

OCT 07 2009



Homeland
Security

TO: DHS Heads of the Contracting Activities

FROM: Department of Homeland Security; Office of the Chief Procurement Officer; Director, Policy and Acquisition Workforce

SUBJ: Recovery Act Contract Actions – Implementation and Review of Contractor Reports

1. Introduction: This amendment updates the Acquisition Alert to incorporate additional guidance issued by the Office of Federal Procurement Policy in its memorandum, *Interim Guidance on Reviewing Contractor Reports on the Use of Recovery Act Funds in Accordance with FAR Clause 52.204-11*, dated September 30, 2009. The Acquisition Alert establishes procedures for the implementation and review of quarterly contractor reports for contract actions that use funds provided by the American Recovery and Reinvestment Act of 2009, P.L. 111-5 (Recovery Act). This alert defines the roles and responsibilities of Contracting Officers and Contracting Officer Technical Representatives.

2. Background/Reference to Regulations and Agency Policies/Procedures:

A. Recovery Act Reporting Requirements. Section 1512 of the Recovery Act requires that recipients of Recovery Act funds, including contractors, provide quarterly reports on:

- (1) The total amount of recovery funds received from that agency;
- (2) The amount of recovery funds received that were expended or obligated to projects or activities (for contracts, this is dollars invoiced); and
- (3) A detailed list of all projects or activities for which recovery funds were expended or obligated, including—
 - a. The name of the project or activity;
 - b. A description of the project or activity;
 - c. An evaluation of the completion status of the project or activity;
 - d. An estimate of the number of jobs created and the number of jobs retained by the project or activity; and
 - e. Subcontracts awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (FFATA, Public Law 109–282). The Federal Acquisition Regulation

(FAR 4.15) applies this to the prime contractor as well as to first tier subcontractors.

B. Office of Management and Budget (OMB) Guidance and Training. OMB has issued the following implementing guidance and training materials:

- (1) OMB Memorandum M-09-10, Initial Implementing Guidance for the American Recovery and Reinvestment Act of 2009, dated February 18, 2009, available at http://www.whitehouse.gov/omb/recovery_default
- (2) OMB Memorandum M-09-15, Updated Implementing Guidance for the American Recovery and Reinvestment Act of 2009, dated April 3, 2009, available at http://www.whitehouse.gov/omb/recovery_default
- (3) OMB Memorandum M-09-30, Improving Recovery Act Recipient Reporting, available at http://www.whitehouse.gov/omb/assets/agencyinformation_memoranda_2009_pdf/m09-30.pdf.
- (4) Training materials for recipient reporting posted at <http://www.whitehouse.gov/Recovery/WebinarTrainingMaterials>
- (5) Frequently Asked Questions available at http://www.whitehouse.gov/omb/recovery_faqs
- (6) Office of Federal Procurement Policy Memorandum, Interim Guidance on Reviewing Contractor Reports on the Use of Recovery Act Funds in Accordance with FAR Clause 52.204-11, dated September 30, 2009.

C. Reporting Website and Resources. The Recovery Accountability and Transparency Board ("Board") has established <https://www.federalreporting.gov> (note that this is a secure site, "https") as the central government-wide data collection system for Federal Agencies and recipients of Federal awards under Section 1512 of the Recovery Act. The Board has also issued a data dictionary that defines the elements recipients are required to report and other supporting technical documentation at <http://www.recovery.gov/?q=content/recipient-reporting>. The data dictionary constitutes a key reference for understanding the specific information to be reported in each required field.

D. FAR Requirements and Contract Clause. An interim rule issued in Federal Acquisition Circular (FAC) 2005-32 incorporated Section 1512 reporting requirements in the FAR. FAC 2005-32 is available at http://acquisition.gov/far/fac/FAC-2005-32_Looseleaf.pdf. The interim rule added a new FAR Subpart 4.15 and a new clause, FAR 52.204-11, American Recovery and Reinvestment Act – Reporting Requirements. The clause requires contractors to submit quarterly reports beginning on July 10, 2009. In Civilian Agency Acquisition Council (CAAC) letter 2009-01 (dated July 2, 2009), the

