



June 16, 2009

Office of Procurement and Property Management (OPPM)

Procurement Systems Division (PSD) – American Recovery and Reinvestment Act of 2009 (ARRA)

Fact Sheet

Additional Information

For general ARRA procurement questions or comments, contact Jennifer Wendel by phone (202) 690-1048 or email Jenniferl.Wendel@da.usda.gov.

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Background

On February 17, 2009 President Obama signed Public Law 111-5, the American Recovery and Reinvestment Act (ARRA or Recovery Act). This law is an unprecedented effort to jumpstart our economy, create and/or save millions of jobs, and put a down payment on addressing long-neglected challenges so our country can thrive in the 21st century. On February 18, 2009 the Office of Management and Budget (OMB) Guidance M-09-10 was signed, entitled "Initial Implementing Guidance for the American Recovery and Reinvestment Act of 2009". The guidance has made it clear that every dollar spent under the Recovery Act is done with unprecedented levels of transparency and accountability.

On March 31, 2009 Federal Acquisition Regulation (FAR) rules specific to the ARRA were agreed to by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council Federal Acquisition Circular (FAC) 2005-32. In the FAC 2005-32, five Recovery Act FAR Cases; 2009-008, -009, -010, -011, -012 were published.

Purpose

The purpose of this fact sheet is to provide information to the United States Department of Agriculture (USDA) Integrated Acquisition System (IAS) procurement user community. In support of the President, Public Law, and OMB guidance, the Procurement Systems Division (PSD) has created a Recovery Act systems working group. PSD's focus is to identify impacts, implement appropriate system enhancements and reporting capabilities and provide oversight on all processes as they pertain to the USDA.

FAR Cases

The PSD Recovery Act working group has summarized how each of the Recovery Act FAR Cases (in the attachment) translates to IAS; however, these summaries are not in lieu of reading the cases in their entirety for a better understanding of the specific requirements. Please read the FAR, located at the following website:

<http://www.acquisition.gov/far/>

Description**New
Clauses****How This FAR Case Translates Into the Integrated Acquisition System (IAS)****FAR Case
Number**

2009-008	Buy American for construction materials using ARRA funds	52.225-21 52.225-22 52.225-23 52.225-24	<p>Contracting Officers: Current Procedures: The new clauses specific to this FAR case have been loaded into IAS and should be inserted into any solicitation or new construction award that will use ARRA funds. COs should work with the requesting program offices to confirm that the iron, steel, and manufactured goods used were American made.</p>
2009-009	Reporting Requirements Agencies: Report on obligations and expenditures made using ARRA funds Vendors: Report on invoices sent which use ARRA funds	New subpart 4.15 52.204-11	<p>Budget Approvers: Current Procedures: Budget Approvers should manually enter the dominant Treasury Account Symbol (TAS), if you know it, into the Requisition "Description" field at the top of the requisition for any requisitions using ARRA funds. The dominant TAS will be the TAS that is funding the largest portion of the requisition. If there is mixed funding on the requisition (ARRA and non-ARRA), please ensure that you enter the dominant ARRA TAS. Please ensure the TAS is being entered per the required format "TAS::12 XXXX::TAS", where XXXX= the last four digits of the ARRA TAS. Please ensure there is a space between the agency code and the dominant ARRA TAS. This field will automatically populate the corresponding award document field entitled "Text Description", located at the header level of the award document. The "Text Description" field is then automatically sent to FPDS-NG upon creation of the FPDS-NG record and automatically populated in the appropriate FPDS-NG field entitled, "Description of Requirements" in the American Recovery and Reinvestment Act Report found at https://www.fpds.gov/.</p> <p>Contracting Officers: Current Procedures: The new clauses specific to this FAR case have been loaded into IAS and should be inserted into any solicitation or new award that will use ARRA funds. It is undetermined at this time how first tier subcontract data will be provided in the short-term. COs should first navigate to the "Text Description" field within the award document (at the header level) to determine if the dominant ARRA TAS has been entered per Budget Approver action as described above. If there is no TAS information, then the CO should manually enter the dominant ARRA TAS number in the "Text Description" field per the required format "TAS::12 XXXX::TAS", where XXXX = the last four digits of the ARRA TAS. Please ensure there is a space between the agency code and the dominant ARRA TAS. The dominant ARRA TAS will be the ARRA TAS that is funding the largest amount of items on the requisition and award. If there is mixed funding on the requisition (ARRA and non-ARRA), please ensure that you enter the dominant ARRA TAS. Upon creation of the FPDS-NG record for the award, the "Description of Requirements" field shall be automatically populated with the dominant ARRA TAS provided the CO entered this information correctly in IAS in the "Text Description" field. The CO should ensure any award that includes ARRA funding has the appropriate dominant ARRA TAS entered correctly in the "Text Description" field in IAS and the American Recovery and Reinvestment Act Report found at https://www.fpds.gov/ is generated accurately with this information.</p> <p>Planned (long-term): IAS Release 3.8, currently scheduled for July 2009, will automatically calculate the dominant ARRA Treasury Account Symbol (TAS) for an award, at the header level, upon award approval. Furthermore, the dominant TAS will be automatically sent from IAS to FPDS-NG, <u>eliminating the need for Budget Approvers to enter the dominant TAS on the Requisition or COs to manually enter the dominant TAS on an award in PRISM.</u> An IAS release currently planned for deployment in December 2009 shall automatically capture and display all TAS' on the line item(s) of an award (for both ARRA and non-ARRA line items) and be positioned to send line item level TAS information to FPDS-NG or other systems should it be required. Invoice data elements will be extracted from the financial system and will be reported. It is undetermined at this time how first tier subcontract data will be provided in the long-term.</p>

2009-010	Publicizing Contract Actions (pre-solicitation notices, pre-award notices over \$25,000, FPDS-NG, identify non Fixed Price and Competitive awards)	N/A	<p>Contracting Officers:</p> <p>Current Procedures: COs should identify all pre-solicitation notices, solicitations and awards funded wholly or partially by ARRA funds by manually inserting the word "Recovery" in the "Title" field of the document.</p> <p>Planned (long-term): IAS release 3.8, currently planned for deployment in July 2009, shall provide enhanced functionality to IAS such that if COs set a flag identifying actions that are funded wholly or partially by ARRA funds, IAS will automatically prepend the word "Recovery" to those actions sent to FBO. At this time it is undetermined what the long-term system solution will be for sending information about actions that are not fixed-price or competitive to Recovery.gov.</p>
2009-011	GAO/IG Access (Government Accountability Office / Inspector General)	52.212-5 52-214-26 52.215-2	<p>Contracting Officers:</p> <p>Current Procedures: The new clauses specific to this FAR case have been loaded into IAS and should be inserted into any solicitation or new award that will use ARRA funds.</p> <p>Planned (long-term): COs should be prepared to support auditing activities and GAO/IG requests for procurement documents in IAS as well as subcontract documents that may not be currently stored in IAS.</p>
2009-012	Whistleblower – Job protection for programs using ARRA funds	52.203-15	<p>Contracting Officers:</p> <p>Current Procedures: The new clauses specific to this FAR case have been loaded into IAS and should be inserted into any solicitation or new award that will use ARRA funds.</p>