

# Updates and Frequently Asked Questions to the Contract Application

## UPDATES TO THE CONTRACT APPLICATION DOCUMENTS

### **Contract Application**

- Update to reference for Allowable Costs location (Allowable Costs is located in Appendix 1)

### **FFY 2016-2019 Caseload and Funding**

- Update to County of Tuolumne

### **Appendix 1**

- Contract Application Instructions – update to Attachment 5 – Summary of Sites.
- Attachment 5 – Summary of Sites - unlocked cells at top.

### **Appendix 2**

- Appendix 2 cover page – updated to include new form “Attachment 4 – BFPC Separate BFPC Coordinator Justification.”
- BFPC Instructions – updated reference to (Indirect Costs) Budget Plan (Page 2); updated to reference Separate BFPC Coordinator Justification form; updated to include guidance regarding fringe benefit rate used in the BFPC Budgets for each contract year.
- Attachment 1 - BFPC Required Docs Checklist – updated to 1 page to include Attachment 4 - Separate BFPC Coordinator Justification form.
- Attachment 2 - BFPC Program Budget Template – a new release from USDA created changes. BFPC Program Budget Template was revised to disallow entry of Professional Certifications under operating expenses. No other changes were made.
- Attachment 4 – new form added – Separate BFPC Coordinator Justification form.
- Allowable Costs for Breastfeeding Peer Counseling Funds was updated per USDA changes: Renewal fees for Certified Lactation Consultants are no longer an allowable expense for BFPC funds. No other changes were made.

### **Appendix 3**

- Update to Samples in Sample Contract: Exhibit B, Attachments I, II, and III.

- **Update on 5-12-15 to Exhibits in Sample Contract:**

Exhibit A, Scope of Work updates:

- 2.X. Participant (definition);
- 6.A.4)e) Staffing Standards (WIC Director);
- 6.A.10)b) Program Reporting Requirements (regarding frequency of NSP)

Exhibit A, Scope of Work, Attachment I updates:

- Clarification on Task 2, Function 3

Exhibit D(F) and Exhibit E updates to CFR reference:

- OMB, Title 2, CFR, Subtitle A, Chapter II, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2CFR Part 200). The guidance supersedes and consolidates the requirements from OMB Circulars A-21, A-87, A-110, A-122, A-89, A-102, A-133, and A-50.

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### FORMS UPDATED 4-9-2015

- Attachment 6 – formatting issue corrected
- Attachment 4 – Budget Plan and Facility Cost – UPDATED – formulas and formatting corrected
- Attachment 4 – Budget Plan and Facility Cost (SAMPLE) updated to match changes to fillable document
- Attachment 4 – Justification of Bilingual Pay, Additional Pay, and Fringe Benefit Rate Forms and Sample added

### FORM UPDATED 4-17-2015 – WIC Local Agencies must use this corrected version

- Attachment 4 – Budget Plan and Facility Cost

## FREQUENTLY ASKED QUESTIONS

### PERSONNEL

#### **1. Where are the Exhibit A Scope of Work documents?**

The Sample Contract is listed in Appendix 3. The Exhibit A, Scope of Work (SOW), Provision 6.A. starts on page 6 of 17.

#### **2. Scope of Work tasks– can you provide an example for Scope of Work reference for receptionists or warehouse workers?**

The Exhibit A, Scope of Work (SOW), Provision 6.A. lists 23 Contractor Responsibilities, which are more administrative. The Exhibit A, Attachment I, Local Agency Specific Services lists 9 Tasks that describe direct services to be performed.

Budget Plan Example - The warehouse worker performs inventory management, on the Budget Plan, Column Exhibit A – SOW Provision 6.A., list 18. The warehouse worker performs ordering and distribution of program materials, list 6.

#### **3. What are the allowable categories under Fringe Benefits?**

Refer to [Allowable Costs](#), Fringe Benefits. This is not an all-inclusive list.

#### **4. Where should annual merit increases be budgeted?**

The annual merit increase (formerly known as “bonus” “incentive” pay) should be part of the current annual base salary range and is not distinguished as additional pay. The annual merit increases should not exceed the maximum current annual base salary range. A footnote or justification is not needed.

