

Congressional Notifications

- Congressional notifications are required for release of solicitations at \$25 million or more and for contract awards, certain modifications, or terminations at \$ 4 million or more.
- The type of action, based on dollar thresholds, will determine whether it will be –
 - An advance notification of award system notice for contract awards and certain types of modifications on an automated DOE form 4220.10, Office of Congressional and Intergovernmental Affairs (CI) Congressional Grant/Contract Notification (3 calendar days before award);
 - Manual reporting for contract terminations on DOE form 4220.10 (3 business days before termination); or
 - Manual prior notification before issuing final request for proposal on DOE form 541, CI Solicitation Notification (3 business days before issuance).

[Reference: FAR 5.3]

Overview

This section discusses the procedures for providing Congressional notice for certain solicitation or contract actions. Congressional notifications is required for advance notification of a contract action, prior notification before issuing a final request for proposal, and prior notification before terminating a contract.

The Headquarters Office of Congressional and Intergovernmental Affairs notifies Members of Congress of Department of Energy (DOE) activities likely to have an effect on their constituents. These activities include certain solicitation and contract actions.

For guidance on Section 311 Congressional Notifications, see Acquisition Letter/Financial Assistance Acquisition Letter (AL/FAL) AL 2012-07 / FAL 2012-01, dated revised February 6, 2012, or latest version. For guidance on Section 301(b) Congressional Notifications of Multi-Year Awards, see Acquisition Letter/Financial Assistance Acquisition Letter (AL/FAL) AL 2012-08 / FAL 2012-02, dated April 23, 2012, or latest version.

➤ **Advance Notification of Award System (ANA)**

For Congressional notification on a contract action (award or modification) at \$4 million or more, there is an automated reporting process. This chapter describes the process, which utilizes the existing data in the system of record – Strategic Integrated Procurement Enterprise System (STRIPES) and generates the data into the new Advanced Notification of Awards (ANA) System which is part of the iPortal (<https://iportal.doe.gov>). The most recent version of the iManage ANA User Guide is at the iportal website. The ANA system can be accessed directly at: <https://iportalwc.doe.gov/pls/apex/f?p=ANA>

• ***Automated Reporting***

Automated reporting of Congressional notification actions occurs through award information being entered in the systems of record; then, electronically extracted from that system and routed for approval to the applicable Procurement Office, then routed for approval to the applicable Program Office, and finally reported to the Office of Congressional and Intergovernmental Affairs (CI). CI coordinates with Public Affairs, the Office of the Chief Financial Officer, and the Office of the Secretary of Energy before reporting this information to Members of Congress.

Automated notification will occur based on the dollar threshold of the award and the proper completion of data in STRIPES. The ANA system looks at the dollar amount and the “ANA Anticipated Award Date” field on the “Pending” award in STRIPES. At least seventy-two hours (3 calendar days) before the planned award, the “ANA Anticipated Award Date” field in STRIPES must be updated by the Contract Specialist (CS) or the Contracting Officer (CO) to reflect the planned award date and the document must be in “Pending” status.

Seventy-two (72) hours (3 calendar days) before the date in the “ANA Anticipated Award Date” field, the record for this award will be sent to the iManage Data Warehouse and then to the ANA system. The ANA system will transmit the e-mail to the Procurement Office representative (current CS or CO), referred to in the system as current buyer, identified in STRIPES. The e-mail will contain the link to access the ANA Web Application in iPortal.

The ANA User Guide provides the reporting details. Below is a brief summary of what action the CS/CO will perform. The CS/CO will:

- (1) Review the award information for accuracy and completeness;

(2) Complete block 4 – place of performance. The data to complete this block is contained in the place of performance fields on the FPDS-NG data entry screen;

(3) Review block 6 – type of action to determine if modification type is correct and whether or not this is a reportable action. If it isn't a reportable ANA action, then the buyer will reject it. If it is a contract termination action of \$4 million or more (based on original contract value of \$4 million or more), then manually complete the DOE Form 4220.10, Office of Congressional and Intergovernmental Affairs (CI) Congressional Grant/Contract Notification. (See Contract Termination Congressional Notification section in this chapter.)

