



POLICY FLASH 2014-20

DATE: March 10, 2014

TO: Procurement Directors/Contracting Officers



FROM: Director
Contract and Financial Assistance Policy Division
Office of Policy
Office of Acquisition and Project Management

SUBJECT: Acquisition Letter 2014-05/Financial Acquisition Letter 2014-02 Congressional Notifications and Quarterly Reporting to the Appropriations Committees Subject to Energy and Water Development and Related Agencies Appropriations Act, 2014, Division D, Title III, Section 301 for Contract, Financial Assistance, or Other Transaction Agreement Actions to Include Related Notices for Prior Fiscal Years' Appropriations Acts.

SUMMARY: AL 2014-05/FAL 2014-02 (AL/FAL) implements statutory requirements for Congressional notifications or quarterly reporting to the Appropriations Committees for contract, financial assistance, or other transaction agreement actions in accordance with Energy and Water Development and Related Agencies Appropriations Act, 2014, Division D, Title III, Section 301¹ to include related notices for prior fiscal years' Appropriations Acts. A summary of the 2 statutory pre-award/pre-selection notices and the 1 post award quarterly report follows. See the AL/FAL for details to include a decision chart to assist in determining which notice template to use.

- Congressional notice prior to contract award or for financial assistance or other transaction agreement prior to announcement of selection(s) or announcing publicly is required for the following:

¹ See Acquisition Letter/Financial Assistance Letter AL 2014-05/ FAL 2014-02 for details.

- All multiyear contract, financial assistance or other transaction agreement awards using “Department of Energy – Energy Programs” budget authority² regardless of dollar amount:
 - For Fiscal Year (FY) 2014 DOE funds,³ at least 3 full business days.
 - For FYs 2012 and 2013 DOE funds⁴, at least 14 calendar days.
 - Actions totaling \$1 million or more, at least 3 full business days, for (formerly known as Section 311 notices):⁵
 - Contract awards.
 - Announcement of selected applications for negotiation of financial assistance or other transaction agreement awards.
 - Award of a financial assistance or other transaction agreement.
- The Office of the Chief Financial Officer will prepare the Congressional quarterly report for financial assistance actions less than \$1 million within 15 calendar days after the end of each quarter.⁶

This Flash will be available online at the following website:

<http://energy.gov/management/office-management/operational-management/procurement-and-acquisition/policy-flashes>.

Questions concerning this policy flash should be directed to Barbara Binney of the Contract and Financial Assistance Policy Division, at Barbara.Binney@hq.doe.gov or at (202) 287-1340.

Attachments

² The Department Of Energy - Energy Programs listed in Division D Title III of the Appropriations Act, 2014 are: Energy Efficiency and Renewable Energy, Electricity Delivery and Energy Reliability, Nuclear Energy, Fossil Energy Research and Development, Naval Petroleum and Oil Shale Reserves, Strategic Petroleum Reserves, Northeast Home Heating Oil Reserve, Energy Information Administration, Non-Defense Environmental Cleanup, Uranium Enrichment Decontamination and Decommissioning Fund, Science, Advanced Research Projects Agency-Energy, Title 17 Innovative Technology Loan Guarantee Program, Advanced Technology Vehicles Manufacturing Loan Program, Departmental Administration, and the Office of the Inspector General.

³ Energy and Water Development and Related Agencies Appropriations Act, 2014, Pub. L. 113-76, Division D, Title III, Section 301(c)

⁴ Pub. L. No 113-6 Section 301(b) and Pub. L. No. 112-74 Section 301(b)

⁵ Pub. L. No. 113-76 Section 301(b)(1)

⁶ 301(b)(2)

