

PART 2024 - PROPERTY AND SUPPLY

SUBPART A - PROGRAM LOAN COST EXPENSES

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PART 2024 - PROPERTY AND SUPPLY

SUBPART A - PROGRAM LOAN COST EXPENSES

§ 2024.1 Purpose.

This subpart describes the delegations of authority, acquisitions, authorization, cancellations or emergency payment transactions.

§ 2024.2 Definitions.

The following definitions apply to this subpart:

Administrative Expense. An expense incurred in the normal operation of any Agency office, e.g., office supplies, janitorial services, advertising office hours, etc. An administrative expense is charged to the Agency's Salaries and Expenses (S&E) Appropriation.

Approval. A favorable decision of payment for the delivery of Acceptable supplies/services after an invoice is received for a non-contractual or contractual expense.

Contractual Program Loan Cost Expense. An expense associated with a contractual liability, e.g., repair to a single-family house, appraisals, payment assistance reviews, etc. A contractual program loan cost expense is charged as recoverable or non-recoverable to one of the program accounts.

Improper Payment. An improper payment is any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements. (See Public Law 111-204, Improper Payments Elimination and Recovery Act of 2010.)

Noncontractual Program Loan Cost Expense. An expense charged as recoverable or non-recoverable to one of the Agency's program accounts, e.g., property taxes, filing fees, etc.

Nonrecoverable Expense. A contractual or non-contractual program loan cost expense not chargeable to a borrower, or property account.

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Procurement Contract. An agreement in which a buyer agrees to acquire goods or services from a seller in exchange for consideration. Most of these contracts are written agreements that specify each party's obligation in relation to the transaction. In the government, for procurement contracts a warranted contracting officer is the only one that can obligate the government on any procurement contract action.

Proper Invoice. A document which contains the appropriate information for the services rendered and contractual reference date. A properly formatted invoice must include at a minimum all the information specified in FAR Subpart 32.905(b). Refer to paragraph (vii) of the FAR Subpart 32.905(b) for further information regarding invoice requirements.

Proper Payment. Appropriated funds are available for the specified transaction and a valid contract/order is in place for accepted supplies/services. The invoice is properly supported by documentation or records, and payment is made by an authorized contracting official.

Recoverable Expense. A contractual or noncontractual program loan cost expense, which can be chargeable to the borrower, or property account.

§ 2024.3 Acquisition Regulations, Policies and Procedures.

(a) Federal Acquisition Regulations (FAR) System. The FAR System governs the acquisition process by which executive agencies of the federal government acquire (i.e., purchase or lease) goods and services by contract with appropriated funds.

(b) Agriculture Acquisition Regulation (AGAR): The AGAR provides policies and procedures implementing and supplementing the Federal Acquisition Regulation and used by the Department of Agriculture.

(c) Procurement Operating Procedures. Procedures specific to USDA/Rural Development operations that describe the activities necessary to complete tasks in accordance with the laws, policies and regulations that govern procurement.

(d) USDA Contracting Desk Book. Provides regulations and policies for the Department of Agriculture.

§ **2024.4** Selection, Appointment and Termination of Appointment of Contracting Officers Warrant.

(a) Contracting authority. Contracting authority is generally reserved for employees working within a USDA contracting activity, as defined by the FAR. The Mission Area Senior Contracting Official (MASCO) shall approve warrant requests when there is an organizational need for a contracting officer and will determine if the appointment is consistent with applicable requirements of the AGAR, FAR and other delegations of authority.

(b) Warrant Process.

(1) Applicants for new and increases to warrants shall submit a request to their division supervisor for a new or an increased warrant using the contracting officer appointment request form. The request form must identify workload requirements, justify the need for warrant type and level being requested and work experience in the field of federal contracting. College transcripts are to accompany the request form.

(2) Supervisors must review the request form and relevant documentation to ensure the applicant meets all training, experience, and education requirements for the level and type of warrant being requested. If the request is approved, supervisors shall forward the request to the MASCO for review.

(3) The MASCO shall select for review three (3) contract actions on which the applicant has worked.

(4) After an assessment is made of the reviewed contracting actions, the MASCO shall issue a statement of findings.

(5) Once a warrant request is approved the applicant shall load the MASCO's written approval into the Federal Acquisition Institute Training Application System (FAITAS).

§ **2024.5** Appointment Official for the Contracting Officer's Warrant Authority.

Authority to enter into contractual relationships and commit the Government to the expenditure of public (taxpayer) funds is a delegated authority, which must be delegated in writing to the individual. Unless otherwise authorized by the Senior Procurement Executive (SPE) in writing, the Head of Contracting Activity (HCA), and MASCO if delegated, is/are the agency's appointing officials for Contracting Officers. The HCA and/or MASCO shall determine if the appointment is consistent with applicable requirements of the AGAR, the FAR and other delegations of authority.

§ **2024.6** Program Loan Cost Expenses Authority.

Program authorities to request contract or noncontractual supplies and services are located in the reference the tables in Exhibit D of this Instruction.

§ **2024.7** PLCE Transactions - Stop Payment, Check Cancellation.

(a) Stop Payment for Funds Not Issued. Payment cannot be stopped when in transit to the Treasury Department. For guidance relating to payments not in transit to the Treasury Department, contact the Budget Oversight Branch (BOB) [RD.DCFO.BOB.PLCE@USDA.GOV](mailto:RD.DCFO.BOB.PLCE@USDA.GOV).

