



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240



DEC 22 2009

## Department of the Interior Guidance Release ARRA-2009-01, Amendment 2

**Subject:** DEVELOPMENT OF AN AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA) ACQUISITION AND FINANCIAL ASSISTANCE PROJECT REVIEW PLAN

**References:** OMB Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009, dated April 3, 2009; Department of the Interior ARRA Risk Management Plan; Department of the Interior Acquisition Regulations (DIAR); and Federal Acquisition Regulation (FAR)

**Issue Date:** April 23, 2009, Amended December 22, 2009

### 1. Purpose:

This guidance release is issued to define the Department of the Interior's (DOI) American Recovery and Reinvestment Act (ARRA) Acquisition and Financial Assistance Project Review Plan requirements. DOI requires each bureau to develop an ARRA Acquisition and Financial Assistance Project Review Plan (Plan) as an internal control to manage and mitigate risks associated with ARRA projects.

### 2. Effective Date:

Effective upon issuance. This amended version supersedes DIG ARRA-2009-01, Amendment 1, issued August 11, 2009.

### 3. Background and Explanation:

The "Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009," issued April 3, 2009, by the Office of Management and Budget (OMB Guidance), requires agencies to identify, prioritize, and mitigate implementation risks associated with ARRA specific to the agency and programs. The OMB Guidance is available at [http://www.whitehouse.gov/omb/recovery\\_default](http://www.whitehouse.gov/omb/recovery_default). DOI has determined, in accordance with Section 3.11 of the OMB Guidance, that acquisition and financial assistance actions supporting projects funded through ARRA have inherent risks associated with implementation, as identified in the DOI ARRA Risk Management Plan.

The requirements described below represent a DOI-wide internal control in support of the DOI ARRA Risk Management Plan objectives specific to implementation. They also support multiple recommendations contained in the OMB Guidance referenced above.

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
19. Did the contracting officer emphasize the unique reporting requirements outlined in FAR Clause 52.204-11, American Recovery and Reinvestment Act – Reporting Requirements, with the awardee? Were possible consequences (cure notice, termination, etc.) discussed in the event of noncompliance with FAR Clause 52.204-11?	All actions					

### Actions That Must Be Publicized Post-award

	Description of Contract Action	Post-award Publication
(1)	A contract is competitively awarded and is fixed price	Not Required
(2)	A contract is awarded that is not fixed-price	Required
(3)	A contract is awarded without competition	Required
(4)	An order is issued under a new or existing single award IDIQ contract	Required if order is made under a contract described in (2) or (3)
(5)	An order is issued under a new or existing multiple award IDIQ contract	Required if one or both of the following conditions exist: i. the order is not fixed-price ii. the order is awarded pursuant to an exception to the competition requirements applicable to the underlying vehicle (e.g., award is made pursuant to an exception to the fair opportunity process)
(6)	A modification is issued	Required if modification is made: i. to a contract described in (2) or (3) above; or ii. to an order requiring posting as described in (4) or (5) above
(7)	A contract or order is awarded pursuant to a small business contracting authority [e.g., SBA's section 8(a) program]	Required if one or both of the following conditions exist: i. the contract or order is not fixed-price ii. the contract or order was not awarded using competition [e.g., a non-competitive 8(a) award]

### Attachment 3 – American Recovery and Reinvestment (ARRA) Checklist – Financial Assistance Actions

**Instructions:** This checklist is required for *totally* or *partially* ARRA-funded financial assistance actions (includes amendments). The individual(s) completing the checklist shall initial and date each question. A brief explanation is required in the comments block for any “NO” or “N/A” entry. The section numbers provided in the documentation/action blocks refer to OMB’s M-09-15, Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009, dated April 3, 2009.

Agreement No. \_\_\_\_\_ Date of Award \_\_\_\_\_  
 Amount \$ \_\_\_\_\_ Recipient Name \_\_\_\_\_  
 Project Title/Description \_\_\_\_\_  
 Financial Assistance/Contracts Staff Person \_\_\_\_\_  
 Program Staff Person \_\_\_\_\_

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<b>PRE-AWARD</b>						
<b>1. Assistance Agreement Request and Pre-validation of Funds, as appropriate.</b>	All Actions					
<b>2. Award Instrument Determination/Correct Legal Instrument</b> - Contains mandatory information - Has been reviewed and signed 505 DM 2	All Actions					
<b>3. Authorities – Program/project authorization. Citations to the U.S. Code Section(s) permitting expenditure of the identified funds must identify the Public Law and provide specific section(s), and, as appropriate, title or subtitle containing the authority.</b>	All Actions					