CAAC Chair provided notice that the Recovery Accountability and Transparency Board extended the initial report due date to October 10, 2009. FAR Subpart 4.15 establishes specific responsibilities for Contracting Officers which include:

- (1) **Structuring the contract awards to allow for separate tracking of Recovery Act funds, to include awarding dedicated contracts or establishing contract line item number (CLIN) structures to mitigate commingling of Recovery funds with other funds.**
- (2) **Ensuring that the contractor complies with the reporting requirement.** The Contracting Officer shall exercise appropriate contract remedies should the contractor fail to comply and shall make the contractor's failure to comply with the reporting requirements part of the contractor's performance information under Subpart 42.15. Based on advice provided by the Office of Federal Procurement Policy to agency Senior Procurement Executives, Contracting Officers are responsible for identifying "significant errors and material omissions," but not for validating information such as the compensation or jobs data reported by contractors. OFPP plans to issue further guidance that will provide examples of "significant errors and material omissions."

E. FAR Council Notices to Contractors. The Civilian Agency Acquisition Council and Defense Acquisition Regulations Councils (the Councils) have issued the following Federal Register notices to Contractors:

- (1) On August 25, 2009, a Federal Register Notice (74 FR 42877) informed Federal contractors that the Board had announced the availability of registration at www.federalreporting.gov. The Notice is available at <http://www.regulations.gov/search/Regs/home.html#home>.
- (2) On September 25, 2009, a Federal Register Notice (74 FR 48971) provides assistance to Federal contractors in understanding the FederalReporting.gov centralized reporting tool. The notice is available at <http://www.regulations.gov/search/Regs/home.html#home>

F. OCPO Guidance. OCPO issued OCPO Regulatory Advisory 09-19 (and subsequent updates) to explain and provide guidance on the FAR contractor reporting requirements. The Advisory is available at http://www.dhs.gov/xopnbiz/gc_1242325946000.shtm.

3. Effective Date: This Acquisition Alert is effective upon issuance for all contracts and orders that use Recovery Act funds.

4. Acquisition Impact and Required Component Action:

A. Applicability: This Acquisition Alert applies to all solicitations, contracts, and interagency agreements for assisted acquisitions (reference Management Directive

125-02, *Interagency Agreements*) funded in whole or in part with Recovery Act funds, except classified solicitations and contracts. This includes Governmentwide Acquisition Contracts (GWACs), multi-agency contracts (MACs), Federal Supply Schedule (FSS) contracts, or agency indefinite-delivery/indefinite-quantity (ID/IQ) contracts that will be funded with Recovery Act funds.

- (1) This Alert applies to contracts both above and below the simplified acquisition threshold; contracts for commercial items; and commercially available off-the-shelf item contracts. (See definitions for simplified acquisition, commercial items, and commercially available off-the-shelf items at FAR 2.101).
- (2) Section 1512 reporting requirements are limited to prime contractors and first tier subcontractors.
- (3) The FAR clause at 52.204-11 references the FAR 2.101 definition of "contract" and makes clear that it includes "...orders, such as purchase orders, under which the contract becomes effective by written acceptance or performance; ..."

B. Heads of Contracting Activities. HCAs shall monitor the assignment of Contracting Officers and COTRs to contracts and interagency agreements funded in whole or in part with Recovery Act funds.

- (1) HCAs shall ensure that Contracting Officer and COTR assignments provide the level of expertise and support needed to effectively monitor contractor reporting. HCAs shall ensure that assigned Contracting Officers and COTRs complete required training within the allowed timeframes.
- (2) Each HCA must report the user.id, first name, and last name of each Contracting Officer and COTR assigned to Recovery Act contracts and interagency agreements not later than September 30, 2009. The HCA, or his or her designee, provide the user.ids and names to Erin Cummings of the DHS Recovery Team at erin.cummings@dhs.gov. Once an account is created from the user.id, the Contracting Officers will be contacted by Ms. Cummings with detailed instructions on how to use the site and documentation expectation. The *DHS Recovery Act Community* site may be accessed at <http://mgmt-ocpo-sp.dhs.gov/arra/Pages/Default.aspx>. The HCA shall ensure that the information remains current. The HCA must promptly submit user.ids and names as new Contracting Officers or COTRs are assigned and provide other updates as assignments change.

