

## CHAPTER 1-150 MONITORING AND TECHNICAL ASSISTANCE

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#### **1-150-00 What does this chapter do?**

This chapter outlines our policies and procedures for monitoring all assistance agreements awarded by the Office of Surface Mining Reclamation and Enforcement (OSMRE). Monitoring is the financial and programmatic review and oversight we perform to ensure that our programs are efficient and effective. This chapter also explains our technical assistance, which is the information, guidance and training we provide to you, the recipient, to help increase your knowledge or skills.

#### **1-150-10 What are your responsibilities for monitoring program performance?**

You have primary responsibility for performance under the assistance agreement you received from OSMRE. You must monitor all activities, including your subgrants or other agreements. You are responsible to assure that all work conducted under the agreement is performed in keeping with the terms, conditions and scope of the approved agreement. You must monitor each program, function or activity as set forth in your approved application or program plan. You must continually review the performance of all assistance activities to assure that adequate and timely progress is being made toward achieving the goals and objectives of the agreement.

#### **1-150-20 What are our responsibilities for monitoring program performance?**

- A. We must monitor all active assistance agreements to ensure that operations comply with Federal laws and regulations, and are efficient and effective.
  - 1. Programmatic and financial oversight is an important part of our program management. Our [REG-8](#) and [AML-22](#) oversight directives establish a joint oversight process. We work with you to develop and carry out a specific oversight program reviewing on-the-ground results for each assistance agreement.
  - 2. Our monitoring includes tracking your required reports, reviewing them, and resolving all issues. Monitoring also includes reviews of particular issues considered appropriate for your specific circumstances.

3. Financial monitoring also includes drawdown analysis and our review of cash management. See [Chapter 1-160](#) for more information.
- B. Our monitoring responsibilities begin when we receive a financial assistance application. When we review your application, we must determine if you can accomplish the proposed goals in the manner and time frame proposed, and if you can manage the project in compliance with Federal laws and regulations. We must also assess a level of risk in making this award and develop an appropriate monitoring plan. Once we approve the assistance agreement, we must compare your actual accomplishments to the approved goals and manner of performance.

**1-150-30 What will we do to monitor program performance?**

- A. We will perform the following required actions:
1. Review and approve your financial and performance reports.
  2. Evaluate your timely submission of required reports. We will review tracking information provided by the financial system, maintain any additional tracking which may be necessary, and take appropriate action to resolve concerns.
  3. Review and document other information on assistance agreement performance. Information may come from site visits, correspondence, e-mails, and telephone conversations with you or other parties.
  4. Document the results of all assistance agreement monitoring actions on our monitoring statement form or in any appropriate format.
  5. Keep all monitoring documents in our official agreement file. We will also distribute monitoring documents between OSMRE personnel, and offices as appropriate.
- B. We will select additional monitoring topics as appropriate. Events or circumstances such as the following may suggest topics we would review to analyze your performance.
1. Statements in your application regarding requirements, activities, and program objectives.
  2. Previous experience with you in this program, other OSMRE programs, or other Federal programs.
  3. Audit reports, including your single audits as required by [2 CFR Part 200](#), or audits by the Government Accountability Office, or the Department of the Interior, Office of Inspector General.

4. Your implementation of the approved indirect cost rate agreement.
5. Your implementation of appropriate systems and internal controls for functions such as procurement, property, or cost distribution.

**1-150-40 What do we do if an applicant is “high risk”?**

- A. We may conclude that an applicant is “high risk” if we determine that you meet any of the following criteria.
  1. You have a history of unsatisfactory performance.
  2. You are not financially stable.
  3. You have a management system which does not meet the financial management standards set forth in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at [2 CFR Part 200 Subpart D](#).
  4. You have not met the terms and conditions of previous awards
  5. You are otherwise not responsible.
- B. We have several options to minimize the risk to Federal funds if we determine that an applicant is “high risk”:
  1. Do not award a grant or cooperative agreement. We should not award an assistance agreement if the nature and extent of the risk are so serious that inadequate or improper performance is probable.
  2. Convert a grant to a cooperative agreement with additional Federal involvement in program performance.
  3. Include special conditions or restrictions in the award. We may take the following actions.
    - a. Pay you on a reimbursement basis rather than advance funds. We may also require that we approve each payment request before it is paid.
    - b. Withhold authority for you to proceed to the next phase within an agreement until we receive evidence of acceptable performance.
    - c. Require our prior approval for more of your operations and activities.

- d. Require additional and/or more detailed financial reports.
  - e. Require you to obtain technical or management assistance.
  - f. Do additional project monitoring.
4. If we decide to impose special conditions, our awarding office will notify you in writing as early as possible. We will provide the following information:
- a. The nature of the special conditions.
  - b. The reasons for imposing them.
  - c. The corrective actions which you must take before we will remove the special conditions.
  - d. The time allowed for you to complete the corrective actions.
  - e. How you may request reconsideration of the special conditions we plan to impose.

**1-150-50 What kinds of technical assistance might we provide to you?**

The purpose of technical assistance is to provide you or your staff with additional information, or raise your level of competence. In deciding what type of technical assistance is appropriate, we may consider the following range of services.

- A. Require you to correct the problem we identify, and get technical assistance if necessary.
- B. Provide technical assistance by our staff directly to you at your site.
- C. Identify appropriate training opportunities and resources.
- D. Ask other available organizations to supply appropriate technical assistance.