

# ETA Property Management Handbook No. 359

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## CHAPTER II

### KEY PERSONNEL – RESPONSIBILITIES

The Contracting Officer, Project Manager, ETA National Property Officer, and contractors share responsibility for acquiring and maintaining expendable and non-expendable Government property for the Employment and Training Administration. This section sets forth their primary responsibilities and outlines procedures by which control is to be maintained over non-expendable Federal property. Officers may delegate any responsibilities, but will be held accountable.

1. **Contracting Officer.** The Contracting Officer is responsible for issuing the contract and for ensuring that all personnel involved in the contractual process implement their responsibilities as assigned in the contract terms.

**The Contracting Officer must:**

- a. Incorporate this handbook, by reference, into each DOL/ETA contract.
  - b. Place in each contractor's folder written authorization allowing the use of Government supply sources.
  - c. Ensure that contractors who are held liable for missing, destroyed, and/or damaged property comply with the findings of boards of survey and/or the appropriate Department of Labor Project Manager.
  - d. Arbitrate all contractual disputes between the contractor and the Government.
  - e. Ensure each contractor has completed property clearance procedures before making the final contract payments.
2. **Project Manager.** The Project Manager, Contracting Officer's Technical Representative, and Government Authorized Representative generally have initial contact with the contractor and develop and administer the project.

**The Project Manager must:**

- a. Be cognizant of property clauses (i.e., Federal Management Regulations, Code of Federal Regulations, Workforce Investment Act, Federal Acquisitions Regulations, etc.).
- b. Review the contractor's requirements for equipment and supplies, determine requirements for project accomplishment, indicate items recommended for approval and disapproval, and sign the recommendations.
- c. Arrange an on-site visit to each contractor's facility to ensure that:

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- (1) All Government equipment obtained in support of the contract is properly marked with official decals (Figure C-5), stencils, or etchings that indicate Government ownership and item code numbers.
  - (2) Property records follow provisions of this handbook.
  - (3) The contractor has furnished the appropriate Property Manager copies of supporting documents for all equipment transactions within 10 working days of receipt of acquisitions, transfer, and/or disposal of property.
  - (4) Staff uses all property (including vehicles) effectively to support program requirements and promptly reports all excess property.
- d. Take proper action on recommendations relating to usage or control of Government property.
  - e. Ensure that contractors maintain minimum levels (for contract performance) of Government-furnished materials and supplies and report excesses immediately. Maximum levels on hand and maximum orders must not exceed 60-day supplies, without prior written approval.
  - f. Ensure that the contractor provides reasonable care and physical security for Government-furnished property and reports missing, damaged, or destroyed property according to this handbook.
  - g. Ensure contractors meet annual inventory certification requirements.
3. **National Employment and Training Administration Property Officer/National Job Corps Property Officer.** The National Property Officer serves as the Employment and Training Administration Property Officer and the Employment and Training Administration representative responsible for Government property on contracts issued by the National Office, excluding Job Corps contracts.

**The National Property Officer** must be knowledgeable of contract provisions pertaining to Government property and **must:**

- a. Approve a comprehensive Government property management system for the Employment and Training Administration (ETA).
- b. Provide the Employment and Training Administration Contracting Officers, the National Job Corps Project Manager, the Job Corps Regional Directors, and the Regional Administrators with guidance, procedures, policies, and standards for management and control of Government property in contractors' possession.
- c. Inspect property management activities of:

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- (1) Contractors possessing Government property under Employment and Training Administration contracts and agreements.
  - (2) Contracting Officers.
  - (3) Regional Administrators.
  - (4) Job Corps Regional Directors, Job Corps Center Directors, and assigned Property Officers.
- d. Provide a central control point for clearing and disseminating property management policies, procedures, and standards.
  - e. Provide the Regional Job Corps Directors, Contracting Officers, Regional Administrators, Job Corps Center Directors, and assigned Property Officers with technical advice and assistance with property-related matters.
  - f. Explore excess property sources and provide assistance to the Regional Job Corps Directors, Contracting Officers, Job Corps Center Directors, and assigned Property Officers in locating and obtaining approved supplies and equipment.
  - g. Issue instructions for disposition of all property, which is no longer required for approved programs.
  - h. Review Government-furnished property in contractors' possession to ensure full utilization and care in handling.
  - i. Ensure the contractor excesses all property that is not essential for contract performance.
  - j. Resolve problems related to the acquisition, maintenance, disposal, and inventory of Government property.
  - k. Report deficiencies in property administration to all applicable personnel (including the Regional Directors, Regional Administrators, Contracting Officers, Job Corps Center Directors, and contractors), and request corrective action.
  - l. Take appropriate action on lost, damaged, or destroyed Government property. If necessary, convene an Employment and Training Administration Survey Review Board to determine the extent of liability, if any, for losses resulting from damaged, destroyed, stolen, or missing Government property. (The Employment and Training Administration National Property Officer is authorized to rule on all survey reports from National and Job Corps contractors.)

