

### **Q. Payment Schedule Budget Guidelines for Cost Reimbursement Contract**

This document includes additional instructions (*in italics*) to help clarify the intent of the requirements and guidelines.

Contractors prepare program budgets for County review and approval. The approved budget for each fiscal year serves as objectives and guidelines for contract performance, and determination of allowable and appropriate expenditures. The budget guidelines allow for flexibility within specified dollar limits, and states conditions when prior written County approval must be obtained before contractors are allowed to exceed the specified limits for discretionary variance from the approved budget. It is expected that budgets submitted by providers will include all expenses that are needed to support the program during the fiscal year. Do not submit the previous year's budget if you anticipate additional expenditures in expense line items that previously have a \$0 budget or an asterisked line item.

The clauses expanded upon below are only those that have been subject to inquiry or that have been recently modified or updated.

#### **Budget Guidelines**

The annual contract amount is specified in the contract and supported by an annual budget developed by the contractor. Contractor must obtain written prior approval from the County and a Contract Amendment must be executed before exceeding the fiscal year's approved budget. Unspent funds from one fiscal year may not be applied to subsequent fiscal year's expenditures unless authorized and supported by a Contract Amendment.

*If expenses are within the allowable limits stated below, no prior approval or change to the budget is required, though all expenses must always be reasonable and appropriate for the contracted services and are subject to subsequent review and disallowance. Any expenditures requiring written approval must be requested in advance and approved by the COR. Approval is not effective, and contractor should not incur any requested expense, until notified.*

#### **Total Direct Labor Cost**

Reimbursable direct labor cost for direct labor and program management staff incurred by Contractor in the performance of this Agreement shall be limited to the total amount budgeted for such cost in Exhibit C, Contractor's Budget. The sum of any and all such expenditures shall not exceed the total amount budgeted for the Salaries and Benefits category plus any allowable unexpended Operating Expenses without the prior written approval of the COR.

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*The contract does provide some flexibility to transfer funds between Direct Labor Costs and Other Direct Costs. An adjustment to Direct Labor costs is allowed if it results in no net change to the total annual contract maximum. Guidance for allowed budget adjustments is listed below.*

- Unexpended Salaries and Benefits (S&B), up to 10% of total annual S&B budgeted amounts with a dollar value up to \$100,000, may be applied to Operating Expenses.

*Budget adjustments greater than 10% to Direct Labor cost; or 10% or less than to Direct Labor but with a dollar value greater than \$100,000 require prior approval from the COR. Only budget adjustments up to 10% to Direct Labor cost with a dollar value up to \$100,000 do not require prior approval from the COR. Example:*

*Example 1: The total Salaries and Benefits amount for a program budget equals \$500,000, and contractor expects to spend less than \$430,000. Of the \$70,000 in projected unspent funds for this category, up to \$50,000 (10% of the \$500,000 Total Approved Budget with the dollar value less than \$100,000), may be applied to Operating Expenses without requiring prior approval or change to the budget.*

*Example 2: The total Salaries and Benefits amount for a program budget equals \$600,000, and contractor expects to spend less than \$570,000. The entire \$30,000 in projected unspent funds for this category, which is less than the limit of \$60,000 and with the dollar value less than \$100,000, may be applied to Operating Expenses without requiring prior approval or change to the budget.*

- Unexpended Salaries and Benefits that may be applied to Operating Expenses may be from temporary vacancies of budgeted staff.

*Contractor shall not purposefully keep positions vacant for the purpose of accruing savings to be used for Operating Expenses. When staffing levels are reduced due to reduced workloads, then it is expected that operating expenses would be similarly underspent. The intent is to fill all budgeted positions and to provide services to clients. Unspent funds due to other reasonable circumstances may be applied to Operating Expenses.*

- Unexpended Salaries and Benefits may be applied directly to any temporary replacement staff and do not require prior County approval as long as costs do not exceed amounts budgeted for these positions.

*Temporary and/or replacement staff should be listed in the Salaries and Benefits category and are not subject to prior approval as long as the total of Salaries does not exceed the*

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*budgeted amount plus 10% with a dollar value less than \$100,000 for this category.*

- Staffing changes, including addition or deletion of budgeted staff, shall require prior COR approval. Individual salaries may be exceeded up to 5% without prior COR approval.

*Adequate and appropriate staffing is normally the most important factor in the successful delivery of contracted services. Any permanent change to the number (FTEs) or classification of staff requires prior written approval. Salaries for each classification may be listed as averages, and individual salaries may be exceeded up to 5% without prior written approval by the COR, as long as the overall 10% rule is heeded. NOTE: Bonuses, incentive pay, and other types of special employee pay require prior written approval by the COR and must comply with Office of Management and Budget (OMB) Guidelines*

### **Total Other Direct Cost**

Reimbursable operating costs incurred by Contractor in the performance of this Agreement shall be limited to the total amount budgeted for such expenses in Exhibit C. The sum of any and all such expenditures shall not exceed the total amount budgeted for the Operating Expenses category plus any allowable unexpended Salaries and Benefits without the prior written approval of the COR.