(b) Check Cancellations. When improper payments are issued to a vendor, there are two procedures used for cancellation and processing returned checks. Returned checks are received by the National Financial and Accounting Operations Center (NFAOC) and forwarded to BOB for processing in the Agency Accounting System. After cancellation is processed, the payment reversal transaction (e.g., L1/1L,1K,1X) will be applied to the Agency's loan system in approximately 5 business days. Treasury checks returned will receive Form 1099 to notify the BOB to cancel the check in FMMI. Use the following procedures for returning checks:

- (1) Non-Treasury checks must be sent to the Wholesale Lockbox in conjunction with the following documents:

§ 2024.7(b) (1) (Con.)

- (i) Vendor/Personal Check sent to:  
USDA - Rural Development Wholesale Lockbox  
P.O. Box 790391  
St. Louis, MO 63179-0391
- (ii) Exhibit F, "Transmittal of Non-Treasury Checks" of this Instruction;
- (iii) Form RD 1940-10 "Cancellation of U.S. Treasury Check and/or Obligation" to include the FMMI Invoice Number in Section 13 in place of the PO Number; and
- (vi) Invoice.

(2) Treasury checks must be returned to the Department of Treasury for cancellation in conjunction with the following documents.

- (i) Treasury Check sent to:  
Department of the Treasury  
Philadelphia Regional Finance Center  
P.O. Box 51320  
Philadelphia, PA 19154
- (ii) Memo to discuss the funds are no longer needed;
- (iii) Form RD 1940-10 to include the FMMI Invoice Number in Section 13 in place of the PO Number; and
- (iv) Invoice.

(3) From Treasury, the funds are returned to NFAOC. NFAOC will cancel the invoice and notify the Budget Oversight Branch (BOB) of the cancellation. The (BOB) will then email the state or program office to cancel the obligation in FMMI. Both the invoice and obligation cancellations will be back fed through the automated discrepancy processing system (ADPS) to the borrower's account. If the U.S. Treasury check needing to be cancelled was issued for an emergency check, the check and Form RD 1940-10 will be mailed to:

USDA/Rural Development  
Cash Management Collection Branch  
4300 Goodfellow Boulevard, FC 1411  
St. Louis, MO 63120

(4) The Cash Management Collections Branch (CMCB) will provide the cancellation information to BOB. BOB will manually input the cancellation in to FMMI and will notify the state or program office of the cancellation. Upon notification of the cancellation, the state or program PLCE coordinator will monitor to ensure the obligation is cancelled in FMMI.

(c) Canceling EFT Payments. When canceling an EFT payment, the vendor must contact their banking institution and arrange for the bank to return the electronic funds to the U.S. Treasury. From Treasury, the funds are electronically returned to NFAOC. NFAOC will cancel the invoice and notify BOB of the cancellation. The BOB will then then email the state/program office to cancel the obligation in FMMI. Both the invoice and obligation cancellations will be back fed through the Automated Discrepancy Processing System (ADPS) to the borrower's account. If the cancellation is for the same fiscal year funds, the returned money is returned to the state's or program's allocation once the ZMY transaction is modified in FMMI to reflect \$0.00 for the line item.

§ **2024.8** PLCE Transactions - Emergency Payments.

(a) Emergency Payments. If a payment cannot be processed in a timely manner and an emergency situation arises, the State Director or Agency Program Designee may authorize the immediate issuance of payment. Emergency checks may be issued in circumstances related to tax sale, custodial or REO utility shut off notice, emergency repair and/or to protection the governments interest. No payment (emergency or non-emergency) can be made for a contractual expense (vendor) without a contracting vehicle. A letter is required stating the reason for the emergency issuance of the payment, date the funds should be paid and an approval by the State Director or Agency Program Designee must be submitted to the Budget Oversight Branch (BOB) in conjunction with Exhibit H of this Instruction. The Automated Clearing House/Electronic Funds Transfer System is used to process payments. Requests for emergency payments can be used for Contractual and Noncontractual Program Loan Cost Expenses. Discretion must be exercised in determining whether emergency handling is necessary. If the number of requests for emergency handling reaches an unacceptable level, restrictions on the service may be imposed. A contracting vehicle must be in place in order for an emergency or non-emergency payment to be made.

§ 2024.8 (Con.)

(b) Emergency Payment by Electronic Funds Transfer.

(1) The Automated Clearing House/Electronic Funds Transfer System is also used to process emergency payments. Prior to processing the action to transfer the funds, send the documents described below via fax to Budget Oversight Branch at 844-655-2428. You may call (314)457-4143 for confirmation of receipt of documents.

(i) Form RD 1955-62, "Program Loan Cost Expense Contractual or Non-Contractual Request,"

(ii) Copy of FMMI Purchase Order,

(iii) Invoice, and

(iv) A letter approved by the State Director or Agency Program Designee containing the following:

(A) The reason for the emergency payment,

(B) Date funds must be received,

(C) Type of payment (Loan Cost Payment),

(D) 9-digit routing number from the receipt bank,

(E) Depositor account number from the receipt bank,

(F) Amount of the payment, and

(G) Payee's name.

(2) Cash Management Disbursement Branch will make the payment within 24 hours after receipt of request, provided that the established cut-off times have been met.

(3) If a receipt bank is not available to the field office in the states, a check will be issued by the Cash Management Disbursement Branch and will be mailed from the Treasury Department within 2 working days after receipt of the request, provided that the established cut-off times have been met.

§§ 2024.09 - 2024.28 [Reserved]

§ 2024.29 Administrative Expense Payments.

Expenses are classified as administrative when the reason for incurring the expense cannot be identified to a specific borrower, acquired/inventory property account, or program fund code. Administrative expenses are charged to salary and expense appropriations.