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- m. Arrange for acquisition of specialized industrial or heavy-construction equipment by loan or transfer from other Government agencies.
  - n. Issue Letters of Authorization requesting Billing Office Activity Code and Activity Address Code numbers for contractors.
  - o. Issue screener's authorization letters (Figure C-1) and keep all appropriate documents in support of screener's applications on file. Collect all expired screener's cards/letters, and return them to General Services Administration or the National Property Officer.
4. **Government Project Manager:** The Government Project Managers are responsible for managing Government property within their Regions and **must:**
- a. Advise National and Regional personnel (including the Contracting Officers and other Regional staff) in all matters pertaining to property management.
  - b. Coordinate with the National Property Officer/National Job Corps Property Officer to ensure uniform application of policies, plans, and procedures relating to Government property; and upon request, represent the National Property Officer/National Job Corps Property Officer in matters pertaining to Government property under National Office contracts.
  - c. Ensure compliance with the Code of Federal Regulation, Federal Management Regulations, and Federal Acquisitions Regulations guidelines and other Departmental directives on the acquisition, control, and disposition of Government property.
  - d. Develop and promulgate instructions to meet specific Regional requirements for Government property administration within the framework of Departmental limitations.
  - e. Perform on-site inspections of contractors possessing Government property. Report any evidence of excessive inventories or mismanagement of Government property to the appropriate authority, and recommend corrective action.
  - f. Provide leadership, guidance, training, and assistance to Center Directors and Center Property Officers in the performance of their Government property responsibilities as set forth in this handbook (II, 2).
  - g. Follow guidelines regarding Department of Labor property which contractors have reported as lost, damaged, stolen, or destroyed, and/or arrange for Boards of Survey to do so. The Government Project Manager may not serve on such Boards, but will provide the information necessary to conduct the proceedings. Promptly return all findings to contractors using certified/return receipt requested mail. Advise the Contracting Officer to take further action if contractors fail to comply with rulings within thirty (30) days of receipt of the findings. (The National Property Officer/National Job Corps Property Officer must act as the chairperson or designate one in Job Corps matters.)

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- h. Ensure that transactions to maintain the Property Management System are accurate, timely, and supported by required documentation.
  - i. Ensure contractors use Government equipment, supplies, and services efficiently.
  - j. Follow guidelines set by the Government Services Administration concerning disposition of Government property by utilizing the appropriate documentation.
  - k. Distribute to contractors inventory listings of Government property in their possession and obtain required certifications.
  - l. Assign the requisite control numbers to approved Transfer Orders Excess Personal Property (SF-122), and place these numbers in Block 1 of the forms before submitting them to GSA for processing.
  - m. Arrange transfer of Government property between contractors as required. The Regional Administrator and Job Corps Project Managers should jointly ensure that contractors utilize any excess property that becomes available in the Region prior to entry into normal excess channels.
5. **Contractors:** Contractors must comply with all provisions of this handbook including all Federal guidelines as outlined in the CFRs, FMR, and FAR. Contractors are **responsible** and **liable** for all Department of Labor property in their possession, unless otherwise explicitly stated in the contract.

