



Engaging with the Government: Contract, Relationships & The New Regulatory Environment

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The American Recovery & Reinvestment Act of 2009 (ARRA)



Source: "Obama signs stimulus bill." *Denver Post*, February 18, 2009.
http://www.denverpost.com/politics/cj_11726570 (Accessed September 09, 2009).



The American Recovery & Reinvestment Act of 2009 (ARRA)

- Economic stimulus package enacted by Congress and signed into law by President Barack Obama on February 17, 2009 at the Denver Museum of Nature and Science.
- The Recovery Act was intended to provide a stimulus to the U.S. economy in the wake of the economic downturn.



ARRA: The Act



- Features measures nominally worth \$787 billion to include federal tax cuts, expansion of unemployment benefits and other social welfare provisions, and domestic spending in education, health care, and infrastructure, including the energy sector.



ARRA: Goals

- Save and create more than 3.5 million (59,000 in Colorado) jobs over the next two years
- \$150 billion investment in new infrastructure
- \$800 Making Work Pay tax credit for 129 million working households
- Require unprecedented levels of transparency, oversight, and accountability.



Accountability and Transparency: Oversight Bodies

- Office of Management and Budget (OMB)
- Government Accountability Office (GAO)
- The Recovery Act Transparency Board
- “The Public” via www.Recovery.gov

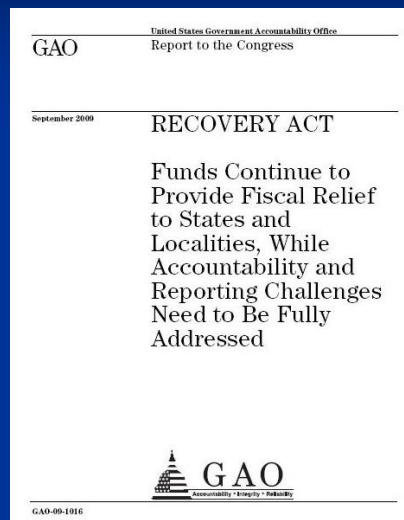


Government Accountability Office

- Colorado is one of 16 states GAO monitors for ARRA compliance. Together these states represent about two-thirds of federal assistance available.
- GAO Reports Address:
 - Uses of Recovery Act funds;
 - Approaches taken to ensure accountability for Recovery Act funds; and
 - Plans to evaluate the impact of Recovery Act funds.



Government Accountability Office

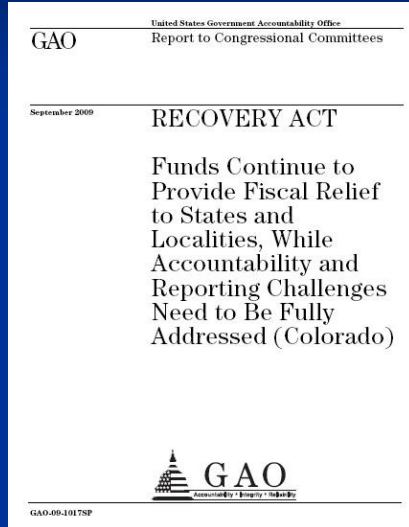


September 2009 Report:

- Single Audit guidance does not fully address Recovery Act risk.
- Quality and reliability issues surrounding data submitted for Recovery.gov.



Government Accountability Office



GAO Colorado

- GAO provides appendices specific to each state under review.
- Colorado Summary of Risk:
 - State Budget Shortfalls
 - Weatherization Assistance Programs
 - ARRA Administrative & Oversight Costs



The City & County of Denver

- ARRA provides a great opportunity for Denver to receive stimulus dollars for critical city projects and programs.
- To date, the City of Denver has been awarded over \$54 million in ARRA funds. However, it may be a year or more before Denver has a final total of funds received.



The City & County of Denver

Examples of ARRA Awarded Funds:

- Public Works: Competitive Grant: ~ \$12 mil
 - Infrastructure improvements
- Mayor's Office: Formula Grant: ~ \$6.1 mil
 - Citywide facility improvements
- Office of Economic Development: ~ \$2.5 mil.
 - Community/economic revitalization projects



The City & County of Denver

Denver International Airport (DIA):

- Pavement Rehabilitation: ~ \$7 mil.
 - Completed September 2009
 - Jobs Created: 61
- Runway Shoulder Widening: ~ \$ 2mil.
 - Completed September 2009
 - Jobs Created: 65



The City & County of Denver

GRANT AND CONTRACT INITIATION:

- City Council must approve grants greater than \$500k or when it requires a matching contribution from the City.
- Valid contracts must be signed by the City Attorney, Mayor, Clerk and Recorder, Manager of Finance and counter signed by the Auditor.
- The City requires recipient agencies to have policies and procedures in regards to grant management.