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### **5. If we are anticipating a COLA or salary increase, how do we budget that?**

List the current annual salary range. If you choose to budget for a proposed/anticipated COLA or salary increase, include the additional funds you are budgeting in the Budget Amount. Use the Footnote<sup>②</sup> and include the information in your justification.

### **6. Do we include all positions in the Budget Plan, including Regional Breastfeeding Liaison Project, Breastfeeding Peer Counseling Program, and Farmers' Market Nutrition Program?**

Yes. Please include all expenses (Personnel, Operating, etc.) for the Regional Breastfeeding Liaison Project, Breastfeeding Peer Counseling Program, and Farmers' Market Nutrition Program in the Budget Plan.

### **7. If the Fringe Benefit rate varies for each position, do you need an explanation of each fringe rate?**

If the fringe varies for each position, budget for the fringe benefit rate amount needed to cover fringe expenses (benefits total/salaries total – see [Example of Fringe Benefit Justification](#). ) If your Fringe Benefit Rate for any year of the contract is over 50%, provide a justification for the rate you are claiming (not individual.) Refer to [Attachment 4 – Justification of Fringe Benefit Rate](#).

## **JUSTIFICATION FORMS FOR THE BUDGET PLAN – EXAMPLES**

### **8. Bilingual Pay – Footnote 1**

If bilingual pay is included in your Personnel, Budget Plan, provide a written justification as to how the bilingual pay was budgeted.

Example: The local agency has 20 WIC Nutrition Assistants and 5 are budgeted to receive bilingual pay (\$100 per FTE per month.)

### **9. Additional Pay – Footnote 2**

Additional Pay, which is not included in a classification's current base annual salary range, includes Longevity, Retention, Differential, COLA, and/or any other categories of additional pay (describe other) that are included in your Personnel, Budget Plan. Provide a written justification as to how the additional pay was budgeted. Attach a copy of the Union Contract that reflects the requirements for additional pay.

Examples:

1. The local agency has 20 WIC Nutrition Assistants and 5 are budgeted to receive longevity pay (\$100 per FTE per month.) If listing other additional pay, describe the type of additional pay and how it was budgeted.

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2. The local agency is budgeting for a 2% COLA for Year 2 that is expected, although the Union Contract is not finalized. Describe in this narrative how the amount budgeted includes a 2% COLA included for each FTE position for Year 2, 3, and 4.

### **10. Fringe Benefit Rate over 50%**

Provide justification if the Fringe Benefit Rate is over 50% for any of the years of the contract. Attach a copy of the Union Contract, or any other relevant documents, that justify a Fringe Benefit Rate over 50%. An Example of Fringe Benefit Justification worksheet is available for reference, if applicable.

## **OPERATING EXPENSES**

### **11. Do hiring expenses, such as advertising to recruit for open positions, go under General Office or indirect?**

General expense, if not in Indirect.

### **12. Is general insurance under General Office or indirect?**

General expense, if not in Indirect.

### **13. Where should breastfeeding bras be budgeted?**

Breastfeeding aids should be budgeted within the Program Materials line. Refer to the Allowable Costs for a detailed list of breastfeeding aids.

### **14. What is allowable under Audits?**

Costs associated with the required local agency A-133 or Health and Safety audits, if not in Indirect.

### **15. What is the difference between Training and Travel?**

Training includes costs associated with trainings such as registration and/or conference fees, class fees, trainer fees, etc. Travel includes costs associated with travel expenses related to travel to attend trainings and conferences (per diem, personal vehicle use mileage, lodging, and flights), attending committee meetings (staff meetings, Task Force meetings, or routine travel (such as between clinic sites),

### **16. What is an allowable outreach item?**

Refer to Allowable Costs, Outreach.

### **17. Where should IT replacement items be budgeted?**

This will depend on the cost of the item. Refer to Exhibit D(F), Provision 3. Procurement Rules.

- Minor equipment is defined as a tangible item having a base unit cost of less than \$5,000 with a life expectancy of one (1) year or more; budget under Operating Expenses, Minor Equipment.

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- Major equipment is defined as a tangible or intangible item having a base unit cost of \$5,000 or more with a life expectancy of one (1) year or more; budget under Major Equipment as applicable.

### **Operating Expenses Examples**

Please see the guidance below from the CDPH WIC Division. This information is guidance only, and each local agency may budget differently based on their established accounting practices, direct and indirect costs, etc. Also, please reference Allowable Costs.