C. Contracting Officers: Contracting Officers must take the following actions:

- (1) Within five (5) workdays of the effective date of this Alert for contracts awarded on or before the effective date, and at time of award for contracts issued thereafter, provide a notice to the contractor with the information described

below. Provide a copy of the notice to the Contracting Officer's Technical Representative (COTR). A sample letter is provided at Attachment A.

- a. Refer the contractor to the reporting requirements set forth in clause FAR 52.204-11, *American Recovery and Reinvestment Act – Reporting Requirements*, as incorporated in the contract.
 - b. Note the requirement for the contractor to register at www.federalreporting.gov in advance of the required reporting date.
 - c. Provide the information listed below as reported by DHS into FPDS. The first several items are not typically available to the contractor from any other source. Providing all of these elements will promote consistency in the data reported by the contractor into www.federalreporting.gov and DHS' data in FPDS and USASpending.gov. Consistency is critical as data from agency reports, FPDS, USASpending.gov, and contractor reports will be reviewed and compared by Congress, the Board, the Office of Management and Budget, the public, and other interested parties. Provide the following information:
 - Funding Agency Code
 - Awarding Agency Code
 - Program Source (Treasury Accounting Symbol)
 - Government Contracting Office Code
 - Activity Code (NAICS or NTEE-NPC)
 - Contractor Congressional District
 - Award Type
 - Award Date
 - Award Description
 - Project Name or Project/Program Title
 - Amount of Award (actual dollars obligated, distinct from the total estimated contract value)
 - Primary Place of Performance
 - d. Post a copy of the notice to the contractor on the *DHS Recovery Act Community* site at <http://mgmt-ocpo-sp.dhs.gov/arra/Pages/Default.aspx>. A "Contracts" folder has been established in each Component's work area for posting these notices.
- (2) Review reporting requirements and procedures as part of any post-award orientation meeting.
- (3) Register at www.federalreporting.gov. Where the system asks who the Contracting Officer represents, select "federal agency." For contracts awarded on or prior to the effective date of this Alert, Contracting Officers must register within five (5) workdays of the effective date. For contracts awarded after the

effective date of this Alert, Contracting Officers must register within five (5) workdays of award.

- (4) Complete the recipient report training at <http://www.whitehouse.gov/Recovery/WebinarTrainingMaterials>. The Contracting Officer must complete the modules listed below. Upon completion, submit a written notice (email or memorandum) to the cognizant Head of Contracting Activity (HCA) or the HCA's designee attesting to the completion. For contracts awarded prior to the effective date of this Alert, the Contracting Officer must complete the training within five (5) workdays of the effective date. For contracts awarded on or after the effective date of this Alert, the Contracting Officer must complete the training within five (5) workdays of award. A Contracting Officer assigned to multiple Recovery Act contracts is required to complete the training only one time but must provide the attestation for each contract. The required training modules are:

- General Overview
- Basic Principles and Requirements of Recovery Act Recipient Reporting
- Recipient Reporting Process Overview
- Federal Agency Report Review
- Prime Recipient Reporting
- Data Quality Requirements

- (5) Between the 11th and the 21st day following the close of each quarter, begin reviewing contractor reports to: **(1) ensure that the report information is consistent with the award and (2) identify *significant errors and material omissions***. During this period the Contracting Officer may provide comments directly to the Contractor (not through FederalReporting.gov). The contractor may make corrections to any data in their report. These changes will be tracked through version control. While the Contracting Officer must review contractor reports for significant errors and material omissions, he or she is not required to validate information such as the compensation or jobs data reported by the contractor. Key items to check include:

- a. Confirm that the background information on the contract (see 4.B.(1)c.) is accurate and consistent with information reported in FPDS. As necessary, make corrections to the FPDS record and/or request that the contractor make corrections in its report.
- b. Check the contractor's reports on project progress for reasonableness and consistency with other sources of progress information (day-to-day monitoring, progress reports, management or progress review meetings, etc.).

