

ARRA COMPLIANCE CHECKLIST POSTAWARD						
Contract/Order/Mod No. _____			Date _____			
Tab #	Action	Research	COMPLETED			
			Yes	No	N/A	Cmnts
1	A proper FedBizOpps (FBO) award notice was issued when required by FAR Subpart 5.7 as follows:	FAR 5.7				
1a	- For all contracting actions that required an award notice by FAR 5.705, RECOVERY was included as the first word in the "Title" field preceding the actual title of the notice.	FAR 5.705				
1b	- Postaward notices for modifications and orders were posted individually on FBO, (note: may not be posted under an umbrella notice for the basic contract or ordering vehicle).	FBO				
1c	- The description of the supplies and services (including construction) in the FBO award notice included a narrative that was clear, concise, and unambiguous to the general public; i.e., described what was being procured rather than what contract action was doing, and avoided use of acronyms.					
1d	- Regardless of dollar value, if the contract action including all modifications and orders issued under task or delivery order contracts, was not both fixed-price and competitively awarded, the description in the FBO award notice included the rationale for using other than a fixed-price and/or competitive approach. The attached list (page 3) includes FAR 5.705 examples for when rationale is required. (NOTE: Proprietary info or info that would compromise national security is prohibited.)					
2	An FPDS-NG report was prepared and validated for the contracting action; the TAS code was entered in the "Description of Requirement" field in the required format, (e.g., TAS::13 1440::TAS). Note: An FPDS-NG report is required for all ARRA actions, incl	FPDS-NG				
3	When entering data in FPDS-NG on any	FPDS-NG				

	contract action (including modifications to existing contracts) funded by the Recovery Act, the newly created "Recovery" data element was selected in FPDS-NG.				
4	If the contract, order or modification to an existing contract or order, was over \$500,000, a description of the products/services and summary of the contract or order, were posted in Recovery.gov.	Recovery.Gov			
5	If the contract or order was not both competitively awarded and fixed-price, a description of the products/services and summary were posted in a special section of the Recovery.gov website. (Note: Posting also applies to contracts or orders awarded pursuant to a Small Business contracting authority; e.g., SBA's 8(a) program and to specified modifications IAW PM 2009-04.)	PM 2009-14			
6	If Recovery Act funds were used to modify an existing contract, Contracting Officer properly executed a bilateral modification as follows:				
6a	Included required ARRA FAR clauses.	ARRA FAR Clauses			
6b	The American Recovery & Reinvestment Act Award Cover Page developed by the NOAA AGO ARRA Program Office received 8/4/10 was used for award and/or modification to a Recovery Act funded contract.	Award Cover Page Template & Instructions			
7	In the event that a contractor was unwilling to accept a bilateral modification, file properly reflected that contractor was not eligible for receipt of Recovery Act funds on the contract.				
8	Contractor requests for Postaward Determinations regarding the inapplicability of section 1605 of the Recovery Act or the Buy American Act after contract award were processed IAW FAR 25.606.	FAR 25.606			
9	Any allegations of contractor violations of section 1605 of the Recovery Act or Buy American Act were properly processed IAW FAR 25.607.	1605 Recovery Act			
		Buy American Act			
		FAR 25.606			
10	A qualified and certified COR/COTR, as				

	required, with the appropriate certification level was appointed to assist Contracting Officer in oversight of contract/order. Note: FAC-C certified COR not required for simplified acquisitions.					
11	The contract was actively monitored to ensure that the applicable performance, cost, and/or schedule goals were met:					
11a	- Incentive/award fee provisions were effectively administered.					
11b	- Quality assurance procedures were established and implemented.					
11c	- Timely inspection/acceptance of deliverables was achieved and documented in the file.					
11d	- Deficiencies related to contractor performance, cost, and/or schedule were promptly identified and remedied using available tools (QASPs, cure notices/show cause letters, etc.).					
11e	- A contractor performance evaluation was completed timely, and accurately reflected actual performance that was supported by appropriate file documentation. (Note: Contracting Officer must include contractor's failure to comply with the ARRA reporting requirements as a part of the contractor's performance information under FAR Subpart 42.15.)					FAR 42.15
12	All quarterly reports were entered into FederalReporting.gov by the prime contractor IAW FAR 52.204-11 and FAR Subpart 4.15 as follows:					FAR 52.204.11
						FAR 4.15
12a	- The quarterly reports were entered timely; i.e., no later than the 10th day after the end of each calendar quarter--Jan 10, Apr 10, Jul 10, Oct 10.					
12b	- The reports addressed all elements required by the Act.					
12c	- Data was entered for both the prime contractor and first-tier subcontractors (if applicable).					
13	If contractor failed to correct identified material omissions or significant errors in its					Recoveryupdates@gsa.gov

	quarterly report, the Contracting Officer submitted such findings to recoveryupdates@gsa.gov.					
14	Contracting Officer exercised appropriate contractual remedies for contractor failure to comply with reporting requirements; e.g., contract payment to the contractor was withheld when reports were not submitted timely to the CO.					

POSTING OF RATIONALE—EXAMPLES	
Description of contract action	Rationale Required
(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 priced. (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 priced. (ii) The contract or order was not awarded using competition (e.g., a non-competitive 8(a) award).
<i>5/10 - Updated 8/4/10 to add ARRA Award Cover Page devd.by NOAA AGO ARRA Program Office received 8/4/10</i>	