**EPA Frequently Asked Questions (FAQs) on Recipient (1512) Reporting
Questions and Answers**

Summary: Organized below as questions and answers are EPA's draft responses to some of the major issues raised during the last recipient reporting cycle. These questions and answers have been updated to reflect recent guidance from OMB.

Note: OMB's general web page for updates to Recovery Act guidance is www.whitehouse.gov/omb/recovery_default/. Recipients should periodically check this website for updates.

Cumulative vs. Quarterly Reporting

Q. What data should recipients enter – the total cumulative data or just data for the particular reporting quarter?

A. Except for jobs, recipients should report cumulative Recovery Act data (data covering both the reporting quarter plus prior quarters). This is particularly important for the following fields:

- Total Number of Payments to Vendors less than $25K/award
- Total Amount of Payments to Vendors less than $25K
- Total Number of Sub-Awards less than $25K/award
- Total Amount of Sub-Awards less than $25K
- Total Number of Sub-Awards to Individuals
- Total Amount of Sub-Awards to Individuals
- Total Federal Amount of ARRA Funds Received/Invoiced
- Total Federal Amount of ARRA Expenditure.

However, for jobs estimates, recipients should enter the estimate for jobs being funded by Recovery Act dollars for that reporting quarter only. This does not mean the total number of new jobs started in that quarter but the total number of jobs funded by Recovery Act Funds in that quarter. For more details on reporting job creation/retention, recipients should refer to OMB's updated guidance on reporting job creation estimates and EPA's highlights of this guidance. Links:
- OMB guidance: http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-08.pdf. and
- EPA guidance: http://www.epa.gov/recovery/supplement2.html.

Grants

Q. Are comments made in FederalReporting.gov viewable by the public?

A. No, comments can not be viewed by the public. Agency comments are intended as a communication mechanism between the federal agency and the recipient.

CCR and DUNS Number Requirements

Q. Must DUNS numbers be reported for all recipients?

A. Yes, each recipient of ARRA funds is required to have a DUNS number (both prime recipients and sub-recipients).

Q. Must DUNS numbers be reported for vendors?

A. For payments greater than $25,000, the prime recipient/sub-recipient must report the identity of the vendor with the DUNS number if available, or otherwise the name and zip code of the vendor's headquarters.

For payments less than $25,000, the payments can be reported in aggregate, in which case the DUNS number of the vendor is not required (See Vendor Payment FAQs).

Q. Do batch reporting states also have to include DUNS numbers for all recipients included in their batch submission?

A. Prime recipients (generally states reporting in batch on behalf of all sub-recipients) must include the DUNS numbers for all sub-recipients.

As a sub-recipient, you may need to report for yourself. However, if your prime recipient is reporting on your behalf, provide the state with your DUNS number to include in the batch report submitted at Federalreporting.gov.

Q. Is CCR registration required for all prime recipients?

A. Yes, each prime recipient must have a DUNS number and be registered at CCR to complete reporting at Federalreporting.gov. A prime recipient is an entity that has received an award directly from EPA.

Q. Is CCR registration required for all sub-recipients?

A. If the prime recipient has delegated reporting responsibility to the sub-recipient, the sub-recipient will need to complete CCR Registration and reporting at Federalreporting.gov.

If the prime recipient is reporting on the sub-recipient's behalf, the sub-recipient needs to provide the prime recipient with their DUNS number to facilitate the batch report submitted at Federalreporting.gov but is not required to register with CCR.

Web links with additional information re:
* DUNS may be found at: http://www.dnb.com

- CCR may be found at https://www.bpn.gov/ccr/

Q. Do governmental entities need to report the top 5 salaries of responsible officials?

A. No, governmental entities are not required to report the top 5 salaries of responsible officials because this information is already publicly available. However non-profit and private sector firms must report the top 5 salaries.

Q. What Award Numbers (#) should recipients use?

A. In order to facilitate better tracking of the awards over time, EPA will work directly with recipients to ensure they are using the correct eight-digit award number, not including a program code or amendment number code. If a recipient has used an award number including the program code or amendment numbers, EPA will provide the recipient with the correct eight-digit number to use. Recipients should take no action until EPA has provided the correct eight-digit number to use.