(4) Review block 9 – brief description - include enough information to describe the effort to be performed and its purpose. It is imperative that a complete description be provided that is sufficient for preparing a press release and/or providing a meaningful description when notifying interested parties. Use non-technical plain English language - no acronyms. This description is generated from the description under the text tab in STRIPES.

(5) Approve or reject the action. In the event changes need to be made to any of the data fields in the form, the CS/CO can reject the notification, complete the information in the reason for rejection section in the workflow, and correct the information in STRIPES to include “ANA Anticipated Award Date” field. Once the data in STRIPES has been updated a new DOE Form 4220.10 will be generated and sent back to the CS/CO for approval in the ANA system. Once the CS/CO approves the notification, it will automatically be transmitted to the Program Office and then CI who will route it within Headquarters for concurrences. After CI receives the concurrences, they will approve and transmit the notification to the appropriate Members of Congress.

(6) Award the approved action on the STRIPES proposed award date.

For example: If STRIPES “ANA Anticipated Award Date” is Friday, October 5; the CS/CO receives e-mail notification on Tuesday, October 2. If the CS/CO approves the action on Wednesday, October 3, it will be automatically transmitted to the Program Office (PO) the same day. If the PO does not act on the notification within 24 hours, the notification will automatically be approved and sent to CI. CI continues the internal routing process for concurrences. The CO awards the action on Friday, October 5.

Note: All CS/COs will need a user identification (userid) and password to access the DOE iPortal to approve or reject notifications in the new ANA System. If you do not currently have access to iPortal, please follow the instructions at <http://energy.gov/management/downloads/request-iportal-account>. If you need any assistance with the iPortal, please contact the iManage help desk at 301-903-2500.

See next page for table containing data fields for DOE F 4220.10.

For proper notification to occur the following data fields must be entered correctly in STRIPES. Reporting actions are based on the pre-defined reporting and dollar thresholds outlined below.

DOE F 4220.10		System of Record
Block #	Field Name	
1	Procuring Office	STRIPES
	Procuring Office Representative (CS/CO)	STRIPES
	Procuring Office Representative Telephone (CS/CO)	STRIPES
2	Program Office/Project Office Name (COR/COTR)	STRIPES
	Program Office/Project Office Telephone	STRIPES
3	Contractor, Grantee, or Offeror Name	SAM/STRIPES
	Contractor, Grantee, or Offeror Street Address	SAM/STRIPES
	Contractor, Grantee, or Offeror City	SAM/STRIPES
	Contractor, Grantee, or Offeror State	SAM/STRIPES
	Contractor, Grantee, or Offeror Zip Code	SAM/STRIPES
4	Place of Performance Street Address (The data to complete this block is contained in the place of performance fields on the FPDS-NG data entry screen.)	CS/CO fill-in
	Place of Performance City	CS/CO fill-in
	Place of Performance State	CS/CO fill-in
	Place of Performance Zip	CS/CO fill-in
5	ANA Anticipated Award Date	STRIPES
	Date of Public Announcement (if any)	STRIPES
6	Contract, Grant or Other Agreement No	STRIPES
	Type of Action (New/Renewal/Modification)	STRIPES
	Total to Date	STRIPES
7	Obligated Cost or Price of this Action	STRIPES
	\$ Estimate Cost or Price of Total Award	STRIPES
	\$ Recipient Cost Sharing (if applicable)	STRIPES
8	Duration of Contract, Grant, or Other Agreement (from and to dates) (From start date field within iManage Data Warehouse (IDW) or Period of Performance (POP) start date in STRIPES)	STRIPES
9	Brief Description (Please provide meaningful details. See Instructions.) This description is generated from the description under the text tab in STRIPES.	STRIPES

