

CITY OF SPRINGFIELD, MASSACHUSETTS

REPORTS ON FEDERAL AWARD PROGRAMS

YEAR ENDED JUNE 30, 2014

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REPORTS ON FEDERAL AWARD PROGRAMS
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TABLE OF CONTENTS

	PAGE
Report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with <i>Government Auditing Standards</i>	1
Report on compliance for each major federal program; report on internal control over compliance; and report on schedule of expenditures of federal awards required by OMB Circular A-133	3
Schedule of expenditures of federal awards	6
Notes to schedule of expenditures of federal awards	8
Schedule of findings and questioned costs	10



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**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

Independent Auditor's Report

To the Honorable Mayor, the City Council, and Management
City of Springfield, Massachusetts

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Springfield, Massachusetts, as of and for the year ended June 30, 2014 (except for the Springfield Contributory Retirement System which is as of and for the year ended December 31, 2013), and the related notes to the financial statements, which collectively comprise the City of Springfield, Massachusetts' basic financial statements and have issued our report thereon dated December 10, 2014. Our report includes a reference to other auditors who audited the financial statements of the Springfield Redevelopment Authority and the Springfield Library and Museums Association, as described in our report on the City of Springfield, Massachusetts' financial statements. This report does not include the results of the other auditors' testing of internal control over financial reporting or compliance and other matters that are reported on separately by those other auditors. The financial statements of the Springfield Library and Museums Association were not audited in accordance with *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Springfield, Massachusetts' internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of City of Springfield, Massachusetts' internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Springfield, Massachusetts' internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Springfield, Massachusetts' financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

This purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "Powers + Johnson, LLC". The signature is written in a cursive, flowing style.

December 10, 2014



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**REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM;
REPORT ON INTERNAL CONTROL OVER COMPLIANCE; AND REPORT
ON SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
REQUIRED BY OMB CIRCULAR A-133**

Independent Auditor's Report

To the Honorable Mayor, the City Council, and Management
City of Springfield, Massachusetts

Report on Compliance for Each Major Federal Program

We have audited the City of Springfield, Massachusetts' compliance with the types of compliance requirements described in *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the City of Springfield, Massachusetts' major federal programs for the year ended June 30, 2014. The City of Springfield, Massachusetts' major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

The City of Springfield, Massachusetts' basic financial statements include the operations of two component units; the Springfield Redevelopment Authority and the Springfield Library and Museums Association, which received \$2,402,482 and zero, respectively, in federal awards which are not included in the schedule during the year ended June 30, 2014. Our audit, described below, did not include the operations of the Springfield Redevelopment Authority and the Springfield Library and Museums Association because the component units engaged other auditors to perform audits of their respective financial statements.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the City of Springfield, Massachusetts' major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City of Springfield, Massachusetts' compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination on the City of Springfield, Massachusetts' compliance.

Opinion on Each Major Federal Program

In our opinion, the City of Springfield, Massachusetts' complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2014.

Other Matters

The results of our auditing procedures disclosed instances of noncompliance, which are required to be reported in accordance with OMB Circular A-133 and which are described in the accompanying schedule of findings and questioned costs as items 2014-001, 2014-002, and 2014-003. Our opinion on each major fund is not modified with respect to these matters.

The City of Springfield, Massachusetts' responses to the noncompliance findings identified in our audit are described in the accompanying schedule of findings and questioned costs. The City of Springfield, Massachusetts' responses were not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the responses.

Report on Internal Control Over Compliance

Management of the City of Springfield, Massachusetts is responsible for establishing and maintaining effective internal control over compliance with the types of requirements referred to above. In planning and performing our audit of compliance, we considered the City of Springfield, Massachusetts' internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City of Springfield, Massachusetts' internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

Report on Schedule of Expenditures of Federal Awards Required by OMB Circular A-133

We have audited the financial statements of the governmental activities, the business-type activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Springfield, Massachusetts, as of and for the year ended June 30, 2014 (except for the Springfield Contributory Retirement System which is as of and for the year ended December 31, 2013), and the related notes to the financial statements, which collectively comprise the City of Springfield, Massachusetts' basic financial statements. We issued our report thereon dated December 10, 2014, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

