

BONNEVILLE FINANCIAL ASSISTANCE INSTRUCTIONS TRANSMITTAL SHEET AND INSTRUCTIONS

TRANSMITTAL 19-1

Issued by Purchasing/Property Governance – CGP-7

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SUBJECT: BFAI UPDATE 19-01

PUBLISH DATE: November 9, 2018

EFFECTIVE DATE: December 1, 2018

This update to the BFAI incorporates new policy and adds clauses for intellectual property, data rights, indemnification, and safety and health. This update also includes new information and procedures for awarding micro-grants. Obsolete information is deleted or updated, COTR is changed to COR throughout, and minor grammar corrections are made. The substantive changes are identified in the table below.

All changes in this update are effective December 1, 2018.

All financial assistance agreements issued after the effective date of this transmittal shall comply with the requirements of this update.

An online copy of the Bonneville Financial Assistance Instructions (BFAI) is available at <https://www.bpa.gov/Doing%20Business/finassist/Pages/default.aspx>. The online BFAI is a conformed copy with all changes included as of the current date and is effective until superseded.

SUMMARY OF CHANGES:

Topic	Reference	Change	Clauses
Definitions	Part 1	<ul style="list-style-type: none"> • Incorporated new definitions for the following terms – <ul style="list-style-type: none"> ○ Contract Specialist ○ Contracting Officer ○ Intellectual Property ○ Micro-grant • Catalog of Federal Domestic Assistance (CFDA) is now called Assistance Listings 	N/A
Micro-grants	3.211	New policy and guidance for Micro-grants	<u>New form:</u> (see Part 8 Forms)

Advance Payments, Period of Performance, Intellectual Property	4.305, 4.309, 4.315(f)	Incorporated new policy and guidance for – <ul style="list-style-type: none"> • Advance payments: <ul style="list-style-type: none"> ○ Cannot exceed 90 days cash requirements ○ Must be timed IAW actual, immediate cash requirements • Period of performance: <ul style="list-style-type: none"> ○ Generally should not exceed five years ○ May not exceed 10 years without HCA approval • Intellectual Property: <ul style="list-style-type: none"> ○ Patent rights ○ Copyrights ○ Data rights ○ Authorization and consent 	Revised clause: Clause 30 Advance Payment and Financial Reporting Requirements, New clauses: Clause 41 Intangible Property, Clause 42 Rights in Data
Management Decision	6.521, 6.513	Deleted section 6.521(b) as it references 6.513 which is reserved	N/A
General Clauses	Part 7	Many clause procedures have been simplified for ease of application. <ul style="list-style-type: none"> • Clause 6 Contracting Officer's Representative has been deleted in its entirety and replaced with Clause 6 Blanket Financial Assistance Agreement • Clause 7 Contracting Officer's Technical Representative has been revised to read Contracting Officer's Representative • Clause 10 Federal Stewardship deleted reference to obsolete attachment • Clause 11 Substantial Involvement deleted reference to obsolete attachment • Clause 22 Title To And Disposition Of Property has been revised to address all scenarios involving personal property acquired • Clause 24 Audits has been revised to change audit report submittal from BPA Internal Audit to FAC 	Deleted clauses: Clause 6 Contracting Officer's Representative Clause 22.1 Title and Disposition of Property New clause: Clause 6 Blanket Financial Assistance Agreement
Financial & Reporting Clauses	Part 7	Many clause procedures have been simplified for ease of application. <ul style="list-style-type: none"> • Clause 30 Advance Payment And Financial Reporting Requirements has been revised from 30 to 90 days cash requirements to align with policy at 4.305 • Clause 31 Reimbursement Payment & Financial Reporting Requirements has been revised to allow a CO 	Revised clauses: Clause 30 Advance Payment And Financial Reporting Requirements, Clause 31 Reimbursement Payment & Financial Reporting Requirements

		approved equivalent for in lieu of SF-425 Financial Status Report	
Other Clauses	Part 7	<p>Clause procedures have been simplified for ease of application.</p> <ul style="list-style-type: none"> • Clause 38 NEPA Requirements has been revised to change ARPA-E NEPA Compliance Officer to Contracting Officer 	<p>Revised clause: Clause 38 NEPA Requirements</p> <p>New clauses: Clause 41 Intangible Property Clause 42 Rights In Data Clause 43 Indemnity Clause 44 Environmental, Safety, And Health</p>
Statutory and National Policy Requirements	Unit 4	Tables have been deleted and replaced in their entirety	N/A
Forms	Unit 8	Micro-grant Award form has been added. Also available in eforms	N/A