- c. Check the reported amount invoiced against contract invoice records and financial system available (e.g., FFMS, SAP, etc.).
- d. OFPP's memorandum of September 30, 2009, provides the following guidance on identifying significant errors and material omissions:

5. What is a *significant error or material omission*?

A *significant error* is defined as data that is not reported accurately and where such erroneous reporting results in significant risk that the public will be misled or confused by the contractor's report. Examples of significant errors include, **but are not limited to**:

- The cumulative invoiced amount reported is in excess of the obligation;
The contractor incorrectly selects *fully complete*, to describe an incomplete project; or;
The contract award/obligation amount was for a relatively small dollar amount, such as \$100,000, and the contractor reports the number of jobs created and retained cumulatively as 100,000.

A *material omission* is defined as data that is not responsive to a specific data element. When reviewing for material omissions, the agency reviewer should do so with the goals of transparency in mind. For instance, where the contractor is required to provide a narrative description, it must be sufficiently clear to facilitate understanding by the general public.

Between the 22nd and 26th provide comments to the contractor. Reference the User Guide available at <https://www.federalreporting.gov/federalreporting/downloads.do#docs> for instructions on how to provide comments. The system will provide a tool for the Contracting Officer to notify the contractor of suspected errors or omissions. Unless the Contracting Officer or other agency reviewer provides comments, FederalReporting.gov will not allow the contractor to make any changes to its report. The system will accept comments up to the 29th, however, OFPP encourages submission by the 26th. To accommodate the tight timeframes for review and comment, coordinate early and maintain open dialogue with the contractor to avoid last minute misunderstandings. The Contracting Officer must indicate the review status for each contractor report. The review status indicators are:

- a. Not Reviewed (this is the default setting and will appear unless changed by the Contracting Officer)
- b. Reviewed, no comments
- c. Reviewed, with comments
- d. Between the 27th and 29th day, if the contractor received a notification of comments, the contractor may make corrections to the report. All corrections must be complete by the end of day 29. On the 30th day after the close of

each quarter, the contractor reports are published on www.recovery.gov. No changes or adjustments can be made until the next quarterly reporting period.

- (6) Address performance issues (e.g., failure to submit reports, consistently late reports). Exercise appropriate contractual remedies if the contractor fails to comply.
- (7) The Contracting Officer must report the contractor's failure to comply with the reporting requirements as part of the contractor's performance information. See FAR 4.1501(d) and 42.15.
- (8) The Contracting Officer, at his or her discretion, may delegate the monitoring and reporting responsibilities under 4.B.(5)-(6) and (8) to the COTR. The delegation must be in writing either within the COTR appointment memorandum or by a separate memorandum. Attachment B provides a sample delegation memorandum. Any such delegation is subject to the following conditions:
 - a. The COTR must register at www.federalreporting.gov as required by 4.B.(3).
 - b. The COTR must complete the training required in 4.B(4) within the allowed timeframe. The Contracting Officer must confirm that the COTR completes the required training and report completed training to the HCA or the HCA's designee. The Contracting Officer must periodically monitor the COTR's performance of these responsibilities to ensure they are being effectively executed.
 - c. The Contracting Officer shall not delegate any authority to address performance issues that authorize the COTR to sign contractual documents, order contract changes, modify contract terms, or create any commitment or liability on the part of the Government different from that set forth in the contract.

D. Contracting Officer Technical Representatives: When delegated responsibility by the Contracting Officer for monitoring a contractor's quarterly reports under the Recovery Act, the COTR shall:

- (1) Register at www.federalreporting.gov. Where the system asks who the COTR represents, select "federal agency." The COTR must register within five (5) workdays of the Contracting Officer's delegation.
- (2) Complete the recipient report training at <http://www.whitehouse.gov/Recovery/WebinarTrainingMaterials>. The COTR must complete the modules listed below. The COTR must complete the training within five (5) workdays of the Contracting Officer's delegation. Upon completion, submit a written notice (email or memorandum) to the Contracting

Officer attesting to the completion. A COTR assigned to multiple Recovery Act contracts is required to complete the training only one time but must provide the attestation for each contract. The required training modules are:

- General Overview
- Basic Principles and Requirements of Recovery Act Recipient Reporting
- Recipient Reporting Process Overview
- Federal Agency Report Review
- Prime Recipient Reporting
- Data Quality Requirements

- (3) Perform the monitoring and review responsibilities delegated by the Contracting Officer.
- (4) Resolve performance issues using remedies within the scope and limitations of the COTR's delegated authority. When performance issues require the exercise of contractual remedies that are outside of the COTR's authority, refer the issue to the Contracting Officer.

