

103-C-222 CONTRACTOR REPORTING REQUIREMENTS FOR 2009 FEDERAL RECOVERY
ACT CONTRACTS*(Revised 06-13-09)***General Requirements**

Funding for this contract has been provided through the American Recovery and Reinvestment Act of 2009, ARRA, and is subject to the reporting and operational requirements of ARRA. Each contract subject to ARRA, including subcontractors, is subject to audit by appropriate federal or state entities. Failure to comply with the terms herein may result in withholding of progress estimates by the Department.

The State makes no representations or guarantees about funding beyond the contract period as this contract is being funded with one time dollars from the ARRA.

Employment Reporting Requirements

The Contractor shall complete an ARRA monthly employment report for each month the contract is active, beginning with the month that the notice to proceed is issued and continuing through the month that the Contractor is relieved of further maintenance in accordance with 105.15.

ARRA monthly employment reports shall be completed by the Contractor and shall include data for their workforce and the workforce of each subcontractor. Data shall be reported for employees actively engaged in the contract who work on the jobsite, in the project office, in the home office or by telework from a home or other alternative office location.

ARRA monthly employment reports shall be submitted by completing an on-line form available on the Department's website. Instructions for completion of the form are also available on the website. A separate report shall be submitted for each Project Control Number, PCN, in the contract.

The Contractor shall obtain a Data Universal Numbering System, DUNS, number. Instructions for obtaining a DUNS number free of charge are included on the website. The Contractor's DUNS number shall then be included with each report.

Reports shall be submitted for the Contractor and all approved subcontractors no later than 10 days after the end of each month for which reports are required. Reports shall be submitted even in the event that the employment data for the Contractor or subcontractor is zero for the reporting month.

The Department reserves the right to change the employment reporting requirements for ARRA contracts at any time without any additional compensation to the Contractor.

Authority of the U.S. Comptroller General

Section 902 of the ARRA provides the U.S. Comptroller General and his representatives with the authority to:

- (1) to examine any records of the contractor or any of its subcontractors, or any State or local agency administering such contract, that directly pertain to, and involve transactions relating to, the contract or subcontract; and
- (2) to interview any officer or employee of the contractor or any of its subcontractors, or of any State or local government agency administering the contract, regarding such transactions.

Accordingly, the Comptroller General and his representatives shall have the authority and rights as provided under Section 902 of the ARRA with respect to this contract, which is funded with funds made available under the ARRA. Section 902 further states that nothing in this section shall be interpreted to limit or restrict in any way any existing authority of the Comptroller General.

Authority of the U.S. Inspector General

Section 1515(a) of the ARRA provides the U.S. inspector General and his representatives the authority to examine any records or interview any employee or officers working on this contract. The Contractor is advised that representatives of the Inspector General have the authority to examine any record and interview any employee or officer of the Contractor, its subcontractors or other firms working on this contract.

Section 1515(b) further provides that nothing in this section shall be interpreted to limit or restrict in any way any existing authority of the Inspector General.

48 CFR 25.6 Buy American Requirement

The Contractor shall comply with the requirements of 48 CFR 25.6, including any interim rules. In the case of a discrepancy between the requirements of 48 CFR 25.6 and any other Buy American requirements in the contract, the stricter requirement shall be followed.