(a) Examples of Administrative Expenses are:

- (1) Office equipment.
- (2) Office supplies purchased over the counter or obtained from the warehouse.
- (3) Post office box rentals.
- (4) Safety deposit/night depository rentals.
- (5) Repairs and maintenance of office space, if not included in the lease, and equipment.
- (6) Notary fees.
- (7) Room rentals.
- (8) Advertising notice of office hours or Rural Development program services.
- (9) Janitor/janitorial supplies, if not included in the building lease.

(b) Responsibilities.

- (1) Acquisitions of Administrative Supplies and Services. A warranted contracting officer can procure supplies and services in accordance with the policies and procedures pursuant to the Federal Acquisition Regulation (FAR) and Department of Agriculture Acquisition Regulation (AGAR). The Governmentwide Commercial Purchase Card may be used by contracting officers and other individuals designated in accordance with FAR Subpart 1.603-3 and may only be used for purchases that are authorized by law or regulation.

§ 2024.29

(2) Area and Local Offices. Designated individuals in the Area and Local Offices are responsible for expenses incurred by their offices. Responsibilities include submitting appropriate documentation, e.g., billings, invoices, receipts, or other evidence of Government liability or expenses to the State Office for payment action, unless otherwise instructed through State Office issued procedures.

(3) State Offices. State Directors, through their designated Associate Enterprise Director, are responsible for processing and approving all administrative expenses incurred within their state's jurisdiction.

§§ 2024.30 - 2024.50 [Reserved]

Attachments: Exhibits A [RESERVED], B [RESERVED], C [RESERVED], D, E, F, G, H

PROGRAM LOAN COST EXPENSES (PLCE)

This Exhibit describes procedures for obtaining goods and services to be paid from program loan cost funds and guidelines for non-contractual payments to meet program needs. Procurement personnel will issue contracts with commercial vendors when the need is fully supported and documented. Contracts may not be utilized; however, to procure services where discretion is involved for decision-making functions, which are inherently governmental.

I. Definitions.

Contractual program loan cost expense (PLCE) is an expense associated with a contractual liability, e.g., legal service, protective advance to cover the cost of repairs, repairs to an REO property, appraisals, payment assistance reviews, etc. A contractual program loan cost expense is charged as recoverable or non-recoverable to one of the Agency's program loan cost accounts. The Agency is required to follow contractual guidelines when selecting a vendor to obtain goods or services.

Non-contractual program loan cost expense (PLCE) are items exempt from FAR and Agriculture Acquisition Regulation provisions and not subject to a purchase threshold. Non-contractual PLCE is an expense charged as recoverable or non-recoverable to one of the Agency's program loan cost accounts. These items have fixed costs and specific vendors, all of which are outside RD's control. In circumstances where the Agency does not have an option for vendor selection, goods or services, Non-Contractual guidelines are followed to cover the cost of fees incurred. This categorization may include, and may not be limited to: legal fees, protective advance for the purpose of paying a leverage lender, property taxes, filing fees, state database access fees, advertising property sales or posting legal notices for foreclosure (when there is only 1 State or 1 local newspaper in which to post the required legal notice), law enforcement services, ground rents, litigation guarantees, abstracts and/or stub abstracts, masters in equity, trustee agency (foreclosure). For an item to fall under this category, the agency must be paying a bill related to a borrower or inventory property for which both of the following exist:

1. The vendor and the cost are outside of the agency's control; and
2. Not paying the bill negatively impacts the agency's financial and/or security interests.

Program Loan Cost Expense (PLCE) is expenditures that relate to loan making, loan servicing, and inventory property activities and the provisions of the Promissory Note and Security Agreement for the preservation and protection of any security for a loan. At no time may a government purchase card be used for anything related to program loan cost expenses for RD applicants, borrowers, or inventory property. There are no exceptions.

Recoverable expense is a contractual or non-contractual program loan cost expense that is chargeable to a borrower or property account. A borrower's account can be charged until the account is closed, satisfied or otherwise paid in full.

II. Program Loan Cost Funding.

A. Accounts.

Under the requirements of the Credit Reform Act of 1990, as outlined in the Office of Management and Budget (OMB) Circular A-11 Part 5, funding for program loan costs is divided into the following accounts for each program area.

(1) Salaries and Expense Account (Non-recoverable): The account used to fund all program loan cost expenses that cannot be chargeable to a borrower or property account, i.e. there is no account. The National Office Budget Division allots funds for this account from the Agency's Salaries and Expenses appropriation (This Account commonly referred to as the "A" funds Account). Non-recoverable funds are pre-approved for the following authorized purchases. Single-Family Housing (SFH) mortgage releases, wage match, bankruptcy fees, inventory property inspections, and interpreter services. Multi-Family appraisals, approved cost certifications and wage match. All other uses of non-recoverable PLCE funds must receive approval from the National Office.

(2) Direct Loan Financing Account (Recoverable): The account used to fund all program loan cost expenses that are chargeable to a direct/insured borrower or property account in which the loan was obligated in Fiscal Year (FY) 1992 or subsequent years. This account also includes expenses paid out of subsidy funds. Funding for this account is apportioned by OMB; additional monies can only be obtained by an OMB reappropriation (This Account commonly referred to as the "R" funds Account).

(3) Liquidating Account (Recoverable): The account used to fund all program loan cost expenses that are chargeable to a direct/insured borrower, guaranteed borrower or property account in which the loan or primary loan was obligated prior to FY 1992. Additional monies can only be obtained by an OMB reappropriation (This Account commonly referred to as the "L" funds Account).

