

| | | |
|--|---|-----------|
| U.S. DEPARTMENT OF COMMERCE MARITIME ADMINISTRATION | MARITIME ADMINISTRATIVE ORDER | |
| MANUAL OF ORDERS | REVOKES MAO 410-2 dtd. 6/9/59 (formerly MO-504) | NO. 410-2 |
| | EFFECTIVE DATE December 30, 1974 | |
| SUBJECT TRANSFER OF FUNDS FOR WORK OR SERVICES | | |
| <p><u>Section 1. Purpose:</u></p> <p>This order establishes the policies, authorities, and procedures governing: (a) reimbursable agreements with other U.S. Government agencies for the performance of work and transfers of funds therefor, under the Economy Act (31 U.S.C. 686) or other legislative authority; and (b) the receipt of funds from non-Federal sources for services rendered by the Maritime Administration pursuant to the annual appropriation act or Public Law 91-412 (15 U.S.C. 1525-1527).</p> <p><u>Section 2. Basic Legal and Administrative Authorities:</u></p> <p>2.01 Basic legal authorities of general application are contained in the following acts and regulations:</p> <ol style="list-style-type: none"> 1 <u>Section 601 of the Economy Act, as amended (31 U.S.C. 686) -</u> This act provides that any executive department or independent establishment of the Government, if funds are available and it is determined to be in the interest of the Government, may place orders with another department, establishment, bureau, or office for materials, supplies, equipment, work, or services of any kind that such requisitioned Federal agency may be in a position to supply or equipped to render. 2 <u>Annual Appropriation Act, General Provisions -</u> This act provides that the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under the control of the Maritime Administration, and payments received by the Maritime Administration for utilities, services, and repairs so furnished or made shall be credited to the appropriation charged with the cost thereof. 3 <u>Public Law 91-412 (15 U.S.C. 1525-1527) -</u> This law authorizes the Secretary of Commerce upon request of any person, firm, organization, or others, public or private, to make special studies and to furnish transcripts or copies of its studies, compilations, and other records, upon payment of the actual or estimated cost thereof by the requesting party, and to utilize such funds to pay directly the costs incurred in providing the above services. | | |

4 Office of Management and Budget Circular No. A-25 provides general policies and criteria to be used in establishing charges and fees for Government services and property which convey special benefits to recipients above and beyond those accruing to the public at large.

5 Department Administrative Order 203-5 - User Charges -

This order sets forth the general policy, responsibilities, standards and related requirements of the Department of Commerce pertaining to fees and charges for services performed for other agencies and services that provide a special benefit to non-Federal recipients, including principles for the disposition of receipts from such sources.

Section 3. Definition:

3.01 As the terms are used in this order, the following definitions shall apply:

- 1 Reimbursable Agreement - an agreement by one party to perform work or services for another party, in return for payment (reimbursement) of the cost thereof by the recipient of the services.
- 2 Advance - an amount of money prepaid pursuant to an agreement in contemplation of the receipt of services or other assets.
- 3 Allocation - A transfer of obligational authority from one agency to another to carry out the purpose of the parent appropriation or fund. These funds retain the parent appropriation symbol number and title.

Section 4. Budgetary Control of Funds:

4.01 The Budget Officer (Chief, Division of Budget) shall be responsible for the budgetary control of funds, including funds transferred from or to the Maritime Administration pursuant to reimbursable agreements.

4.02 All proposed reimbursable agreements, within the purview of this order, shall be reported to the Budget Officer prior to consummation. This requirement shall apply whether the work or services are to be performed by or for the Maritime Administration; and whether the transfers of funds are to be treated as reimbursements, advances, or allocations. It shall apply to both Washington and the field.

4.03 Form MA-358, "Report of Proposed Reimbursable Agreement," may be used for reporting such proposals.

Section 5. Performance of Work or Services by the Maritime Administration:

5.01 Applicability. The following procedures shall apply to reimbursable agreements involving:

- 1 The performance of work or services by the Maritime Administration for other U.S. Government agencies and the transfer of funds therefor, under Section 601 of the Economy Act (31 U.S.C. 686) or other legislative authority; and
- 2 The conduct of special studies, services, and projects by the Maritime Administration for non-Federal parties and the receipt of funds therefor, under the provisions of Public Law 91-412 (15 U.S.C. 1525-1527).

This order does not apply to the furnishing of special statistical or economic data to a public or private person or organization, which is authorized by General Order 85 and Maritime Administrative Order 440-1.

5.02 Delegations of Authority - Subject to the provisions of Section 4 and the limitations specified below, the following officials are authorized to negotiate and approve reimbursable agreements, as defined in Section 5.01:

- 1 Assistant Administrators, Officer Directors, Region Directors, and Superintendent, U.S. Merchant Marine Academy - not to exceed \$10,000.
- 2 The Budget Officer - not to exceed \$50,000.
- 3 The Director, Office of Budget and Program Analysis - not to exceed \$150,000.
- 4 Assistant Administrator for Policy and Administration - not to exceed \$250,000.

Proposed agreements in excess of \$250,000 shall be submitted to the Assistant Secretary for Maritime Affairs for approval.