*The contract does provide some flexibility to transfer funds between Direct Labor Costs and Other Direct Costs. An adjustment to Other Direct costs is allowed if it results in no net change to the total annual contract maximum. Guidance for allowed budget adjustments is listed below.*

- Unexpended Operating Expenses (OE), up to 10% of total annual OE budgeted amounts with a dollar value up to \$100,000, may be applied to Salaries and Benefits.

*All budget adjustments greater than 10% to Operating Expense cost; or 10% or less than to Operating Expense Cost but with a dollar value greater than \$100,000 require prior approval from the COR. Example:*

*Example: If the total Operating Expenses for a program budget equals \$300,000, any unspent amount, up to a maximum of \$30,000 (10% of the total budget for this category with the dollar value less than \$100,000), may be applied to Salaries and Benefits without requiring prior COR approval.*

- The budgeted amounts for Operating Expenses line items may be exceeded up to \$5,000 as long as the total of all items does not exceed the total budgeted Operating Expenses (including any allowable unexpended Salaries and Benefits, except for Leasehold Improvements, Consultants/Subcontracts, Interest Expense, Gift Cards and Flex Funds.) Overspending by more

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than \$5,000 on these Operating Expense budget line items will require a one-page Administrative Adjustment Request (AAR) form. The AAR form must be submitted clearly describing the justification for overspending, the budget line items and amounts affected.

*Example: If \$1,000 is budgeted for Office Supplies and the total expenses to date equals \$1,500, no prior approval or change to the budget is needed unless the total Operating Expenses amount exceeds the approved amount in the budget. NOTE: all expenses must be reasonable and appropriate for the contracted services, and are subject to subsequent review and disallowance.*

- Consultants/Subcontracts expenses shall be budgeted on Agreement Budget and shall not be exceeded without prior COR approval, with the exception of temporary staffing. All other consulting services or Subcontracts not previously budgeted shall require prior written COR approval.
- Budgeted amounts for Leasehold Improvements, Interest Expense and Gift Cards may not exceed without prior written County approval.
- Budgeted amounts for Client's Flex Funds may exceed up to \$1,000. Costs above \$1,000 require prior written approval by the COR.
- No expense shall be allowed for any line item that does not have an amount currently budgeted.

*Expenses without a budget require prior COR approval and detailed justification. Additional expenses due to emergencies and/or unforeseen circumstances for line item(s) that have a \$0 budget will be reviewed on a case-by-case basis. These expenses are not allowed to be claimed in other line items that were not intended for these types of expenses.*

## **Fixed Assets**

All fixed asset expenses shall be budgeted and itemized on the Agreement Budget, and no fixed asset budget line item shall be exceeded without prior written COR approval.

*The purchase of fixed assets that are not listed on the budget require prior written approval. Fixed assets include all non-expendable property with a value of \$5,000 or more and a normal life expectancy of more than one year.*

*Purchase of fixed assets that are budgeted on the itemized Supplemental A and any assets not currently budgeted require written notification to the COR.*

### **Total Indirect Cost**

Reimbursable indirect costs incurred by Contractor in the performance of this Agreement shall be limited to the total amount budgeted for such cost in Exhibit C. The sum of any and all such costs shall not exceed the total amount budgeted for the Indirect Cost category without the written approval of the COR. Reimbursable indirect costs shall be limited such that the ratio of actual total Indirect Cost to actual total Gross Cost shall not exceed the ratio of budgeted Indirect Cost to budgeted Gross Cost.

*If the total budget is underspent, it is expected that Indirect Costs would decrease proportionately.*

### **Units of Service**

*Units of Service are the most critical element of the program budget, and the budgeted units of service may not be changed without prior written approval by the COR. Delivery of service below budgeted levels may be considered a performance matter and subject to corrective action.*

### **Start-Up Funds (for Procurement Budget only)**

Start-up funds shall be subject to available funding, negotiations and shall be at the sole discretion of the County. This shall be limited to one-time costs of newly awarded contracts and shall be used for the development and implementation of a new or expanded program or service.

- The budget and timelines for expending start-up funds must be approved by the county
- Shall not be available for option years
- Shall not exceed 10% of the annual budget of the first year of contract
- A separate cost center for start-up funds shall be included in the proposed budget for the initial contract period and expenditures shall be tracked separately from ongoing expenditures
- If multiple funding sources are identified within the contract, a plan to allocate the start-up costs amongst various funding sources shall be required and budgeted appropriately to reflect the funding ratios amongst the various funding sources
- Start-up costs will be reimbursed based on actual costs (cost reimbursement). Contractor shall comply with Cost Reimbursement Contract requirements. At a minimum, submit an acceptable Cost Allocation Plan and keep an Inventory List, according to Article 2.4 of the Service Template

Examples of expenditures that may be approved include:

- Costs of staff hiring
- Initial staff training and development related to a new program or operation (ongoing training and development should be included in the annual operating budget)
- Minor equipment
- Supplies and materials
- Licenses and permits
- Tenant Improvements

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Start-up funds shall not be used:

- To supplant or supplement ongoing or routine operating expenses
- For ongoing or routine program activities
- To improve an existing program or service

At the end of the determined start-up period, an evaluation of the start-up expenditures shall be made and remaining start-up funding may be rescinded at that time. Expenditures that do not meet the start-up criteria may be disallowed and subject to reimbursement.