that they are proposed to replace;
- Must not cause a violation of the administrative and/or other cost limitations;
- Must be recorded in the official books of accounts; and
- Must be reported in the Expenditure Reports (Section B, Line #6) submitted to the City. **The Final Closeout 2019-20 report will be the last opportunity to report stand-in costs for FY 19-20.**

The City will not accept stand-in costs that do not meet these criteria.

I. UNCLAIMED OR OUTSTANDING CHECKS:

When one or more checks is/are unclaimed or outstanding, the State's escheat law, as currently outlined in the State Controller's Office (SCO) Unclaimed Property Reporting Handbook at http://sco.ca.gov/Files-UPD/guide_upd_updlaw.pdf must be followed. However, an unclaimed or uncashed check determined not due to a payee must be voided or canceled and the funds returned to the City within 30 days.

J. CREDITS AND OTHER ADJUSTMENTS:

Applicable credits such as rebates, discounts, refunds, and overpayment adjustments, as well as interest earned on any refund, rebate, dispute or overpayment adjustment applicable to the City must be credited as a reduction of final closeout expenditures reported to the City if received on or before August 10, 2020. Credits and adjustments received after August 10, 2020 must be returned to the City within 30 days after receipt.

K. AUDITS AND FISCAL REVIEWS:

Annual audit cycles must be completed in accordance with 2 CFR 200-Subpart F: Audit Requirements and the City Contract Sec.608. The Single Audit reports are due no later than nine months after the end of the fiscal/calendar year used. Non-completion of the Single Audit automatically puts a subrecipient on “audit sanction” (i.e., no cash will be released), effective the day the Single Audit report is delinquent and until the final, official Single Audit report is filed.

However, the City is implementing the following Office of Management and Budget (OMB) directives:

- **Memorandum M-20-26** issued on June 18, 2020, *Extension of Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Corona Virus (COVID-19)* and
- **Memorandum M-20-17** issued on March 19, 2020, *Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Corona Virus (COVID-19)*.

The OMB allows subrecipients that have not filed their single audits with the Federal Audit Clearinghouse as of March 19, 2020 the following extensions:

- Single Audits with normal due dates from March 30, 2020 through June 30, 2020: Extension of **up to six (6) months beyond the normal due date**.
- Single Audits with normal due dates from July 1, 2020 through September 30, 2020: Extension of **up to three (3) months beyond the normal due date**.

Notwithstanding the above extensions to complete and submit single audits, please resolve any outstanding fiscal review and/or Single Audit findings as soon as possible or by July 31, 2020.

The City reserves the right to audit post closeout and prior years, require supporting documentation and schedules for reported expenditures, disallow costs, and recover funds based on these audits or fiscal reviews.

FMD will utilize and implement the required reports, schedules, documentation and all applicable policies under this Closeout Directive **as part of its fiscal review process for FY 19-20.** The FMD Auditor reviewing the Final Closeout report may request additional supporting documentation for selected items of payroll and non-payroll costs --- e.g., payroll time records and registers, invoices, checks, vouchers, cost allocation spreadsheets, supporting schedules and documentation of participants' tuition, supportive services, and gift cards as applicable, and/or other accounting records.

Additionally, any **Specific Conditions to Correct Fiscal Deficiencies** imposed on subrecipients must be complied with by July 15, 2020, the deadline for submission of the Final Closeout package.

L. REFUND CHECKS:

Refund checks resulting from excess cash, unearned grant, unliquidated accruals, unexpended program and/or interest income, disallowed costs, tuition refunds, rebates, and other applicable credits must be included in the Final Closeout package. Any refund due to the City received or determined after August 10, 2020 must be sent to the City within 30 days, together with a Revised Final Closeout report and a duly-signed cover letter identifying the appropriate City contract number, grant or funding source, and the reason(s) for the refund.

EWDD CONTACTS:

If you have any questions regarding any section/topic of this directive, please contact the following:

Glenn Hino, Glenn.Hino@lacity.org, (213) 744-7305
George Chacko, George.Chacko@lacity.org, (213) 744-7310
Edwin Tiongco, Edwin.Tiongco@lacity.org(213) 744-7359
Fred Vocal, Fred.Vocal@lacity.org, (213) 744-7209

The TTY number is (213) 744-9395.

Enclosures:

Attachment #1: Schedule of Expenditure Accruals
Attachment #2: General Ledger (G/L) Reconciliation with Expenditure Report (ER)
Attachment #3: Closeout Forms

REFERENCES:

