

TCAP Questions and Answers: FederalReporting.gov



As of October 1, 2009

The following questions and answers are intended to assist TCAP grantees and project owners to understand and comply with the reporting requirements of Section 1512 of the Recovery Act. These questions and answers are not a substitute for reading and understanding the requirements. For further information, please consult OMB's [reporting site](#).

1. For the purposes of reporting on TCAP projects, who should be considered the *sub-recipient*?

Answer:

The term “sub-recipient” is defined in OMB Reporting guidance and Circular A-133 subpart A as “a non-Federal entity that expends Federal awards received from a pass-through entity to carry out a Federal program, but does not include an individual that is a beneficiary of such a program.”

The project owner receiving the TCAP funding from the prime recipient (the state Housing Crediting Agency) is a *sub-recipient* for reporting purposes. In cases where the state Housing Crediting Agency first passes through TCAP funds to another state entity (e.g., a Housing Finance Agency) or to a local HFA to carry out part of the Housing Crediting Agency's TCAP program, that entity is a sub-recipient for reporting purposes.

See the example at the end of these Q&As from the June 22nd OMB guidance on reporting.

2. For the purposes of TCAP reporting, what is a vendor and how is it different from a sub-recipient?

Answer:

The term “vendor” is defined in OMB Reporting guidance and Circular A-133 subpart A as “a dealer, distributor, merchant or other seller providing goods or services that are required for the conduct of a Federal program”.

Prime recipients (the state Housing Crediting Agency in TCAP) or their sub-recipients purchase goods or services needed to carry out the project or program from vendors, such as construction contractors or supply outlets. Vendors are not awarded funds by

the same means as sub-recipients and are not subject to the terms and conditions of the Federal financial assistance award.”

Characteristics of a vendor that make it distinct from a sub-recipient are when the organization:

- (1) Provides the goods and services within normal business operations;
- (2) Provides similar goods or services to many different purchasers;
- (3) Operates in a competitive environment;
- (4) Provides goods or services that are ancillary to the operation of the Federal program; and
- (5) Is not subject to compliance requirements of the Federal program.

3. Would a Developer of a TCAP project be considered a sub-recipient or a vendor?

Answer: It depends on the role of the developer. If the developer and the limited partnership entity that owns the project are one and the same, then the developer is a sub-recipient.

However, if the developer doesn't have an ownership interest in the project (i.e., the developer isn't the general partner or an agent of the limited partnership), then the developer is a contractor of the owner and would be considered a "vendor" for reporting purposes.

See the example below from the June 22nd OMB guidance on reporting.

If you have additional questions after reviewing the applicable laws, regulations and guidance provided in this Question and Answer, please send an email to the TCAP mailbox at TCAP@hud.gov.

OMB Example:

A Federal agency awards a \$1 million Recovery Act funded research grant to University A. University A conducts a portion of the research itself and uses \$200,000 of the Recovery Act funds to purchase scientific equipment from XYZ Corporation. University A sub-awards the remaining \$500,000 of the Recovery Act funds to University B to carry out additional research consistent with the mission of the underlying Federal program. University B uses \$50,000 of these funds to support research activities by purchasing scientific equipment from the 123 Corporation.

In this example, University A is the prime recipient and must report on all data elements required by Section 1512 of the Recovery Act related to the award received from the Federal agency. This includes:

- Information regarding the award to University A (associated with the *prime recipient* listed above) and includes:
 - a. Entity ID for University A (D-U-N-S);
 - b. Total \$ received by University A;
 - c. Total \$ for projects/activities funded by University A;
 - d. List of projects undertaken by University A;
 - e. Estimates on jobs created or retained by University A, University B, and applicable vendors;
 - f. Infrastructure Investment details, if applicable to University A activities;
 - g. The identity of the XYZ corporation, as well as the amount and description of the purchase of scientific equipment; and
 - h. Information regarding the sub-award to University B, including the FFATA data elements required under Section 1512(c)(4) (associated with the *sub-recipient listed above*) and includes the identity of the 123 corporation (*sub-recipient vendor above*).

University A has the option of delegating the responsibility to report the FFATA data elements and the identity of the 123 Corporation (*sub-recipient vendor* data elements) to University B for entering into www.FederalReporting.gov. There are no additional reporting requirements for any sub-awards to sub-recipients made by University B.