

## 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.
- There are 2 types of notices discussed in this chapter.
- The type of action will determine whether it will be –
  - An advance notification of award system notice; or
  - Prior notification before issuing final request for proposal or contract termination notice.

*[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. Beginning June 1, 2012, 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 the systems of record (STRIPES). The system looks at the dollar amount and the award date entered into the award when it is routed through the approval process in STRIPES. Seventy-two (72) hours (3 working days) before the award date entered on the draft award, the system transmits the e-mail to the Procurement Office representative (current Contract Specialist (CS) or Contracting Officer (CO) (referred to in the system as current buyer)) identified in STRIPES. The e-mail contains 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 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 Office of Congressional & Intergovernmental Affairs – 72 Hour Prior Notification Form. (See “Prior Notification Before Issuing Final Request for Proposal or Contract Termination” 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 award date. 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. 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 the award date in STRIPES 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.

Field names provided on the chart are those on current form, the names in parentheses will be the field names on the revised form.

DOE F 4220.10		System of Record
Block #	Field Name	
1	Informing Office (Procuring Office)	STRIPES
	Contracting Office Representative (CS/CO)	STRIPES
	Contracting Office Representative Telephone (CS/CO)	STRIPES
2	Program Office/Project Office Name (COR/COTR)	STRIPES
	Program Office/Project Office Telephone	STRIPES
3	Contractor or Grantee Name	CCR/STRIPES
	Contractor or Grantee Street Address	CCR/STRIPES
	Contractor or Grantee City	CCR/STRIPES
	Contractor or Grantee State	CCR/STRIPES
	Contractor or Grantee Zip	CCR/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	Proposed Date of Award	STRIPES
	Date of Public Announcement	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 Contract	STRIPES
	Estimated Cost or Price of Total	STRIPES
	Recipient Cost Sharing	STRIPES
8	Duration of Contract, Grant, or Other Agreement ( <b>from and to dates</b> ) ( <b>From start date field within iManage Data Warehouse (IDW) or Period of Performance (POP) start date in STRIPES</b> )	STRIPES
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.	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 through another notification procedure, see *Prior Notification Before Issuing Final Request for Proposal or Contract Termination* 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 in the amount 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 Prior Notification Before Issuing Final Request for Proposal or Contract Termination for notification procedures; or
- Before issuing a final request for proposal over \$25 million or more, see the section in this chapter on Prior Notification Before Issuing Final Request for Proposal or Contract Termination for 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 may be required at times. Unless the CS/CO is otherwise informed that a specific 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](mailto: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.***

➤ **Prior Notification Before Issuing Final Request for Proposal or Contract Termination**

Contracting activities must complete and submit the 72 hour prior notification template (see attachment to this chapter) – (1) before issuing a final request for proposal over \$25 million; or (2) a contract termination, regardless of termination type, based on the original contract value of \$4 million or more. Once completed, the template should be e-mailed to [CI.Notification@hq.doe.gov](mailto:CI.Notification@hq.doe.gov).



# Office of Congressional & Intergovernmental Affairs 72 - Hour Prior Notification Form

Please fill in all of the spaces for proper processing.

**Name of Office:**

**Date & Time of Scheduled Release:**

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**Contact Person:**

**Office & After Hours Phone Number:**

**Type of Notification:**

- |   |  |
|---|--|
| <input type="checkbox"/> Final RFP of \$25 million or more<br><input type="checkbox"/> Final FOA of \$50 million or more<br><input type="checkbox"/> Field Office Public Meeting<br><input type="checkbox"/> Record of Decision (ROD)<br><input type="checkbox"/> Risk-Based End State Vision Document<br><input type="checkbox"/> Termination of DOE FA (Based on original FA value of \$2 million or more.)<br><br><input type="checkbox"/> Achieving a Major Milestone<br><input type="checkbox"/> Closing of a Facility | <input type="checkbox"/> Opening of a New Office<br><input type="checkbox"/> Workforce Restructuring<br><input type="checkbox"/> Draft or Final EIS<br><input type="checkbox"/> Small Business Conference<br><input type="checkbox"/> Citizen Adv. Board Meeting/Hearing<br><input type="checkbox"/> Termination of DOE Contract (Based on original contract value of \$4 million or more, regardless of termination type.)<br><input type="checkbox"/> Major Facility Announcement<br><input type="checkbox"/> Other: _____ |
|---|--|

**General Description\*:**

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\*The General Description should 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.

**Known Congressional Interest:**

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\_\_\_\_\_

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Please send your notification to:  
Office of Congressional & Intergovernmental Affairs  
[CI.Notification@hq.doe.gov](mailto:CI.Notification@hq.doe.gov)  
If you have any questions please call: (202)586-5450

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