(4) Guaranteed Account (Recoverable): The account used to fund all program loan cost expenses that are chargeable to a guaranteed loan or property account obligated in FY 1992 or subsequent years. Additional monies can only be obtained by an OMB reappropriation.

(5) Multi-Family Housing. The account used to fund program loan expenses contract support for vouchers for Multi-Family Housing. (This Account is commonly referred to as "X" funds Account).

B. Processing.

(1) Expenses to be paid from the accounts described will be applied through the NFAOC in conjunction with the Deputy Chief Financial Office, Budget Oversight Branch (BOB) using the Financial Management Modernization Initiative (FMMI) system. Expenses to be paid from the Guaranteed Account will be processed on a case by case basis, please contact the BOB for guidance. For borrowers with multiple loans, expenses are to be charged to the oldest outstanding loan.

(2) PLCE requests are processed through two systems, the Financial Management Modernization Initiative (FMMI) and Integrated Acquisition System (IAS). Financial Management Modernization Initiative (FMMI) is used as a means for tracking charges related to agency program activity. The Integrated Acquisition System (IAS) is the procurement system which has four components, iProcurement, PRISM, Invoice Module, and Core Apps. IProcurement is the only component used for PLCE program requests and has not been configured to interface with FMMI for PLCE purposes. IAS serves as the reservation of funds, when certification of funding and requisitions are approved. When a requisition is approved, a commitment document is created in FMMI that draws down funds from the specified account (this is also known as a draw-down commitment). Guidance relating to required training and job aids for both systems can be found using the following [FMMI](#) and [IAS](#) (IProc)weblinks.

(C) Housing Program Loan Cost Funds.

The Chief Financial Officer will establish annual program loan cost (contractual and non-contractual) funding allocations for each State Office or Program Area consisting of specific dollar limits by account for Single Family Direct and Multi-Family Housing programs. The State Director or Agency Program Designee is accountable for the use of funds and documenting how funds are used to meet the needs of the State or Program. This includes monitoring to ensure that the allocation is appropriately utilized. If the State/Program allocation is not sufficient to meet State/Program requirements (e.g., due to disaster designations, the State Office or Program Area may request an allocation increase to be directed to the Chief Financial Officer.

(D) Community Facilities and Water and Waste Program Loan Cost Funds.

The National Office will hold all program loan cost funds for Community Facilities and Water and Waste expenses. Field offices needing to process a program loan cost expense must submit a request to the appropriate Rural Development Administrator to obtain funding authority prior to obligation. The request should be submitted to the National Office on Exhibit E. The request can be faxed or electronically mailed to the appropriate Administrator's office to expedite processing.

III. Contractual or Non-Contractual Expense.

This section establishes and prescribes the policies and procedures related to paying contractual and non-contractual charges using program loan cost expense funds by NFAOC. Contractual PLCE expenses are associated with a contractual liability, e.g., appraisals and/or contracted repairs for government owned properties. A contractual expense can be charged as a recoverable or nonrecoverable expense.

Non-Contractual Expense.

Non-contractual program loan cost expenses are authorized by RD Instruction 2024-A, Exhibit D. An employee does not need a contracting officer warrant to process non-contractual charges. Non-Contractual PLCE expenses charged as recoverable or non-recoverable to one of the Agency's program insurance funds, e.g., property taxes, recording fees, utilities, etc. The procedures in this section applies only to payments for the following:

- A. Insurance by the Agency on behalf of the borrower where an unusual and severe hazard exists and/or insurance is necessary to protect the Government's lien or interest in the borrower's property (e.g., flood insurance). If the borrower has funds escrowed with the NFAOC, insurance must be paid from those funds.
- B. Taxes on behalf of the borrower, or the Agency if it has acquired the property. If the borrower has funds escrowed with the NFAOC, taxes must be paid from those funds.
- C. Prior liens and junior liens under special circumstances, as defined by the Agency..
- D. Utilities on acquired or custodial properties.
- E. Protective Advances to pay off a lienholder to protect the Agencies interest.
- F. Services (including noncontractual legal services paid to a government entity, i.e. court filings) incurred in connection with foreclosures or voluntary conveyance.
- G. Other miscellaneous expenses such as judgments, satisfaction of mortgage (out-of-pocket), and financing statements, legal fees, recording and release fees.

IV. Program Authority.

A. Program authority to obtain goods and services by contract and make non-contractual payments is granted only as specified in this Exhibit and must be in accordance with appropriate program regulations. However, the State Director or Agency Program Designee may submit a written request to the appropriate Rural Development Administrator, to the attention of the appropriate Program area for authority to contract for purposes not specifically authorized. The request must support and document the program need.

B. Obtaining program authority to utilize contracts does not allow an employee to award a contract. A contract can be awarded only by a duly authorized Contracting Officer who is appointed by the Mission Area Senior Contracting Official (MA-SCO) and meets the requirements of the Federal Acquisition Certification in Contracting (FAC-C).

The appropriate Rural Development Administrator may make written restrictions or revocations of any of the program authorities listed in this Exhibit at any time.

C. Tables D-1 through D-6 of this Exhibit specify for each program area both the program authority to utilize contracts and make non-contractual payments and the recoverability for each category of expense. Guaranteed Rural Housing program loan costs are not included in the Single-Family Housing Table (D-5) since they are processed manually through the NFAOC per paragraph II.B

D. Redelelegation of Authority.

1. The State Director or Agency Program Designee may redelegate through a State/Program Supplement any program authority delegated to the State Director or Agency Program Designee in this Exhibit to:
  - a. State Office/Team Lead employees within the applicable loan programs.
  - b. Area Directors (or other Area Office position equivalent to the Area Director position).
  - c. Area Specialists or Loan Technicians (or other Area Office position equivalent to the Area Loan Specialist or Assistant Area Director position).