E. Interagency Agreements: The procedures in this paragraph apply to each interagency agreement for an assisted acquisition that uses Recovery Act funds.

- (1) The Component shall ensure that the agreement incorporates terms and conditions that:
 - a. Require the servicing agency to issue the notice to the contractors described in paragraph 4.C(1).
 - b. Clearly assign responsibilities for reviewing contractors' quarterly reports in accordance with FAR Subpart 4.15 and related guidance issued by OMB and the Recovery Accountability and Transparency Board.
 - c. Clearly assign responsibilities for addressing a contractor's failure to comply with the reporting requirements.
- (2) Unless special circumstances apply, the agency that retains responsibility for administering the contracts or task or delivery orders issued under the interagency agreement should have responsibility for reviewing reports and addressing contractor noncompliance.
- (3) For interagency agreements awarded prior to the effective date of this Alert and under which contracts or orders have been or will be awarded prior to October 1, 2009, modify the agreement not later than September 25, 2009 to incorporate the requirements of this paragraph.

- (4) For interagency agreements awarded prior to the effective date of this Alert, and under which the initial contract or order will be awarded on or after October 1, 2009, modify the agreement not later than October 16, 2009 to incorporate the requirements of this paragraph.

F. Required Milestones. Attachment C summarizes key milestones for implementing and monitoring contractor reporting under the Recovery Act. The Attachment is provided as a tool and does not supersede guidance identified in Section 2 of this Alert.

5. Expiration Date: This Acquisition Alert remains in full force and effect through the completion of all Recovery Act reporting to OMB and the Recovery Accountability and Transparency Board.

6. Attachments:

Attachment A: Sample Notice from Contracting Officer to Contractor

Attachment B: Sample Delegation from the Contracting Officer to COTR

Attachment C: Recovery Act Contractor Reporting Milestones

7. Additional Information: Questions or comments about this Alert may be directed to Gloria Sochon at (202) 447-5307 or by e-mail to gloria.sochon@dhs.gov

Distribution Instructions:

Disseminate to the widest possible audience- Acquisition Staff, Program Offices, Office of the General Counsel, etc.

Attachment A: Sample Notice from Contracting Officer to Contractor

Addressee's Name
Address Line 1
Address Line 2
City, State, Zip Code

Re: [Contract No.] – Recovery Act Reporting Requirements

Dear Addressee:

This letter provides information to assist [Contractor Name] in completing the quarterly reports required under Contract No. [Enter], clause FAR 52.204-11, *American Recovery and Reinvestment Act – Reporting Requirements*. Transparency and accountability are key goals of the American Recovery and Reinvestment Act. The quarterly reports provide information to demonstrate that the recipients and uses of recovery funds are transparent to the public, and that the public benefits of these funds are reported clearly, accurately, and in a timely manner.

[Contractor Name]'s first report under Contractor No. is due into the online reporting tool at www.FederalReporting.gov not later than [date]. In order to ensure that [Contractor Name] is able to report in a timely manner, DHS recommends that the personnel designated to enter the report register promptly at FederalReporting.gov and become familiar with the system. To assist in the process, a Registration Quick Reference Card is available at <https://www.federalreporting.gov/federalreporting/documentation/FederalReporting-dot-gov%20Registration%20Quick%20Reference%20Card%20v1.pdf>.

A key resource at the site, the *Recipient Reporting Data Model* (available under "Downloads"), provides definitions for the required elements. The Office of Management and Budget also provides online training available at www.whitehouse.gov/Recovery/WebinarTrainingMaterials.

Entry at FederalReporting.gov will require basic identifying information on the contract. To ensure consistency with other DHS reports on this contract, I am providing the following information. Please use this information in preparing your report. If you have a question on any element or believe the information is not correct, please contact me as soon as possible to resolve the concern.

