

# Reclamation Manual

## Directives and Standards

<b>Subject:</b>	Miscellaneous Obligations (MO)
<b>Purpose:</b>	To establish the Bureau of Reclamation's usage, requirements, and process for MOs. The benefits of this Directives and Standards (D&S) are to provide Reclamation-wide requirements for determining which actions qualify as MOs and to establish Reclamation's process for obligating such actions, in accordance with applicable regulations.
<b>Authority:</b>	Reclamation Act of 1902 and all supplementary amendments thereto; Indian Self-Determination and Education Assistance Act (Pub. L. <a href="#">93-638</a> ); <a href="#">31 USC 1501</a> ; Federal Acquisition Regulation ( <a href="#">FAR</a> ) (48 CFR 1-99); <a href="#">2 CFR</a> , <i>Grants and Agreements</i> ; Department of the Treasury (Treasury) Financial Manual, Vol. I, Part 2, <a href="#">Ch. 4700</a> , <i>Federal Entity Reporting Requirements for the Financial Report of the United States Government</i> ; Office of Management and Budget (OMB) <a href="#">Circular A-11</a> , <i>Preparation, Submission and Execution of the Budget</i> ; OMB <a href="#">Circular A-123</a> , <i>Management's Responsibility for Enterprise Risk Management and Internal Control</i> ; Department of the Interior Acquisition, Assistance, and Asset Policy (DOI AAAP)-0052, <i>Purchase of Training at DOI</i> ; DOI AAAP-0190, <i>Supplemental Policy for Interagency and Intra-DOI</i>
<b>Approving Official:</b>	Director, Mission Support Organization (MSO)
<b>Contact:</b>	Finance Policy & Programs Division; Policy, Compliance, & Audit (84-27410)

1. **Introduction.** Laws authorize Reclamation to perform many activities to achieve its mission. When obligating funds to accomplish these activities, the FAR, 2 CFR, Pub. L. 93-638, and Treasury requirements take precedence over processing an obligation as a MO. This D&S sets forth the requirements and process for obligations qualifying as MOs.
2. **Applicability.**
  - A. This D&S applies to all Reclamation employees who participate in creating, approving, reviewing, and recording of MOs and all Reclamation employees involved in providing direction whether a micro-purchase, financial assistance, contract, interagency agreement (IAA), or intradepartmental agreement (IDA) is more appropriate.
  - B. Reclamation does not process obligations regulated by the FAR, 2 CFR, or Pub. L. 93-638 as an MO.
    - (1) The FAR regulates the acquiring by contract with appropriated funds of supplies or services (including construction) by and for the use of Reclamation through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated. The contracting officer

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(CO) is responsible for entering into contracts regulated by the FAR. The FAR also regulates micro-purchases acquired through a government purchase card (please contact your Purchase Line Card Coordinator (PLCC) for additional information).

- (2) Title 2 of the Code of Federal Regulations (CFR) regulates the awarding of financial assistance agreements (grants and cooperative agreements). The grant officer (GO) is responsible for entering into agreements regulated by 2 CFR.
- (3) Pub. L. 93-638 provides authority for Federally recognized tribes to enter into self-determination contracts and annual funding agreements with Reclamation for eligible project activities (see Reclamation Manual (RM) *D&S Requirements for Execution and Administration of Indian Self-Determination and Education Assistance Act (Pub. L. 93-638, as amended) Contracts and Annual Funding Agreements (AFAs)* ([NIA 10-01](#)) for additional information). Per RM [Delegations of Authority](#), delegated awarding officials (AO) are the only individuals authorized to enter into and administer Pub. L. 93-638 contracts and agreements on behalf of Reclamation.

- C. The Department is in the process of implementing Treasury's G-Invoicing requirements. As the Department implements G-Invoicing, Reclamation must process buy/sell IAAs and IDAs in the G-Invoice system and not as a MO. See DOI AAAP-190 for information regarding the implementation phases. Department and Reclamation policy determine the individuals authorized to enter into and administer IAAs and IDAs.

### 3. Delegated Authority.

- A. Reclamation does not have a general delegation of authority for MOs. To determine what position has the authority to create a MO, first determine what authority Reclamation is using for the activity and who within Reclamation has been delegated that authority. As a starting point, refer to RM [Delegations of Authority](#) and any further re-delegations of that authority as described in Paragraph 3.E. of RM [Delegations of Authority](#). Paragraph 3.E also provides delegation authority requirements for personnel acting on a long-term or short-term basis.
- B. The person with delegated authority to create the MO (sign the obligating document) is responsible for:
  - (1) entering into obligations for actions and limits within their delegated authority;
  - (2) ensuring the obligation is in accordance with all regulations, policies, and directives applicable to the activity;
  - (3) signing the appropriate obligating document; and

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- (4) attaching a copy of their relevant delegation of authority memorandum to the obligating document.