2. If program authority is redelegated to a position at a level below the State Office/Team Lead, those employees may redelegate their authority in writing to a qualified staff member with written concurrence of the State Director or Agency Program Designee.

3. Program Authority for contractual loan expenses may not be redelegated to procurement personnel.

V. Approving Officials.

The approving official for Contractual and non-contractual charges are identified in Tables D-1, D-2, D-3, D-4[RESERVED], D-5 and D-6 of this Exhibit. There are various divisions involved in processing PLCE requests, roles and responsibilities of these divisions are described below:

A. Contracting Officer (CO) - is the individual with the authority and responsibility to enter into, administer, and/or terminate contracts and make related determinations and findings. The CO is responsible for ensuring that contract invoices are properly reviewed and analyzed, and that the government makes payments to contractors only for the services received and accepted pursuant to contractual terms and conditions. Invoices will be handled in accordance with the Prompt Payment Act (31 U.S.C. 3903) and Office of Management and Budget (OMB) prompt payment regulations at 5 CFR part 1315.

B. Contracting Officer's Representative (COR). An individual designated by the Contracting Officer to assist in the technical monitoring or administration of a contract. A COR must be designated in writing with a copy furnished the contractor. The designation does not include any authority to make any commitments or changes that affect price, quality, quantity, delivery, or other terms and conditions of the contract.

C. Funds Certifier: A function that is performed by the Administrative Budget Division. A Budget Analyst will certify funds availability by approving the requisition in IAS, this action ensures funds will be available after the services/goods are received. Also, create a Financial Management Modernization Initiative (FMMI) purchase order and forward the documentation to the PLCE coordinator.

D. Initiator: The initiator is responsible for requesting PLCE funds based on a bona fide need for services or goods. Inspecting and accepting the supplies/services received to determine if the order met the requirements of the contract. Payment for an invoice requires a statement of "Inspection and Acceptance" added to the invoice, and a signature prior to forwarding to the CO for invoice approval.

E. Program Loan Cost Coordinator (PLCE Coordinator): Is an incumbent serving as a Program Loan Cost Expense central point of contact for all programs issues that may arise. Duties include verification of Program Authority Codes (PAC) assigned to PLCE transaction, FMFI obligation and managing state or program allocations. For internal control purposes, the Program Loan Cost Coordinator is not a Contracting Officer. In addition, the PLCE Coordinator duties include:

1. Serving as liaison between the State Office and National Office
2. Monitor and report State or Program PLCE fund reserves to appropriate Program area officials.
3. Reconciling FMFI with in-house accounting systems and spreadsheets.
4. Ensure State and field office Program Loan Cost operations are in accordance with current RD Instruction 2024-A, Exhibit D. Provide training/guidance to field staff unfamiliar with Program Loan Cost regulations, policies and procedures.
5. Attend workshops, teleconferences, and training sessions provided by the National Office that require State Office or Program representation in matters and issues pertaining to PLCEs.
6. Maintain accurate records of State Office or Program PLCE fund usage. Keep historical archives of these accounts and documents according to retention requirements.
7. Conduct year-end close-outs of State's or Program's PLCE fund accounts on schedule and in accordance with National Office policies and procedures.
8. Maintain an updated working list of field office contacts for Program Loan Cost issues. Assure distribution of PLCE information originating from the National Office to affected organizational units.

F. Office of the Chief Financial Officer (OCFO). Oversees all financial management activities relating to RD/PMOs programs and operations, as required by the Chief Financial Officers Act of 1990 and 38 U.S.C. 309.

VI. Identify Program Authority Code (PAC).

A. To control funds, track expenses, and determine program authority, each type of expense must be identified by a unique PAC. The PAC consists of four consecutive alphanumeric characters, [A-Z and 1-9].

1. First character: Identifies the Loan Program affected by the contractual/non-contractual payment action.
2. Second character: Identifies the Processing Stage.
3. Third character: Identifies the Category.
4. Fourth character: Task which provides a Detail Description of services requested.

B. All four characters of the PAC must be specified on contractual and non-contractual request. The PAC code is required in FMFI at the time of obligation for non-contractual and contractual obligations.

C. Program personnel must use Tables D-1 through D-6 of this Exhibit to identify the appropriate PAC, the program authority for the item, and the recoverability of the item. (See Tables D-1 through D-6 for further clarification).

**FIRST CHARACTER: LOAN PROGRAM**

CODE	Loan Program
B	Business & Industry
C	Community Facilities
M	Multi-Family Housing
S	Single Family Housing
W	Water and Waste

**SECOND CHARACTER: PROGRAM PROCESSING PHASE**

CODE	Processing Phase
1.	Loan Origination
2.	Loan Servicing
3.	Custodial and Property Management
4.	Property Acquisition and Liquidation
5.	Inventory and Property Management

1. Loan Origination - all costs associated with applying for a loan/grant. Costs in this category include loan application reviews, appraisals of potential collateral, credit history checks (credit bureau reports), etc. This code is appropriate to use until a loan is closed.
2. Loan Servicing - all costs associated with normal servicing of a loan. Costs in this category include protective advances, payment assistance reviews, year-end analysis, taxes (Taxes cannot be paid if the borrower has escrowed funds), etc. This code is applicable prior to acceleration and/or Agency custodial obligation.
3. Custodial Property Management - all costs associated with managing and maintaining property when the Agency has custodial responsibility. Costs in this category include utilities, lawn mowing, changing locks, etc. Custodial responsibility begins when a borrower has abandoned collateral property and the Agency is maintaining it to protect the Government's security interest.
4. Property Acquisition/Liquidation - all costs associated with voluntary or involuntary acquisition/liquidation of security property. Costs in this category include appraisals, foreclosure expenses, etc. For housing, this code would be applicable when the Agency has accelerated the loan(s) and should be used until the date of foreclosure/date title is transferred to the Government (acquired) or sold to a third party at the foreclosure sale.
5. Inventory Property Management - all costs associated with managing acquired/inventory property. Costs in this category include sales commissions, appraisals, repairs, improvements, taxes, lawn mowing, and utilities.