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<p><b>4. Office of the Solicitor required financial assistance review.</b></p> <p>The Office of the Solicitor shall assist bureaus with legal questions which may arise as the result of implementing the Recovery Act, the OMB guidance, and will review, normally within seven (7) workdays, (a) all proposed grants or cooperative agreements that obligate or may obligate in excess of \$500,000, and (b) any change to an existing agreement/action to incorporate Recovery funds, <u>regardless of dollar amount.</u></p> <p><b>Date of Solicitor's Office Review/Approval</b></p> <p>_____</p> <p>Acquisition and Assistance Legal Review Form</p>	<p><b>Actions over \$500,000</b></p> <p><b>or</b></p> <p><b>Any change to existing action to incorporate Recovery Act Funds, <u>regardless of dollar amount.</u></b></p>					
<p><b>5. Catalog of Federal Domestic Assistance Number must be assigned to the program. Updates must be made to existing programs that receive Recovery Act funds.</b></p> <p>Program description tags for the Recovery Act in the following:</p> <p>Sections 040 Authorization; Section 050 Objectives; Section 121 Account Identification (must include 11 digit Budget Account Number and TAFS Code); Section 122 Obligations for FY 09, FY 10, and FY 11); and Section 30 Criteria for Selecting Proposal.</p> <p>OMB Guidance Section 5.1</p>	<p><b>All grants, cooperative agreements, 638 contracts and loans</b></p>					
<p><b>6. Was a synopsis (award announcement) posted on Grants.gov FIND and DOI Recovery Act website?</b></p> <p>Steps must include:</p> <p>Use term "Recovery Act" within Opportunity Title.</p> <p>In the Opportunity Category choose "Other" and add "Recovery Act" in the Category Explanation text box.</p> <p>For opportunity searchability on site user must post synopsis using Activity Category "Recovery Act"</p> <p>As for the email notification DOI user must add the code "RA" when updating the synopsis under the following field:  FundingActivityCategory&gt;RA&lt;/FundingActivityCategory&gt;</p> <p>Award announcements must contain the Bureau Project Identification Number and the Treasury Account Symbol (TAS).</p> <p>TAS Format:  TAS::XX XXXX XXX::TAS</p> <p>OMB Guidance Section 5.2 and 5.3, 505 DM 2</p>	<p><b>All discretionary actions (\$0 dollar threshold, except as noted in 505 DM Section 2.12 and 2.14)</b></p>					

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<p><b>7. Approved OMB Application Form posted on Grants.gov Apply or Bureau website.</b></p> <p>F-424 Application for Federal Assistance</p> <p>SF-424 A/B Assurances and Budget (Non-Construction)</p> <p>SF-424 C/D Assurances and Budget (Construction)</p> <p>SF-LLL Disclosure Lobbying Activities form, if applicable (threshold \$100,000)</p> <p>Note: All forms must have an OMB Information Collection Number prior to use. Forms must be cleared by DOI Information Collection Officer.</p>	All actions					
<p><b>8. Document in the award file the extent of competition (i.e. single source justifications).</b></p> <p>Notice of Intent to award single source must be posted on Grants.gov with the SF-424 Application for Federal Assistance.</p> <p>OMB Guidance Sections 5.1 and 505 DM 2</p>	All actions					
<p><b>9. Central Contractor Registration (CCR) is required.</b></p> <p><b>Award term or condition requiring prime awardees and first tier sub-awardees to meet Recovery Act data requirements.</b></p> <ul style="list-style-type: none"> <li>- Staff manual on line search at pre-award is an internal control action that must be completed to verify potential prime/lead recipient "active" registration status. Registrations must be updated or renewed annually to maintain an active status. Please visit <a href="http://www.ccr.gov">www.ccr.gov</a> The search for active CCR registration can be done by applicant DUNS number, Cadge Code or Legal Organization Name. Current registration statuses in the system include current registration, changes pending and expired. If the status is changes pending or expired follow-up actions are required with the potential award recipient. CCR registration is not required for individuals who are directly applying for Federal awards.</li> </ul> <p>OMB Guidance Section Preamble, 5.1 and 5.9</p>	All recipients, except for individuals					

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<p><b>10. DUNS number is required.</b></p> <p><b>Award term or condition requiring prime awardees and first tier sub-awardees to meet Recovery Act data requirements.</b></p> <p>All successful applicants (except private individuals) must be able to obtain a Data Universal Numbering System (DUNS) prior to receiving Recovery Act funding. Confirm on the SF-424 the 9-digit DUNS number. A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (<a href="http://fedgov.dnb.com/webform">http://fedgov.dnb.com/webform</a>) is one of the requirements for registration in the Central Contractor Registration.</p> <p>OMB Guidance Section 5.1 and 5.9</p>	All recipients, except for individuals					
<p><b>11. Business Evaluation/Budget Analysis</b></p> <ul style="list-style-type: none"> <li>- Funding authority/availability</li> <li>- Determine eligibility requirements (e.g. debarment, lobbying certification, organizational capacity, previous experience, results on any pre-award surveys, or other appropriate factors).</li> <li>- Budget analysis (at minimum, must review budget allowability of costs &amp; Indirect Cost Rate)</li> <li>- Business management capability systems</li> </ul> <p>OMB Guidance Section 5.5</p>	All actions					
<p><b>12. Agreement (ensure that all authorities and responsibilities, deliverables, costs budgets, and time frames are clearly delineated).</b></p> <ul style="list-style-type: none"> <li>- Is agreement in prescribed format per 505 DM 2 Procurement Contracts, Grants and Cooperative Agreements?</li> <li>- Award document/agreements must include all delegated party signatures.</li> </ul>	All actions					
<p><b>13. Does the award include language indicating that receipt of the award is contingent on the recipient's meeting the requirements in Section 1512 (reports on use of funds) of the Recovery Act?</b></p> <p>OMB Guidance Section 5.9</p>	All actions OMB prescribed clause language					

