

Compliance Matters American Recovery and Reinvestment Act of 2009—ARRA

- > The Copeland “Anti-Kickback” Act
www.dol.gov/compliance/laws/comp-copeland.htm
- > Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.) as implemented by applicable regulations.
www.justice.gov/crt/cor/byagency/doevi.php
- > Title VII of the Civil Rights Act
www.elinfont.com/titleVIIsum.php
- > Age Discrimination in Employment Act
www.eeoc.gov/policy/adea.html
- > Americans with Disabilities Act
www.ada.gov/pubs/ada.htm
- > Federal Occupational Safety and Health Act
www.dol.gov/compliance/laws/comp-osh.htm
- > Federal Emergency Planning and Community Right-to-Know Act
www.ecy.wa.gov/epcra/whatis.html
- > Federal Funding Accountability and Transparency Act of 2006
www.sourcewatch.org/index.php?title=federal_funding_accountability_and_transparency_act_of_2006
- > Davis-Bacon Wage Act
www.gpo.gov/davisbacon/
- > Section 1512 of the Act—Reporting & Registration Requirements
[http://stimulus.ms.gov/msgo/mssr.nsf/webpageedit/LN_broadband_Page_Broad_SPL_requirements/\\$FILE/Broadband_reportingregistrationrequirements.pdf?OpenElement](http://stimulus.ms.gov/msgo/mssr.nsf/webpageedit/LN_broadband_Page_Broad_SPL_requirements/$FILE/Broadband_reportingregistrationrequirements.pdf?OpenElement)
- > Section 1606—ARRA: Wage Rates for the State of Georgia may be accessed at the following website: <http://www.gpo.gov/davisbacon/ga.html>
- > Section 1605 of the Act—Use American Steel Iron and Manufactured Products
http://en.wikisource.org/wiki/American_Recovery_and_Reinvestment_Act_of_2009/Division_A/Title_XVI
- > FAR 52.203-15 Whistleblower Protections
www.acquisition.gov/far/current/html/52_200_206.html
- > Disclosure of Fraud or Misconduct form <http://www.usda.gov/oig/contractorform.htm>
- > Drug Free Workplace Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15); www.acf.hhs.gov/programs/ofs/grants/drugfree.htm
- > Certification Regarding Debarment, Suspension, and Other Responsibility Matters – Primary Covered Transactions (7 CFR 3017) <http://law.justia.com/us/cfr/title07/7-15.1.7.2.4.html>
- > Certification Regarding Lobbying (7 CFR 3018) <http://law.justia.com/us/cfr/title07/7-15.1.7.2.5.6.7.3.7.html>
- > Clean Air and Water Certification (Applicable if contract exceeds \$100,000)
<http://www.l-3vertex.com/procurement/forms/26.pdf>
- > Executive Order 11246—On the basis of race, color, religion, sex, or national origin.
www.dol.gov/ofccp/regs/compliance/fs11246.htm
- > OMB Circulars A-102, A-108, A-110, A-130 and A-133. www.whitehouse.gov/omb/circulars/

GSFIC Georgia State Financing & Investment Commission

American Recovery & Reinvestment Act Of 2009

(ARRA)

*“A Guide to Contracting with GSFIC
Within the Requirements of the ARRA”*



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E Mail: procurement@spo.ga.gov

GSFIC ROLE

- (1) GSFIC shall provide procurement and project management services.
- (2) GSFIC will consult with agencies receiving ARRA awards from GEFA on the scope of the energy improvement projects.
- (3) GSFIC will assess the potential for consolidating procurements and construction of similar projects among different agencies.
- (4) GSFIC will select design professionals according to established GSFIC procedures.
- (5) GSFIC shall consult with agencies for suggested design professionals.
- (6) GSFIC shall solicit competitive ITB, RFQ or RFP's.
- (7) GSFIC shall evaluate, and select vendors according to existing state procurement guidelines/policies and any guidelines provided ARRA program.
- (8) GSFIC shall consult with Agencies for suggested Vendors to receive bid notices.
- (9) GSFIC shall post all open solicitations to the Georgia Procurement Registry (GPR).

The ARRA—Act

A full copy of the act can be found on line at www.recovery.gov

Purpose of the Act (ARRA)

- (1) To preserve and create jobs and promote economic recovery.
- (2) To assist those most impacted by the recession.
- (3) To provide investments needed to increase economic efficiency by spurring technological advances in science and health.
- (4) To invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits.
- (5) To stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.

General Principles Concerning the Use of Funds: Agencies shall manage and expend the funds made available in this Act so as to achieve the purposes specified above in a quick, timely and correct manner.

SPECIFIC REQUIREMENTS

Buy American Provisions—Section 1605 ARRA
Contractor shall comply with the Buy American

Provisions regarding the use of American iron, steel and manufactured goods.

Davis-Bacon Wage Act—Section 1606 ARRA

Requires that all employers provide their employees proper wages based on prevailing wages for the area and type of work being performed. Compliance may consist of actual field audits and personal inquiries by government representatives. Failure to comply or negative findings may result in fines or requests for suspension of activities.

Central Contractor Registration (CCR)

The CCR is the primary registrant database for the U.S. Federal Government. All recipients and sub-recipients must register on the CCR (www.ccr.gov) at all times during which they have active federal awards funded with ARRA funds.

Dun & Bradstreet Registration

A Dun and Bradstreet Data Universal Numbering System (DUNS) Number (www.dnb.com) is one of the requirements for registration in the Central Contractor Registration. Contractor agrees to separately identify to each subcontractor and document at the time of award of contract or approval of application and at disbursement of funds, the Federal award number, Catalog of Federal Domestic Assistance (CFDA) number, and amount of ARRA funds.

Reporting—Section 1512 ARRA

Reporting is a critical aspect of the ARRA. Based on the Federal Government's policy of maximum accountability and transparency, recipients and sub recipients are required to comply with stipulated reporting requirements conditioned on the granting agency's requirements and Federal standards

Federal Acquisition Regulations (FAR)

Copy of the FAR can be found at <http://www.arnet.gov/far/>. These regulations govern all procurement transactions of the Federal government. The ARRA supports their use and encourages compliance in both the spirit and practice.

Reporting Requirement: Jobs Created

Recipients of ARRA funding will be required to maintain estimates of those new positions created and filled, or previously existing unfilled positions that are filled, as a result of funding by the Recovery Act - ARRA.

Reporting Requirement : Jobs Retained

Jobs retained means an estimate of those previously existing filled positions that are retained as a result of funding by the Recovery Act - ARRA. This definition covers only prime contractor positions established in the United States and outlying areas.