



POLICY FLASH 2009-27

POLICY FLASH 2009-27

DATE: March 4, 2009
TO: Procurement Directors
FROM: Office of Procurement and Assistance Policy, MA-61
Office of Procurement and Assistance Management

SUBJECT: Acquisition and Financial Assistance Awards under the American Recovery and Reinvestment Act of 2009

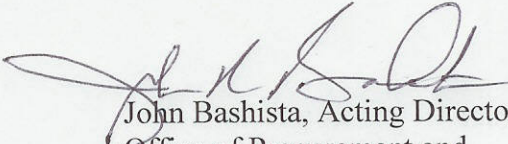
SUMMARY: The American Recovery and Reinvestment Act of 2009 (the Act) provides nearly \$39 billion for the Department to fund contracts and grants that support the Act's goals of job creation and preservation and stimulating the nation's economy. The Act also imposes special provisions on the use of those funds.

Pending finalization of Government-wide requirements and guidance which are being developed by the Office of Management and Budget and the Federal Acquisition Council, the Office of Procurement and Assistance Management (OPAM), in coordination with the Office of General Counsel, has developed interim standard language for use in Funding Opportunity Announcements (FOA), as well as interim standard terms and conditions for use in contract, grant, cooperative agreement and technology investment agreement awards and modifications (attached). The attached section H. clause for contracts and the special terms and conditions for financial assistance agreements should be included in all new awards and modifications in which funds appropriated under the Act will be obligated. The FOA language should be used in all FOAs for projects funded by the Act.

These terms and conditions will be superseded once final Government-wide guidance is issued and effective. Further guidance from this office will be issued.

This Flash will be available online within a day, at the following website:
http://www.management.energy.gov/policy_guidance/policy_flashes.htm.

Questions concerning this policy flash should be directed to Jackie Kniskern at
202-287-1342 or Jacqueline.kniskern@hq.doe.gov.



John Bashista, Acting Director
Office of Procurement and
Assistance Policy