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<p><b>14. Does the award include the required terms and conditions relating to:</b></p> <ul style="list-style-type: none"> <li>- for cooperative agreements, includes substantial involvement description/information.</li> <li>- Public Law 93-638 special provisions</li> <li>- Recipient and first-tier sub-recipient reporting, CCR and DUNS requirements</li> <li>- Special Buy-American Act requirements</li> <li>- Davis Bacon requirements</li> <li>- Expanded GAO / OIG access to recipient records</li> </ul> <p>OMB Guidance Appendix 9 – Interim Final Guidance for Federal Financial Assistance dated April 3, 2009 and 2 CFR Part 176</p>	<p>All actions OMB prescribed clause language</p>					
<p><b>15. Does the award require additional special conditions for potential recipient (e.g. program specific, Single Audit, high risk recipient/recipient specific or additional construction award provisions)?</b></p> <ul style="list-style-type: none"> <li>- Risk Assessment conducted to determine appropriate level of substantial involvement, recipient monitoring or need for technical assistance. Tools for risk determination include analyzing eligibility factors such as applicant level of experience, history of prior performance, recent last three year audit findings in A-133 audited financial statements, current 990 Non Profit Tax Filing Status, pre-award financial management survey or questionnaire, progress reports, financial status reports, or other additional information available such as prior site visit reports or monitoring activities.</li> <li>- High Risk Determination must be placed in award file.</li> </ul> <p>OMB Guidance Section 3.6. , 3.8 and 2 CFR Part 215</p>	<p>High Risk</p>					
<p><b>16. Award Responsibility Determination</b></p> <p><b>Suspension and Debarment - For all Recipients, Check the Excluded Parties List System <a href="https://www.epls.gov/">https://www.epls.gov/</a>.</b></p> <ul style="list-style-type: none"> <li>- If applicant appears on the Excluded Parties List no award shall be granted and no further eligibility consideration shall be granted.</li> <li>- Print EPLS record and maintain in award file.</li> </ul>	<p>All actions</p>					

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<p><b>17. A-133 Single Audit Compliance - In accordance with the provisions of OMB Circular No. A-133 (Revised, June 27, 2003), "Audits of States, Local Governments, and Non-Profit Organizations," nonfederal entities that expend financial assistance in the amount of \$500,000 for fiscal years ending Dec. 1, 2003 or more a year in Federal awards are required to have a single or a program-specific audit conducted for that year. Nonfederal entities that expend less than \$500,000 for fiscal years ending after Dec. 1, 2003 a year in Federal awards are exempt from Federal audit requirements for that year, except as noted in Circular No. A-133.</b></p> <p><b>Check recipient audit submission</b>  <a href="http://harvester.census.gov/sac/">http://harvester.census.gov/sac/</a>.</p> <ul style="list-style-type: none"> <li>- Justification for making an award for a potential recipient that is noncompliant with A-133 shall be maintained in the award file.</li> <li>- It is recommended that no funding opportunities under ARRA be extended to entities in non compliance with the Single Audit Act. Please refer to DOI Audit Guidance.</li> </ul>	All actions					
<p><b>18. Davis - Bacon Wage Determination</b></p> <p><b>Federal agencies providing grants, cooperative agreements, and loans under the Recovery Act shall ensure that the standard Davis-Bacon contract clauses found in 29 CFR 5.5(a) are incorporated in any resultant covered contracts that are in excess of \$2,000 for construction, alteration or repair (including painting and decorating).</b></p> <ul style="list-style-type: none"> <li>- List of prevailing wage rates are provided in award document.</li> <li>- List of prevailing wage rates are documented in the award file.</li> </ul> <p>Please consult <a href="http://www.wdol.gov/Index.aspx">http://www.wdol.gov/Index.aspx</a> to determine occupational prevailing wage rate to be paid on federally funded or assisted construction projects.</p> <p>2 CFR Part 176. and Subchapter IV of Chapter 31 of title 40, United States Code</p>	Construction					
<p><b>19. If applicable, Buy American Act Waiver submitted to Assistant Secretary - PMB for approval prior to award</b></p> <ul style="list-style-type: none"> <li>- Document the award file with the Buy American Act exception determination and waiver request.</li> </ul> <p>OMB Guidance Section 5.9, Appendix 9 – Interim Final Guidance for Federal Financial Assistance, and 2 CFR Part 176.80 Buy American Act Exceptions</p>	Construction					

