

**Guidance for Adding
Supplemental Provisions for
Contracts, Grants, and Purchase Orders Using Funds
Provided under the
American Recovery and Reinvestment Act of 2009
As of 8-21-09**

Summary

The Office of the State Controller prepared the Supplemental Provisions based on ARRA, OMB Guidance, and the Recipient Reporting Data Model V3.0. Because it is likely that OMB Guidance will be updated, we included paragraph #2 - Compliance and paragraph #22 - Reporting. The Supplemental Provisions will allow the State greater flexibility to make changes without having to amend the contract, grant, or purchase order.

Three Situations

1. **Existing ARRA Contract, Grant or Purchase Order** – Agencies and institutions of higher education shall execute an amendment to an existing ARRA contract, grant or purchase order to add the Supplemental Provisions. The amendment shall state that the Supplemental Provisions are retroactively effective upon the execution of the existing original ARRA contract, grant or purchase order, with the exceptions of paragraph #11 - Job Opportunity Posting Requirements and paragraph #17 - Publication, which are effective with the execution of the amendment.
2. **New ARRA Contract, Grant or Purchase Order** – Attach the Supplemental Provisions to the new ARRA contract, grant, or purchase order, and include as an exhibit. Also list the Supplemental Provisions first in the order of precedence clause.
3. **Revisions to OMB Guidance** – Send a letter to the contracting entity (Contractor, Grantee, or Vendor) advising the contracting entity of the revisions, and refer the Contracting entity to the Office of the State Controller (OSC) ARRA website:
http://www.colorado.gov/dpa/dfp/sco/contracts/ARRA/ARRA_Main_Page.htm

State Architect Form Contracts

Agencies and institutions of higher education shall continue to use approved forms, for design and construction and follow policies and procedures from the Office of the State Architect. The Supplemental Provisions shall be attached to those forms for ARRA contracts.

Reporting Templates for Subrecipients and Recipient Vendors

The OSC has drafted reporting templates for Subrecipient and Recipient Vendor reporting. See paragraphs #22, #23, and #24. These formats will be posted to the OSC ARRA website.

Questions?

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