**THIRD CHARACTER: CATEGORICAL OR GENERAL PURPOSE OF REQUEST**

<b>CODE</b>	<b>General Purpose</b>
A	Inspections
B	Appraisals
C	Analysis and Audits
D	Information Services
E	Other Services
F	Maintenance/Management
G	Repairs/Improvements
H	Real Estate Broker (Exclusive Listing)
I	Real Estate Broker (Open Listing)
J	Environmental
K	Asset Investigation
L-M	Reserved
N	Non-contractual Payments
O-X	Reserved
Y	Managerial
Z	Other

**FOURTH CHARACTER: DETAILED TASK/DESCRIPTION OF ACTION**

THE DETAIL DESCRIPTION CODES ARE SUBCATEGORIES OF ACTION TO BE PERFORMED AND LISTED IN EXHIBIT D-6. THEY ARE SIMILAR FOR EACH PROGRAM AREA; HOWEVER, THE PROGRAM AUTHORITY TO CONTRACT OR MAKE NON-CONTRACTUAL PAYMENTS MAY VARY SIGNIFICANTLY BETWEEN PROGRAM AREAS.

VII. Proper invoice requirements.

In accordance with FAR 32.905 - Payment documentation and process, the following are the minimum requirements for a proper invoice.

A proper invoice must include the following items (except for interim payments on cost reimbursement contracts for services):

- A. Name and address of the contractor.
- B. Invoice date and invoice number (Contractors should date invoices as close as possible to the date of mailing or transmission).
- C. Contract number or other authorization for supplies delivered or services performed (including order number and line item number).

- D. Description, quantity, unit of measure, unit price, and extended price of supplies delivered, or services performed.
- E. Shipping and payment terms (e.g., shipment number and date of shipment, discount for prompt payment terms). Bill of lading number and weight of shipment will be shown for shipments on Government bills of lading.
- F. Name and address of contractor official to whom payment is to be sent (must be the same as that in the contract or in a proper notice of assignment).
- G. Name (where practicable), title, phone number, and mailing address of person to notify in the event of a defective invoice.
- H. Taxpayer Identification Number (TIN). The contractor must include its TIN on the invoice only if required by agency procedures.
- I. Electronic funds transfer (EFT) banking information. The contractor must include EFT banking information on the invoice when required by agency procedures

Invoices will be handled in accordance with the Prompt Payment Act (31 U.S.C. 3903) and Office of Management and Budget (OMB) prompt payment regulations at 5 CFR Part 1315.

VIII. Agency required forms.

In addition to entering PAC information, requests for PLCE funding and payments must use the appropriate forms identified below. Community Facility and Water and Waste expenses must also enter PAC information on Attachment 1 of this Exhibit.

A. Requisitions:

- 1. Contractual Requests. Utilize Form RD 1955-62, for submission of obligation; accompanied with supporting documentation if a BPA has not been established.
- 2. Non-contractual Requests. Utilize Form RD 1955-62, for the submission of obligation; accompanied with supporting documentation from vendor. FMMI Vendor Pre-approval is required utilizing Form RD [PVND](#) which must be completed and faxed to NFC at 844-655-2428 prior to request.

B. Payments:

- 1. Contractual Request. An invoice and affirmation "inspected and accepted" must be supplied to the Contracting Officer. The vendor must be registered through SAM prior to award and the Contracting Officer is responsible for verification of SAM registration.
- 2. Noncontractual Request. An invoice and affirmation "inspected and accepted" must be supplied to the PLCE Coordinator/COR.

3. Recoverable charges to a subsidy account (e.g. taxes, insurance, Single Family Housing property appraisals) require use of the Direct Loan Financing Account funding. To disburse funds to pay these charges, program fund code "R" is used on Form RD 1955-62, PLCE Contractual or Non-Contractual Request and the borrower's ID is required.

4. Community Facilities Programs and Rural Utilities Programs requests, all applicable invoices should be submitted to the National Office with Attachment 1 of this Exhibit E.

Once the services or goods have been rendered a payment to the vendor must be processed.

Below are identified procedures to process payment for contractual, or non-contractual requests:

Non-Contractual Requests for Payment:

Exhibit 1-3 Non-Contractual Payment
Initiator: Receives invoice, confirms goods or services are received and accepted and sends "inspected and accepted" to the PLCE Coordinator/COR.
PLCE Coordinator/COR receives acceptance of services or goods, verifies the obligation amount with invoice, and approves payment.

Contractual Requests for Payment:

Exhibit 1-4 Contractual Payment
Initiator: Forwards invoice affirmation 'inspected and accepted' to Contracting Officer.
Contracting Officer: Receives Invoice, verifies obligation amount, and forwards to PLCE Coordinator/COR. Payment is issued to vendor.
PLCE Coordinator/COR: FMMI Invoice is created and approved, updates tracking log, and sends documentation to the Contracting Officer.
Contracting Officer: Closes the Record in IAS.