Powers + Juliani, LLC

December 10, 2014

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

FOR THE YEAR ENDED JUNE 30, 2014

<u>Federal Grantor/Pass-Through Grantor/Program Title</u>	<u>Federal CFDA Number</u>	<u>Expenditures</u>
U.S. DEPARTMENT OF AGRICULTURE:		
<u>Passed through Massachusetts Department of Elementary and Secondary Education:</u>		
Non-Cash Assistance (Commodities):		
National School Lunch Program	10.555	\$ 1,832,865
Cash Assistance:		
School Breakfast Program	10.553	2,978,435
National School Lunch Program	10.555	9,587,638
Child and Adult Care Food Program	10.558	1,918
Summer Food Service Program for Children	10.559	46,841
Farm to School Grant Program	10.575	5,034
Fresh Fruit and Vegetable Program	10.582	453,688
		<hr/>
TOTAL DEPARTMENT OF AGRICULTURE		14,906,419
U.S. DEPARTMENT OF DEFENSE:		
<u>Direct Program:</u>		
Language Grant Program	12.900	94,053
		<hr/>
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:		
<u>Direct Programs:</u>		
Community Development Block Grants/Entitlement Grants - CDBG Entitlement	14.218	4,112,568
Community Development Block Grants/Entitlement Grants - Neighborhood Stabilization Program	14.218	922,456
Urban Development Action Grants	14.221	55,155
Emergency Solutions Grants Program	14.231	317,654
Supportive Housing Program	14.235	1,401,607
Shelter Plus Care	14.238	533,063
Home Investment Partnerships Program	14.239	1,298,481
Housing Opportunities for Persons with AIDS	14.241	456,039
Community Development Block Grants Section 108 Loan Guarantees	14.248	1,173,837
Hurricane Sandy Community Development Block Grant Disaster Recovery Grants (CDBG-DR)	14.269	3,969,414
Section 3 Coordination and Implementation	14.419	22,100
Sustainable Communities Regional Planning Grant Program	14.703	145,161
Choice Neighborhoods Planning Grant	14.892	96,430
Lead-Based Paint Hazard Control In Privately-Owned Housing	14.900	13,355
		<hr/>
TOTAL HOUSING AND URBAN DEVELOPMENT		14,517,320
U.S. DEPARTMENT OF JUSTICE:		
<u>Passed through Massachusetts Executive Office of Public Safety:</u>		
Violence Against Women Formula Grants, Recovery Act	16.588	28,431
Edward Byrne Memorial Justice Assistance Grant Program	16.738	133,015
Edward Byrne Memorial Justice Assistance Grant Program, Recovery Act	16.804	13,734
Byrne Criminal Justice Innovation Grant	16.817	1,345
		<hr/>
TOTAL JUSTICE		176,525
U. S. DEPARTMENT OF LABOR:		
<u>Passed through Senior Service America, Inc.:</u>		
Senior Community Service Employment Program	17.235	621,108
		<hr/>
U. S. DEPARTMENT OF TRANSPORTATION:		
<u>Passed through Massachusetts Department of Conservation and Recreation:</u>		
Recreation Trails Program	20.219	17,300
<u>Passed through Massachusetts Executive Office of Public Safety and Security:</u>		
State and Community Highway Safety	20.600	65,246
		<hr/>
TOTAL TRANSPORTATION		82,546
INSTITUTE OF MUSEUM AND LIBRARY SERVICES:		
<u>Passed through Massachusetts Board of Library Commissioners:</u>		
Grants to States	45.310	9,303
		<hr/>

(continued)

