

City of Albuquerque Department of Family & Community Services

FREQUENTLY ASKED QUESTIONS (FAQS)

Find answers to your questions about the updated Administrative Requirements for Social Services Contracts Awarded Under the City of Albuquerque.

- [If we are not working with children on a specific City contract, do we still need to provide the City the sexual molestation insurance coverage?](#)
- [We do not have contact with children, but we subcontract out the funding with an agency that does. Do we still need to carry the sexual molestation insurance coverage, or is it applicable to just the agency that will be working with children?](#)
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If we are not working with children on a specific City contract, do we still need to provide the City the sexual molestation insurance coverage?

No, you do not need to carry the sexual molestation insurance coverage, unless you are working with compromised adults. Compromised adults are defined as anyone who can be taken advantage of due to a mental or physical health condition. This may include someone that may not have the pragmatic ability to say yes or no.

Per section 10.B. Insurance Requirements, P.12, all Contractors must maintain insurance in accordance with the contract requirements. Insurance Requirements are determined by the City's Risk Department through a review of the contract course and scope, e.g., what an organization will be doing under the contract, whom they will interact with, and what audience will receive the contracted services. Risk reviews are not based on contract amounts but on the potential exposure to taxpayers.

We do not have contact with children, but we subcontract the funding out with an agency that does. Do we still need to carry the sexual molestation insurance coverage, or is it applicable to just the agency that will be working with children?

The agency that is working with the children should carry sexual molestation insurance coverage. However, the City's Risk Department recommends that agencies that can afford the coverage carry it.

Do timesheets for salaried positions still need to outline specific duties for specific tasks?

Yes. A Personnel Activity Report (PAR) reflecting each employee's activity distribution shall be maintained for all staff members whose compensation is charged in whole or in part directly to City contracts. PARs should include the activity conducted and activity key, job title of person conducting the work, and name of person conducting the work. Please refer to section 12.A.(5)(d)(ii) Personnel Activity Report (PAR), Pp.16-18 for more information on PARs.

Is the PAR the same as a timesheet, which shows the required information?

The PAR shall account for the total activity for which employees are compensated and which is required in fulfillment of their obligations to the organization. If the timesheet can capture the activity of the grant and there is a signature by the employee and the supervisor, that will work. Please refer to section 12.A.(5)(d)(ii) Personnel Activity Report (PAR), Pp.16-18 for more information on PARs.

If we have a federally negotiated indirect rate, will it be honored? How should it be demonstrated?

Yes, it will be honored. Indirect Costs charged to City contracts are allowable if and only if the maximum amount the Contractor charges as administrative overhead on contracts to a nonprofit organization is based on an approved Indirect Cost rating issued by an agency of the federal government that will be used for all contracts with the Department. If the agency does not have an Indirect Cost rating issued by an agency of the federal government, then the agency may use an approved Cost Allocation Plan approved in writing by the Department. Please refer to section 12.C.(1) Indirect Costs, P.26.

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How do you expect us to demonstrate Program Income? We are required to track by funder and not necessarily by programs.

The Contractor's accounting system shall clearly identify Program Income from each program funded by a City Agreement, and the City may require the Contractor to provide regular reports on Program Income received, amounts expended, and any balance unexpended during the reporting period. Please refer to section 13.B.(5) Reporting of Program Income, Pp.29-30.

Contractors may be required to report Program Income on a form approved by the City. These types of reporting requirements will be addressed in future technical assistance case by case, depending on the program needs and types of income generated. There are additional considerations the City will work through with Contractors on an individual basis.

Can we get a list of the additional considerations regarding Program Income?

The City will provide technical assistance to our partner agencies regarding Program Income. You should have received an email that lists the name of the City Fiscal Staff for your program who can be contacted for any questions regarding Program Income and/or the updated Request for Reimbursement form.

What if we bill Medicaid that isn't related to City contracts?

Reporting of Medicaid as Program Income only applies to income as it relates to City-funded contracts. So, if an agency bills Medicaid for a program that has nothing to do with the City, that Medicaid reimbursement does not need to be reported.

Can rent income from clients be used for eligible expenses not covered by the City contract?

Rent income from clients can be used for eligible expenses not covered by the City contract. With prior approval of the City, Program Income may be added only to the program funded by the Agreement, to be used for the purposes and under the conditions of the Agreement, as demonstrated by an increase in the total cost of the program reflected on City-approved reimbursement forms. Please refer to section 13.B.(4)(b) Addition, P.29.

Will the new Administrative Requirements be posted? Were the requirements for substance abuse programs updated as well?

The updated version of the Administrative Requirements that include the changes discussed are posted on the City of Albuquerque Family & Community Services [Partner Resources page](#). The Minimum Standards for Substance Use Treatment are under revision.

Will we receive the Summary of Substantive Changes in the Revised Administrative Requirements?

The Summary of Substantive Changes in the Revised Administrative Requirements document and the partner training videos can be found on the City of Albuquerque Department of Family & Community Services [Partner Resources page](#).

For contracts that end in 2024, will these changes go into effect for those?

The updated Administrative Requirements apply to contracts effective as of July 1, 2023.

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When you stated that an agency can be within 5% or \$500 [of the approved budget of a line item], whichever is more, is that a new policy, or is that a policy in effect now?

The allowable flexibility of 5% or \$500 is a current policy. Please refer to section 12.H.(2) Allowable Flexibility, P.42.

Is a budget amendment or some type of documentation needed when funds are within the 5% or \$500 in a line item?

An official budget amendment is not needed, but providing notice to the fiscal and program staff is recommended.