Reporting Begin and End

Q. When do recipients need to begin reporting?

A. Prime recipients must begin recipient reporting if EPA has signed the award/obligated funds prior to the end of the reporting quarter. The Award Date of the grant is the date the Agency signed the award (as noted on the grant award document). The recipient must report on the grant even if the recipient has not formally accepted the grant, or has not drawn down any funds.

Q. When can recipients finish reporting (or file their final report)?

A. With respect to loans and grants, recipients that have complied with their reporting requirements will no longer be required to submit Section 1512 reports under the following circumstances:

- The award period has ended; and
- All Recovery funds are received (through draw-down, reimbursement or invoice) and the project status is complete per agency requirements and/or performance measures; or
- The award has been terminated or cancelled.

A recipient will indicate a "Y" in the final report data field in FederalReporting.gov if its report is considered final and there will be no future reports submitted. Indication of a final Section 1512 report does not replace any other closeout procedures required by the recipient or federal agency.

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For information on the final reporting date for direct federal contracts, please see the
Contracts section below.

Q: What is EPA's definition of project completion for ARRA?

A: For EPA ARRA grants, the primary condition for project completion, and for
recipients to file their final 1512 report on Federalreporting.gov, is the closeout of the
grant. Closeout of the grant will ensure that:

1) all funds have been received and spent by the recipient;
2) the project is complete, and the final technical report has been submitted to the
   agency; and
3) all administrative and programmatic reporting requirements, including
   performance measure reporting, are met.

Grant closeout for ARRA grants will generally take no longer than one additional
reporting quarter after work is complete. If the grant cannot be closed due to an
administrative reason, but all work has been completed for more than one calendar
quarter, the recipient can ask for written approval from the project officer to file their
final report on Federalreporting.gov. If approval is granted, the project officer will notify
the appropriate Grants Management Officer so the grant file can be properly documented.

If a significant portion of the project is funded through in-kind assistance from EPA, the
primary recipient may share 1512 reporting responsibilities with a third party (e.g. a
contractor). If a recipient has spent all of its direct funding, and the contractor is
reporting to federalreporting.gov on the in-kind contribution, the direct recipient may
request written approval from the project officer to file the final report. If approval is
granted, the project officer will notify the appropriate Grants Management Officer so the
grant file can be properly documented.

**Q. Should recipients still file a final report if all ARRA have been used but the
project is not complete?**

A. No, for grants and loans, ARRA recipients must continue reporting until all of the
ARRA funds are drawn-down and the project is complete as defined by EPA, even if the
project is being completed with non-ARRA funds. Once all ARRA funds are drawn down
recipients should update the Award Description Field to include: "All ARRA funds have
been expended on this project; however, work is being completed using other funds."

Q. How should recipients report in-kind assistance provided by an EPA contractor?

A. It depends on whether EPA in-kind assistance is 100% of the grant or a portion of the
grant.

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EPA may award a grant that includes both direct funding to a recipient along with in-kind assistance in the form of contractual or other services. If EPA in-kind assistance is a portion of the grant, the grant recipient reports on the portion of the direct funds it actually receives. It is important that the recipient explains the amount and purpose of the in-kind assistance in the Award Description field. Further, if the providers of the in-kind assistance are vendors under contract to EPA, they are responsible for the subsequent reporting of contractual expenditures under ARRA 1512.

If 100% of the grant is EPA in-kind assistance, the grant recipient must submit one baseline report to fulfill the 1512 reporting requirement. Please note that if the providers of the in-kind assistance are vendors under contract to EPA, the contractors would be responsible for the subsequent reporting of contractual expenditures under ARRA 1512.

Q. What should recipients report in the funds expended field?

A. Recipients should report their total cumulative disbursements – all funds they have spent - in the funds expended field – including funds that have not been invoiced to or received (drawn down) from EPA. The funds expended may differ from the funds invoiced/received. For example, recipients may spend money before they have been reimbursed by EPA, and therefore the funds expended would be more than the funds invoiced/received.

Q. What should recipients report in the funds invoiced/received field?

A. Recipients should report the total amount of money they have received from EPA in the funds invoiced/received field. This will be equal to the drawdown amount reported in EPA's Integrated Financial Management System (IFMS) and on USAspending.gov.

Q. What codes should recipients put in the Activity Code field?

A. Each of the EPA programs has issued a list of codes to input into the Activity Code field. If the primary purpose of your grant is to fund infrastructure as defined in the grant terms and conditions, the recipient must also include the appropriate infrastructure code. Both the Activity Codes and the infrastructure codes may be found in the Agency's programmatic guidance located at http://www.epa.gov/ogd.

