

RESOLUTION 20-666

**A RESOLUTION OF THE TOWN OF TWISP IMPLEMENTING
FEDERAL AWARD POLICIES AND PROCEDURES TO ENSURE
COMPLIANCE WITH FEDERAL PROCUREMENT REQUIREMENTS**

WHEREAS, the federal government updated its regulations for procurement/purchasing process for entities receiving federal funds effective December 26, 2014; and

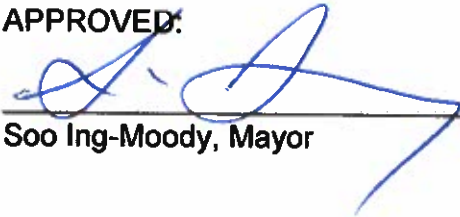
WHEREAS, the federal government requires entities receiving federal funds to incorporate the new regulations into their financial policies; and

WHEREAS, the Town of Twisp is committed to making the changes necessary to its internal control practices to comply with such federal regulations.

NOW THEREFORE, BE IT RESOLVED by the Town of Twisp, to establish and maintain internal controls that provide reasonable assurance that Federal awards are being managed in compliance with all Federal regulations and with the terms and conditions of federal awards, does hereby adopt the Town of Twisp Federal Award Policy attached hereto as Exhibit A, and effective as of the date of adoption of this Resolution.

PASSED AND APPROVED by the Town Council of the Town of Twisp this 22nd day of September, 2020.

APPROVED:




Soo Ing-Moody, Mayor

ATTEST:



Randy Kilmer, Clerk/Treasurer

APPROVED AS TO FORM:



W. Scott DeTro, Town Attorney

TOWN OF TWISP FEDERAL AWARD POLICY

This Federal Award Policy establishes guidelines and procedures for use by the Town of Twisp in maintaining effective internal controls over federal awards in compliance with federal statutes, regulations and the terms and conditions of the federal award.

1. INTERNAL CONTROLS

The Town of Twisp will maintain effective internal control over federal awards, providing reasonable assurance that the Town is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. The Town shall:

- Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive.

2. CERTIFICATION

To assure that expenditures are proper and in accordance with the terms and conditions of the federal award and approved project budgets, the annual and final fiscal reports or vouchers requesting payment under the agreements must include a certification, signed by an official who is authorized to legally bind the Town of Twisp, which reads as follows; "By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise."

3. ALLOWABLE COSTS

Federal awards will meet the following general criteria to be allowable except where otherwise authorized by statute.

- Be necessary and reasonable for the performance of the federal award.
- Conform to any limitations or exclusions set forth in the federal award as to types or amount of cost items.
- Be determined in accordance with cash basis of accounting principles.
- Be adequately documented.

4. PROCUREMENT

When procuring property and services under a federal award, the Town of Twisp will follow 2 CFR Section 200.318 General Procurement Standards. The Town shall verify and document that vendors are not suspended or debarred from doing business with the Federal Government.

5. SINGLE AUDIT ACT

The Town of Twisp, as a recipient of federal funds, shall adhere to the federal regulations outline in 2 CFR Section 200.501 as well as all applicable federal and state statutes.

6. CLOSURE

A project agreement end date will be established in accordance with 2 CFR Section 200.309. Any costs incurred after the project agreement end date are not eligible for federal reimbursement.

TOWN OF TWISP CODE OF CONDUCT

7. PURPOSE

The purpose of the Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with 2 CFR Section 200.112, 2 CFR Section 200.318 and other applicable federal and state standards, regulations, and laws.

8. APPLICATION

The Code of Conduct applies to all elected officials, employees or agents of the Town of Twisp engaged in the award or administration of contracts supported by federal grant funds.

9. REQUIREMENTS

No elected official, employee or agent of the Town of Twisp shall participate in the selection, award or administration of a contract supported by federal grant funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award:

- The Town employee, elected official, or agent; or
- Any member of their immediate family; or
- Their partner; or
- An organization which employs or is about to employ any of the above.

The Town of Twisp's elected officials, employees or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

10. REMEDIES

To the extent permitted by federal, state or local laws or regulations, violation of these standards may cause penalties, sanctions or other disciplinary actions to be taken against the Town of Twisp's elected officials, employees or agents, or the contractors, potential contractors, subcontractors or their agents. Any potential conflict of interest will be disclosed in writing to the federal awarding agency or pass-through entity in accordance with applicable federal awarding agency policy.