Do in-kind donations need to be recorded (e.g., use of space for fundraising events without charge)?

Yes, if you are using in-kind for match. They can be documented on a Revenue Summary Form (APPENDIX #3), found on the City of Albuquerque Department of Family & Community Services [Partner Resources page](#) (Financial Forms, Fiscal Forms – Excel version).

Does a Revenue Summary Form (APPENDIX #3) need to be completed for multiple contracts an agency is applying for? What is the information used for?

Yes, APPENDIX #3 must be completed for each contract.

The information is used for several things, including Program Income, and as an assessment tool when a budget revision is submitted. It allows the City a complete view of other revenues so a determination can be made as to whether the expense can be covered or if additional funding is needed.

Regarding APPENDIX #3, my understanding is that the revenue listed is not Program Income for the contracted program, it's information for the entire agency for informational purposes. Is this correct? Please clarify.

It is revenue for the program that we would be looking at. The expectation is the revenue for the entire agency does not get moved to cover requested budget revisions.

Is it still a requirement for agencies to fill out all revenue for the entire agency on APPENDIX #3 (donations, anything considered revenue)?

Yes. Please refer to 13.C. Accounting for Programs with Multiple Funding Sources, P.30.

Would this also apply to government agencies [the entire agency revenue needed on APPENDIX #3]?

For government agencies, the total revenue [on APPENDIX #3] is only required for the program since programs lack access to the entire organization's revenues. If a program has access to the revenue information for its division, then that information should be listed. For non-profit organizations, the total revenue is required for the entire agency.

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How does Medicaid tie into this, on the Revenue Summary Form (APPENDIX #3)?

There is a line on APPENDIX #3 to enter the total amount that is received from Medicaid and another line to enter the amount received from Medicaid for the contracted program.

Do ERAP funds that originated at the Federal level but are passed through NM Community Trust go under government or other?

If they are federal funds and they are a “pass-through,” they need to go under federal funds.

Can you please clarify the following statement? "Furthermore, the Immediate Family and Close Relative of any board member, officer or managing employee is prohibited from being an unpaid volunteer of the nonprofit absent written permission from the Department Director."

That statement is regarding clarifying language about Nepotism. “The nonprofit shall not employ Immediate Family or any Close Relative of any board member, officer, or managing/supervisory employee. Agency standards must include a written procedure for disclosing employment of any two people who are Immediate Family or Close Relatives of each other in their personnel file.” Please refer to section 10.A.(3)(c) Nepotism, Pp. 11-12.

In the event the Agency hires someone with a criminal record of a nonsexual offender nature, sufficient documentation must be included in their personnel file to warrant the hire. Other than a background check and a criminal records report, what other type of documentation might be needed?

If an agency has requested a waiver for the background check that waiver should be included, along with the approval received by the City. However, a waiver to the City is not necessarily required for someone with a criminal record of a nonsexual offender nature. The agency should include any type of justification from the agency (e.g., the offense was long ago, the person has been engaged in other work with no issues). Additionally, a memo outlining the reasons the agency chose to hire that particular individual should be documented in the file. Please refer to section 15.C. Waivers Regarding Background Check Results, P.52.

Do adjustments or amendments to the contract need to be reviewed by the full Board?

A Supplemental Agreement that is executed would need to be reviewed by the full Board, but a budget adjustment would not need to be reviewed by the full Board. However, if the budget adjustment changes the contract, such as adding money or extending the time of performance, then it needs to be reviewed by the full Board. Adjustments from within line items do not need a full review.

Do contracts require full Board approval prior to execution? Is it no longer just the President/Chair of the Board who can approve?

The contract does not need to be reviewed and approved by the full Board *prior* to execution. However, copies of the minutes of the board meeting at which the contract was reviewed and approved by the Board shall be maintained on file at the organization. Regardless of the signer, City contracts must be reviewed and approved by the full Board. Please refer to section 10.C.(5) Documentation of Review and Approval of Contract, P.13.

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On the items that need full Board approval, how do you want those submitted? Is there an electronic option?

Regarding changes in the Board of Directors, an email or hard copy document noting the changes is acceptable. A phone call is not acceptable. When there are changes in the Board of Directors, Officers, and/or Directors, the City shall be notified within thirty (30) calendar days of the change. Any changes can be sent to the assigned program staff at the City. Please refer to section 10.A.(3)(b) Governing Board, P.11.

Regarding the clarified language of who can sign contracts, those board minutes can be maintained at the agency and will be reviewed during the monitoring visit.

What is the process for documenting a full Board review?

If the Board is required to approve something in their board meetings, that is maintained in the board minutes, which will be reviewed during a monitoring visit. If the Board has authorized someone to sign the agreement, a copy of that authorization should be submitted at the beginning of the year when the agreement is signed, and then the minutes documenting that authorization are reviewed during the monitoring visit. Sometimes the minutes are requested with the authorization, and if that happens it can be submitted via email. If there are changes in the Board (new President), please submit those changes electronically to the assigned program staff. If the Board is reviewing/approving the contract after it is executed, maintain that in the minutes.

We have some anonymous donors and cannot share their information, and the money we receive from them has nothing to do with the City programs. What do you advise us to do regarding that? They can be listed as restricted or unrestricted. You do not have to list what agency you are receiving funds from. Anonymous donors are most likely giving that money for a specific purpose, so that would be listed as restricted.

Do personnel policies, such as the drug-free workplace policy, have to be separate policies or can they be part of the employee handbook?

They can be part of the employee handbook, but there must be a written record that personnel have signed receipt of that policy.

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