

## **JOM Contract Management**

### **ANNUAL CYCLE Public Law 93-638 Contracts with Federally-Recognized Tribes SIGNIFICANT EVENTS**

#### APPLICATION DEADLINE FOR INITIAL CONTRACT:

1. 120 days before end of contract period: Tribe submits initial contract documents for award of contract.

Initial documents are specified in 25 Code of Federal Regulations *INDIANS* Part 900.8 "What must an initial contract proposal contain?"

(a) The full name, address and telephone number of the Indian tribe or tribal organization proposing the contract.

(b) If the tribal organization is not an Indian tribe, the proposal must also include:

1. A copy of the tribal organization's organizational documents (e.g., charter, articles of incorporation, bylaws, etc.).
2. The full name(s) of the Indian tribe(s) with which the tribal organization is affiliated.

(c) The full name(s) of the Indian tribe(s) proposed to be served.

(d) A copy of the authorizing resolution from the Indian tribe(s) to be served.

1. If an Indian tribe or tribal organization proposes to serve a specific geographic area, it must provide authorizing resolution(s) from all Indian tribes located within the specific area it proposes to serve. However, no resolution is required from an Indian tribe located outside the area proposed to be served whose members reside within the proposed service area.
2. If a currently effective authorizing resolution covering the scope of an initial contract proposal has already been provided to the agency receiving the proposal, a reference to that resolution.

(e) The name, title, and signature of the authorized representative of the Indian tribe or tribal organization submitting the contract proposal.

(f) The date of submission of the proposal.

(g) A brief statement of the programs, functions, services, or activities that the tribal organization proposes to perform, including:

1. A description of the geographical service area, if applicable, to be served.
2. The estimated number of Indian people who will receive the benefits or services under the proposed contract.
3. An identification of any local, Area, regional, or national level departmental programs, functions, services, or activities to be contracted, including administrative functions.
4. A description of the proposed program standards
5. An identification of the program reports, data and financial reports that the Indian tribe or tribal organization will provide, including their frequency.
6. A description of any proposed redesign of the programs, services, functions, or activities to be contracted.
7. Minimum staff qualifications proposed by the Indian tribe and tribal organization, if any; and

8. A statement that the Indian tribe or tribal organization will meet the minimum procurement, property and financial management standards set forth in subpart F, subject to any waiver that may have been granted under subpart k.
- (h) The amount of funds requested, including:
1. An identification of the funds requested by programs, functions, services, or activities, under section 106(a)(1) of the Act, including the Indian tribe or tribal organization's share of funds related to such programs, functions, services, or activities, if any, from any Departmental local, area, regional, or national level.
  2. An identification of the amount of direct contract support costs, including one-time start-up or preaward costs under section 106(a)(2) and related provisions of the Act; presented by major categories such as:
    - (i) Personnel (differentiating between salary and fringe benefits);
    - (ii) Equipment;
    - (iii) Materials and supplies;
    - (iv) Travel;
    - (v) Subcontracts; and
    - (vi) Other appropriate items of cost.
  3. An identification of funds the Indian tribe or tribal organization requests to recover for indirect contract support costs. This funding request must include either:
    - (i) A copy of the most recent negotiated indirect cost rate agreement; or
    - (ii) A estimated amount requested for indirect costs, pending timely establishment of a rate or negotiation of administrative overhead costs.
  4. To the extent not stated elsewhere in the budget or previously reported to the Secretary, any preaward costs, including the amount and time period covered or to be covered; and
  5. At the option of the Indian tribe or tribal organization, an identification of programs, functions, services, or activities specified in the contract proposal which will be funded from sources other than the Secretary.
- (i) The proposed starting date and term of the contract.
- (j) In the case of a cooperative agreement, the nature and degree of Federal programmatic involvement anticipated during the term of the agreement.
- (k) The extent of any planned use of Federal personnel and Federal resources.
- (l) Any proposed waiver(s) of the regulations in this part; and
- (m) A statement that the Indian tribe or tribal organization will implement procedures appropriate to the programs, functions, services or activities proposed to be contracted, assuring the confidentiality of medical records and of information relating to the financial affairs of individual Indians obtained under the proposal contract, or as otherwise required by law.

**RENEWAL OF CONTRACT:**

1. 90 days before end of contract period: Tribe submits re-contract documents for renewal of contract

Documents to be submitted are:

- Letter of Intent (LOI)
- Revised Statement of Work\*
- Revised Budget projection\* (based on 80% of previous year funding)
- Revised Budget justification\*

- Reference to Tribal Resolution or copy of Tribal Resolution authorizing contract
- Carryover amount, if any

NOTE: If there is no change in the Statement of Work (SOW); no change in Budget, the Tribal Resolution is still in effect, and no carryover, the LOI should state those facts. If that were the case, the renewal of the contract can occur based on the Letter-of-Intent.

\* Note: for JOM programs, the revised Statement of Work; revised Budget projection; and revised Budget justification should attach JOM Indian Education Committee approval documentation, i.e., minutes approving; letter from JOM IEC stating approval; etc.