



STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
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RYAN STEWART, Ed.L.D.
SECRETARY OF EDUCATION

MICHELLE LUJAN GRISHAM
GOVERNOR

June 28, 2021

MEMORANDUM

TO: Superintendents and State Charter Leaders

FROM: Katarina Sandoval, Deputy Secretary, Academic Engagement and Student Success DS
KS

RE: **Elementary and Secondary School Emergency Relief (ESSER II) Fund_ Federal Subawards (24308)**

The New Mexico Public Education Department (PED) has granted its interim FY20-21 subawards for funding through the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, (24308) to address the impact that the Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on elementary and secondary schools. In accordance with federal regulations at 2 C.F.R. § 200.332(a), please note the following federal award identification information specific to this subaward. All local educational agencies (LEAs) receiving this subaward through PED, as listed on Exhibit A, are subrecipients of the following federal funding:

Subrecipient's name	See Exhibit A
Subrecipient's DUNS number	See Exhibit A
Federal Award Identification Number (FAIN)	S425D210023
Federal award date	01/06/2021
Subaward period of performance start and end dates	01/05/2021– 09/30/2023
Subaward budget period start and end date	07/01/2020 – 06/30/2021
Amount of federal funds obligated by this subaward to subrecipient	See Exhibit A

Total amount of federal funds obligated to subrecipient including current financial obligation	See Exhibit A
Total amount of the federal award committed to subrecipient	See Exhibit A
Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA)	Elementary and Secondary School Emergency Relief Fund
Federal awarding agency	United States Department of Education
Contact information for awarding official	Frank T. Brogan, Assistant Secretary 400 Maryland Ave., SW Washington, DC 20202 (202) 401-0113
CFDA number and name	84.425D Education Stabilization Fund
Research and development (R&D) award (Yes/No)	No
Indirect cost rate for federal award	https://webnew.ped.state.nm.us/bureaus/administrative-services/accounting/

The following requirements apply to this subaward:

- 2 C.F.R. Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards¹
- 2 C.F.R. Part 3474: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 C.F.R. Part 3485: Non-procurement Debarment and Suspension

Reporting Requirements

To establish budget authority, please submit a BAR through OBMS for the award amount using fund code **24308** and revenue object code **44500**. Please adhere to the following timelines required for obligation, liquidation and RfR submission:

- Submit your application via SharePoint by **August 31, 2021** if you have not done so already.
- **Submit** your initial budget **BAR**, and a copy of this letter, including Exhibit A, through OBMS **by August 31, 2021 to establish budget authority in FY22.**
- If you have established budget authority for FY2020-2021, or if you have submitted a planning FY2021-22 budget in OBMS, do not submit a BAR.
- The FY20-21 award amounts illustrated in Exhibit A must be **expended by September 30, 2023.**
- The funding for this award must be used to address the impact that the Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on your LEA's elementary and secondary schools.

¹ The regulations at 2 C.F.R. Part 200 are located online at: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl.

ESSER II Awards

June 28, 2021

Page 3 of 3

- Pursuant to NMSA 6-5-3, the **appropriate fund** shall be **encumbered prior to** the issuance of **vouchers** or **purchase orders** or the engagement of **contracts**.
- You must receive written prior approval for purchase of equipment with a unit cost equal to or in excess of \$5,000. ***Failure to do so will result in denial of reimbursement*** for the cost of such an item. Attach an approved [Federal Grant Equipment Form](#) to your BAR if you will include budget in object code 57331 "Fixed Assets (more than \$5,000)." Attach the approved form to your application if you submit an initial 2021-22 OBMS budget. The approved [Federal Grant Equipment Form](#) must also be uploaded with your request for reimbursement (RFR) containing such expenses.
- Any approved construction projects must comply with applicable Uniform Guidance requirements, as well as the Department's regulations regarding construction. See [34 CFR § 76.600](#). As is the case with all construction contracts using laborers and mechanics financed by federal education funds, an LEA that uses ESSER funds for construction contracts over \$2,000 must meet all Davis-Bacon prevailing wage requirements and include language in the construction contracts that all contractors or subcontractors must pay wages that are not less than those established for the locality of the project (prevailing wage rates). (See [20 U.S.C. 1232b Labor Standards](#).)
- Districts must reach out to all of their schools, including district-authorized charter schools, to determine and meet their needs with these funds.
- These funds may be used to address needs in all district schools, both Title I and non-Title I schools.
- There is no requirement for site-based allocations with these funds.
- There is no requirement for Equitable Services to non-public schools with these funds.

Indirect Cost Rate

As required by 2 C.F.R. § 200.332(a) (1) (xiv), PED recognizes the indirect cost rate between PED and public school districts and state charter schools as calculated by PED and located on the PED website: <https://webnew.ped.state.nm.us/bureaus/administrative-services/accounting/>

Access to Records and Financial Statements

In addition, pursuant to 2 C.F.R. § 200.332(a)(5), all subrecipients as identified in Exhibit A, attached to this subaward, must permit PED and auditors access to records and financial statements as necessary.

Closeout Procedures

- The final day to submit RFRs for FY20-21 is **July 7, 2021**.

If you have any questions regarding your ESSER II Fund federal subaward, please contact your designated [Education Administrator in the Student, School and Family Support Bureau](#). To reach the Fiscal Grants Management Bureau, please contact Susan Lucero, susan.lucero@state.nm.us, (505) 827-3848.

Enclosures (1): Exhibit A