**Minor Equipment** – equipment with a unit cost of less than \$5,000 such as furniture, IT equipment, Pronto devices and test strips, measuring boards, scales

**General Office Expenses** - Telephone services bill, IT maintenance, printing, postage, subscriptions, dues, memberships, cell phone, personnel recruitment expenses, hiring costs, insurance, supply items (paper and pens), vehicle fuel

**Training** – Costs associated with training such as training and conference registration fees, trainer fees

**Travel** – costs associated with travel such as per diem, personal vehicle use mileage, lodging, flights; costs associated with travel between clinic sites such as fuel

**Professional Certifications** – costs associated with certification (RD, IBCLC)

*NOTE: Allowable to NSA funds, not allowable to BFPC funds.*

**Outreach** – costs associated with outreach items (see allowable costs), event expenses and materials for the event such as a display board.

**Media/Promotion** – costs associated with promoting the WIC Program to the public such as advertising in magazines, newspapers, radio, television, exhibits, etc.

**Program Materials** – costs associated with administrative, program, nutrition education, breastfeeding, and outreach materials. Examples include breastfeeding aids (see Allowable Costs), approved education materials (posters, pamphlets, etc.), food demonstration items

**Vehicle Maintenance** - costs associated with vehicle maintenance such as oil changes, vehicle repairs

**Audit** – costs associated with the required local agency A-133 or Health and Safety audits

### **Facility Costs**

**Cost of Space per month (rent, lease, etc.)** – this may or may not include the other items of:

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**Utilities** (electricity, heat, sewer, and water)

**Janitorial costs**

**Security costs**

**Maintenance costs**

### **FACILITY COSTS**

**18. We have an all-inclusive lease. Do we need to separate the utilities, maintenance and other costs in the Facility Worksheets?**

You do not need to separate out the costs if you have an all-inclusive lease. Only enter in the lease amount in the Cost of Space Per Month column.

**19. We do not pay rent, but we do pay for others costs. How do we enter those costs?**

Enter 0 in the Cost of Space Per Month column and add any other costs in the appropriate columns.

### **INDIRECT COSTS**

**20. What if our local agency has an increase to the Indirect Cost Rate (ICR) percentage in year 2, 3 or 4 of the contract?**

The local agency must budget for the contract using the current ICR percentage and methodology approved for their agency. An amendment solely for the purpose of changing the ICR percentage is not allowed. A contract's ICR may only be changed when an amendment for other business/programmatic reasons is initiated. When an amendment for other business/programmatic reasons is initiated, the ICR percentage may be adjusted to the current ICR percentage at the time of the amendment. Refer to Appendix 1, Attachment 8.

### **SHIFTING FUNDS/AMENDMENTS**

**21. Are the local agencies held to only the amount for each contract year or can it roll over to another year?**

The funding is not allowed to roll over from year to year. Each contract year amount is separate. Refer to the FFY 2016-2019 Caseload and Funding worksheet.

**22. What budget amounts are the local agencies held to from the Budget Plan and Facility Cost Worksheets?**

The CDPH/WIC Division will use the information provided in the Budget Plan and Facility Cost Worksheets to create the contract documents: Exhibit B, Attachment I, II, and III. Refer to Appendix 3, Sample Contract, Exhibit B, Attachment I. The amounts listed on Exhibit B, Attachment I cannot be shifted without a formal amendment.

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For example, are the local agencies able to shift funds between Training and Travel, both under Operating Expenses?

Unfortunately, no. The amounts listed on Exhibit B, Attachment I cannot be shifted without a formal amendment.

### **23. Can local agencies move funds between categories under operating expenses without an amendment?**

No. Refer to Appendix 3, Sample Contract, Exhibit B, Attachment I. The amounts listed on Exhibit B, Attachment I cannot be shifted without a formal amendment.

### **24. Will formal amendments be allowed for this contract?**

Yes, formal amendments will be allowed for this contract.

## **RESTRICTED / UNRESTRICTED FUNDS**

### **25. Which funds are restricted and unrestricted?**

Refer to the Contract Application document, General Information, Section C. regarding Funding Description and Methodology. Also refer to the FFY 2016-2019 Caseload and Funding spreadsheet.