Reporting Requirements for Vendors, Sub-Recipients and Individuals

Vendors

Q. What is a vendor?

A. OMB Circular A-133§105 defines a Vendor as a dealer, distributor, merchant, or other seller providing goods or services that are required for the conduct of a federal program. These goods or services may be for an organization's own use or for the use of beneficiaries of the federal program.

OMB M-09021 Guidance defines Vendors as

> entities or individuals from which the prime recipient or sub-recipient procures goods or services needed to carry out the project or program. Vendors are not awarded funds by the same means as sub-recipients and are not subject to the terms and conditions of the federal financial assistance award.

OMB M-09021 Guidance and OMB Circular A-133§201 define the characteristics of a vendor as:
(1) Provides the goods and services within normal business operations;
(2) Provides similar goods or services to many different purchasers;
(3) Operates in a competitive environment;
(4) Provides goods or services that are ancillary to the operation of the federal program; and
(5) Is not subject to compliance requirements of the federal program.

The prime recipients and/or reporting sub-recipients must also report data elements associated with any vendors receiving funds from that prime recipient/sub-recipient. Specifically, the prime recipient/sub-recipient must report, for any payments greater than $25,000, the identity of the vendor by reporting the DUNS number, if available, or otherwise the name and zip code of the vendor's headquarters.

Q. Does a vendor report 1512 information into federalreporting.gov?

A. No. Vendors do not report 1512 information into federalreporting.gov. The prime recipient or delegated sub-recipient reports vendor information.

Q. Does a recipient have to account for all vendor payments?

A. Yes. All vendor payments made must be captured. Figures should reflect total cumulative payments made during this reporting and previous reporting periods.

Q. How does a recipient report payments to vendors?

A. All vendor payments must be reported.

There are two options for reporting vendor payments:

Option 1: All vendor payments under $25,000 can be reported in aggregate for all vendors in the PRIME RECIPIENT TAB. If a single vendor payment exceeds $25,000, that vendor must be listed separately under the VENDOR TAB; however, all payments of over $25,000 made to that vendor can be summed together so that separate reports on each such payment are not necessary.

Option 2: If a recipient makes payments exceeding $25,000 and payments under $25,000 to a particular vendor, the recipient may submit a single report for that vendor in the VENDOR TAB which aggregates all of those payments.

Under either option, recipients must ensure that there is no double counting, and that the aggregated record of vendor payments in the PRIME RECIPIENT TAB does not duplicate information reported in separate records in the VENDOR TAB. In addition, recipients should use the same approach across reporting periods.

If a payment is over $25,000, the following data elements must be included in the report under the VENDOR TAB:
- Vendor identity either through DUNS number OR the Vendor Name and the zip + 4 digit code of the vendor's headquarters.
- Payment description and payment amount (required to be reported by prime recipients; optional for sub-recipients).

NOTE: Vendor payments are cumulative, and therefore, new payments the next quarter must be added to payments made to that vendor in the previous quarter and reported under the appropriate tab. Please note that even if the cumulative payments to a vendor exceed $25,000, a separate report under the VENDOR TAB is only required when any one payment exceeds $25,000.

Examples:
(a) Recipient paid Vendor A 26 payments of $1,000 each within the reporting period. Under Option 1, since no payment exceeded $25,000, the payments may be reported in the aggregate in the PRIME RECIPIENT TAB. Under Option 2, the recipient may report this information under the VENDOR TAB, but this is not required. The payments cannot be recorded under both tabs.

(b) Recipient paid Vendor A $26,000 and then later in the quarter, paid the same vendor $5,000. Under Option 1, the recipient must report the $26,000 payment under the VENDOR TAB. The $5,000 payment may be included in the aggregated vendor payments in the PRIME RECIPIENT TAB. Under Option 2, the recipient would report the full $31,000 in the report under the VENDOR TAB.

(c) Recipient paid Vendor A two separate payments of $25,000 in the same quarter. Since both payments were over $25,000, the report for this vendor must appear in the VENDOR TAB. The recipient may aggregate these two payments together and report $50,000 under the VENDOR TAB (obviating the need for separate reports for each

$25,000 payment unless the recipient feels the need to report the payments separately for its own reporting preferences).

