



Client Enrichment Series

Welcome to today's presentation:

RWA Policy Highlights

January 12, 2021

The presentation will start at 1 pm Eastern

Note: Phones are automatically muted during the presentation. You can pose questions to our Speaker via our Q&A feature and our eRETA and RWA eEXPERTS will address them. Our team will answer as many of the questions as possible throughout and at the end of the presentation. **All** questions will be captured, and formal responses will be posted, along with the sessions slides and recording, on our Series website, www.gsa.gov/ces.

COVID-19 and the Federal Community

Business...but not as usual...

[GSA's Coronavirus - COVID-19 Resource Page](#)

Overview, GSA Activities and FAQ's

[Returning to GSA Facilities Page](#)

Addressing topics for both Federally Owned and Leased Buildings, Projects, Workspace and Tools for the Workforce



RWA Policy Highlights

January 12, 2021

Presented by:

Jeff Franz

Program Analyst

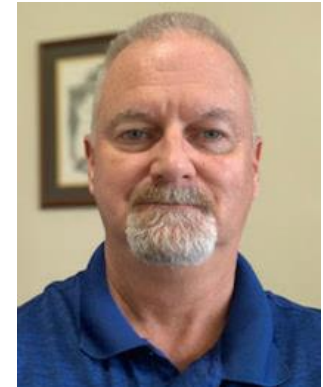
AND

John E. Palmer

Program Manager - RWA National Policy Lead

Project Delivery Excellence (PDE) Division

GSA-PBS Office of Design & Construction (CO)



Hosted by:

Eric Fulton

National Program Manager

Customer Outreach and Communications

Customer Programs Division

GSA-PBS Office of Portfolio Management and Customer Engagement





Using eRETA to send RWAs and RWA Work Requests became MANDATORY October 1, 2019 (Beginning FY2020)

We have an extensive outreach and training program developed that will allow preparation time to enable our customers to institute this new process.

A host of resources, guides, presentations, Q&A and training videos are available online at:

www.gsa.gov/ereta

and

www.gsa.gov/ces

Today's Topics

- *Work Requests and RWAs*
- *RETA/eRETA*
- *RWA National Policy Manual (NPM)*
- *Resources*
- *Open Q&A*

Work Requests vs RWAs

A Work Request:

Is an identification of a need for a project or service.

It Initiates requirements development (e.g. scope, schedules, estimates) to become potential RWA

It is sent to PBS by Federal Customers and the Judiciary and some non-Federal entities via the eRETA* tool.

A Reimbursable Work Authorization (RWA):

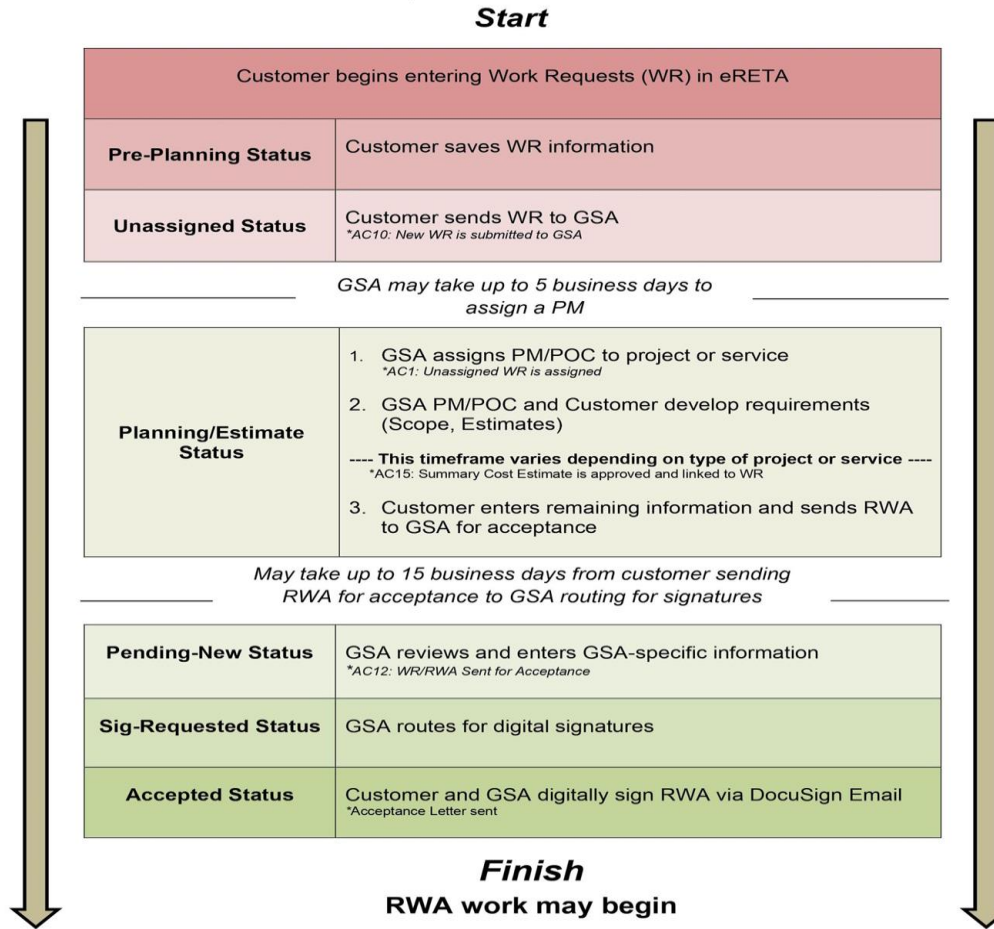
Is a formal agreement between PBS and a customer.

