



SECTION 002213 – SUPPLEMENTARY INSTRUCTIONS TO BIDDERS

PART 1 - GENERAL

1.1 SUMMARY

- A. This Section establishes requirements for Contractor compliance with 2 CFR Part 200 Uniform Guidance for all Work funded in whole or in part by Federal funds.
- B. Requirements apply to:
 - 1. Prime Contractor
 - 2. All subcontractors of every tier
 - 3. Suppliers and service providers engaged in the Work
- C. Compliance is required for the entire Project lifecycle, including procurement, performance, billing, and closeout.

1.2 REFERENCES

- A. Federal Regulations:
 - 1. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- B. Related Sections:
 - 1. Section 01 20 00 – Price and Payment Procedures
 - 2. Section 01 40 00 – Quality Requirements
 - 3. Section 01 50 00 – Temporary Facilities and Controls

1.3 DEFINITIONS

- 1. Contractor: Entity performing Work under this Contract; not a subrecipient.
- 2. Uniform Guidance: Federal regulations codified at 2 CFR Part 200.
- 3. Allowable Costs: Costs meeting criteria under Subpart E of 2 CFR Part 200.

1.4 CONTRACTOR COMPLIANCE OBLIGATION

- A. Contractor shall comply with all applicable provisions of 2 CFR Part 200.
- B. Compliance shall apply to:
 - 1. All phases of Work



2. All cost submissions
3. All procurement and subcontracting
4. All project documentation and reporting

C. Contractor shall ensure all personnel and subcontractors adhere to these requirements.

1.5 SUBMITTALS

A. Compliance Plan: Submit within 10 days of Notice to Proceed, including:

1. Internal controls framework
2. Cost tracking procedures
3. Procurement procedures
4. Subcontractor oversight plan

B. Certifications:

C. Certification of compliance with 2 CFR Part 200

D. Debarment and suspension certification

E. Periodic Compliance Reports:

1. Monthly certification of compliance
2. Documentation supporting cost allowability

1.6 QUALITY ASSURANCE

A. Contractor shall maintain:

1. Written policies for financial management
2. Documented procurement procedures
3. Internal controls compliant with §200.303

B. Contractor shall ensure staff are trained in applicable Federal requirements.

1.7 DELIVERY, STORAGE, AND HANDLING

A. (Not Used)

1.8 PROJECT CONDITIONS

A. Federal funding requirements take precedence where conflicts occur.



PART 2 - PRODUCTS (Not Used)

PART 3 - EXECUTION (Not Used)

3.1 PROCUREMENT REQUIREMENTS

- A. Contractor shall comply with procurement standards in §200.318–327.
- B. Contractor shall:
 - 1. Maintain full and open competition
 - 2. Avoid organizational conflicts of interest
 - 3. Document procurement actions
 - 4. Subcontracts shall include applicable Federal provisions.

3.2 COST ALLOWABILITY

- A. All costs shall comply with Subpart E – Cost Principles.
- B. Costs must be:
 - 1. Necessary and reasonable
 - 2. Allocable to the Project
 - 3. Consistently treated
 - 4. Adequately documented
- C. Unallowable costs shall not be billed.

3.3 FINANCIAL MANAGEMENT

- A. Contractor shall maintain systems that:
 - 1. Identify source and application of funds
 - 2. Provide accurate, current, and complete financial data
 - 3. Track expenditures at the project level

3.4 INTERNAL CONTROLS

- A. Contractor shall establish and maintain effective internal controls over:
 - 1. Financial reporting
 - 2. Compliance
 - 3. Safeguarding of assets



3.5 RECORDKEEPING

- A. Contractor shall maintain:
 - 1. Financial records
 - 2. Procurement records
 - 3. Subcontract documentation
- B. Retention period: Minimum of three (3) years after final payment.

3.6 MONITORING AND ACCESS

- A. Owner, Federal agency, and auditors shall have access to:
 - 1. Contractor records
 - 2. Project sites
 - 3. Financial systems
- B. Contractor shall cooperate fully with audits and reviews.

3.7 SUBCONTRACTOR COMPLIANCE

- A. Contractor shall:
 - 1. Flow down applicable 2 CFR Part 200 requirements
 - 2. Monitor subcontractor compliance
 - 3. Be responsible for subcontractor performance

3.8 REPORTING AND DISCLOSURES

- A. Contractor shall:
 - 1. Submit required reports accurately and timely
 - 2. Disclose violations of Federal criminal law involving fraud or bribery

3.9 NONCOMPLIANCE

- A. Failure to comply may result in:
 - 1. Withholding of payment
 - 2. Disallowance of costs
 - 3. Termination for default
 - 4. Recovery of funds



3.10 CLOSEOUT

A. Contractor shall:

1. Submit final financial documentation
2. Certify compliance with Federal requirements
3. Resolve all audit findings

END OF SECTION 007390