5.03 Procedures:

- 1 Initiating Office and/or Negotiating Office shall:
 - (1) Conduct negotiations with the organization or party with which a reimbursable agreement is to be completed within the bounds of the limitations, and with the understanding that no final commitment concerning the transfer of funds can be made pending the approval of the appropriate authorized official and the Budget Officer.
 - (2) After approval, deliver the agreement and other pertinent correspondence to the Budget Officer, as required.
 - (3) Submit Form MA-793, "Request and Approval for MAFIS Project Coding Manual Change," to the Office of Budget and Program Analysis to assign a MAFIS Project Code Number.
- 2 The Office of Budget and Program Analysis shall:
 - (1) Review the proposed agreement and obtain other approvals, if required.

- (2) Assign a MAFIS project code number.
- (3) Notify the responsible officials and the Project Manager of the approval of the project and of the MAFIS project code number assigned.
- (4) Prepare appropriate documents to obtain funds from the other Government agencies or non-Federal sources in accordance with the approved agreement.
- (5) Prepare Justification for Billing, Form MA-4774B, and submit to the Project Manager for approval.
- (6) Issue the allotment advice Form MA-323, "Allotment and Fiscal Plan Advice."

3 The designated Project Manager shall:

- (1) Furnish the Office of Budget and Program Analysis the estimated costs by cost element and location of where the work is to be performed in the Region, Reserve Fleet, etc.
- (2) Ascertain that the costs do not exceed the provisions of the agreement.
- (3) Approve and return to the Division of Accounts the original Justification for Billing, Form MA-4774B.

5.04 Billings. The Office of Budget and Program Analysis will prepare the "Accounts Receivable-Justification for Billing" Form MA-4774, and MA-4774B for all projects except those listed in Appendix 1 of this order. For these projects, the responsible program officials as shown in Appendix I shall be responsible for preparing the Form MA-4774.

Section 6. Furnishing of Utilities, Services, and Repairs by the Maritime Administration:

6.01 The following procedures shall apply to the receipt of funds from non-Federal sources for the payment of utilities, services, and repairs furnished or made by the Maritime Administration, under the General Provisions of the annual appropriation act.

6.02 The Region Directors, the Superintendent, U.S. Merchant Marine Academy, or other officials authorized to provide such utilities, services, and repairs shall be responsible for preparing and processing the Justification for Billing, Form MA-4774, in accordance with regular billing procedures, when appropriate.

6.03 Reimbursements to Maritime Administration's fund appropriations shall be for actual cost only. Any excess funds shall be deposited into Miscellaneous Receipts of the Treasury.

Section 7. Performance of Work or Services by Other U.S. Government Agencies:

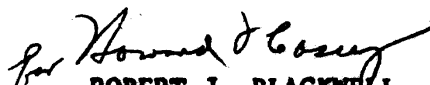
7.01 Applicability:

- 1 The following provisions shall apply to reimbursable agreements for the performance of work or services by other U.S. Government agencies for the Maritime Administration and the transfer of funds therefor, under Section 601 of the Economy Act (31 U.S.C. 686) or other legislative authority.
- 2 These provisions shall not apply to the following transactions:
 - (1) Reimbursement for centralized services (e.g., Department of Commerce printing services, GPO printing services, GSA repair services, PBS switchboard rentals, etc.).
 - (2) Purchase orders placed for materials, services, supplies and equipment (e.g., procurement through General Services Administration).
 - (3) Details of personnel as defined in Department Administrative Order 202-334.

7.02 Delegation of Authority:

- 1 Each official to whom funds have been allotted by the Budget Officer is authorized to negotiate reimbursable agreements for the performance of work or services by other U.S. Government agencies for the Maritime Administration, provided such projects are within the approved fiscal plan and do not exceed a cost of \$20,000 in any one instance.
- 2 Any proposed project which exceeds a cost of \$20,000 shall be submitted to the Director, Office of Budget and Program Analysis for prior approval.

7.03 After approval of the agreement, vouchers received from other U.S. Government agencies for the performance of such work or services shall be submitted to the accounting office responsible for the transfer of funds. The accounting office shall place the vouchers under document control and forward them to the official responsible for administration of the agreement for his approval to process the transfer of funds, in accordance with established procedures.


ROBERT J. BLACKWELL
Assistant Secretary
for Maritime Affairs

OFFICIALS AUTHORIZED TO PREPARE FORMS MA-4774
FOR SPECIFIED PROJECTS

| <u>Project Number</u> | <u>Authorized Official</u> |
|---|--------------------------------------|
| 40 100 00 002 | Eastern Region Director |
| 40 100 00 003 | Central Region Director |
| 40 100 00 004 | Western Region Director |
| 40 200 24 001 | Superintendent, U.S.M.M.A. |
| 40 200 24 002 | Superintendent, U.S.M.M.A. |
| 40 200 24 003 | Superintendent, U.S.M.M.A. |
| 40 200 18 001 | Director, Office of Marine Insurance |
| 40 400 18 001 | Director, Office of Marine Insurance |
| 40 100 -- 8-- (any project that starts with 40 and has an "8" in the 8th position of the MAFIS Project Code) | Region Directors |