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

FOR THE YEAR ENDED JUNE 30, 2014

<u>Federal Grantor/Pass-Through Grantor/Program Title</u>	<u>Federal CFDA Number</u>	<u>Expenditures</u>
ENVIRONMENTAL PROTECTION AGENCY:		
<u>Direct Program:</u>		
Brownfields Assessment and Cleanup Cooperative Agreements, Recovery Act	66.818	<u>176,612</u>
U.S. DEPARTMENT OF EDUCATION:		
<u>Direct Programs:</u>		
Magnet Schools Assistance	84.165	2,779,299
Fund for the Improvement of Education	84.215	111,401
<u>Passed through Massachusetts Department of Elementary and Secondary Education:</u>		
Adult Education - Basic Grants to States	84.002	226,661
Title I Grants to Local Educational Agencies	84.010	21,514,337
Special Education - Grants to States	84.027	7,652,963
Career and Technical Education - Basic Grants to States	84.048	622,244
Education for Homeless Children and Youth	84.196	35,649
Twenty-First Century Community Learning Centers	84.287	160,939
High School Graduate Initiative	84.360	306,971
English Language Acquisition State Grants	84.365	755,349
Improving Teacher Quality State Grants	84.367	2,608,882
Teacher Incentive Fund	84.374	2,769,450
School Improvement Grants, Recovery Act	84.388	4,210,040
State Fiscal Stabilization Fund (SFSF) - Race-to-the-Top Incentive Grants, Recovery Act	84.395	4,914,448
Race to the Top - Early Learning Challenge	84.412	31,847
<u>Passed through Massachusetts Department of Early Education and Care:</u>		
Special Education Preschool Grants	84.173	<u>256,549</u>
TOTAL EDUCATION		<u><u>48,957,029</u></u>
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES:		
<u>Direct Programs:</u>		
Medical Reserve Corps Small Grant Program	93.008	815
Cooperative Agreements to Promote Adolescent Health through School-Based HIV/STD Prevention and School-Based Surveillance	93.079	751
Area Health Education Centers Point of Service Maintenance and Enhancement Awards	93.107	64,708
Consolidated Health Centers	93.224	1,173,969
Community Transformation Grants	93.531	101,022
Grants to Health Center Programs, Recovery Act	93.703	6,458
<u>Passed through Massachusetts Department of Public Health:</u>		
Centers for Disease Control and Prevention Investigations and Technical Assistance	93.283	<u>2,822</u>
TOTAL HEALTH AND HUMAN SERVICES		<u><u>1,350,545</u></u>
U. S. DEPARTMENT OF HOMELAND SECURITY:		
<u>Passed through Massachusetts Executive Office of Public Safety and Security:</u>		
Disaster Grants - Public Assistance (Presidentially Declared Disasters)	97.036	5,322,049
Assistance to Firefighters Grant	97.044	5,931
Homeland Security Grant Program	97.067	<u>442,102</u>
TOTAL HOMELAND SECURITY		<u><u>5,770,082</u></u>
TOTAL		\$ <u><u>86,661,542</u></u>

(concluded)

See notes to Schedule of Expenditures of Federal Awards

Note 1 – Definition of Reporting Entity

The accompanying Schedule of Expenditures of Federal Awards presents the activity of all federal financial assistance programs of the City of Springfield, Massachusetts. All federal financial assistance received directly from federal agencies as well as federal financial assistance passed through other governmental agencies is included on the schedule.

Note 2 – Significant Accounting Policies

The accounting and reporting policies of the City of Springfield, Massachusetts, are set forth below:

(a) Basis of Presentation - The accompanying Schedule of Expenditures of Federal Awards is presented on the modified accrual basis of accounting. Accordingly, grant expenditures are recognized when the related liability is incurred.

Expenditures for disaster grants-public assistance (presidentially declared disasters) represent federal reimbursements received and accrued for eligible expenditures recorded during 2014.

(b) Cash Assistance - School Breakfast and Lunch Program - Program expenditures represent federal reimbursement for meals provided during the year.

(c) Non-Cash Assistance (Commodities) – School Lunch Program – Program expenditures represent the value of donated foods received during the year.