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<b>20. Section 1511 Infrastructure Certification</b> Section 1511 Certifications. "With respect to covered funds made available to State and local governments for infrastructure investments, the Governor, mayor, or other chief executive, as appropriate, shall certify that the infrastructure investment has received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars." - Maintained in award file	Construction					
<b>AWARD</b>						
<b>21. Was the action reported in FAADS?</b> Separate Tracking and Reporting of Recovery Act funds. Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, it is essential that all funds from a Recovery Act grant be tracked, accounted for, and reported on separately from all other funds. OMB Guidance Section 2.6	All actions					
<b>22. For FAADS PLUS file, include in each financial assistance entry the required format. Please see Attachment 1 for FAADS Plus required data elements.</b> - "Recovery Act" must be placed in the Project Title & Description For missing data elements, Bureau Systems Administrator must import data from financial assistance or manually data enter those data elements in a complete file format to PAM Office. OMB Guidance Section 2.6	All actions					
<b>23. Grants/Contracts Officer recommends payments to recipients through Treasury ASAP, HHS PMS system or financial system.</b> - Recipient draw-down of funds is periodically monitored. OMB Guidance Section 3.15 and 4.3	All actions					
<b>POST AWARD</b>						

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<b>24. Initiate enforcement actions as appropriate.</b> - Suspending payments for noncompliance Terminating awards - Making appropriate Agency referral to Solicitor's Office. Request is sent "through" the Office of Acquisition and Property "to" the DOI Office of the Solicitor.	High Risk					
<b>25. Award close out procedures and compliance with applicable records management schedules</b> - Notification and receipt of recipient final reports. - All final reports must be documented in the award file.	All actions					
<b>26. Other (Specify)</b>						
<b>27. Post Award Monitoring (Quarterly Recipient Reporting)</b> - SF 425 Federal Financial Report - 1512 Recipient ARRA Electronic ARRA Progress Reporting into central reporting solution at <a href="http://www.FederalReporting.gov">www.FederalReporting.gov</a> . Individuals are excluded from 1512 reporting requirements. Sole proprietorships are subject to 1512 reporting requirements. 512 (b)(1)(A) of the Act and OMB Memorandum M-09-21 Implementing Guidance for Reports	All recipients, except for individuals					

Progress Reports	Due Date	Date Received	Reminder Letter/Email	Assessment Completed	Initials & Date	Comments
1 <sup>st</sup> Quarter						
2 <sup>nd</sup> Quarter						
3 <sup>rd</sup> Quarters						
4 <sup>th</sup> Quarter						
SF-425 Financial Report	Due Date	Date Received	Reminder Letter/Email	Assessment Completed	Initials & Date	Comments
1 <sup>st</sup> Quarter						
2 <sup>nd</sup> Quarter						
3 <sup>rd</sup> Quarter						
4 <sup>th</sup> Quarter						

FAADS PLUS format

Element	Type	Length	Column Range (inclusive of both the numbers) – ADDED BY REI for DOI
CFDA Program Number	Character	7	1-7
State Application Identifier (SAI Number)	Character	20	8-27
Recipient Name	Character	45	28-72
Recipient City Code	Character	5	73-77
Recipient City Name	Character	21	78-98
Recipient County Code	Character	3	99-101
Recipient County Name	Character	21	102-122
Recipient State Code	Character	2	123-124
Recipient Zip Code[1]	Character	9	125-133
Type of Recipient	Character	2	134-135
Type of Action	Character	1	136
Recipient Congressional District[1]	Character	2	137-138
Federal Agency/Organizational Unit Code	Character	4	139-142
Federal Award Identifier Number	Character	16	143-158
Federal Award Identifier Number (Modification)	Character	4	159-162
Federal Funding Sign	Character	1	163
Federal Funding Amount	Numeric	10	164-173
Non-Federal Funding Sign	Character	1	174
Non-Federal Funding Amount	Numeric	10	175-184
Total Funding Sign	Character	1	185
Total Funding Amount	Numeric	11	186-196
Obligation/Action Date	Character	8	197-204
Starting Date	Character	8	205-212
Ending Date	Character	8	213-220
Type of Assistance Transaction	Character	2	221-222
Record Type	Character	1	223
Correction/Late Indicator	Character	1	224
Fiscal Year and Quarter Correction	Character	5	225-229
Principal Place of Performance Code	Character	7	230-236
Principal Place of Performance (State)	Character	25	237-261
Principal Place of Performance (County or City)	Character	25	262-286
Principal Place of Performance Zip Code[1]	Character	9	287-295
Principal Place of Performance Congressional District[1]	Character	2	296-297
CFDA Program Title	Character	74	298-371
Federal Agency Name	Character	72	372-443
State Name	Character	25	444-468
Project Description (Include the Bureau Project Identification Number and the Treasury Account Symbol in the description)	Character	149	469-617
DUNS Number	Character	9	618-626
DUNS Number PLUS 4	Character	4	627-630
Dun & Bradstreet Confidence Code [2]	Character	2	631-632