Q. Does the $25,000 threshold for vendor payments apply to payments or the award or invoice amount?

A: The threshold amount of $25,000 applies to PAYMENTS and not awards or amounts invoiced.

Q. How are aggregated payments reported over more than one quarter?

A: Include the total number and dollar amounts for payments to vendors under $25,000 for the current reporting quarter and all past reporting quarters in the PRIME RECIPIENT TAB.

Q. How are separate payments to one vendor reported over more than one quarter?

A: For payments of $25,000 or more, include the cumulative payments made to the vendor for the current and past quarters in the VENDOR TAB.

Example: A vendor received one payment of $25,000 in the previous quarter and another payment of $25,000 in the current quarter. The recipient would report a cumulative payment of $50,000 in the VENDOR TAB.

Q. What if a vendor's payments were aggregated in a previous quarter and then the vendor received a payment of more than $25,000 during the current reporting quarter?

A. Continue reporting the amounts aggregated in the previous quarter in the PRIME RECIPIENT TAB. Do not move payments from one tab to another. This may result in errors and double counting. The $25,000 payment must be reported in the VENDOR TAB for the current quarter. If additional payments were made to that vendor that did not exceed $25,000 each, then the recipient has the option to either aggregate those payments with the payments to other vendors in the PRIME RECIPIENT TAB or include them with the $25,000 payment in the VENDOR TAB. EPA prefers that recipients use the same approach across reporting periods.

Example: Vendor A receives one payment of $5,000 in Q1 and then one payment of $5,000 and one payment of $25,000 in Q2. For the Q2 reporting period, the recipient reports the $25,000 payment separately in the VENDOR TAB and then has the option of either (1) reporting $10,000 as a cumulative aggregation of the $5,000 in Q1 and $5,000 in Q2 in the PRIME RECIPIENT TAB or (2) including the $5,000 in Q2 with the $25,000 in Q2 in the VENDOR TAB for a total of $30,000. With either option, however, the $5,000 from Q1 should remain in the cumulative running total from the PRIME RECIPIENT TAB. If the recipient reports the $5,000 from Q2 in the VENDOR TAB,

EPA prefers that the recipient add all future payments (irrespective of the size of the payment) to that vendor in the VENDOR TAB.

Sub-Recipients

Q. What is a sub-recipient?

A. OMB's M-09021 "Implementing Guidance for the Reports on Use of Funds Pursuant to the American Recovery and Reinvestment Act of 2009" defines a sub-recipient as

> a non-federal entity that expends federal awards received from another entity to carry out a federal program but does not include an individual who is a beneficiary of such a program. Specifically, sub-recipients are non-federal entities that are awarded Recovery funding through a legal instrument from the prime recipient to support performance of any portion of the substantive project or program for which the prime recipient received the Recovery funding. Additionally, the terms and conditions of the federal award are carried forward to the sub-recipient.

OMB Circular A-133 "Audits of States, Local Governments, and Non-Profit Organizations" §210 details the characteristics of a sub-recipient:

> (1) The sub-recipient determines who is eligible to receive what federal financial assistance.
> (2) The sub-recipient has its performance measured against whether the objectives of the federal program are met.
> (3) The sub-recipient has responsibility for programmatic decision making.
> (4) The sub-recipient has responsibility for adherence to applicable federal program compliance requirements.
> (5) The sub-recipient uses the federal funds to carry out a program of the organization as compared to providing goods or services *(i.e. a vendor)* for a program of the pass-through entity *(i.e. the prime recipient).*

Sub-recipients of ARRA funding must report Federal Funding Accountability and Transparency Act (FFATA) data elements required under the 1512(c)(4) for payments from the prime recipients. If the prime recipient does not delegate reporting responsibility to the sub-recipient, the prime recipient will be responsible for collecting the required data from the sub-recipient and entering it into their report on federalreporting.gov.

To register for reporting on federalreporting.gov, all prime recipients and delegated sub-recipients must have a DUNS number and an active registration in the Central Contractor Registration database (https://www.bpn.gov/ccr/default.aspx).

Q. How does a prime/delegated sub-recipient report subawards?

A. It depends on whether the subaward is more or less than $25,000.

<u>More than $25,000</u>. If a sub-recipient receives a new single award of $25,000 or more during the reporting period, the prime recipient must file a separate report for that subaward. The data fields are "total amount of subawards" and "total subaward funds disbursed."