- WIOA (Public Law 113-128) Sections 184(a)(3), 134(c)-(d), 129, and 195
- Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234), Title VII, Section 7013,
- U.S. Office of Personnel Management, (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2020/executive-senior-level>),
- U.S. Office of Management and Budget (OMB) Memorandum 20-17 dated March 19, 2020, Administrative Relief for recipients of Financial Assistance impacted by COVID 19
- Title 2 Code of Federal Regulations (CFR) Part 200: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule”,
- Title 2 CFR Part 2900: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule” (Department of Labor Exceptions),
- Title 2 CFR Part 300 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Department of Health and Human Services.
- Title 2 CFR Part 2800 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards – Department of Justice.
- Title 20 CFR 683.215: “WIOA Administrative Rules, Costs, and Limitations”,
- Title 20 CFR 683.300(d): “WIOA Reporting Requirements”,
- US DOLETA TEGL 21-16: “Third WIOA Title I Youth Formula Program Guidance”,
- US DOLETA TEGL 2-16: “Revised ETA-9130 Financial Report, Instructions, and Additional Guidance”,
- US DOLETA TEGL 8-15: “Second Title I WIOA Youth Program Transition Guidance”,
- US DOLETA TEGL 13-12: Financial Report Instructions”,
- US DOLETA TEGL 28-10: “Federal Financial Management and Reporting Definitions”,
- US DOLETA TEGL 15-06: “Implementing the Salary and Bonus Limitations in Public Law 109-234”,
- US DOLETA One-Stop Comprehensive Financial Management Technical Assistance Guide (TAG),
- State EDD Directive WSD 17-07: “WIOA Youth Program Requirements”,
- State EDD Directive WSD 16-16: “Allowable Costs and Prior Written Approval”,
- State EDD Directive WSD 16-13: “Monthly and Quarterly Financial Reporting Requirements”,
- State EDD Directive WSD 16-10: “Property-Prior Approval, Purchasing, Inventory, and Disposal”,
- State EDD Directive WSD 16-05: “WIOA Closeout Requirements”,
- LA County WDACS#1617-03: “Workforce Program Service Providers” (pending receipt of 18-19 instructions),
- City of Los Angeles Workforce Development Board Year 20 Annual Plan and Carry-in Report,
- EWDD FMD Directive No. 17-001: “New Financial Reporting Requirements for WIOA Grants”,
- EWDD FMD Directive 17-002: “New Financial Reporting Requirement – Quarterly Submission of General Ledger”,
- EWDD WDS Directive No. 12-23: “PY 2012-13 Leveraged Resources Reporting Requirements for WorkSource Centers”,
- EWDD WDS Directive No. 16-11: PY 2015-16 WIOA Youth Formula – YouthSource Center Budget and 23% Work Experience Expenditure Requirements”,

General Ledger vs. Expenditure Report Reconciliation

Name: _____ Contract #: _____ Qtr End: _____
 Program Year: _____ Grant: _____

GL Account #	Account Name	Approved Budget			General Ledger (D)	Expenditure Report			Difference (H)=(D-G)	Remarks
		Admin (A)	Program (B)	Total (C)=(B+C)		Admin (E)	Program (F)	Total (G)=(E+F)		
SUBCONTRACTOR COSTS:										
				-				-	-	
				-				-	-	
				-				-	-	
				-				-	-	
	Total: Subcontractor Costs	-	-	-	-	-	-	-	-	
INDIRECT COSTS:										
				-				-	-	
				-				-	-	
	Total: Indirect Costs	-	-	-	-	-	-	-	-	
CAPITAL COSTS										
				-				-	-	
				-				-	-	
	Total: Capital Costs	-	-	-	-	-	-	-	-	
	GRAND TOTAL	-	-	-	-	-	-	-	-	

Prepared By:
 Name: _____ Title: _____ Date: _____

Reviewed and Approved By:
 Name: _____ Title: _____ Date: _____

**Economic and Workforce Development Department
City of Los Angeles**

SUBRECIPIENT RELEASE

Pursuant to the terms of Contract No. _____ and in consideration of the
sum of _____ dollars/cents, \$ _____
(Total accrued expenditures) *(Dollars/Cents)*

which has been, or is to be paid under the said Contract to:

(Subrecipient's Name and Address)

hereafter called the Sub recipient or to its assignees, if any, the Subrecipient upon payment of the
said sum by the Economic and Workforce Development Department, City of Los Angeles,
hereafter, called the City, does remit, release, and discharge the City, its officers, agents and
employees, of and from all liabilities, obligations, claims, and demand whatsoever under or rising
from the said Contract.

IN WITNESS WHEREOF, this release has been executed this _____ day of
_____, 2020.

Name of Authorized Representative

Signature

Title

**Economic and Workforce Development Department
City of Los Angeles**

SUBRECIPIENT'S ASSIGNMENT OF REFUNDS, REBATES AND CREDITS

Subrecipient Name: _____

Street Address: _____ Contract No.: _____

City, State & Zip: _____, CA _____.

Pursuant to the terms of Contract No. _____, and in consideration of the reimbursement of costs and payment of fee, as provided in the said agreement and any assignment thereunder, the

(Subrecipient's Name)

(hereafter called the Subrecipient), does hereby:

- X Assign, transfer, set over and release to the Economic and Workforce Development Department, City of Los Angeles (hereafter called the City), all right, title, and interest thereon, arising out of the performance of said Contract together with all the rights of action accrued or hereafter accrue thereunder.
- X Agree to take whatever action may be necessary to effect prompt collection of all such refunds, rebates, credits, or other amounts (including any interest thereon), due or which may become due, and to forward promptly to the City checks (made payable to the City of Los Angeles), for all proceeds so collected. The reasonable cost of any such action to effect collection shall constitute allowable costs when approved by the City, as stated in the said Contract and may be applied to reduce any amounts otherwise payable to the City of Los Angeles under the terms thereof.
- X Agree to cooperate fully with the City of Los Angeles as to any claims or suit in connection with such refunds, rebates, credits, or other amounts due (including any interest thereon); to execute any protest, pleading, application, power of attorney, or other papers in connection therewith; and to permit the City to represent it at any hearing, trial or other proceeding arising out of such claim or suit.

IN WITNESS WHEREOF, this assignment has been executed on this _____ day of _____, 2020.

Name of Authorized Representative

Signature

Title

Employer ID No. _____

CONTRACT CLOSEOUT TAX CERTIFICATION

In the performance of Contract No. _____, I certify that I have complied with the requirements of the law, and the Economic and Workforce Development Department, City of Los Angeles, regarding the obtaining of employer identification/account numbers, collection, payment, deposit, and reporting of Federal, State and local taxes and the provision of W-2 forms to employees/enrollees who are not now my employees. For present employees/enrollees, formerly employed under the award, W-2 forms will be furnished as specified in Circular E of the Employers' Tax Guide.

IN WITNESS WHEREOF, this assignment has been executed this _____ day of _____, 2020.

Subrecipient Name

Subrecipient Address

Name of Authorized Representative

Signature

Title