Program Source/Treasury Account Symbol: Agency Code	Character	2	633-634
Program Source/Treasury Account Symbol: Account Code	Character	4	635-638
Program Source/Treasury Account Symbol; Sub-Account Code (OPTIONAL)	Character	3	639-641
Recipient Address Line 1	Character	35	642-676
Recipient Address Line 2	Character	35	677-711
Recipient Address Line 3	Character	35	712-746
Face Value of Direct Loan/Loan Guarantee	Numeric	16	747-762
Original Subsidy Cost of the Direct Loan/Loan Guarantee	Numeric	16	763-778

not available in FAADS

available in FAADS, but are not on Census Report.

**Attachment 4 – Department of the Interior Sustainable Buildings Assessment and Compliance Tool**

#### **4. Action Required:**

By May 27, 2009, each bureau must submit a Plan approved by the Bureau Procurement Chief (BPC) to the Director, Office of Acquisition and Property Management (PAM Director), incorporating the elements identified below as well as outlining any additional elements required by existing bureau policies. This requirement applies to all programs and projects funded through ARRA. Bureaus must utilize Attachment 2, "Recovery Act Checklist- Contract Actions" and Attachment 3, "Recovery Act Checklist – Financial Assistance Actions" when developing and executing the Plan. The dollar thresholds shown below in Table 1 refer to the total value of the project itself regardless of the number or value of individual contract and financial assistance actions required to implement the project.

Each Plan will become an addendum to the bureau's overall Recovery Act Program Plan. The Plan shall include the project review matrices in Tables 1 and 2 identifying various levels of the organization that will review pre-award project packages.

The project thresholds shown below in Table 1 will be the absolute minimum requirements used by each bureau in developing the Plan. Bureaus are permitted to reduce the project review thresholds for the BPC or Chief of the Contracting Office (CCO) levels but shall not be any less stringent than what is listed below. In addition to project thresholds based on costs in Table 1, individual acquisition, financial assistance, and other actions that fall under the categories outlined in Table 2 below will be incorporated into the Plan and reviewed in accordance with the requirements of this guidance. In addition to the thresholds and categories identified below, the PAM Director has the discretion to select any project for pre-award review, regardless of the type of action or dollar value.

Each bureau should evaluate its list of ARRA projects, and identify in its Plan, or in an addendum to its Plan, those projects that will be submitted for PAM Director review. Bureaus should include not only those projects that are required to be submitted to the PAM Director due to dollar value, but also those projects that are high profile, or have substantial associated risks regardless of cost. The bureau needs to consider all projects that have substantial associated risks that could adversely impact the project schedule, budget or scope; that are high profile as a result of an Inspector General or Government Accountability Office audit; that have the specific interest of Congress, Office of Management and Budget, and/or the Secretary; or that have sensitive environmental concerns/scope.

The following outline defines the minimum elements that are to be addressed in each bureau's Plan:

- I. Objectives of Plan
- II. Plan Coverage and Governance (including bureau management accountability, roles and responsibilities)
- III. Project Reviews at Pre-Award Phase
  - A. Project Review and Approval Process
  - B. Risk Mitigation Techniques
  - C. Project Documentation Required for Reviews
- IV. Project Review Thresholds

**Table 1. Project Review Thresholds and Requirements**

<b>Project Threshold (Cost)</b>	<b>DOI Responsibilities</b>	<b>Bureau Responsibilities</b>
Contracts Less than \$500k	No review required; however, PAM Director has discretion to review specific projects.	BPC identifies appropriate levels of project review and approval in bureau Plan. Provides solicitation and supporting documentation to PAM Director as requested.
Contracts \$500k to less than \$2 million	No review required; however, PAM Director has discretion to review specific projects.	Bureau approves at CCO level. Provides solicitation and supporting documentation to PAM Director as requested.
Contracts \$2 million to less than \$10 million	No review required; however, PAM Director has discretion to review specific projects.	Bureau approves at BPC level. Provides solicitation and supporting documentation to PAM Director as requested.
Contracts \$10 million or greater	PAM Director will review documents prior to solicitation within 2 weeks of submittal from bureau.	Bureau approves at BPC level. Bureau will also provide PAM Director complete solicitation or announcement for concurrence.
Design-Build	PAM Director will review Design-Build (D-B) Implementation Plan prior to execution within 2 weeks of submittal from bureau, and will review individual D-B actions of any dollar value until such time as D-B Implementation Plan is approved by PAM Director.	Develop and submit a Design-Build Implementation Plan in accordance with DIAPR ARRA-2009-07.
Financial Assistance (Cooperative Agreements and Grants).	PAM Director will review award documents prior to announcement within 2 weeks of submittal from bureau. The award documents shall include a representation of 80 percent of the total planned "high dollar" award obligations.	BPC (or equivalent level for Financial Assistance activities) identifies and reviews a statistically valid sample from a 80/20 percent analysis of the total award obligations. The 80 percent project review level sample shall be included in the bureau plan. Bureau will provide PAM Director complete announcement, single source justification, and supporting documentation. Project plans must describe the substantial involvement associated with the implementation of cooperative agreements.