Data Element	Value
Funding Agency Code	
Awarding Agency Code	
Program Source (Treasury Account Symbol)	
Government Contracting Office Code	
Activity Code (NAICS or NTEE-NPC)	

Recipient Congressional District	
Award Type	
Award Date	
Award Description	
Project Name or Project/Program Title	
Amount of Award (dollars obligated)	
Primary Place of Performance	

Please note that submission of the reports is a contract requirement. Pursuant to Federal Acquisition Regulation 4.1501(c) and (d), failure to comply will result in the government exercising its contractual remedies. Also, failure to comply with the reporting requirements will be a part of [Contractor Name]'s performance information under FAR 42.15.

I look forward to working with you on this initiative in support of our nation's economic recovery. If you have any questions regarding this letter, please contact me at [enter email and phone].

Sincerely,

[Name]
Contracting Officer

cc: [enter COTR]
[enter others as applicable]

Attachment B: Sample Delegation of Authority to COTR

MEMORANDUM FOR: [Addressee]

FROM: [Name]
Contracting Officer, [Component Contracting Activity]

SUBJECT: Contract No. [enter] -- Delegation of Responsibilities for
Recovery Act Reporting Requirements

In addition to the responsibilities set forth in your appointment memorandum dated [enter date], as the Contracting Officer's Technical Representative for Contract No. [enter] with [Contractor's name], you are assigned responsibilities for monitoring and reviewing the contractor's quarterly reports under clause FAR 52.204-11, *American Recovery and Reinvestment Act – Reporting Requirements*. Transparency and accountability are key goals of the American Recovery and Reinvestment Act. The quarterly reports provide information to demonstrate that the recipients and uses of recovery funds are transparent to the public, and that the public benefits of these funds are reported clearly, accurately, and in a timely manner.

The contractor will enter its reports at www.FederalReporting.gov. In order to review the reports, you will need to register at FederalReporting.gov. To ensure that you have the necessary access and to prepare to perform reviews, you must register at FederalReporting.gov within five (5) workdays of this memorandum. To assist in the process, a Registration Quick Reference Card for Federal Reporting is available at <https://www.federalreporting.gov/federalreporting/documentation/FederalReporting-dot-gov%20Registration%20Quick%20Reference%20Card%20v1.pdf>. By the same date, you must also complete the following training modules posted at www.whitehouse.gov/Recovery/WebinarTrainingMaterials:

- General Overview
- Basic Principles and Requirements of Recovery Act Recipient Reporting
- Recipient Reporting Process Overview
- Federal Agency Report Review
- Prime Recipient Reporting
- Data Quality Requirements

Upon completion of the training modules, provide an email or memorandum to [Head of Contracting Activity] and to the Contracting Officer.

The contractor's reports are due by the 10th day after the close of each quarter. Your responsibilities are as follows:

- (6) Between the 11th and 21st days following the close of each quarter, review the contractor's report for **significant errors and material omissions**. While you must review contractor reports for significant errors and material omissions, you are not required to validate information such as the compensation or jobs data reported by the contractor. During this period you may provide comments directly to the Contractor (not through FederalReporting.gov). The contractor may make corrections to any data in their report. Key items to check include:
- e. Confirm that the background information on the contract is accurate and consistent with information reported in FPDS.
 - f. Check the contractor's reports on project progress for reasonableness and consistency with other sources of progress information (day-to-day monitoring, progress reports, management or progress review meetings, etc.).
 - g. Check the reported amount invoiced against contract records.
- (9) Between the 22nd and 26th following the close of each quarter, complete the formal review of the report. Provide comments to the contractor and resolve any discrepancies. Confirm that the contractor has made requested corrections. The system will provide a tool for you to notify the contractor of suspected errors or omissions and provide the contractor an opportunity to correct errors or omissions. The system will accept comments up to the 29th, however, the Office of Federal Procurement Policy encourages submission by the 26th. To accommodate the tight timeframes for review and comment, coordinate early and maintain open dialogue with the contractor to avoid last minute misunderstandings. You must indicate the review status for each contractor report. The review status indicators are:
- a. Not Reviewed (this is the default setting and will appear unless changed by the COTR)
 - b. Reviewed, no comments
 - c. Reviewed, with comments
- e. Between the 27th and 29th day, if the contractor received a notification of comments, the contractor may make corrections to the report. All corrections must be complete by the end of day 29. On the 30th day after the close of each quarter, the contractor reports are published on www.recovery.gov. No changes or adjustments can be made until the next quarterly reporting period.
- f. Not Reviewed by Federal Agency (this is the default setting and will appear unless you change it)
 - g. Reviewed by Federal Agency, no material omissions or significant reporting errors identified

