

(c100jr3-0110)

ARRA PROJECT REQUIREMENTS – The Contractor is advised this project has been identified by the Department for advertisement, award and construction subject to criteria and conditions established under the American Recovery and Reinvestment Act of 2009 (ARRA). Standard Special Provisions and Special Provision Copied Notes used for federal-aid projects will remain the same under this Act with additional requirements as stated herein after.

The following additional requirements will apply to all projects receiving federal funding under the American Recovery and Reinvestment Act of 2009 (ARRA):

The prime Contractor will be required to submit via electronic media (supplied by the Department), the total number of company/firm employees used on the job site, in the project office, in the home office, or teleworked from an alternate location, the number of hours they worked, and the payroll of all persons who performed work on this project for each month of project duration. Payroll includes only wages, and does not include overhead or indirect costs. The prime Contractor also will be required to report the same information stated above with regard to the work performed by all subcontractors used on the job site, in the project office, in the home office, or teleworked from an alternate location, regardless of tier, during the month. This requirement does not apply to material suppliers. The Contractor will be required to file this report, as directed by the Department, no later than the 10th of each month.

The prime Contractor will be required to submit to the Department the total dollar amount paid to DBE firms on this contract for each calendar month of project duration. The Contractor will be required to file this report on Form C-68 with the appropriate District Civil Rights Manager, as directed by the Department, no later than the 5th day of the month for the preceding month's activity.

The reporting criteria will be mandatory upon the Contractor and any subcontractors and must be accomplished within the timeframe(s) and to the full extent requested. Incomplete reporting of requested information will not be tolerated and will be interpreted as failure to meet the requirements of this provision and, therefore, subject to the sanctions contained herein. Failure to meet these requirements will result in the Contractor being disqualified from bidding on any future contracts for a period of 6 months in accordance with the provisions of Section 102.08 of the Specifications and any other remedy applicable and available under law.

Section 902 of the American Recovery and Reinvestment Act (ARRA) of 2009 provides the U.S. Comptroller General and his representatives with the authority to:

- (1) to examine any records of the Contractor or any of its subcontractors, or any State or local agency administering such contract, that directly pertain to, and involve transactions relating to, the contract or subcontract; and
- (2) to interview any officer or employee of the Contractor or any of its subcontractors, or of any State or local government agency administering the contract, regarding such transactions.

Accordingly, the Comptroller General and his representatives shall have the authority and rights as provided under Section 902 of the ARRA with respect to this contract, which is funded with funds made available under the ARRA. Section 902 further states that nothing in this section shall be interpreted to limit or restrict in any way any existing authority of the Comptroller General.

Additionally, Section 1515(a) of the ARRA provides authority for any representatives of the U.S. Inspector General to examine any records or interview any employee or officers working on this contract. The Contractor is advised that representatives of the Inspector General have the authority to examine any record and interview any employee or officer of the Contractor, its subcontractors or other firms working on this contract. Section 1515(b) further provides that nothing in this section shall be interpreted to limit or restrict in any way any existing authority of an Inspector General.

State Requirement for ARRA projects

Executive Order 85 (2009) requires that all Contractors (prime) and subcontractors use the Virginia Workforce Connection (VWC) for the recruitment of all jobs created by the American Recovery and Reinvestment Act of 2009 (ARRA). The VWC is the state's official workforce development web site for employer vacancy listings. Attached are VEC instructions for posting jobs to this web site (Attachment A). For assistance from the Virginia Employment Commission (VEC), please call (804) 225-3116 or email at: StimulusJobs@vec.virginia.gov

Accountability for Proper Use of ARRA Funding

ARRA contains built-in measures to detect and prevent waste, fraud, or mismanagement of recovery/stimulus spending. ARRA provides protections for certain individuals who make specified disclosures relating to Recovery Act funds. Any non-federal employer receiving recovery funds is required to post a notice on site (Whistleblowers Rights Protection Poster) of the rights and remedies provided under this section of the Act.

Those protected include employees of non-federal employers receiving recovery funds, including State and local governments, contractors, subcontractors, grantees or professional membership organizations acting in the interest of recovery fund recipients.

To be protected, the disclosure must be made by the employee to the Recovery Accountability and Transparency Board, an Inspector General, the Comptroller General, a member of Congress, a state or federal regulatory or law enforcement agency, a person with supervisory authority over the employee, a court or grand jury, or the head of a federal agency or his/her representatives.

In addition, the disclosure must involve information that the employee believes is evidence of:

- gross mismanagement of an agency contract or grant relating to recovery funds;
- a gross waste of recovery funds;
- a substantial and specific danger to public health or safety related to the implementation or use of recovery funds;

- an abuse of authority related to the implementation or use of recovery funds; or
- a violation of law, rule, or regulation related to an agency contract or grant awarded or issued relating to recovery funds.

Additional information and poster details are available at:
<http://www.oig.dot.gov/whistleblower-protection>.

2-01-10 (SPCN)

ATTACHMENT A

**Executive Order 85 – Job Posting Processes
Commonwealth of Virginia and Stimulus Funded Jobs**

In accordance with Executive Order 85, the Virginia Employment Commission provides the following instructions for posting vacancies to the Virginia Workforce Connection (VWC) for Commonwealth of Virginia jobs and for contractor and sub-recipient job vacancies funded by the American Recovery and Reinvestment Act (ARRA).

Commonwealth of Virginia Job Postings in the Recruitment Management System (RMS)

1. Job vacancies will be automatically imported from RMS into VWC.
2. Executive agencies, colleges and universities who post job vacancies via RMS require no other action to comply with the Executive Order.

Contractors and Sub-recipients receiving ARRA Funds Job Postings Instructions AND Commonwealth of Virginia Job Postings NOT in (RMS)

These employers will access the VWC and enter their ARRA job postings. If the employer does not have a VWC account, one must be created. The account and posting may be created on-line.

- Access the VWC at <https://www.vawc.vec.virginia.gov>

If you have a VWC account:

- Enter your user ID and password.
- Click the **Sign In** button.

Post a Job Order	<ul style="list-style-type: none">• Click Manage Jobs from the Quick Menu.• Click Create a New Job Order.• Select the occupation for the job order and click Continue.• Select job order Location and Contact.• Select and confirm the required skills.• Record job order details.• Click Save.• On existing job orders, click the job order title to view and modify it.• Click Copy to create a copy of the current job order.
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If you do not have a VWC account:

- Click the Not Registered? Link.
- Click Register, Click Employer.
- Create a unique user ID and password.
- Fill in required (*) fields.
- Click the **Post a Job** button; answer the Stimulus question as noted in the box above.

For assistance from the VEC, please call (804) 225-3116 or email at StimulusJobs@vec.virginia.gov