**Table 2. Reviews for Individual Contract and Financial Assistance Actions**

<b>Award Instrument</b>	<b>DOI Responsibilities</b>	<b>Bureau Responsibilities</b>
Non-Competitive Awards (Contracts and Financial Assistance) that require pre-award publication per FAR 5.704 for contracts, or per 505 DM 2 for financial assistance actions	PAM Director will review documents prior to solicitation for contracts, or prior to award for financial assistance actions, within 2 weeks of submittal from bureau.	BPC (or equivalent level for Financial Assistance activities) reviews and approves prior to submitting to PAM Director.
Other than fixed-price (Contracts) that require pre-award publication per FAR 5.704	PAM Director will review contract documents prior to solicitation within 2 weeks of submittal from bureau.	BPC reviews and approves prior to submitting to PAM Director.
Inter-Agency Agreements for Assisted Acquisitions	PAM Director will review agreement documents prior to award within 2 weeks of submittal from bureau.	BPC reviews and approves agreement prior to submitting to PAM Director.

**PAM Director Review Process**

The PAM Director will review all projects and individual actions regardless of threshold until such time as the BPC-approved Acquisition and Financial Assistance Project Review Plan (Plan) is submitted. The PAM Director will be given 14 calendar days to review each action and concur. Any comments from the PAM Director must be incorporated prior to execution. If the PAM Director does not respond with comments within 14 days, the bureau may assume concurrence and move forward with the project or action. Attachment 1 to this guidance shows items that must be submitted for review and the purpose of the review for each item. Even after a BPC-approved Plan is submitted, the PAM Director has the discretion to select any project or action for review, regardless of type or dollar value. Bureaus are requested to provide to PAM any revisions or addendums made to their Plans after receiving concurrence by the PAM Director. Concurrence authority for reviews of individual projects and acquisition or assistance actions is delegated to PAM Associate Directors and their staff as assigned.

PAM will review individual contract actions prior to solicitation issuance. The bureau may proceed with pre-solicitation announcements and synopses, but must submit the items listed in Attachment 1 with all supporting documentation showing compliance with the Pre-Award section of the ARRA Checklist – Contract Actions prior to issuing the solicitation. PAM may select certain actions to review again prior to award; in this case, the bureau must provide the items listed in Attachment 1 below prior to award with supporting documentation showing compliance with the Award section of the ARRA Checklist – Contract Actions.

**5. Additional Information:**

Please contact Tiffany Schermerhorn of PAM at (202) 513-0747, or Brigitte Meffert of PAM at (202) 208-3348, with any questions on ARRA acquisition actions. Please contact Anita Hairston of PAM at (202) 208-3433 with any questions on ARRA financial assistance actions. Please contact Craig Lasser of PAM at (202) 208-5704 with any questions about technical project plan elements.



Debra E. Sonderman  
Director, Office of Acquisition and Property Management  
and Senior Procurement Executive

Attachments

**Attachment 1**  
**Checklist for PAM Director - Project and Individual Award Action Reviews**

Item to Be Submitted by Bureau	Purpose of Review	Yes	No	N/A	Comments
<b>Project Reviews</b>					
1. Statement of Work or Scoping Document	Does project scope reflect what was submitted in the project selection list?				
2. Project Work Breakdown Structure (WBS)	(1) Has a complete cost estimate and Work Breakdown Structure been provided for cost and schedule variance measurements? (2) Have sufficient details in the WBS been provided so that progress payments can be aligned with cost and schedule?				
3. Project Data  See DOI Recovery.gov information at: <a href="http://www.recovery.gov/?q=content%2Fagency-recovery-plan&amp;agency_id=010">http://www.recovery.gov/?q=content%2Fagency-recovery-plan&amp;agency_id=010</a>	Has the requirement for a detailed, clearly written project description, performance metrics, and cost and schedule appropriate for posting on Recovery.Gov been fulfilled?				
<b>*Provide written affirmation that the following items have been completed with completion/update dates. Use the comment section to explain any exceptions to these requirements.</b>					
4. *Risk Management Plan	For major projects, was risk mitigation plan developed and/or updated recently? For projects under \$2 million, were risks identified/described, probability of occurrence and strategy for mitigations recently prepared/updated?				
5. *Sustainable Buildings Assessment and Compliance Tool (Attachment 4)	Were sustainable design elements considered and applicable requirements incorporated into project plans?				
6. *NEPA Decision	Has appropriate NEPA				