- h. Reviewed by Federal Agency, material omissions or significant reporting errors identified
- (10) Address performance issues (e.g., failure to submit reports, consistent late reports). If the contractor fails to comply, advise the Contracting Officer so that appropriate contractual remedies may be identified and exercised.
- (11) Report the contractor's failure to comply with the reporting requirements a part of the contractor's performance information.

A summary of key milestones is attached for your reference. If you have any questions regarding this delegation of responsibility, please contact me at [email] or [phone number].

Attachment: Recovery Act Contractor Reporting Milestones

ATTACHMENT: RECOVERY ACT CONTRACTOR REPORTING MILESTONES

Action	Contractor	COTR (as delegated)
Register at www.federalreporting.gov	Initial: October 10, 2009 Not later than 10 days after the close of each quarter: January 10 April 30 July 10 October 10	Within five (5) workdays of the Contracting Officer's delegation
Complete Recovery Act report training	Optional, no required timeframe	Within five (5) workdays of the Contracting Officer's delegation
Provide notice of training completion		Upon completion, to the Contracting Officer and the HCA
Report contractor information in www.federalreporting.gov	Initial: October 10, 2009 Not later than 10 days after the close of each reporting quarter under the contract: January 1-10 April 1-10 July 1-10 October 1-10	N/A
Review contractor reports		Initial: October 11-21, 2009 11-21 days after the end of each quarter thereafter: January 11-21 April 11-21 July 11-21 October 11-21
Formal review of data submitted with comments to contractor and confirmation of contractor's correction	Make corrections in response to government comments.	Initial: October 22-29, 2009 22-29 days after the end of each quarter thereafter: January 22-29 April 22-29 July 22-29 October 22-29 <i>* Target completion of review by the 26th</i> Must indicate Federal Agency review status: <ul style="list-style-type: none"> • Not Reviewed (default) • Reviewed, no comments • Reviewed, with comments

ATTACHMENT C: RECOVERY ACT CONTRACTOR REPORTING MILESTONES

Action	Contractor	Contracting Officer	COTR (as delegated)
Provide notice of reporting requirements to contractor	N/A	For contracts awarded on or prior to the effective date of Acquisition Alert 09-14: Within 5 days of the Alert effective date For contracts awarded after the Alert effective date: At time of award	Not delegable.
Register at www.federalreporting.gov	Initial: Not later than October 10, 2009	For contracts awarded on or prior to the effective date of Acquisition Alert 09-14: Within 5 days of the Alert effective date For contracts awarded after the Alert effective date: Within 5 days of award	Within five (5) workdays of the Contracting Officer's delegation
Complete Recovery Act report training	Optional, no required timeframe	For contracts awarded on or prior to the effective date of Acquisition Alert 09-14: Within 5 days of the Alert effective date For contracts awarded after the Alert effective date: Within 5 days of award	Within five (5) workdays of the Contracting Officer's delegation
Provide notice of training completion		Upon completion, to the HCA	Upon completion, to the Contracting Officer and the HCA
Report contractor information in www.federalreporting.gov	Initial: October 10, 2009 Not later than 10 days after the close of each reporting quarter under the contract: January 1-10 April 1-10 July 1-10 October 1-10	N/A	N/A
Review contractor reports		Initial: October 11-21, 2009 11-21 days after the end of each quarter thereafter: January 11-21 April 11-21 July 11-21 October 11-21	
Formal review of data submitted with comments to contractor and confirmation of contractor's correction	Make corrections in response to government comments.	Initial: October 22-29, 2009 22-29 days after the end of each quarter thereafter: January 22-29 April 22-29 July 22-29 October 22-29 <i>* Target completion of review by the 26th</i> Must indicate Federal Agency review status: • Not Reviewed (default) • Reviewed, no comments • Reviewed, with comments	