#### 4. Allowable MOs.

- A. Personnel with delegated authority to create MOs are responsible for contacting the CO, PLCC, GO, or AO for assistance, when needed, in determining whether a MO is appropriate. The CO, PLCC, or GO are responsible for providing direction, when contacted, on whether a specific obligation meets the criteria of the FAR (including micro-purchase through government charge cards) or 2 CFR, and thus will not be a MO. The AO is responsible for providing direction, when contacted, on whether programs, functions, services, or activities are eligible for contracting under Pub. L. 93-638, and thus will not be a MO.
- B. The regional office (including area and field offices) or directorate uses the purchase card or convenience checks whenever applicable and will not request a MO. Please contact your regional CO or PLCC for additional information.
- C. If the FAR, 2 CFR, or Pub. L. 93-638 does not regulate an activity, the person with delegated authority may create an MO to accomplish the activity, provided there is no other, more specific, business process or transaction type in Financial and Business Management System (FBMS).
- D. The following is a comprehensive list of allowable MOs. If a MO request is not on the list, the Accounting Services Division, Revenue and Reimbursable Services Branch (RRSB) will not process it unless the regional office or directorate obtains an approved exception (see Paragraph 7). In certain circumstances, the FAR, 2 CFR, or Pub. L. 93-638 may regulate an item listed below. If the FAR, 2 CFR, or Pub. L. 93-638 may apply to an item on the list, contact the CO, PLCC, GO, or AO for direction.  
Allowable MOs are:
  - (1) Training, when not a FAR based purchase in accordance with DOI AAAP-0052.
  - (2) IDA for intra-departmental travel, cash awards, training, departmental assessments, departmental solicitor salaries, firefighting charges, and land appraisal services from the Appraisal and Valuation Services Office. IAA for salaries of employees detailed or deployed to Reclamation. The IDA and IAA are contingent upon the Department's implementation of G-Invoicing.
  - (3) Land and easement acquisitions including associated acquisition costs (soft costs), excluding soft costs covered by the FAR (e.g., contracts for services such as hiring a non-Federal entity to clear the land).
  - (4) Purchased buildings (not constructed).

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- (5) Transfers between Federal agencies of property with reimbursement.
  - (6) Prize competition awards.
  - (7) Technical Service Center funding agreements, contingent upon the Department's implementation of G-Invoicing.
  - (8) Water-related contracts, including annual funding.
  - (9) Operations and maintenance contracts, including annual funding.
  - (10) General Service Administration reimbursable work agreements, contingent upon the Department's implementation of G-Invoicing.
  - (11) Licensing fees (see RM D&S, *Payment for State Licenses, Certification Fees, and Professional Credentials and Examinations* ([HRM 05-02](#))).
  - (12) Permits.
  - (13) Hazmat fees.
  - (14) Government Publishing Office requests, contingent upon the Department's implementation of G-Invoicing.
  - (15) Legal authority/statute (attach excerpt of legislation to the obligating document).
  - (16) Legal settlements, indemnities, and court orders.
  - (17) Equal employment opportunity settlements and tort claims (do not process a purchase request (PR) through the preliminary purchase requisition (PPR) SharePoint, contact RRSB for assistance due to privacy concerns).
5. **Documentation and Segregation of Duties.** At a minimum, every MO request contains a copy of a delegation memorandum and the obligating document. An exception is when the regional director/director signs the obligating document as the delegated authority. In these instances, include the title on the obligating document or a note that the signature belongs to a regional director/director and RRSB will not require the delegation memorandum. At a minimum, three different people have responsibilities in the MO process. The person with the delegated authority, the supervisor approver, and the certifying funds approver (CFA) must be different people on any specific request.
- A. **Person with Delegated Authority.** See Paragraph 3 for the person with delegated authority's responsibilities.

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- B. **Supervisor Approver.** The person with the FBMS supervisor approver role, who is responsible for the program area pertaining to the MO, is responsible for approving the legitimacy of the request, including the appropriate accounting string.
- C. **Certifying Funds Approver.** The CFA is responsible for:
- (1) verifying the accuracy of the accounting string (e.g., fund, work breakdown structure), and
  - (2) verifying the accounting string has funds available for the MO.
6. **Process.**
- A. The regional office (including area and field offices) or directorate submits a PPR request into the PPR SharePoint site<sup>1</sup>. The PPR request must include:
- (1) a copy of the obligating document, the delegation memorandum, and any other pertinent supporting documentation to the PPR request (e.g., a copy of an approved exception in accordance with Paragraph 7, when applicable);
  - (2) the names of the required FBMS approvers (at a minimum the supervisor approver and the CFA but, if applicable, must include additional approvers such as property or information technology personnel depending on the User Product Code (UPC)-refer to the UPC Lookup spreadsheet<sup>2</sup>); and
  - (3) pertinent information on the PPR request, e.g., period of performance (see the MO PR and IAA PR Instructions<sup>3</sup> for required fields).
- B. RRSB reviews the request no later than 5 days after submission into the PPR SharePoint site. RRSB performs a general review of the PPR request, but it is the person with delegated authority's (the person who signed the obligating document) responsibility to ensure the actions and amount are within their delegated authority; and the supervisor approver's responsibility to ensure the legitimacy and accuracy of the transaction. RRSB is responsible for:
- (1) confirming the supporting documentation includes, at a minimum, the obligating document and delegation memorandum;
  - (2) confirming the supporting documentation and the information on the PPR request reflects the action (new, modification, or deobligation) requested;

