AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: CARES Act Notice of Award & Cert.

Action Requested: County Manager Signature

Parties to the Agreement: Colorado Department of Health and Human Services

Term Begins: 07/15/2020 **Term Ends:** 12/31/2020 **Grant Contract #:**

Summary:

From CDPHE: funding allocated to LPHAs for relief. Money must be used by the end of December 2020 and can be used for expenses that were incurred during March 1 2020 through December 30 2020.

Fiscal Impact: $47382

Submitted by: Elizabeth Holena **Submitter's Email Address:** elizabeth.holena@state.co.us

Finance Review: (●) Required ( ) Not Required

Comments:
No concerns, will submit budget amendment for addition of revenue to 2020 adopted budget. ln

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 6/25/2020

County Attorney Review: (●) Required ( ) Not Required

Comments:
ok db 7/1/20 Note: The first sentence indicates that the signer is the "chief executive" of Gunnison County. Matthew - who is the chief executive of Gunnison County - will not be present this Tuesday. So I suggest that those two words be crossed out, and the word "Chairperson" interlineated and initialed and dated.

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 7/1/2020 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\emense Discharge Date: 7/2/2020

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted: 0

Agenda Date: 7/7/2020

Revised April 2015

STATE OF COLORADO

Gjestvang - CDPHE, Kelly <kelly.gjestvang@state.co.us>

Fully Executed Disaster Emergency Agreements

Lee - CDPHE, Jamison <jamison.lee@state.co.us> Mon, Jun 15, 2020 at 4:24 PM

Hello,

This email serves as notification of your FULLY EXECUTED Colorado Department of Public Health & Environment (CDPHE) COVID Relief Funding Purchase Order. The recipients of this message are only Local Public Health Directors. Please forward this correspondence to your contracting and programmatic personnel as needed.

Attached you will find a memo with information regarding the purchase orders issued. Please note the following:

1. CDPHE will advance 50% of your Purchase Order total by the end of the week (payments will be processed on 6/16/2020).
2. The remaining 50% will be advanced after you return the CARES Act certification letter to cdphe_covid-19@state.co.us the certification letter is attached.
3. The CARES Act certification letter is due no later than 7/15/2020.
4. A detailed summary of qualifying expenditures between 3/1/2020-6/30/2020 is due no later than 7/15/2020.
5. Monthly reports on qualifying expenditures are a requirement of the advanced payment associated with this Purchase Order. CDPHE will provide the template and instructions for this report no later than 7/1/2020.

You can download a copy of your purchase order from this Google Drive folder.

Best Regards,

Jamison Lee
Director of Financial Operations
COVID-19 Fiscal Response Team
P 303.692.2607
4300 Cherry Creek Drive South, Denver, CO 80246
Jamison.Lee@state.co.us

2 attachments

Memo of CARES funding.pdf
53K

State of Colorado CARES Act Certification Letter.pdf
51K

COLORADO
Department of Public Health & Environment

To: State of Colorado Local Public Health Agencies (LPHA's)
From: Colorado Department of Public Health and Environment (CDPHE)
Subject: Coranavirus Relief Fund (CARES Act) Funding

CDPHE has issued unilateral purchase orders (PO's) for allocation of Coranavirus Relief Fund dollars to the LPHA's. While these funds will provide much-needed relief, there are some important steps associated with receiving this funding as a subrecipient of the CDPHE.

First, CDPHE will advance 50% of the funds upfront to each LPHA. The remaining 50% will be advanced once the Department receives a CARES Act certification letter. Email your completed certification letter to: cdphe_covid-19@state.co.us. This certification will need to be received no later than 30 days after the execution of the purchase order. The certification will attest, among other things, that the subrecipient will utilize the funds to cover costs that:

1. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act); and
3. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Regulators at all levels are requiring increased transparency and reporting of these funds and subrecipients must retain specific documentation on all uses of these funds. The following documentation must be submitted to CDPHE via email to cdphe_covid-19@state.co.us:

1. A detailed summary of qualifying March 1, 2020 through June 30, 2020 expenditures that will be covered by these funds no later than July 15, 2020. This is needed for the proper recording of expenditures for the State's financial statements and to meet GASB requirements.
2. A monthly report qualifying each month's expenditures. Subrecipients must ensure that expenditures are reimbursed by only one funding source. The expenditure template shall be provided no later than July 1, 2020.

Finally, any unused funds must be returned to the State of Colorado no later than January 8, 2021.

