Headquarters Business Clearance Review Process

Version 1.0

U.S. DEPARTMENT of ENERGY

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[References: Acquisition Guide Chapter 1, Acquisition Guide Chapter 7.1, Acquisition Guide Chapter 42.201, Acquisition Guide Chapter 70.1706-1, Federal Acquisition Regulation (FAR) Part 6, FAR 17.502-2(b)(4), FAR Part 17.7, FAR Part 17.703, FAR 35.407, FAR 44.201, FAR 52.217-8, FAR 52.217-9, and FAR 52.237-2, Department of Energy Acquisition Regulation (DEAR) 917.6, and Department of Energy Guide to Financial Assistance.]

1.0 Summary of Latest Changes

This revision:

- Updates the Business Clearance Review process description for current review procedures including Enhanced Risk Assessment and Exec Sec procedures.
- Provides links to Business Clearance Review process resources including submission sites and documentation examples.

2.0 Discussion

This chapter outlines the policies and procedures for the Headquarters Business Clearance Review (BCR) process, managed by the Field Assistance and Oversight Division (MA-621). The BCR process requires Department of Energy (DOE) Senior Procurement Executive (SPE) review and approval of specific procurement actions before execution. This chapter does not apply to the National Nuclear Security Administration (NNSA).

2.1 Procurement Authority and Responsibilities

The Director of the Office of Acquisition Management (OAM) is the SPE with delegated authority for contracting and financial assistance from the Secretary of Energy. The SPE ensures the integrity, efficiency and effectiveness of the DOE's acquisition process. The SPE re-delegates specific contracting authority to Heads of Contracting Activities (HCAs), as outlined in individual HCA delegation memorandums. HCAs manage contractual, financial, and administrative activities within the limits of their delegated authority, as defined by the FAR, DEAR, DOE Financial Assistance Regulations, and DOE policies. HCAs may further delegate some of their authority, as authorized by the HCA designation memo (Also see Acquisition Guide Chapter 1).

2.2 Business Clearance Review Process

The BCR process is composed of three elements: annual call, BCR-enhanced risk assessment (ERA), and Exec Sec, as shown in the table below.

	Submittal/Review Requirement	Submittal Point	Submittal Date/Review Timeframe

1.	Annual Call	[Annual Call Site](#) – Upload to current FY folder	October 1st; Informational Purposes Only
a.	All actions > HCA delegated authority		
2.	BCR-ERA	[BCR-ERA Upload](#)	As required per action; 1 Business Day (Initial ERA review/low-risk actions) 5 Business Days (high-risk actions) 10 Business Days (actions requiring SPE Signature or GC-61 Review)
a.	All new actions > HCA delegated authority, except those actions covered by the Exec Sec process below.		
b.	Modifications:		
	> 20% of the original contract value and $10M (excluding Power Marketing Administration contracts)		
	Increase the total contract/task order value above the HCA's delegation threshold for new competitive acquisitions		
	Modifications with absolute value changes exceeding $50 million		
	Involve significant restructuring of award terms (e.g., contract type, deviations)		
	Increase the award's performance period beyond 5 years. Note: Exercising pre-negotiated options under FAR 52.217-8, FAR 52.217-9, and FAR 52.237-3 are excluded if reviewed/approved as of the pre-award BCR		
	Unpriced changes/letter contracts > HCA's delegated procurement authority		

	Definitization of unilateral (unpriced) changes/letter contracts > HCA's delegated procurement authority		
c.	Actions for which the approving authority is prescribed by law, regulation, or DOE policy as a specific senior DOE official		
	Performance Evaluation Measurement Plan (PEMP) – Initial/Revisions (other than administrative) for contracts > HCA authority		
	Ratifications > HCA delegated authority		
	Requests for equivalencies or exemptions to Contract Management Plans (CMPs) (see DOE Acquisition Guide Chapter 42.201)		
	Management and Operating (M&O) form of contract		
	Other Transactions (OT) Authority regardless of dollar value		
d.	Actions which, based on the judgment of the HCA and/or the SPE (regardless of the dollar value of the transaction), involve significant litigation or performance risk, or may generate unusual interest from the public, media, congress, or other governmental entity.		
3.	Exec Sec	eDOCs	As required per action; Target: 1 Business Day
a.	NOFOs and any other solicitation mechanism used to fund discretionary awards > HCA delegated authority (see Financial Assistance Letter (FAL) 2026-xx)		

Information on the BCR-ERA process presentation and risk-based checklists are available at: BCR-ERA Checklists. Examples of documentation required to be included with specific types of actions submitted for BCR-ERA and Exec Sec, as appropriate can be found at: Field Assistance and Oversight SharePoint homepage. These examples are not intended to be an all-inclusive list of actions subject to review, nor is it an all-inclusive list of required supporting documentation, but instead, is a list of typical types of actions subject to BCR and the associated supporting documents necessary to include as part of the BCR package.

Once BCR is completed, the cognizant HCA receives either a waiver notification (for actions scored by BCR-ERA as low risk) or a BCR comment matrix with further direction. In most cases, the HCA will be cleared to proceed with the acquisition without further review or discussion with MA-621. If a comment matrix is provided by MA-621, the HCA is required to provide responses to BCR comments within 10 working days after executing the action by uploading a completed comment resolution matrix to BCR-ERA as a new item.