Item to Be Submitted by Bureau	Purpose of Review	Yes	No	N/A	Comments
Document	decision document been signed/certified?				
7. *Permits (State and Local)	Have required permits been obtained?				
8. *Value-Analysis Report	Was value-analysis performed?				
<b>Individual Contract Action Reviews – Pre-Award</b>					
9. Work Statement (Statement of Work, Statement of Objectives, Performance Work Statement)	Is the work to be performed within the scope of the approved project?				
10. Independent Government Estimate	Is the estimate realistic for the work to be performed and does it align with the WBS?				
11. Synopsis	Was announcement clearly written and did it include required ARRA language?				
12. ARRA Checklist – Contract Actions, and supporting documentation including rationale for non-fixed-price and/or non-competitive	Does contract action comply with ARRA and is supporting documentation adequate?				
13. Draft Solicitation	Is the contract vehicle appropriate, and have ARRA terms and conditions been included?				
14. Internal and Office of the Solicitor comments	Are there any potential legal or other issues with the action?				
<b>Individual Contract Action Reviews – Award</b>					
15. Evaluation, Negotiation, and Source Selection Memoranda	Was evaluation plan followed and was an adequate best value analysis completed?				
16. Draft Contract Award	Are ARRA terms and conditions included in the contract, and are the contract type and structure appropriate for				

Item to Be Submitted by Bureau	Purpose of Review	Yes	No	N/A	Comments
	the work to be performed?				
<b>Individual Financial Assistance and Other Award Instrument Action Reviews</b>					
17. Complete Announcement for Financial Assistance Actions	Was announcement clearly written and did it include required ARRA language?				
18. ARRA Checklist – Financial Assistance Actions, and supporting documentation including justifications	Does financial assistance action comply with ARRA and is supporting documentation adequate?				
19. Interagency Agreements – entire agreement document (and items for Contract Action Review shown above if interagency acquisition)	Are roles and responsibilities clearly defined, and are ARRA terms and conditions included in the agreement?				

## Attachment 2 – American Recovery and Reinvestment (ARRA) Checklist – Contract Actions

**Instructions:** This checklist is required for *totally* or *partially* ARRA-funded contract actions (includes modifications). Each documentation/action block is to be completed, initialed, and dated. A brief explanation is required in the comments block for any "NO" or "N/A" entry. The section numbers provided in the documentation/action blocks refer to OMB's Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009, dated April 3, 2009.

Contract No. \_\_\_\_\_ Date of Acquisition \_\_\_\_\_  
 Amount \$ \_\_\_\_\_ Vendor Name \_\_\_\_\_  
 Project Title/Description \_\_\_\_\_  
 Contracts Staff Person \_\_\_\_\_

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<b>PRE-AWARD</b>						
<b>1. Does the Interagency Agreement include language determining agency roles and responsibilities for meeting reporting and posting requirements under the Recovery Act?</b>  Section 6.1 (5)	<b>Any transaction involving an IA, including an award made with funds obligated through an IA</b>					

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<p><b>2. Does the solicitation / award include required and applicable FAR clauses:</b></p> <ul style="list-style-type: none"> <li>o <u>52.203-15 Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009</u></li> <li>o <u>52.204-11 American Recovery and Reinvestment Act—Reporting Requirements.</u></li> <li>o <u>52.212-4 Contract Terms and Conditions—Commercial Items.</u></li> <li>o <u>52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items. [Use Alternate II (May 2009)]</u></li> <li>o <u>52.213-4 Terms and Conditions—Simplified Acquisitions (Other Than Commercial Items).</u></li> <li>o <u>52.214-26 Audit and Records—Sealed Bidding. [(Use with <i>Alternate I (Mar 2009)</i>).</u></li> <li>o <u>52.215-2 Audit and Records—Negotiation. [(Use with <i>Alternate I (Mar 2009)</i>).</u></li> <li>o <u>52.225-21 Required Use of American Iron, Steel, and Other Manufactured Goods—Buy American Act—Construction Materials. [Use with applicable Alternate]</u></li> <li>o <u>52.225-22 Notice of Required Use of American Iron, Steel, and Other Manufactured Goods—Buy American Act—Construction Materials. [Use with applicable Alternate]</u></li> <li>o <u>52.225-23 Required Use of American Iron, Steel, and Other Manufactured Goods—Buy American Act—Construction Materials Under Trade Agreements. [Use with applicable Alternate]</u></li> <li>o <u>52.225-24 Notice of Required Use of American Iron, Steel, and Other Manufactured Goods—Buy American Act—Construction Materials Under Trade Agreements. [Use with applicable Alternate]</u></li> <li>o <u>52.244-6 Subcontracts for Commercial Items.</u></li> </ul> <p><b>Section 6.4</b></p>	<p>See clause prescriptions to determine which are required or applicable.</p>					
<p><b>3. Has form DI 1886 “Acquisition Screening and Review” for small business participation been completed?</b></p> <p>DIAR 1419.202-70</p> <p>See <a href="http://www.doi.gov/nbc/formsmgt/forms/di1886.pdf">www.doi.gov/nbc/formsmgt/forms/di1886.pdf</a></p>	<p>All actions estimated to exceed the Simplified Acquisition Threshold</p>					
<p><b>4. Has small business set-aside been considered and CO determination documented as necessary?</b></p> <p>FAR 19.502-2(a)</p>	<p>All actions with estimated value exceeding \$3,000 but not over \$100,000</p>					