Also, if a sub-recipient receives an amendment to a subaward, where the subaward was initially made during a previous reporting period for an amount less than $25,000, and the amendment increases the subaward to $25,000 or more, the recipient must file a separate report for that subaward. The report data must be the total Recovery Act cumulative amount of the subaward; the data fields are "amount of subaward" and "total subaward funds disbursed." Additionally, when the subaward is reported separately, the aggregate amount previously reported in the "total amount of subawards less than $25,000/award" field will need to be reduced commensurately.

<u>Less than $25,000</u>. If a subaward is less than $25,000, you have two choices for reporting – the prime recipient may, but is not required, to file a separate sub-recipient report. Alternatively, if you choose not to file a separate sub-recipient report, you must include the subaward and its dollar value at an aggregate level in the prime recipient report (in this case, the data fields for entry are "total number of sub-awards less than 25,000/award" and "total amount of sub-awards less than $25,000/award."

Individual

Q. What is an individual?

A. An individual is a person (a human being, not a corporation, government or other organization) who receives the benefits of an award as a program participant or otherwise, but does not meet the definition of a sub-recipient or a vendor. For example, a person who provides consulting services would be a vendor. Conversely, a trainee receiving a stipend or an owner-operator receiving a rebate would be considered an individual.

Q. What are the rules for reporting funding to individuals?

A. All funding to individuals must be reported in the aggregate by prime recipients in the data fields "total number of sub-awards to individuals" and "total amount of sub-awards to individuals". Individuals do not need a DUNS number and do not file any 1512 reports.

State Agencies as Vendors or Sub-recipients

Q. For purposes of 1512 reporting, can a State agency be a sub-recipient or vendor of another State agency?

A. Generally no. Under the general grant regulations (see the definition of "grantee" at 40 CFR § 31.3), a grant to a particular State agency is considered to be a grant to the State as a whole. Therefore, as advised by OMB in FAQ 4 under "Clarification of M-09-21 Guidance (June 22, 2009)", unless otherwise required by federal law, any transfer of funds between State agencies under a Recovery Act grant does not create either a sub-recipient or vendor relationship. This also means that when there are transfers of funds between State agencies under a Recovery Act grant, the State has the discretion to decide which agency will be responsible for 1512 reporting.

One Exception: Transfers of ARRA funds to a State-funded university should be reported as a sub-grant issued to sub-recipient, unless the State indicates that under State law, the university is part of the State Government and that the ARRA funds are being transferred under an intra-governmental agreement.

Contracts

Q. Can there be more reports than recipients?

A. Yes, there can be more reports than recipients. Order Numbers are used to capture info on specific Work Assignments (WAs), Delivery Orders (DOs), Task Orders (TOs), or modifications under a contract. The WAs, DOs, TOs, and/or modifications are used to identify either specific site activities related to Superfund, Brownfields or LUST efforts, or other contract work which should be separately identified.

If a contractor has multiple ARRA-related projects/sites under a single contract, they must be reported separately. However, if a contractor has multiple tasking instruments (contracts, modifications, etc.) for a single site or project, these should be aggregated. OMB and the Agency need to be able to report on project Status and by State, Congressional District, etc., but the process is not intended to impose multiple un-necessary reports.

Q. What Award Number should contractors use?

A. If available, each recipient should use the EPA-issued eight-digit agreement number if available However, some EPA contract awards will only have an Award Number of an EPA Purchase Order (10 digits) or a GSA Contract (which could be 12-13 digits), in lieu of an EPA Contract Number (eight digits).

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Q. What FAR clause should recipients follow for ARRA reporting requirements?

A. Recipients should continue to use FAR Clause 52.204-11. EPA strongly encourages
contractors to complete as many of the data fields available as they can to give as
complete a picture as possible to the public of their activities and successes.

Q. When can recipients finish reporting (or file their final report)?

A. For direct federal contracts, recipients submit their final 1512 report when they have
received all ARRA funds and the goods and services rendered under the contract have
been delivered.

**Q. Should recipients still file a final report if all ARRA have been used but the
project is not complete?**

A. For direct federal contracts, ARRA recipients must continue reporting until all ARRA
funds have been paid and the goods and services rendered under the contract have been
delivered.