- **Reportable Actions**

- An award or modification of a contract over the prescribed dollar threshold.
- Modifications of the above instruments over the prescribed dollar threshold when the modification involves the addition of new work, or the exercise of an option. **Excluded are:** administrative changes, including funding actions; changes within the scope of the instrument; orders or notices under clauses as a property clause, or a suspension of work clause; the definitization of a letter contract, and contract terminations. Contract terminations of \$4 million or more, regardless of termination type, will be reported manually on the DOE Form 4220.10, see Contract Termination Congressional Notification section in this chapter for details.
- Subcontract level actions are not reportable unless a press release is to be issued by the Department of Energy (DOE) or unless the subcontract level action is known to have been the subject of a Congressional inquiry. This is not a new requirement. All subcontract notifications must be done manually since this data does not exist in the system of record. Unless the CS/CO is otherwise informed that a specific action requires manual reporting, the Program Office is responsible to notify the CS/CO if a subcontract report is needed regardless of subcontract dollar amount.

- **Dollar Thresholds**

The prescribed thresholds for reporting a procurement action are as follows:

- For an award or modification* with a total estimated cost or price of total award of \$4,000,000 or more;
- For contract terminations based on original contract value of \$4,000,000 or more, see the section in this chapter on Contract Termination Congressional Notification for procedures; or
- Before issuing a final request for proposal of \$25 million or more, see the section in this chapter on Final Request for Proposal Congressional Notification procedures.

*In calculating the threshold dollar amount of a modification, the amount of the instant modification is used, not the cumulative amount of the original instrument as modified. The dollar amount of an option item is excluded, except when reporting the exercise of the option. Actions which involve funding only are not reported.

- **Manual Reporting**

Manual reporting for awards and modifications is required when a Contracting Office has not yet implemented the automated ANA system.

Manual reporting is required for termination actions, regardless of type, based on dollar threshold. See Contract Termination Congressional Notification section in this chapter.

Manual reporting may be required at times for other actions. Unless the CS/CO is otherwise informed that a specific action, excluding a termination action, requires manual reporting, the Program Office will notify the CS/CO when a manual report is necessary.

Manual reporting is required when the action –

- Falls outside the normal reportable actions and dollar thresholds;
- Is a subcontract level action and a press release is to be issued by the Department of Energy (DOE); or
- Is a subcontract level action which is known to have been the subject of a Congressional inquiry.

Manual reporting is done by completing and submitting DOE Form 4220.10, Congressional Grant/Contractor Notification, in accordance with this guide chapter. The instructions are on page 2 of the form. The DOE Form 4220.10 is located in STRIPES or at the DOE webpage:

<http://energy.gov/cio/downloads/congressional-and-intergovernmental-affairs-ci-notification>.

Submission of the form shall be in accordance with the following procedures:

- Print and sign the completed form.
- Scan the form using Adobe Acrobat and create a PDF file. File naming conventions are contained in the File Naming Conventions document available on the Advanced Notification of Awards System webpage
<https://notification.pr.doe.gov/aviator/anareg.nsf/Naming%20Conventions?OpenPage>
- Email the completed document into the ANA System Coordinator at CI-ANA@hq.doe.gov.

Note: All CS/COs will need a user identification (userid) and password to access the DOE iPortal to approve or reject notifications in the new ANA System. If you do not currently have access to iPortal, please follow the instructions at <http://energy.gov/management/downloads/request-iportal-account>. If you need any assistance with the iPortal, please contact the iManage help desk at 301-903-2500.

➤ **Contract Termination Congressional Notification**

Contracting activities must manually complete DOE form 4220.10 and submit the form 72 hours (3 business days) before issuing a contract termination, regardless of termination type, based on the original contract value of \$4 million or more.

Manual reporting is done by completing and submitting DOE Form 4220.10, Congressional Grant/Contractor Notification. The instructions are on page 2 of the form. The DOE Form 4220.10 is located in STRIPES or at the DOE webpage: <http://energy.gov/cio/downloads/congressional-and-intergovernmental-affairs-ci-notification>.