IX. Standard Operating Procedure.

PLCE requests must be processed using either non-contractual or contractual procedures. Contractual requests require assistance from the Procurement Management Office (PMO) for the services or goods selected, refer to Exhibit D, Section (I) definitions. Exhibit 1-2 outlines the workflow process for Contractual requests.

Purchases should be consistent with established guidelines for required sources of services and applicable acquisition procedures for making micro-purchases. Procurements paid for through a delegation of authority are subject to the acquisition rules established in the FAR and USDA policies and procedures. Micro-purchases are not exempt from this requirement.

There are several methods (vehicles) available to obtain contractual services or goods. Consider the anticipated frequency of requests from the vendor prior to selecting a method. Below are three common methods used to acquire services or goods:

- A. Blanket Purchase Agreement (BPA)- is a simplified acquisition method that government agencies use to fill anticipated repetitive needs for supplies or services.
- B. A standalone purchase order- an offer created by the buyer that requires acceptance from the supplier to create a binding agreement. Used when anticipated needs are infrequent.
- C. Purchase order up to \$10,000 (micro-purchase threshold)- Used for multiple anticipated requirements with a single vendor that will occur in a single fiscal year.

Exhibits 1-1, 1-2, and 1-3 identify the procedures to process initial or subsequent contractual or non-contractual requests:

Non-Contractual requests for initial services or goods:

<b>Exhibit 1-1 Non-Contractual Service Request Workflow</b>
1. <b>Initiator.</b> Identifies a bona fide need for service or goods. Estimates a price, timeframe and availability (if applicable). Completes Form RD 1955-62 and sends the request to Funds Certifier.
2. <b>Funds Certifier.</b> Certifies funding availability on Form RD 1955-62 and creates a FMFI Commitment.
3. <b>PLCE Coordinator/COR.</b> verifies validity of request, PAC Code, approves FMFI Obligation, records commitment on approved tracking system and sends a copy to the initiator.

Contractual requests for initial services or goods:

<b>Exhibit 1-2 Initial Contractual Service Request</b>
1. <b>Initiator.</b> Identifies bona fide needs for services or goods and estimates a price, timeframe and availability. Completes Form RD 1955-62 and submits form to PLCE Coordinator/COR.
2. <b>PLCE Coordinator/COR.</b> Verifies validity of expense, PAC Code, and completes the requisition within IAS. Records the PLCE request on an approved tracking system and verifies request does not exceed contract amount. Completes a request on the PMO SharePoint site and sends to funds certifier.
3. <b>Funds Certifier.</b> Upon receipt of request, certifies funding availability and approves the IAS Requisition.
4. <b>Contracting Officer Supervisor:</b> Assigns requests to Contracting Officer.
5. <b>Contracting Officer.</b> Assigns task to themselves within IAS. If documentation is missing contact PLCE Coordinator. Prepares purchase Order for award, attaches SOW and sends the Contract Number and Vendor FMMI number to Funds Certifier.
6. <b>Funds Certifier.</b> Creates FMMI entry and emails PLCE Coordinator/COR (IAS uploads are not required).
7. <b>PLCE Coordinator/COR.</b> Approves the FMMI obligation and forwards approval to the Contracting Officer, (additional IAS uploads are not required).
8. <b>Contracting Officer.</b> Issues purchase order to vendor and copies PLCE Coordinator and Initiator.
9. <b>Initiator.</b> Receives the purchase order and notifies the Vendor with supporting documentation (i.e.: floor plans, preliminary title, sales contract, etc.)

Subsequent orders placed against an existing contract:

<b>Exhibit 1-3 Subsequent orders Not to Exceed the Existing Contract Amount</b>
1. <b>Initiator.</b> Order placed against the initial Contract (awarded call) send Form RD 1955-62 to PLCE Coordinator/COR.
2. <b>PLCE Coordinator.</b> Reviews tracking sheet to determine if contract has met the threshold (not to exceed amount). Approves order if threshold has not met the not to exceed amount. The initial award must be fully funded to the "Not to Exceed" amount prior to requesting an additional award. Records order on approved tracking sheet.
<b>Initiator:</b> Request the procurement of goods or services.

X. Separation of duties: One individual cannot have the sole authority of or responsibility for control over the invoice review and approval process. Accordingly, the employee cannot serve as both the CO and the COR for the same invoice review under a contract or order. There must be a separation of duties, an employee shall not perform more than one of the following functions:

- A. Approve the requisition for supplies and/or services (e.g., Requisitioner/Program Office);
- B. Certify the availability of funds and commit funds (to include use of the Financial Management Modernization Initiative (FMMI)) (e.g., PLCE Coordinator);
- C. Conduct the procurement and execute the contractual document by obligating contract funding and awarding (signing) a contract in the Integrated Acquisition System (IAS) (e.g., Contracting Officer).

XI. Retention requirements.

The Procurement Management Office is responsible for retaining all documentation relating to contractual request electronically in the Integrated Acquisition System (IAS).

The PLCE Coordinator/COR must maintain a file for each contract action requested. The file contains documents that record ALL actions taken in regard to the contract. It includes, as a minimum:

- A. A copy of the appointment letter from the contracting officer and any correspondence from the contracting officer which amends the letter of appointment;
- B. A copy of the contract or appropriate part of the contract and all modifications;
- C. All correspondence initiated concerning performance of the contract;
- D. All correspondence to and from the contracting officer and the contractor;
- E. Record of all inspections performed and the results;
- F. A copy of all invoices received, and
- G. All memorandum for records (MFRs) or minutes of any pre-performance conferences, meetings, or discussions with the contractor, or others, pertaining to the contract or contract performance.

Prior to contract closeout, the PLCE Coordinator/COR will deliver the COR files for the assigned contract to the contracting officer for incorporation into the contract file.