State of Colorado CARES Act Notice of Award and Certification Letter

I, _____, am the chief executive of _____, and I certify that:

1. I have the authority on behalf of _____ to request a transfer from the State of Colorado – Governor's Office (State of Colorado) from the allocation of funds to the State of Colorado from the Coronavirus Relief Fund as created in Pub. L. No. 116-136, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

2. I understand that the State of Colorado will rely on this certification as a material representation in making a transfer to _____.

3. _____'s proposed uses of the funds provided as a transfer will be used only to cover those costs that:
    1. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
    2. Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act); and
    3. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

4. A cost is "incurred" when _____ has expended funds to cover the cost. If _____ has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by statute, those funds must be returned to the State of Colorado no later than January 8, 2021.

5. Funds provided as a direct payment from the State of Colorado pursuant to this Notice of Award and Certification Letter must adhere to official federal guidance issued or to be issued on what constitutes a necessary expenditure under the CARES Act. Any funds expended that do not adhere to official federal guidance shall be returned to the State of Colorado.

6. Any entity receiving funds pursuant to this certification shall retain documentation on all uses of the funds, including invoices, sales receipts, time and effort reporting, and any other documentation identified in the Addenda. Such documentation shall be produced to the State of Colorado upon request.

7. The State of Colorado has created the CARES Act Fund to receive Coronavirus Relief Fund moneys prior to allocation for eligible expenditures. Non-State entities shall follow CARES Act Fund tracking instructions provided by the State of Colorado.

8. All entities shall follow Federal Funding Accountability and Transparency Act (FFATA) terms and conditions, Office of Management and Budget (OMB) Uniform Guidance, and the 2019 OMB Compliance Supplement.

9. Additional Documentation

See attached addenda for specific allowable uses and conditions.

By: _____

Signature: (electronic) _____

Title: _____

Addendum A - Funds Allocated by EO D 2020 070 Section II.A(7)

Five hundred ten million dollars ($510,000,000) for FY 2019-20 to be transferred from the CARES Act Fund to CDE for expenditures associated with actions to facilitate compliance with COVID-19-related public health measures, including facilitating distance learning and social distancing for in-person contact hours, mitigating lost learning, and the provision of economic support in connection with the COVID-19 emergency to stimulate the economy by supporting Colorado's workforce through increasing free instructional hours for our kindergarten through 12th grade education system. All funds must be distributed on a per pupil basis to local school districts, and proportionally by student population to the Charter School Institute and the Colorado School for the Deaf and the Blind, and $25,000 to each Board of Cooperative Educational Services (BOCES).

Allowable Uses

Expenses of actions to facilitate compliance with COVID-19-related public health measures and mitigate the second-order effects of COVID-19 through the provision of economic support, such as:

1) Expenses due to modifications necessary to comply with State and local public health orders, including classroom and building reconfigurations, student health monitoring, transportation, smaller class sizes, and increased social distancing.
2) Expenses to prepare for school closures and reopenings, including but not limited to planning, human resources, and parent communication.
3) Expenses to limit transmission of the COVID-19 virus among students and faculty including cleaning, sanitizing and ventilating school, and administration buildings.
4) Expenses to protect the health of students, faculty and administrators exposed or at risk of exposure to COVID-19, including nursing care, sick leave, temperature monitoring, and school health clinics.
5) Expenses to meet the mental health needs of students experiencing trauma or mental health challenges as a result of the COVID-19 public health emergency.
6) Expenses to facilitate distance learning for students and educators, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions. This includes but is not limited to hardware, software, internet connections, curriculum development, professional development for educators, online learning materials, student and family outreach, engagement, and support, and reimbursement of these expenses incurred directly by educators when supported by appropriate documentation.
7) Expenses to recover lost learning time due to COVID-19. This includes increasing instructional hours that were reduced due to COVID-19 and also includes adding instructional hours for vulnerable and at-risk children and youth. This includes but is not limited to outreach, afterschool programming, tutoring, summer school and instructional

time with at-risk students, including English learners, students with disabilities, low-income students, students experiencing homelessness as defined by the McKinney-Vento Homeless Assistance Act Subtitle VII-B, and students in foster care.

8) Expenses associated with the delivery and increased provision of school nutrition programs during school closures due to COVID-19,
9) Necessary expenses to comply with the provisions of this Notice of Award and Certification Letter as well as the allowable uses and conditions of use set forth in this addendum, including for administrative and accounting expenses, up to 0.5% of the recipient's allocation.

<u>Conditions of Use</u>

The following performance measures will be monitored by CDE as a condition of receiving and expending monies from the CARES Act Fund, subject to audit by the Office of the State Auditor (OSA).