### **Nutrition Services and Administration (NSA) Caseload Funding – Unrestricted**

NOTE FOR THIS CONTRACT:

- IT Equipment replacement funds were added to the Band allocation.
- Anemia Screening, Education Committee Travel, Training Committee Travel, Task Force Travel, and Breastpump Maintenance funds were added to the Per Participant Rate.

**NSA Special Project Funding** - The funding provided for special projects, except for the Local Vendor Liaison (LVL), is restricted to use solely for the designated purpose of the specified special project.

PHFE Database Support – Restricted

Regional Breastfeeding Liaison - Restricted

*Local Vendor Liaison – Unrestricted*

Dietetic Intern Program – Restricted

Dietetic Intern Coordinator – Restricted

Regional Training Center - Restricted

### **Other Grants**

Farmers' Market Nutrition Program – Restricted

Breastfeeding Peer Counseling Program – Restricted

Updated May 12, 2015

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### OTHER

#### **26. What insurance documents need to be provided?**

Refer to Appendix 1, Contract Application Instructions and Appendix 3, Sample Contract, Exhibit E, Provision 4. Provide your current information.

#### **27. Are local agencies using the current Contract Management Binder, or is the new WIC Policy and Procedure Manual (WPPM) going to be implemented with this contract?**

The new WPPM will be implemented with this contract. Contract related procedures will be listed in the WPPM, such as how to submit a procurement request or subcontract request for approval. The contract requirements are located in the Sample Contract.

#### **28. Will there be separate documents for the RBL funding?**

No, the RBL funding does not have a separate budget sheet. The RBL funding shall be incorporated into the Budget Plan.

#### **29. Breastfeeding Promotion and Support - What breastfeeding supplies will CDPH/WIC continue to purchase and provide to local agencies?**

CDPH/WIC will continue to provide breast pumps and milk collection kits to local agencies as part of its effort to support breastfeeding participants. Cotton breast pads may also be offered to local agencies, if funding allows. Below are the types of breast pumps CDPH/WIC will continue to offer to local agencies:

- Multi-user, electric breast pumps
- Single-user, electric breast pumps
- Manual breast pumps

CDPH/WIC will purchase breast pumps, milk collection kits and cotton breast pads for local agencies judiciously, based on an assessment of each local agencies needs at the time of procurement. Breast pump procurement is done on an annual basis, with shipments occurring on a one-time or quarterly basis.

#### **30. How do we determine facility costs in the BFPC Budgets for each year of the contract??**

Complete the Facility Costs information in your Budget Plan for each contract year. In the BFPC Budget spreadsheets, enter the amount of the total facility costs that you propose to pay with BFPC funds for each contract year. A brief justification for how you determined the portion of facility costs to cover with BFPC funds should be provided in the Description area for the facility costs line item.

#### **31. Will the funding amounts change over the four years?**

The FFY 2016-2019 Caseload and Funding spreadsheet is what you will need to base your budget on now. In the future, caseload and funding adjustments may be made if needed, and changes will take place through the formal amendment process.

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**32. Previously, we received specific funding for IT equipment, which is now included in the Band Allocation each year. How should local agencies project expense in the Budget Plan?**

Please work with your local agency IT staff to create a replacement schedule for your agency.

### ATTACHMENTS / FORMS

**33. Attachment 5 – Summary of Sites: In the Area Served by Clinic section, under City or Zip Codes served, what should be listed? For example, all of our sites are located in one County, but we have a lot of small towns surrounding us (mostly agricultural areas). If our intention is to service our county, but we happen to have some participants outside of that area who chose to come to us, do we have to include all of those areas? If so, do we add the zip codes all in one box, or separate it out on different lines in the form?**

For each site, provide a general listing of the zip code(s) and/or city that the site serves. The expectation is that, in general, sites serve distinct areas. Do not include information on participants that choose to come to your area for services.

**34. Why are there less forms overall?**

Some forms that you have signed in the past are now incorporated into the Exhibit D(F) and do not need to be completed separately. Other forms were not collected with the Application, but will be signed with the final Contract.

**35. Certificate of Liability Insurance (CLI): Our agency insurance is current and does not expire until August 2015, do you still want a copy of the CLI?**

Yes, please submit your current insurance documents. Submit your renewed insurance documents to your Contract Manager.

**36. Payee Data Record – who needs to sign this form?**

This may vary by agency. It is not required that the Certifying Signature or Contract Signature designees need to sign this form.