

ASSISTANCE PROGRAMS BRANCH ESCALATION PROCESS

Introduction

Project Officers have many programmatic and administrative responsibilities to ensure proper expenditure of Federal dollars and successful completion of projects. Occasionally, unavoidable problems are encountered. These problems may include delays of the work, tardiness of reports, lack of reports, communication problems and unacceptable deliverables. Many situations may signal a need to “escalate” the concern to other staff or supervisors. When a problem is recognized, the Project Officer should send clear communication to the recipient to ensure that the recipient is also aware of the situation. If information or action has been requested by the Project Officer, and it has not been received within an “appropriate time” or within a requested time frame, then this process should be used. “Appropriate time” is to be decided by the Project Officer (with input from the recipient, when appropriate) on a case by case basis with at least one factor being whether the deliverable is required by law or regulation (e.g. 40 CFR Part 35.140, 305(b) report, NPS annual report, etc.) or a less formal requirement (e.g., Guidance documents, work plan, etc.).

Step 1

Issue identified that is/will be disrupting grant performance. The Project Officer needs to be thinking about potential impact of the issue and how long the issue can go unresolved before grant performance is significantly affected. (Example: the recipient is not submitting application/reports on time or some issue that is preventing award). The Project Officer should call the grantee to learn the cause of the delay and determine when requested material will be submitted. The Project Officer should document all conversations with the recipient. Although time frames depend on the specific grant/project, the Project Officer should probably move to the next step if the issue is not resolved *in two weeks*.

Step 2

The Project Officer attempts to resolve issue at staff level through normal communication routes (phone calls, letters, e-mail, etc.). Communication clearly identifies/explains issue and potential impact of delay on grant performance. Request for deliverables should mention that this is the second request. Depending on seriousness of delay, the Project Officer should draft a very brief (“bullet form”) issue paper including a description of the issue and chronology of major steps, especially the Project Officer’s action to resolve the issue. The Project Officer should consider options that will mitigate effects of issue (partial award, award with restriction of funds, etc.) and continue efforts to resolve issue. The Project Officer mentions issue (and resolution efforts) during staff reports at weekly section meeting. Use *two weeks* again as a rough guide.

Step 3

The Project Officer considers whether a conference call including the State Coordinator, Program Lead or Coordinator, and/or Section Chief will help to resolve issue with the grantee. If a conference call will likely resolve the issue, the Project Officer briefs State Coordinator/Program Lead or Coordinator/Section Chief and arranges call. During the call, all participants stress the impact of the delay, offer help in resolving the issue and

try to get firm deadline for submission of needed material. A follow-up letter, including all the important aspects of the call, should be sent to the recipient. This will ensure that everyone is has the same understanding of the situation. If the material is not received by the firm deadline, move to the next step.

Step 4

Project officer prepares a letter to next higher level of management in recipient organization. A letter is drafted for Section Chief's signature, clearly explaining the issue and impact of delay on grant performance and mentioning that several requests have been made for this information. A letter also suggests approaches to resolve issue and explains the assistance EPA can offer. It also identifies a clear due date when material must be received. The Project Officer may consider informally sending the recipient the draft letter before sending officially. Brief State Coordinator/Program Coordinator or Lead and Section Chief on issue before submitting letter for signature.

Step 5

If the issue is still not resolved, the Project Officer, State Coordinator/Program Lead or Coordinator, Section Chief and Branch Chief meet to decide next step. Consider a letter to recipient's upper management, a site visit, a conference call with a higher level of management, etc. Some action is now required by the Branch Chief, preferably a letter (drafted by the Project Officer) to his/her counterpart at recipient organization.

Step 6

Prepare an issue paper and brief the Division Director on the issue and the efforts made to resolve it. Consider a letter to head of grantee organization, a site visit, conference call, etc.

Step 7

Second to last resort: Prepare a letter to the head of the recipient organization explaining that funds are in jeopardy because of this issue. (Reiterate the issue or enclose copies of earlier communication.) Give a firm deadline when issue must be resolved.

Step 8

Last resort: Write the recipient via certified mail that funds will not be awarded or drawdown of funds will be restricted because the issue could not be resolved. Remember that withholding funds from a recipient is a very extreme measure, so be sure all available methods to resolve the issue have been exhausted. Brief EPA upper management and anyone else (such as the Office of External Affairs) who may receive a call. Refer to Code of Federal Regulations for specific regulations regarding funding restrictions