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<p>5. Has the contract been structured in line items, tasks or segments that allow for progress or partial payments?</p> <p>Section 6.1 (9)</p>	All Actions					
<p>6. Does the solicitation/award comply with the environmental requirements of FAR Part 23, DIAR Part 1423, and the DOI Green Purchasing Plan?</p> <p>Section 6.1 (8)</p> <p><a href="http://www.interior.gov/greening/procurement/index">www.interior.gov/greening/procurement/index</a></p>	All actions					
<p>7. Has the program office documented that elements described in the "Department of the Interior Sustainable Buildings Assessment and Compliance Tool" have been considered and applicable requirements incorporated into project plans?</p> <p>Attachment 4</p>	Building and deferred maintenance projects over \$2 Million					
<p>8. Was a pre-solicitation announcement posted on FedBizOpps?</p> <p>Did the pre-solicitation announcement include the word "Recovery" as the first word in the <i>Title</i> field in FBO?</p> <p>Also, did the publicized description include the Treasury Account Symbol (TAS) and the Bureau Project Identification Number?</p> <p>TAS Format: TAS::XX XXXX XXX::TAS</p> <p>Section 6.2 (1)</p> <p>FAR 4.605, 5.704-5.705</p>	All actions required to be publicized at the pre-award stage under FAR 5.704, including task orders and delivery orders					
<p>9. Did the pre-solicitation announcement include the following statement in the <i>Description</i> field in FBO preceding the actual description:</p> <p>THIS NOTICE IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THIS OPPORTUNITY IS AVAILABLE ONLY TO CONTRACTORS UNDER [CONTRACTING OFFICER INSERT PROGRAM/CONTRACT NAME]</p> <p>FAR 5.704</p>	All task and delivery orders over \$25,000					

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
10. If action will be placed using GSA Federal Supply Schedules, was the solicitation posted to E-Buy?  (required to be considered a competitive ARRA action per DOI)	All GSA Federal Supply Schedule orders, unless the order is competed under multiple BPAs					
11. Was the rationale for the action explaining why it is non-competitive signed by the Bureau (or delegated Assistant) Competition Advocate?  Section 6.1 (2)	All non-competitive actions, including task and delivery orders					
12. Have ARRA contractor reporting requirements been incorporated in the contract Statement of Work or Schedule as a deliverable?  FAR 52.204-11	All Actions					
<b>AWARD</b>						
13. Did you verify that the contractor is registered in Central Contractor Registration at <a href="http://www.ccr.gov">www.ccr.gov</a> ?  FAR 4.11	All actions					
14. Was the contractor determined to be responsible and did you verify that the contractor is <u>not</u> listed in the Excluded Parties List System at <a href="http://www.epls.gov">www.epls.gov</a> ?  Section 6.2 (1) FAR 9.103, 9.404	All actions					

Documentation / Action	Required For	Yes	No	N/A	Initials & Date	Comments
<p>15. Was the award announced on FBO?  Did the award announcement include the word "Recovery" as the first word in the <i>Title</i> field in FBO?  Did the award announcement include the contractor's DUNS number after the contractor name?  Did the award announcement include a summary of the action with a clear, plain language description of the required products or services?  Also, did the publicized description include the Treasury Account Symbol and the Bureau Project Identification Number?  TAS Format:  TAS::XX XXXX XXX::TAS   FAR 5.705</p>	<p>All awards required to be announced under FAR 5.705, including all task and delivery orders that meet the requirements,  AND  See attached List of "Actions That Must Be Publicized Post-award"</p>					
<p>16. Was the rationale for the action explaining why it is not fixed-price and/or competitive documented in the file and publicized post-award?  Section 6.1 (2)  FAR 5.705</p>	<p>All actions that are not fixed-price and/or competitive (See attached List of Actions as in # 15 above)</p>					
<p>17. Was the action reported in FPDS-NG?  Also, if the contract action is a new award was the solicitation number entered in the "Solicitation Number" field?  FAR 4.605</p>	<p>All actions</p>					
<p>18. Did the FPDS-NG entry include the Bureau Project Identification Number and the Treasury Account Symbol (TAS) (in the proper format) in the <i>Description of Requirement</i> field ?  TAS Format:  TAS::XX XXXX XXX::TAS  FAR 4.605</p>	<p>All actions, including those under the micro purchase threshold</p>					