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United States Government | Department of Energy

Memorandum

DATE: MAY 2 2 1992

MAY 2 9 1992

REPLY TO ATTN OF: AD-141

SUBJECT: MOU between DOE and Corps

TO: Distribution

Attached is a copy of the executed Amendment to the Memorandum of Understanding (MOU) between the Department of Energy (DOE) and the Corps of Engineers (Corps). This Amendment allows the Field Offices to contract directly with the Corps' District Office, without getting Headquarter's approval.

This Amendment to the MOU was effective April 7, 1992, after both parties signed the Amendment. This action replaces the instructions found in the Real Property Order 4300.1B Chapter III-11 Paragraph e.

Donald G. Trost, Chief
Real Property Branch
Office of Organization, Resources
and Facilities Management

Attachment

PFMD

R.P. 13.10.1.

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AMENDMENT
TO THE
MEMORANDUM OF UNDERSTANDING
BETWEEN THE
U.S. DEPARTMENT OF ENERGY
AND THE
U.S. DEPARTMENT OF THE ARMY

I. INTRODUCTION.

a. References.

(1) 42 U.S.C. sec. 7256 (1983).

(2) Flood Control Act of 1965, Pub. L. No. 89-298, Sec. 219, 79 Stat. 1073.

(3) Memorandum of Understanding between the U.S. Department of Energy and the U.S. Department of the Army, effective August 26, 1987, at section 3.b.

(4) ER 1140-1-211, Support For Others: Reimbursable Work.

b. Background.

There is currently in effect a Memorandum of Understanding (MOU) between the Department of Energy (DOE) and the Department of the Army which provides procedural guidance for the orderly and timely accomplishment of real estate actions by the U.S. Army Corps of Engineers (Corps) on behalf of the DOE.

c. Purpose.

The purpose of this Amendment is to streamline existing procedures governing the issuance and acceptance of requests for real estate services by allowing DOE Field Organizations to submit such requests directly to Corps Districts and eliminate, under certain circumstances, the requirement for Headquarters level review and acceptance.

2. CHANGES TO MANAGEMENT AND PROGRAM GUIDELINES.

Section 2.b.(1)(a) of the Memorandum of Understanding is hereby deleted and the following provisions are substituted therefor:

"(a) Submission, Review and Acceptance.

"1 Notwithstanding any other provision of the MOU, DOE Field Organization representatives may submit new requests for real estate services to the Chief of Real Estate in the Corps District with civil works responsibility for the geographic area in which the work is located.

"2 The District Chief of Real Estate may either accept the request for services, if it is within delegated authority, or forward it for higher level review and acceptance. If a Corps District or Division chooses to decline to accept a proposed work assignment, the request for services shall be forwarded to the Director of Real Estate, HQUSACE, for consideration.

"3 If the requested services are estimated to involve a commitment in excess of ten work-years of effort, the request shall be forwarded by the Corps District, through its Division, to the Director of Real Estate, HQUSACE, for review and acceptance. Representatives of the DOE Field Organization and the Corps District should determine during preliminary discussions whether this threshold is likely to be exceeded.

"4 Once the request has been accepted, individual task orders for the project may be handled between the DOE Field Organization and the Corps District. However, if a major change in the Statement of Work or the costs set forth in the Task Order is proposed, the change shall be forwarded by the Corps District, through its Division, to the Director of Real Estate, HQUSACE, for approval. Major changes are defined at section 2.b.(2)(a) of the MOU.

"5 Requests for services may be divided into planning and acquisition phases and the DOE may request the Corps to provide planning/analysis reports or appraisals without any obligation to retain the Corps to acquire the real estate interests."

3. ADMINISTRATION.

This Amendment to the MOU is effective when signed by both parties.

U.S. DEPARTMENT OF ENERGY

John J. Nettles, Jr.
Director of Administration
and Human Resource Management

Date: 4/7/92

U.S. ARMY CORPS OF ENGINEERS

Barry J. Frankel
Director of Real Estate

Date: 3/27/92