Note 3 – Subrecipients

The City of Springfield provided federal awards to subrecipients as follows:

<u>Program Title</u>	<u>Federal CFDA Number</u>	<u>Amount Provided</u>
Community Development Block Grants/Entitlement Grants	14.218	\$ 189,505
Urban Development Action Grants	14.221	55,155
Home Investment Partnerships Program	14.239	11,313
Brownfields Assessment and Cleanup Cooperative Agreements, Recovery Act	66.818	<u>176,612</u>
Total		<u>\$ 432,585</u>

Note 4 – Program Clusters

In accordance with Subpart A §.105 of OMB Circular No. A-133, *Audits of States, Local Governments and Non Profit Organizations*, certain programs have been clustered in determining major programs. The following represents the clustered programs:

<u>Name of Cluster/Program</u>	<u>CFDA Number</u>
Child Nutrition Cluster	
School Breakfast Program	10.553
National School Lunch Program	10.555
Summer Food Service Program for Children	10.559
JAG Cluster	
Edward Byrne Memorial Justice Assistance Grant Program	16.738
ARRA - Edward Byrne Memorial Justice Assistance Grant Program	16.804
Special Education Cluster	
Special Education Grants to States	84.027
Special Education Preschool Grants	84.173

A. Summary of Auditor’s Results

1. The auditor’s report expresses an unmodified opinion on the financial statements of the City of Springfield, Massachusetts.
2. No significant deficiencies relating to the audit of the financial statements are reported in the Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*.
3. No instances of noncompliance material to the financial statements of the City of Springfield, Massachusetts, were disclosed during the audit.
4. No significant deficiencies relating to the audit of the major federal award programs are reported in the Report on Compliance for Each Major Federal Program; Report on Internal Control Over Compliance; and Report on Schedule of Expenditures of Federal Awards Required by OMB Circular A-133.
5. The auditor’s report on compliance for the major federal award programs for the City of Springfield, Massachusetts, expresses an unmodified opinion.
6. Audit findings relating to the major federal award programs for the City of Springfield, Massachusetts, are described in Note C on the following page.
7. The programs tested as major grants include:

<u>Program Title</u>	<u>CFDA Number</u>
Community Development Block Grants/Entitlement Grants – CDBG Entitlement	14.218
Hurricane Sandy Community Development Block Grant Disaster Recovery Grants (CDBG-DR)	14.269
Title I Grants to Local Educational Agencies	84.010
Improving Teacher Quality State Grants	84.367
School Improvement Grants, Recovery Act	84.388
State Fiscal Stabilization Fund – Race-to-the-Top Incentive Grants, Recovery Act	84.395

8. The threshold for distinguishing Type A and B programs was \$2,599,846.
9. The City of Springfield, Massachusetts, was determined to be a low-risk auditee.

B. Findings – Financial Statements Audit

None

C. Findings and Questioned Costs – Major Federal Award Programs Audit**U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Community Development Block Grants/Entitlement Grants –
CDBG Entitlement 14.218

2014-001: Condition and criteria: Housing rehabilitation program funds were provided to a loan applicant that did not meet the eligibility requirements.

CDBG assisted activities must benefit low and moderate income persons in accordance with HUD guidelines. The applicant's income exceeded the HUD guidelines for low and moderate income.

Context: The City did not have adequate procedures in place to verify the income eligibility of program applicants.

Effect: Expenditure of federal funds on ineligible activities.

Questioned Costs: \$15,695

Auditors' Recommendation: We recommend that the City implement procedures to ensure compliance with grant requirements regarding income eligibility relating to program applicants.

Views of Responsible Officials: See corrective action plan.

Findings 2014-002 and 2014-003 were originally reported by the Department of Housing and Urban Development (HUD) as part of their on-going monitoring of the City.

Community Development Block Grants/Entitlement Grants –
Neighborhood Stabilization Program 14.218

2014-002: Condition and criteria: Neighborhood Stabilization Program (NSP) funds were expended to construct a single family home on an ineligible property due to lack of oversight of the City's subrecipient, Springfield Habitat for Humanity, and by the City.

The American Recovery and Reinvestment Act of 2009 (Recovery Act), imposed requirements on Neighborhood Stabilization Program grantees to ensure that tenants in NSP affected properties receive proper treatment. Additional amounts made available for NSP pursuant to Section 1497 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. L. 111-203, are subject to Recovery Act tenant protection requirements, the Protecting Tenants at Foreclosure Act of 2009 (PTFA) and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). The revised definition of "foreclosed" published in the Federal Register on April 9, 2010 expands the properties considered acquired through foreclosure for NSP purposes.

