

Reporting Requirements for TTP Contracts/Agreements

BIA MIDWEST REGION
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Outline

- Title I (638) Construction Contracts
- Title I (638) Road Maintenance Contracts
- Tribal Transportation Program (TTP) Program Agreements
- Title IV (Self-Governance) Agreements
- Issues/Concerns

Title I (638) Construction Contracts

22. RECORDS, MONITORING AND REPORTING - The **Contractor** shall maintain a record keeping system and, upon reasonable advance request, provide reasonable access to such records by BIA. At a minimum, such records shall include completed daily reports of construction activities appropriate to the type of construction being performed. The **Contractor** shall be responsible for managing the day-to-day operations conducted under this contract and for monitoring activities conducted under this contract to ensure compliance with the contract and applicable Federal requirements. With respect to the monitoring activities of **Government**, the monitoring visits/inspections shall include those jointly determined to be necessary to ensure compliance with the contract, including structural integrity of the project and compliance with safety, health, and environmental standards or requirements. Prior to beginning of construction the **Contractor** and **Government** will agree upon **Government's** process for monitoring the project activities.

The **Contractor** shall maintain on the job-site or project office, and make available to the Secretary during monitoring visits; contracts, major subcontracts, modifications, construction documents, change orders, shop drawings, equipment cut sheets, inspection reports, testing reports, and current redline drawings.

When contracting for construction services the **Contractor** shall provide the reports identified in CFR 900.130(c)(7). In addition to reports which may be required by various other clauses of this contract, the **Contractor** shall submit the following reports to the Subordinate Awarding Official's Representative (Sub AOTR); (1) Daily Reports on Safety, (b) Annual Reports on Indian Employment, (c) Indian Hours Worked-by craft, (d) Indian Wages, (e) Non-Indian Hours Worked, and Non-Indian Wages.

25 CFR 900.13(c)(7)

(7) The Indian tribe or tribal organization shall provide to the Secretary progress and financial status reports.

(i) The reports shall be provided quarterly, or as negotiated, and shall contain a narrative of the work accomplished, the percentage of the work completed, a report of funds expended during the reporting period, and total funds expended for the project.

(ii) The Indian tribe or tribal organization shall also provide copies, for the information of the Secretary, of an initial schedule of values and updates as they may occur, and an initial construction schedule and updates as they occur.

Summary (638 Construction)

- Semi-annual Financial Reports (SF-425)
 - Shall include a narrative of work completed during the reporting period.
- Single Audit Report

Title I (638) Road Maintenance Contracts

2. Annual Work Plans. The Contractor shall include as part of its annual budget, work plans which describe priorities and work to be conducted for each program reflected within the Contractor's budget for that year. These shall form the basis for the Contractor's Annual Program Report at the end of each year. The work plan shall include the Contractor's organizational plan for the year.

Title I (638) Road Maintenance Contracts

Sec. 1. Reporting Requirement. The Contractor shall submit the following reports:

1. Semi-Annual Financial Status Report (SF-425 and Attachment 1). These reports shall detail funds expended to date of report, balance remaining, and status of payments. The reports shall be submitted semi-annually in accord with the fiscal year, due by **April 30** and **October 30**, and/or final report due 90 days after conclusion of the contract.

2. Program Reports. The contractor shall submit the following Road Maintenance Reports.

5810 BIA Budget Need Form. Report is due by February 15th annually. Only BIA routes should be reported. The report should be submitted to the AOTR and Awarding Official. (See Attachment G-2)

Road Maintenance Expenditure Report. Quarterly Expenditure Report provides required information for Deferred Maintenance Reports, as well as level of Service (LOS) ratings. (See Attachment G-2).

3. Annual Narrative Report. Provide a brief annual narrative report for each program. This report shall be submitted within ninety (90) days after the end of each Federal fiscal year and upon contract completion. The report shall include, but not be limited to, the following:

(a) Narrative Section. Discuss progress toward accomplishment of the goals and objectives envisioned in the contract, comment on problems encountered, etc.

(b) Statistical Section. Include any and all statistical information as may be required to support the Narrative Section.

(c) Financial Section. Report on funding issues, total funds expended, balance remaining, and status of payments. Comment on funding problems, budgeting problems, etc.

4. Single Audit Report. For each fiscal year during which the Contractor receives or expends funds pursuant to this contract, the Contractor shall submit to the Secretary a single-agency audit report required by Chapter 75 of Title 31, United States Code.

Summary (638 Road Maintenance)

- Annual Work Plan
 - Part of the Proposed Budget, and should include what types of work tribe intends to perform with subject funds
- Semi-annual Financial Reports (SF-425)
 - Shall include a narrative of work completed during the reporting period.
- Program Reports
 - 5810 BIA Budget Need Report
 - Road Maintenance Expenditure Report
- Annual Narrative Report
 - To be submitted at the end of the fiscal year, and identifies what tribe accomplished past year
- Single Audit Report

TTP Agreements

Section 7. Reporting Requirements. The Tribe shall provide the Director a copy of semi-annual progress reports which contain a narrative of the work accomplished; and semi-annual financial status reports using a Federal Financial Report, SF425, or such similar form as is used by the DOI or the DOT, as applicable. The Tribe shall provide the Director the semi-annual reports within ninety (90) days following the conclusion of the reporting period, which shall run from October 1 to March 31 and from April 1 to September 30.

SUMMARY (TTP Program Agreements)

- Semi-annual Financial Reports
 - SF-425
- Semi-annual Progress Reports
- Single Audit Report

Self-Governance Agreements

- Only required to submit Single Audit Report
- It is recommended that tribal transportation programs submit semi-annual progress reports
 - 1 of 4 tribes currently submitting progress reports

Summary

- Title I (638) Construction Contracts
 - Semi-annual Financial Reports (SF-425)
- Title I (638) Road Maintenance Contracts
 - Semi-annual Financial Reports (SF-425)
 - Annual Accomplishment Report
- TTP Program Agreements
- Title IV Self-Governance Agreements

Issues/Concerns

- Most Single Audits are submitted on time.
 - Few findings
 - Individual tribal programs usually do not get involved
- Most tribes are submitting SF-425 timely
 - Either quarterly or semi-annually, as required
 - Applies to 638 contracts and Program Agreements
 - Title IV Agreements are exempt

Issues/Concerns

- Most tribes are not submitting Annual Accomplishment Reports for 638 construction or Road Maintenance contracts
- Most tribes with TTP Program Agreements are not submitting semi-annual progress reports regularly.
- No Program-level reporting from Title IV tribes

QUESTIONS/DISCUSSION?

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