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<sup>1</sup> FBMSSOP < Acquisitions/Financial Assistance/Charge Card < Preliminary PR Site < Preliminary PR Application

<sup>2</sup> FBMSSOP < Acquisitions/Financial Assistance/Charge Card < Preliminary PR Site < UPC Lookup

<sup>3</sup> FBMSSOP < Acquisitions/Financial Assistance/Charge Card < Preliminary PR Site < MO PR and IAA PR Instructions

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- (3) ensuring the signature or title on the obligating document matches the name or title on the delegation memorandum;
  - (4) reviewing the MO to ensure the person signing the obligating document, the supervisor approver, and the CFA are different personnel on any specific request;
  - (5) reviewing the period of performance; and
  - (6) verifying the type of request is on the list of allowable MOs (see Paragraph 4.D.) or contains an approved exception (see Paragraph 7).
- C. If the PPR request is for a deobligation or a zero-dollar modification, RRSB makes the necessary changes directly to the MO in FBMS and does not create a PR. If the PPR request is a new obligation or is a modification for additional funds, RRSB creates a PR in FBMS and routes it through the required approvals. After receiving all specified approvals, RRSB creates the obligation in FBMS and attaches the documentation to the MO.

### 7. Approved Exceptions.

- A. RRSB only processes a MO request if it is on the list of allowable MOs in Paragraph 4.D., or they receive a copy of an email from the CO, GO, AO, or the MSO, Acquisition Assistance Management Division (AAMD). It is the CO, GO, AO, or AAMD's responsibility to determine whether FAR, 2 CFR, or Pub. L. 93-638 applies to the activity and thus will not be an MO. If the CO, GO, AO, or AAMD determine the FAR, 2 CFR, or Pub. L. 93-638 does not apply, the person with delegated authority obtains an email stating so. Attach a copy of the email to the obligating document as an approved exception.
- B. The approval of an exception is for the life of that particular MO. When requesting modifications, include a comment in the PPR request stating the approved exception was previously provided.
- C. The person with delegated authority is responsible for determining when a change of scope requires an updated approved exception.

### 8. Definitions.

- A. **G-Invoice or G-Invoicing.** Treasury's application that will be used to facilitate buy/sell activities between two Federal entities. This application will replace the former reimbursable agreement process with an electronic origination, review, and approval of buy/sell IDAs and IAAs.
- B. **Micro-purchase.** Defined in FAR 2.101 with procedures prescribed in FAR 13.2.

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- C. **Miscellaneous Obligation.** For the purpose of this D&S, a valid obligation not regulated by FAR, 2 CFR, Pub. L. 93-638, or Treasury's G-Invoicing. See Paragraph 8.E. for the definition of an obligation.
  - D. **Obligating Document.** For purposes of this D&S, the form, agreement, contract, etc. signed by the person with delegated authority to obligate funds to achieve an activity. Examples include annual funding for water service agreements and SF-182 *Authorization, Agreement and Certification of Training*.
  - E. **Obligation.** Binding agreement that will result in outlays immediately or in the future. Budgetary resources must be available before obligations can be incurred legally. Reclamation records an obligation when it places an order for an item or service, awards a contract, receives a service, or enters into similar transactions that require Reclamation to make payments in the same or a future period. Reclamation also records obligations when it makes an expenditure transfer between Federal Government accounts.
  - F. **Simplified Acquisition.** Defined in FAR 2.101 and DOI AAAP-0148 with procedures prescribed in FAR 13.
9. **Review Period.** The originating office will review this release review every 4 years.

## RECLAMATION MANUAL TRANSMITTAL SHEET

Effective Date: \_\_\_\_\_

Release No. \_\_\_\_\_

Ensure all employees needing this information are provided a copy of this release.

### Reclamation Manual Release Number and Subject

### Summary of Changes

NOTE: This Reclamation Manual release applies to all Reclamation employees. When an exclusive bargaining unit exists, changes to this release may be subject to the provisions of collective bargaining agreements.

### Filing instructions

Remove Sheets

Insert Sheets

All Reclamation Manual releases are available at <http://www.usbr.gov/recman/>

Filed by: \_\_\_\_\_

Date: \_\_\_\_\_