24 CFR Subtitle A Section 84.51 discusses grantee responsibilities concerning monitoring of subrecipients to assure compliance with applicable Federal requirements. 24 CFR 570.501 provides that the City is responsible for determining the adequacy of subrecipients' performance and for taking appropriate action when performance problems arise. Responsibilities concerning the use of HOME funds are detailed in 24 CFR 92.254, which contains requirements for monitoring of rental units assisted for low income occupancy, annual re-certification of tenant eligibility, rent control, and property standard compliance during the period of affordability. The purpose of monitoring by the City is to verify performance claims reported by subrecipients, compliance with the contract provisions, and program eligibility and beneficiary requirements.

Context: The City's contract management system did not provide for adequate oversight of subrecipients.

Effect: Expenditure of federal funds on ineligible activities and lack of documentation demonstrating compliance with grant requirements.

Questioned Costs: \$168,653

Auditors' Recommendation: We recommend that the City implement procedures to ensure compliance with grant requirements regarding the oversight and monitoring of subrecipients.

Views of Responsible Officials: The City has returned \$168,653 of funds received for ineligible activities. Additionally, the City has reviewed its policies and procedures for project oversight of construction of single-family homes, and has revised its NSP Program Manual (Manual) to include changes and to provide more description of its project oversight. The Manual revisions include expanded sections on project underwriting, construction monitoring and draws, certification of income-eligible buyers, and monitoring of projects during contracting, development, and post-development/long-term phases. The City will conduct on-site monitoring visits for all development projects on at least a monthly basis.

Hurricane Sandy Community Development Block Grant Disaster
Recovery Grants (CDBG-DR)

14.269

2014-003: *Condition and criteria:* The Mental Health Association (MHA) initiated construction on the Magazine Commons project prior to Springfield receiving an authorization to use grant funds, thus committing a choice limiting action.

Environmental Review requirements are found at 24 CFR Part 58. 24 CFR Part 58.22(a) states that neither a recipient nor any participant in the development process may commit HUD funds on any activity or project and may not undertake or commit non-HUD funds on an activity or project that would have an adverse environmental impact or limit the choice of reasonable alternatives, until the Request for Release of Funds (RROF) and related certification have been approved.

The City submitted a RROF and Certification for the Magazine Commons project to HUD on September 9, 2014. HUD received no objections within the statutory fifteen-day objection period and removed the environmental condition effective September 25, 2014.

Subsequently, HUD learned that the contractor received a limited Notice to proceed in mid-June, 2014 to allow work to begin on the site environmental cleanup at that time. A full Notice to Proceed was issued to the contractor on September 11, 2014. The Architect's Field Observation Report dated September 24, 2014 reported that construction was approximately 12% complete. Initiation of construction prior to approval of the RROF constitutes a choice limiting action. HUD is therefore withdrawing its removal of the environmental condition and finds that the participant has entered into a choice limiting action.

Context: The City and its subrecipient did not fully understand the requirements of Part 58.

Effect: The City and its subrecipient entered into a choice limiting action.

Questioned Costs: None

Auditors' Recommendation: We recommend that the City implement procedures to ensure compliance with the environmental review requirements of the grant program.

Views of Responsible Officials: The City, after discussion with HUD and MHA, has determined that it will refrain from funding this activity with federal funds.

D. Prior Year Audit Findings and Questioned Costs

U.S DEPARTMENT OF EDUCATION

Title I Grants to Local Educational Agencies	84.010
School Improvement Grants, Recovery Act	84.388

2013-001: *Condition and Criteria:* Fiscal year 2012 Forms FR-1 (Final Financial Report) for the Title I Grants to Local Education Agencies and the School Improvement Grants, Recovery Act were filed well after the required deadlines of October 31, 2012. There were no extensions granted to allow the late filing of the final reports.

Current Status: Fiscal year 2013 Forms FR-1 were filed by the required deadline. This finding is considered to be resolved.