Submission of the form shall be in accordance with the following procedures:

- Print and sign the completed form.
- Scan the form using Adobe Acrobat and create a PDF file. File naming conventions are contained in the File Naming Conventions document available on the Advanced Notification of Awards System webpage <https://notification.pr.doe.gov/aviator/anareg.nsf/Naming%20Conventions?OpenPage>
- E-mail the completed document 72 hours before issuing a contract termination to CI.Notification@hq.doe.gov.

➤ **Final Request for Proposal Congressional Notification**

Before issuing a final Request for Proposal (RFP) of \$25 million or more, the Contracting Officer/Contracting Specialist (CO/CS) must complete and e-mail a CI Solicitation Notification form to the applicable Program Office Representative with a copy to the CI Notification Mailbox (CI.Notification@hq.doe.gov) 72 hours (3 business days) prior to issuing the solicitation. Unless otherwise notified by the Program Office or CI, the CO/CS may issue the solicitation 72 hours (3 business days) after e-mailing the CI solicitation notice. The CI Solicitation Notification form, DOE F 541, is at the end of this chapter or available at <https://www.energy.gov/cio/downloads/doe-f-541-ci-solicitations-notification>.

The Program Office is responsible for preparing and submitting the Priority Congressional Notification (PCN) form required by CI for specific program actions which may include supplementing the RFP information submitted on the CI Solicitation Notification form. In the event the Program Office decides to submit a PCN, the CO/CS should be available to coordinate any necessary information requested by the applicable Program Office. A memorandum from the DOE Deputy Secretary for all Departmental Elements, Subject: Congressional Notification Requirements, which provides the PCN guidance, is in progress and is expected to be issued in the near future.



Office of Congressional and Intergovernmental Affairs (CI)

CI SOLICITATION NOTIFICATION

Before issuing a final Request for Proposal (RFP) of \$25 million or more or a final Funding Opportunity Announcement (FOA) of \$50 million or more, the Contracting Officer/Contract Specialist (**CO/CS**) **must complete and e-mail a CI Solicitation Notification form to the applicable Program Office Representative with a copy to the CI Notification Mailbox (CI.Notification@hq.doe.gov)** 72 hours (3 business days) prior to issuing the solicitation or announcement. Unless otherwise notified by the Program Office or CI, the CO/CS may issue the solicitation 72 hours (3 business days) after e-mailing the CI solicitation notice.

- Final Request for Proposal (RFP)**
- Final Funding Opportunity Announcement (FOA)**

Procuring Office: _____

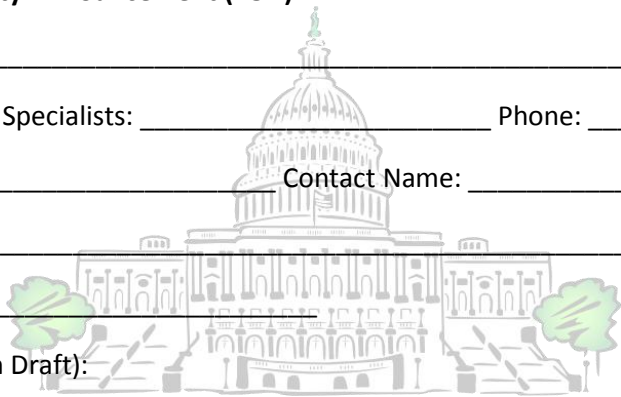
Contracting Officer/Contracting Specialists: _____ Phone: _____

Headquarters Program Office: _____ Contact Name: _____

Program Office Contact Email: _____

Proposed Date of Issue: _____

BRIEF DESCRIPTION (Also Attach Draft): _____



HEADQUARTERS PROGRAM OFFICE MUST COORDINATE ANY SPECIAL OUTREACH WITH THE OFFICE OF CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS

(Use Priority Congressional Notification Process)

For Questions Contact:
NOTIFICATIONS COORDINATOR
Office of Congressional and Intergovernmental Affairs
Phone: 202-586-5450
FAX: 202-586-5497