**Contractors must:**

- a. Inform the appropriate Project Manager of Government property requirements in the early stages of project preparation, and provide updated information if needs change.
- b. Designate an employee as the Contractor Property Officer (or Center Property Officer, in the case of a Job Corps center-operated contract) who must become familiar with the provisions of this handbook, and serve as the contact person for all property-related correspondence, forms, directives, and questions.
- c. Establish and maintain a system in accordance with this handbook to control the use of Department of Labor property and to protect, preserve, and maintain it in good operating condition. The contractor must ensure that Department of Labor property is used only for purposes set forth in the contract.
- d. Maintain property records according to this handbook and all Federal guidelines as outlined in the CFRs, FMR, and FAR. This includes requirements for the completion of transactions for all property activity.

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- e. Conduct four quarterly inventories, one of which is an annual certification inventory, of Government property. Certify the validity of the Property Management System Inventory List once per year according to the procedures in this handbook.
- f. Affix Department of Labor property decals to all non-expendable personal property obtained in support of the contract, or etch or stencil the item code and the legend "U.S. Department of Labor" onto all such property. Affix center-specific decals to identify all Government property under the specified threshold dollar cost.

**NOTE: The initial recording of the item code on each item of non-expendable personal property is necessary for maintaining continuity across inventories. This code helps ensure the proper future identification of the item, particularly a non-serialized item, and helps eliminate guesswork in identifying the item during subsequent inventories.**

- g. Immediately identify and report, using Reports of Survey/Inventory Adjustment Reports (Figure B15 - ETA 3-96), lost, damaged, destroyed, and stolen Government property. All missing Government property must be recorded at the time of loss. Use a single form Form ETA 3-96 to report all new losses occurring simultaneously.
- h. Maintain a suspense file containing copies of all requisite documentation in support of pending transactions.
- i. Maintain an historical file containing copies of:
  - (1) The approved copy of each Property Requirements List (Form ETA 3-41B) for the contract.
  - (2) A copy of each document substantiating the following:
    - Property Acquisitions - Purchase Orders and invoices
    - Property Transfers – SF-122, SF-123, SF-126)
    - Property Dispositions – SF-120, form ETA 3-96, and Certificates of Abandonment or Destruction
    - Surplus Transfers – SF-123
    - Surplus Reports – SF-126

Transfers between contracts require the prior written approval of the appropriate Project Manager; inter-Regional transfers require approval of both the sending Project Manager (i.e., from the Department of Labor Project Manager responsible for the contract turning over the property) and the receiving Project Manager (i.e., the Department of Labor Project Manager responsible for the contract that will receive the property). The contractor is responsible for obtaining, filing, and retaining the requisite documentation to support each transaction.

- (3) The annual certification package (Figure B10 – ETA Form 3-94).

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- j. Be responsible for **all** Government-furnished property until relieved of that responsibility according to terms of the contract.
- k. Maintain property-related records for a period of at least three years following property disposition. If any litigation or audit has begun, or if any claim is instituted before the expiration of the initial retention period, the records must be retained until the matter is resolved, or until the expiration of the three-year period, if this extends beyond the resolution date.
- l. Ensure the original records for all acquisitions and dispositions of all capitalized and non-expendable Government property items from Department of Labor facilities are never permanently removed from the site. **These records are the property of the Department of Labor; as such, they are not to be removed from the facility, even at the expiration of the contract.**

**NOTE:** Contractors may make copies of these documents for their own files, however, the originals must be provided to the successor contractor, or turned over to the appropriate Department of Labor Project Manager if no successor contractor is selected. The Department of Labor Project Manager and/or an official of the subsequent contractor must sign for receipt of the original property records.

6. **Contract (or Center) Property Officers.** Contractor Property Officers and Center Property Officers must be qualified property management personnel who are thoroughly versed in all aspects of Federal property management. They must also become knowledgeable of all provisions of this handbook.

## **Contractor Property Officers must:**

- a. Enter or assist other contracting personnel to enter transactions into the Property Management System, and submit these transactions along with the required supporting documentation within 10 working days of property activity, to the appropriate Department of Labor Project Manager.
- b. Subdivide property for the contract into logical units specified by Location Codes within the Property Management System.
- c. Sub-allocate responsibilities and liability for property at least to the location code level.
- d. Assist property custodians in all aspects of property management including form preparation and submission and performance of quarterly property inventories of all non-expendable personal property assigned to their location code.
- e. Educate other center employees as to the importance of safeguarding, protecting, and preserving Government property.