

State of Vermont
Agency of Administration
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Neale F. Lunderville,

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MEMORANDUM

TO: Secretaries, Commissioners, and Business Managers
FROM: Neale F. Lunderville
RE: ARRA Addendum to Bulletins 3.5 and 5.0
DATE: April 21, 2009

Please forward a copy of this Addendum to each staff member involved in the issuance and/or monitoring of Contracts and Subgrants funded through the federal American Recovery & Reinvestment Act (ARRA).

ARRA ADDENDUM TO BULLETIN 3.5 AND BULLETIN 5.0 – EFFECTIVE MARCH 1, 2009

The federal American Recovery & Reinvestment Act (“ARRA” or “the Act”) requires that contractors, vendors and subrecipient being paid with or receiving funding from ARRA monies be informed of certain requirements specified by ARRA or related regulations. In order to obligate these contractors, vendors, and subrecipients, certain changes are required for all ARRA contracts and ARRA subgrants. The required changes are detailed below:

NEW ATTACHMENT B LANGUAGE REQUIRED: In addition to other requirements you are placing on the contractors, vendors, and subrecipients receiving funds through ARRA, the following language, approved by the Attorney General’s Office must be inserted at the beginning of Attachment B: Payment Provisions for all contracts and subgrants funded though ARRA and subject to the reporting requirements of the Act. The language is shown in the box below:

The funds used to support this agreement, in full or in part, are provided through the federal American Recovery & Reinvestment Act (ARRA or the Act); this agreement therefore is subject to payment criteria and specific reporting requirements mandated by the Act. A periodic report, certified by an authorized agent of the Party, utilizing the form provided by the State of Vermont and attached hereto, shall be submitted as required. Failure to submit timely, accurate and fully executed reports will result in a mandate to return to the State funds already disbursed under this agreement, or the withholding of current and future payments under this agreement until such time as the reporting irregularities are resolved to the State’s satisfaction.

For subrecipients who report awards of federal funds to the State, said subrecipient agrees to include information of ARRA funding separately from other federal awards reported on their Statement of Expenditures of Federal Awards (SEFA).

The parties to this agreement are further bound by the Act that they shall promptly refer to an appropriate federal inspector general any credible evidence that a principal, employee, agent, contractor, subrecipient, contractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving the ARRA funds used to support this agreement.

STATEWIDE CONTRACTS: In the case of Statewide Contracts, the above language should be included on the departmental Purchase Order issued against the Statewide Contract for purchases funded with ARRA monies. The BGS Purchasing staff is available for questions concerning Statewide Contracts.

Language will also available on the Finance & Management website at: <http://finance.vermont.gov/forms>

CHANGES TO STANDARD STATE CONTRACT AND GRANT AGREEMENT SIGNATURE SECTION: ARRA requires that contractors, vendors and subrecipients paid with ARRA monies be registered with the Central Contractor Registration (CCR⁽¹⁾) and have a D-U-N-S[®] Number⁽²⁾. Consequently, this information is now required from the contractor, vendor or subrecipient at the time of contract or grant execution. A revised signature section for the Standard State Contract for Services (Attachment 1) and Standard Grant Agreement (Attachment 2) is attached.

[NOTE of Explanation: CCR is the primary registrant database for the U.S. Federal Government. CCR collects, validates, stores and disseminates data in support of agency acquisition missions. FREE registration is available at: <http://www.ccr.gov/Default.aspx>. The D-U-N-S[®] Number is a unique nine-digit identification number assigned and maintained solely by Dun & Bradstreet (D&B). D-U-N-S Number assignment is FREE for all businesses required to register with the US Federal government (see # 1 above) for contracts or grants. Created in 1962, the Data Universal Numbering System or D-U-N-S[®] Number is D&B's copyrighted, proprietary means of identifying business entities. Register at: https://eupdate.dnb.com/requestoptions.asp?cm_re=HomepageB*TopNav*DUNSNumberTab.]

REVISED FORM AA-14 – FOR ARRA: A check box has been added to distinguish contracts funded with ARRA monies from those without ARRA funding. A revised Form AA-14 is available on the Finance & Management website at: <http://finance.vermont.gov/forms>

Please refer questions to Sue Zeller, Deputy Commissioner of Finance & Management at (802) 828-6448 or Susan.zeller@state.vt.us, or Jan Westervelt, ESR Director of Accountability & State Programs at (802) 828-2137 or Jan.Westervelt@ahs.state.vt.us.

ATTACHMENTS FOLLOW

The signature section of the standard state contract shall be replaced with the signature section and added text (shown below) for all CONTRACTS funded in whole or in part with ARRA monies, in accordance with Bulletin 3.5:

WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS CONTRACT.

By the State of Vermont:

Date: _____

Signature: _____

Name: _____

Agency: _____

By the Contractor:

Date: _____

Signature: _____

Name: _____

Title: _____

The following information is required for Contracts funded in whole or in part with monies from the federal American Recovery & reinvestment Act or 2009.

Legal Name and D-U-N-S[®] Number on File with the federal Central Contractor Registration ⁽¹⁾:

Print Legal CCR Name

D-U-N-S[®] Number ⁽²⁾

- 1) The Central Contractor Registration (CCR) is the primary registrant database for the U.S. Federal Government. CCR collects, validates, stores and disseminates data in support of agency acquisition missions. FREE registration is available at: <http://www.ccr.gov/Default.aspx>.
- 2) The D-U-N-S Number is a unique nine-digit identification number assigned and maintained solely by Dun & Bradstreet (D&B). D-U-N-S Number assignment is FREE for all businesses required to register with the US Federal government (see # 1 above) for contracts or grants. Created in 1962, the Data Universal Numbering System or D-U-N-S[®] Number is D&B's copyrighted, proprietary means of identifying business entities. Register at: https://eupdate.dnb.com/requestoptions.asp?cm_re=HomepageB*TopNav*DUNSNumberTab

The signature section of the standard state grant agreement shall be replaced with the signature section and added text (shown below) for all GRANTS funded in whole or in part with ARRA monies, in accordance with Bulletin 5.0:

By the State of Vermont:

Date: _____

Signature: _____

Name: _____

Agency: _____

By the Subrecipient:

Date: _____

Signature: _____

Name: _____

Title: _____

The following information is required for Grants funded in whole or in part with monies from the federal American Recovery & reinvestment Act or 2009.

Legal Name and D-U-N-S[®] Number on File with the federal Central Contractor Registration⁽¹⁾:

Print Legal CCR Name

D-U-N-S[®] Number⁽²⁾

- 1) The Central Contractor Registration (CCR) is the primary registrant database for the U.S. Federal Government. CCR collects, validates, stores and disseminates data in support of agency acquisition missions. FREE registration is available at: <http://www.ccr.gov/Default.aspx>.
- 2) The D-U-N-S Number is a unique nine-digit identification number assigned and maintained solely by Dun & Bradstreet (D&B). D-U-N-S Number assignment is FREE for all businesses required to register with the US Federal government (see # 1 above) for contracts or grants. Created in 1962, the Data Universal Numbering System or D-U-N-S[®] Number is D&B's copyrighted, proprietary means of identifying business entities. Register at: https://eupdate.dnb.com/requestoptions.asp?cm_re=HomePageB*TopNav*DUNSNumberTab