

Reclamation Manual

Directives and Standards

Subject:	Miscellaneous Obligations (MO)
Purpose:	To establish the Bureau of Reclamation's usage 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 Reclamation's delegated authorities.
Authority:	Reclamation Act of 1902 and all supplementary amendments thereto; Indian Self-Determination and Education Assistance Act (Pub. L. 93-638); 31 USC 1501 ; Federal Acquisition Regulation (FAR) (48 CFR 1-99); 2 CFR , <i>Grants and Agreements</i> ; Department of the Treasury (Treasury) Financial Manual (TFM), Vol. I, Part 2, Ch. 4700, <i>Federal Entity Reporting Requirements for the Financial Report of the United States Government</i> ; Office of Management and Budget (OMB) Circular A-11 , <i>Preparation, Submission and Execution of the Budget</i> ; OMB Circular A-123 , <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>
Approving Official:	Director, Mission Support Organization (MSO)
Contact:	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 various processes including delegations, documentation, and systems to obligate funding for actions such as those based on the FAR, 2 CFR, Pub. L. 93-638, purchase card policy, and TFM 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 Reclamation employees who participate in creating, approving, reviewing, and recording MOs and Reclamation employees involved in providing direction whether a micro-purchase, financial assistance agreement, FAR based contract, Pub. L. 93-638 agreement, interagency agreement (IAA), or intradepartmental agreement (IDA) is more appropriate.
- B. References to the FAR, 2 CFR, and Pub. L. 93-638 in this D&S are included solely to indicate when a contracting officer (CO), grant officer (GO), or awarding official

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(AO) has the responsibility to enter into the agreement, or the purchase card holder has the authority to purchase the goods or services, Reclamation will not process the obligation via the MO process. The regulations, policies, and directives for Reclamation's various activities are beyond the scope of this D&S. Determining the applicability of portions of the FAR, 2 CFR, or any regulation, policy, or directive to the execution, administration, monitoring, reporting, etc. of an agreement, license, or any other document or activity for which Reclamation obligates funds as a MO is beyond the scope of this D&S.

- C. Reclamation does not process obligations regulated by the FAR, 2 CFR, or Pub. L. 93-638 or intragovernmental agreements as a 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 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 CFR regulates the awarding of financial assistance agreements (grants and cooperative agreements). The GO is responsible for entering into financial assistance 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 AOs are the only individuals authorized to enter into and administer Pub. L. 93-638 contracts and agreements on behalf of Reclamation.
- D. The TFM requires the use of the G-invoicing system to process buy and sell IAA and IDA agreements. Regardless of whether the intragovernmental agreement is a buy/sell, IAA, or IDA, Reclamation submits an IAA or G-invoicing preliminary purchase request (PPR). Reclamation does not process intragovernmental agreements as an MO. Department and Reclamation policy determine the individuals authorized to enter into IAAs and IDAs.

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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
 - (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 a MO to accomplish the activity, provided there is no other, more specific, business process or transaction type in Financial and Business Management System (FBMS).

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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 an intragovernmental agreement or a FAR based purchase in accordance with DOI AAAP-0052.
- (2) 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).
- (3) Purchased buildings (not constructed).
- (4) Prize competition awards.
- (5) Water-related contracts, including annual funding.
- (6) Operations and maintenance contracts, including annual funding.
- (7) Licensing fees (see RM D&S, *Payment for State Licenses, Certification Fees, and Professional Credentials and Examinations* ([HRM 05-02](#))).
- (8) Permits.
- (9) Hazmat fees.
- (10) Legal authority/statute (attach excerpt of legislation to the obligating document).
- (11) Legal settlements, indemnities, and court orders.
- (12) Equal employment opportunity settlements and tort claims (do not process a purchase request (PR) through the 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

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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.

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 or CFA.

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 site¹. 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 spreadsheet²); and
- (3) pertinent information on the PPR request, e.g., period of performance (see the MO PR and IAA PR Instructions³ 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)

¹ Reclamation Intranet > Additional Resources/Quick List > Acquisitions > One Stop Shop > Preliminary PR (PPR) SharePoint > Preliminary PR Creator Instruction

² Reclamation Intranet > Additional Resources/Quick List > Acquisitions > One Stop Shop > Preliminary PR Site > UPC Lookup

³ Reclamation Intranet > Additional Resources/Quick List > Acquisitions > One Stop Shop > Preliminary PR Site > MO Library

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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;
 - (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, RRSB creates a PR in FBMS and routes it through the required approvals. After receiving all specified approvals, RRSB deobligates the obligation in FBMS and attaches the documentation to the MO. For zero-dollar modifications, RRSB makes the necessary changes directly to the MO in FBMS.

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 a 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.

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- C. The person with delegated authority is responsible for determining when a change of scope requires an updated approved exception.

8. Recordkeeping and Section 508 Compliance.

Reclamation employees maintain all records in accordance with the Information Management Handbook⁴, as referenced in RM D&S *Information Management* (RCD 05-01). In addition, Reclamation employees who create electronic content ensure information and communication technology developed, procured, maintained, or used is accessible to individuals with disabilities in accordance with the Information Technology Standards and Guidelines (36 CFR 1194), as required by the Rehabilitation Act of 1973, including the use of electronic signature software. See RM D&S, *Accessibility to Information and Communication Technology: Section 508 of the Rehabilitation Act* (IRM 05-08).

9. Definitions.

- A. **G-Invoice or G-Invoicing.**

Treasury's application used to facilitate buy/sell activities between two Federal entities.

- B. **Micro-purchase.**

Defined in FAR 2.101 with procedures prescribed in FAR 13.2.

- 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 9.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

⁴ Reclamation Intranet > Additional Resources/Quick List > Records and Info. Management > Information Management Handbook

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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.

10. Review Period.

The originating office will review this release review every four years.