The City & County of Denver

FORM 42

GOVERNANCE:

CITY AND COUNTY OF DENVER
CONTRACT APPROVAL AND PREPARATION REQUEST (ADM Form 42)

To: Mayor / City Attorney / Contract Administration Office

Attention: _____ Date: _____ Phone #: _____

Initiating Authority: _____ Division: _____

Agency Contact Familiar with this Contract: _____ Phone: _____

1. If Contractor was not selected by lowest competitive bid, cite reasons: _____

2. City Council approval () is not () required prior to entering this contract.

3. An ASPEN 15 Form has been forwarded to Budget and Management ()

4. Contractor Name and Address: _____ 5. Contract Control Number: _____

6. Type of contract: Exp. Rev. Orig. Amend.

7. Type of Entry: _____

8. IRS / SSN #: _____

9. Project/Grant ID - Name: _____

10. Ordinance - period: _____

11. Contract Term (MM/DD/YYYY) to: _____

12. Vendor ID#: _____

13. Total amount included in this contract request: \$0.00

13. If amendment, previous total: \$0.00 14. Total with amendments: \$0.00

15. If multiple expenditure authorities are involved, name the authorities: _____

16. Funding sources:

Fund	Orig.	Acct.	Amnt \$0.00	Bus. Unit
Fund	Orig.	Acct.	Amnt \$0.00	Bus. Unit
Fund	Orig.	Acct.	Amnt \$0.00	Bus. Unit

Program Sub-Class Project/Grant
 Program Sub-Class Project/Grant

17. Describe the project in general terms: _____

18. Supplemental Materials - transmit to City Attorney as e-mail attachment or hard copy:
 ASPEN 15 Cert. of Insurance Evidence of Bonding Real Estate Deed RFP Scope of Work

Other: _____

APPROVALS:

Dept./Agency Head	Date:
Budget and Mgt:	Date:
Risk Mgr:	Date:
Mayor's Office:	Date:
Other Authority:	Date:
Other Authority:	Date:
Other Authority:	Date:
Other Authority:	Date:

I hereby certify that the information and/or services requested herein are necessary for the operation of this agency, are not available within existing resources, and properly designate to the authority specified in the attached ASPEN 15 and the quarterly affirmations on file with the auditor in respect to which funds have been pre-encumbered, and that this proposed undertaking is in conformity with the Mayor's policy.

Initiating Authority: _____ Date: _____ City Attorney: _____ Date: _____

Form ASPEN 42 (Rev. 12/13/03)

- Mayoral Executive Orders
- City Fiscal Rules
- Single Audit Guidance: OMB A – 133 Circular
- Provides reporting requirements for State and Local governments
- OMB's Recovery Act revisions are ongoing



The City & County of Denver

OVERSIGHT:

- ARRA Oversight Committee:
 - Advisory board made up of internal and external members of the City to ensure transparency
- ARRA Management Group:
 - Members of the Mayor's Office, Department of Finance, City Attorney's Office and Technology Services
- ARRA Working Group:
 - Collaborative working group of city agencies



Federal Requirements

- Mitigate instances of fraud, waste and abuse.
- No comingling of Recovery and non-Recovery Act funds allowed.
- Report aggregate ARRA spending within 10 days of quarter end at FederalReporting.gov.
- All ARRA funding must be obligated by September 30, 2010.



Fraud, Waste and Abuse

- Whistle-blowers:
 - Locally: The City and County of Denver will allow the public to report directly to the ARRA Oversight Committee at: milehighstimulus@denvergov.org
 - Nationally: The public will be able to forward tips and concerns directly to the Recovery Accountability and Transparency Board through www.Recovery.gov.



The New Regulatory Environment

- “Government 2.0” - attempts to apply the social networking and integration advantages of the Web to the practice of government.
- Increased accountability, transparency, and access to information for both the public and private sectors, as well as everyday citizens.



The New Regulatory Environment

- Examples Include: Recovery.gov, Data.gov, Broadband.gov, Apps.gov and Social media sites such as: Facebook and Twitter.



- Earl Devaney, Recovery Accountability and Transparency Board Chairman states, “Whatever we do here will serve as a prototype for the future.”



Q & A

“After we passed the Recovery Act, I wrote a long memo to the president. We had lunch. And I said, ‘Boss, I think you should do this.’ He said, ‘Good. Do it.’”

- Joe Biden, September 3, 2009

