

STATE OF NEW MEXICO PUBLIC EDUCATION DEPARTMENT 300 DON GASPAR SANTA FE, NEW MEXICO 87501-2786 Telephone (505) 827-5800

www.ped.state.nm.us

KURT STEINHAUS, ED.D. SECRETARY OF EDUCATION MICHELLE LUJAN GRISHAM GOVERNOR

April 25, 2022

MEMORANDUM

TO: Superintendents and State Charter Leaders

FROM: Katarina Sandoval, Deputy Secretary, Academic Engagement and Student Success

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RE: USDE_Elementary and Secondary School Emergency Relief (ESSER II) Fund_

Federal Subaward (24308)

The New Mexico Public Education Department (PED) has granted its final FY21-22 subawards for funding through the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, (24308) to address the impact that the Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on elementary and secondary schools. In accordance with federal regulations at 2 C.F.R. § 200.332(a), please note the following federal award identification information specific to this subaward. All local educational agencies (LEAs) receiving this subaward through PED, as listed on Exhibit A, are subrecipients of the following federal funding:

Subrecipient's name	See Exhibit A
Subrecipient's DUNS number	See Exhibit A
Federal Award Identification	S425D210023
Number (FAIN)	
Federal award date	01/06/2021
Subaward period of	01/05/2021- 09/30/2023
performance start and end	
dates	
Subaward budget period start	07/01/2020 - 06/30/2022
and end date	
Amount of federal funds	See Exhibit A
obligated by this subaward to	
subrecipient	

Total amount of federal funds	See Exhibit A
obligated to subrecipient	
including current financial	
obligation	
Total amount of the federal	See Exhibit A
award committed to	
subrecipient	
Federal award project	Elementary and Secondary School Emergency Relief
description, as required to be	Fund
responsive to the Federal	
Funding Accountability and	
Transparency Act (FFATA)	
Federal awarding agency	United States Department of Education
Contact information for	Frank T. Brogan, Assistant Secretary
awarding official	400 Maryland Ave., SW
	Washington, DC 20202
	(202) 401-0113
CFDA number and name	84.425D Education Stabilization Fund
Research and development	No
(R&D) award (Yes/No)	
Indirect cost rate for federal	https://webnew.ped.state.nm.us/bureaus/administrative-
award	services/accounting/

The following requirements apply to this sub-award:

- <u>2 C.F.R. Part 200</u>: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards¹
- <u>2 C.F.R. Part 3474</u>: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- <u>2 C.F.R. Part 3485</u>: Non-procurement Debarment and Suspension

Reporting Requirements

Please review Exhibit A, and submit a BAR through OBMS for the appropriate amount using fund code **24308** and revenue object code **44500**. Please adhere to the following timelines required for obligation, liquidation and RfR submission:

- Submit your BAR, a copy of this letter, including Exhibit A, and a BAR Justification Sheet through OBMS. BARS must be submitted in FY21-22 no later than June 14, 2022.
- Projected carryover awards for FY22-23 are to be budgeted in your FY22-23 initial budget in OBMS. This planning award is posted on the ASD website located at: Awards and Carryover New Mexico Public Education Department (state.nm.us). These projections are based upon award balances as of April 25, 2022 and must be reduced by your LEA's anticipated expenditures through June 30, 2022. Excess budget authority will not grant access to more than your available grant balance as of June 30, 2022.
 - o Failure to include your projected carryover in your 2022-23 initial budget will result in zero budget authority for this fund on July 1, 2022, requiring an official carryover award memo to establish budget authority which may be issued during early winter.
- Revise your CARES II (24308) application in SharePoint to reflect the final allocation amount.

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- The FY21-22 and prior year carryover amounts as illustrated in Exhibit A must be **expended by September 30, 2023**.
- Pursuant to NMSA 6-5-3, the **appropriate fund** shall be **encumbered prior to** the issuance of **vouchers** or **purchase orders** or the engagement of **contracts**.
- You must receive written prior approval for purchase of equipment with a unit cost equal to or in excess of \$5,000. Failure to do so will result in denial of reimbursement for the cost of such an item. Attach an approved Form to your BAR if you will include budget in object code 57331 "Fixed Assets (more than \$5,000)." The approved Federal Grant Equipment Form must also be uploaded with your request for reimbursement (RFR) containing such expenses.
- You must receive written prior approval for construction projects. Approval is documented in the SharePoint application and on a Federal Grant Equipment Form. Any approved construction projects must comply with applicable Uniform Guidance requirements, as well as the Department's regulations regarding construction. See 34 CFR § 76.600. As is the case with all construction contracts using laborers and mechanics financed by federal education funds, an LEA that uses ESSER funds for construction contracts over \$2,000 must meet all Davis-Bacon prevailing wage requirements and include language in the construction contracts that all contractors or subcontractors must pay wages that are not less than those established for the locality of the project (prevailing wage rates). (See 20 U.S.C. 1232b Labor Standards.)
- PED encourages LEAs to use CRRSA carryover and final award amounts for the purpose of paying
 for COVID-necessitated sick leave taken by eligible employees, to include costs of paying for
 substitutes to cover the shifts of eligible employees who took COVID-necessitated sick leave. LEAs
 may also use these funds to cover the costs of compensating eligible employees for having taken
 unpaid leave for COVID-necessitated reasons.

Indirect Cost Rate

As required by 2 C.F.R. § 200.332(a) (1) (xiv), PED recognizes the indirect cost rate between PED and public school districts and state charter schools as calculated by PED and located on the PED website: https://webnew.ped.state.nm.us/bureaus/administrative-services/accounting/

Access to Records and Financial Statements

In addition, pursuant to 2 C.F.R. § 200.332(a)(5), all subrecipients as identified in Exhibit A, attached to this sub-award, must permit PED and auditors access to records and financial statements as necessary.

Closeout Procedures

• The final day to submit RFRs for FY21-22 is **July 7, 2022**.

If you have any questions regarding your ESSER II federal subaward, please contact Gabe Baca, <u>gabriel.baca2@state.nm.us</u>, 505-670-8402. To reach the Fiscal Grants Management Bureau, please contact Susan Lucero, <u>susan.lucero@state.nm.us</u>, (505) 827-3848.

Enclosures (2): Exhibit A

BAR Justification Sheet