1) For expenses to recover lost learning time due to COVID-19: Increasing instructional hours, either in-person or through distance learning as measured by the number of instructional hours completed as compared to the total instructional hours expected.
2) For expenses for all other allowable uses: Expense reports demonstrating specific costs.

Addendum B - Funds Allocated by EO D 2020 070 Section II.A(8)

Four hundred fifty million dollars ($450,000,000) for FY 2019-20 to be transferred from the CARES Act Fund to the Colorado Department of Higher Education for expenditures associated with actions to facilitate compliance with COVID-19-related public health measures and with the provision of economic support in connection with the COVID-19 emergency to stimulate the economy by supporting Colorado's workforce through increasing student retention and completions at state institutions of public higher education. Institutions receiving such funds commit to raise by no more than three (3) percent their FY 2020-21 resident undergraduate tuition rate, or to seek a waiver of this requirement from the Governor's Office.

<u>Allowable Uses</u>

Expenses of actions to facilitate compliance with COVID-19-related State and local public health measures and mitigate the second-order effects of COVID-19 through the provision of economic support, such as:

1) Expenses related to health and safety precautions and services that are necessary to respond to the COVID-19 public health emergency, including:
    a) Expenses to limit transmission of the COVID-19 virus among students and faculty, including:
        i) Cleaning, sanitizing and ventilating school buildings, dormitories, and common spaces;
        ii) Temperature monitoring, COVID-19 screening and testing, and contact tracing;
        iii) Acquisition and distribution of medical and protective supplies; and
        iv) Quarantining individuals;
    b) COVID-19-related expenses of campus health clinics and similar facilities.
2) Expenses to meet the mental health needs of students experiencing trauma or mental health challenges as a result of the COVID-19 public health emergency.
3) Expenses to prepare for school closures and reopenings, including but not limited to planning, classroom reconfigurations, student health monitoring, and student outreach and communication.
4) Expenses to facilitate distance learning in connection with school closings to enable compliance with COVID-19 precautions, including:
    a) Technological improvements, including but not limited to hardware, software, and internet connections;
    b) Curriculum development, professional development for educators, online learning materials, and student outreach and support; and
    c) Payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures.

5) Expenses to recover lost learning time due to COVID-19, including restoring instructional hours that were reduced due to COVID-19 and adding supplemental instructional hours for vulnerable and at-risk students.
6) Personnel expenses that are necessary to respond to the COVID-19 public health emergency, including:
    a) Payroll expenses for employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency, such as campus safety officers, nurses, and healthcare providers;
    b) Expenses to improve telework capabilities for employees to enable compliance with COVID-19 public health precautions;
    c) Expenses of providing paid sick and paid family and medical leave to employees to enable compliance with COVID-19 public health precautions.
7) Expenses related to providing economic support to educate students affected by COVID-19 by maintaining enrollment, retention, and credential completion, including but not limited to:
    a) Covering all or a portion of a student's cost of attendance;
    b) Providing technology and technological support necessary to participate in distance learning in connection with school closings to enable compliance with COVID-19 public health precautions;
    c) Maintenance of student employee compensation in the event that a student employee is unable to perform their assigned job duties as a result of COVID-19-related State or local public health orders or school closings; and
    d) Emergency financial assistance to students who experience a health or economic emergency as a result of COVID-19.
8) Necessary expenses to comply with the provisions of this Notice of Award and Certification Letter as well as the allowable uses and conditions of use set forth in this addendum, including expenses incurred to perform necessary administrative and accounting functions related to the use of Coronavirus Relief Funds, up to the lesser of 0.5% of the recipient's allocation or $200,000.

<u>Conditions of Use</u>

The following performance measures will be monitored by CDHE as a condition of receiving and expending monies from the CARES Act Fund, subject to audit by the Office of the State Auditor (OSA).

1) For expenses to provide economic support:
    a) Increasing resident student enrollment in FY 2020-21 compared to projected resident student enrollment for Fall 2020; and
    b) Increasing the number of credentials produced in Spring 2021 compared to the projected number of credentials expected to be produced. Credentials may include

certificates, undergraduate degrees, including associate's and bachelor's degrees, and graduate degrees, including master's, professional, and doctoral degrees.

2) For all other allowable uses, expense reports demonstrating specific costs.
3) Recipient commits to raise by no more than 3 percent its FY 2020-21 resident undergraduate tuition rate, or to seek a waiver of this requirement from the Governor's Office.