For recoverable costs charged to a borrower or property account, duplicate copies of invoices and Form RD 1955-62 shall be placed in position two of the applicable borrower or Real Estate Owned (REO) property case file.

The following is applicable to document retention for each party:

- A. Contractual: PMO staff retains all contractual documents.
- B. PLCE/COR retains documentation relating to the request and prior to closeout forwards all documentation to the contracting officer.
- C. Non-contractual: Program staff retains all documents per RD Instruction 2033-A.
- D. Applicant/Borrower File: Documentation is maintained in the Electronic Customer File (ECF).

The Federal Acquisition Regulation (FAR), [Subpart 4.805](#), Storage, Handling of Contract Files, prescribes the requirements for establishing, maintaining and disposing of contracts.

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FISCAL YEAR PROGRAM LOAN COST EXPENSE  
HOUSING & COMMUNITY FACILITIES PROGRAMS - COMMUNITY PROGRAMS  
RURAL UTILITIES PROGRAMS - WATER AND WASTE  
RURAL BUSINESS-COOPERATIVE PROGRAMS - BUSINESS PROGRAMS

State: \_\_\_\_\_ Account: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Fax No.: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

Program Authority Code (PAC):  
\_\_\_\_ (Loan Program) \_\_\_\_\_ (Program Activity)  
\_\_\_\_ (General Purpose) \_\_\_\_\_ (Detail Description)

Program Authority Required: \_\_\_\_\_ (Indicate Yes/No)  
Recoverable \_\_\_\_\_ Non-recoverable \_\_\_\_\_

Description of Request:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<u>CONTRACTUAL</u>		<u>NON-CONTRACTUAL</u>	
Inspections	_____	Real Estate Taxes	_____
Appraisals	_____	Insurance	_____
Analysis and Audits	_____	(including flood)	
Information Services	_____	Other (Explain)	_____
Other Services	_____	Utilities*	_____
Maintenance & Management	_____	TOTAL	_____
Repair/Improvement	_____		
Exclusive Broker	_____		
Open Listing Broker	_____		
Environmental	_____		
Other Field Contracting	_____		
Credit Bureau Reports	_____		
TOTAL	_____		

\* Attach copies of  
vouchers and/or documents.

\_\_\_\_\_  
State Director or Designated Official

Concurrence: \_\_\_\_\_ Date: \_\_\_\_\_  
Associate Administrator/Deputy Administrator

TO BE COMPLETED BY NATIONAL OFFICE:  
Account Balance after this obligation: \_\_\_\_\_  
Initials: \_\_\_\_\_  
Date: \_\_\_\_\_

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U.S. Department of Agriculture  
 Program Loan Cost Expense  
 Transmittal of Non-Treasury Checks

Date:

TO:  
 USDA-RURAL DEVELOPMENT  
 Wholesale Lockbox  
 P.O. Box 790391  
 St. louis, MO 63179=0391

From: USDA RURAL DEVELOPMENT  
 Office Address:  
 Contact Name and Phone Number:

Subject: Transmittal of Non-Treasury Checks

Number of Checks Transmitted:						
Agency Code:						
FMMI Vendor #	VENDOR NAME	CHECK NUMBER	CHECK DATE	PAC CODE	BOC	AMOUNT
Total						

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Signature and Date of Submitter

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(06-23-20) PN 537

Rural Development Invoice

Invoice Number: RD \_\_\_\_\_ Date: \_\_\_\_\_

PO Document Number: \_\_\_\_\_

Remit to Name and Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Brief description of goods or services as appropriate:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Payment Terms: \_\_\_\_\_

Invoice Amount: \$ \_\_\_\_\_

Payee's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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REQUEST FOR EMERGENCY PAYMENT

TO: Budget Oversight Branch  
FAX: (844) 655-2428  
email: [RD.DCFO.BOB.PLCE@USDA.GOV](mailto:RD.DCFO.BOB.PLCE@USDA.GOV)

The reason for the emergency request and type of payment:

EMERGENCY CHECKS:

I am requesting an emergency check be issued and mailed as indicated below:

Payment amount \_\_\_\_\_  
Payee name \_\_\_\_\_  
Payee address \_\_\_\_\_  
Date funds must be received \_\_\_\_\_

ELECTRONIC FUNDS TRANSFER: Attach copy of financial institutions wiring instructions.

I am requesting an electronic funds transfer be made as indicated below:

Payment amount \_\_\_\_\_  
Payee name \_\_\_\_\_  
Bank Name, City, and State \_\_\_\_\_  
Date funds must be received \_\_\_\_\_  
Depositor's/payee's account information obtained from receiving bank  
9-digit bank routing number \_\_\_\_\_  
Account number \_\_\_\_\_

I Concur and approve this request:

\_\_\_\_\_  
State Director or Designated Official Signature

For Contractual Obligations I certify to the following:

- This request is an emergency and must be received by the date indicated above.
- The State's or Program's allocation is sufficient to cover this payment request.
- The PLCE obligation has been established and sent to the Budget Oversight Branch
- Copies of the Contract and Invoice are attached.

For Non-Contractual Obligations I certify to the following:

- This request is an emergency and must be received by the date indicated above.
- The State's or Program's allocation is sufficient to cover this payment request.
- The PLCE obligation has been established and sent to the Budget Oversight Branch (BOB)
- Copy of the Form RD 1955-62, "Non-Contractual Program Loan Cost Expense (PLCE) Certification", FMMI Purchase Order and Invoice are attached.

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STATE DIRECTOR OR  
DESIGNATED OFFICIAL

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