It Allows PBS provide to goods and/or services; customer reimburses PBS for those costs

It is sent to PBS by Federal Customers and the Judiciary and some non-Federal entities via the eRETA* tool.

*All Federal customers must use eRETA to send Work Requests and RWAs to PBS. Non-Federal customers (e.g. private entities, state and local governments) cannot access eRETA so they must send via email. See www.gsa.gov/rwa for more information.

Work Request-RWA Workflow



*AC = Automated Communication via Email

RETA / eRETA

All Federal customers are required to use eRETA to send all RWA and Work Request information to PBS.

RETA/eRETA stands for “RWA Entry and Tracking Application” – GSA’s electronic repository for all RWA projects.

RETA/eRETA is technically one application; the primary differences are:

- Logging in (internally vs externally)
- RWAs that are accessible (customers by AB Code, GSA by GSA Region)

RETA/eRETA contains all RWA financial information as well as an electronic document file that includes copies of the RWA 2957 form, Customer Letters, Automated Communications, and much more.

RWA Financial Information in RETA is updated 4x a day from GSA’s Financial Management System.



RETA / eRETA (cont.)

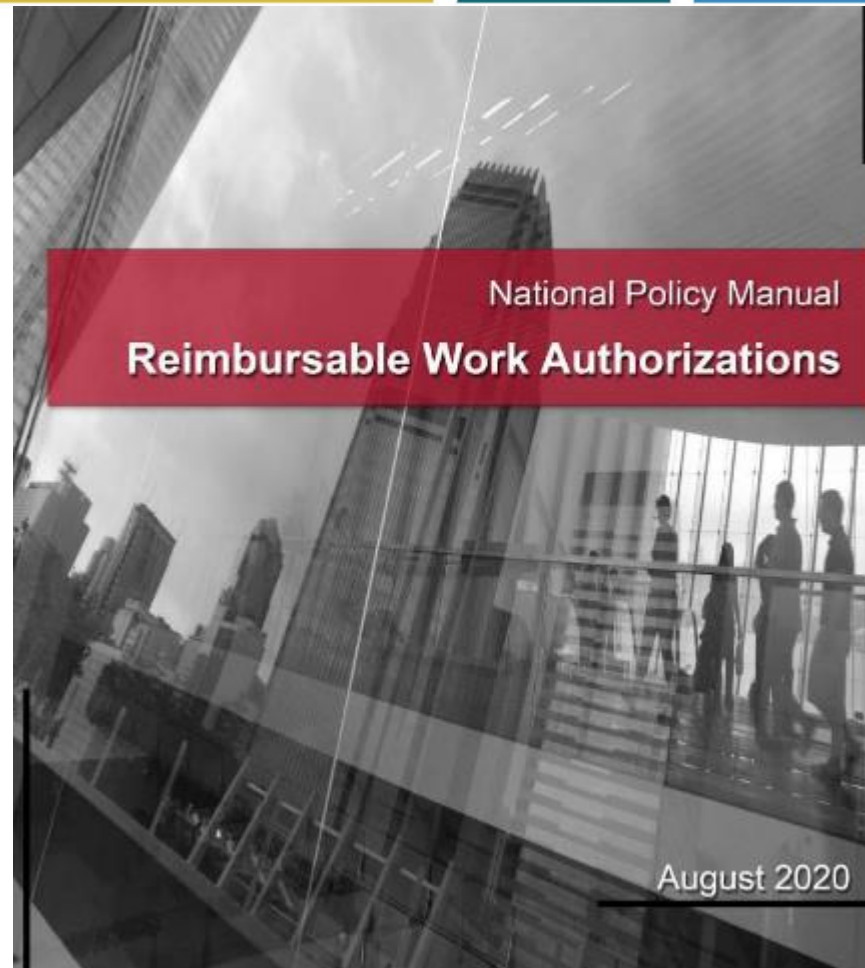
eRETA allows customer agencies to do the following:

1. Search for WRs/RWAs and associated estimates, and export data to Excel
2. Identify new project or service needs by submitting RWA Work Requests
3. Enter and submit new and amended RWAs
4. Utilize digital signature solution to digitally sign RWAs.

2, 3, and 4 are required for all Federal customers. Federal customers must use eRETA to send all RWA and Work Request information to PBS, and they must utilize eRETA's digital signature solution to digitally sign RWAs.

Visit www.gsa.gov/ereta for information on how to gain access, as well as an extensive list of training materials on the “eRETA Training Materials” sub-page.

RWA National Policy



[View/Download](#)

this RWA National Policy Manual from our [gsa.gov](https://www.gsa.gov) website

RWA National Policy, con't

- Topics
 - RWA Basics
 - Laws and Policies Governing RWAs
 - RWA Overview
 - Types of Appropriations
 - Period of Availability
 - RWAs
 - Classification
 - Types of Services
 - RWA Types Summary
 - Areas of Emphasis, Focus

RWA Basics - What is an RWA?

REIMBURSABLE WORK AUTHORIZATION (RWA)

- An **agreement** between GSA and a customer
- GSA agrees to provide materials and/or services outside of normal rent,
- Customer agrees to reimburse GSA's costs.
- RWAs utilize BA80 funds.

A Customer provides an RWA to GSA, who contractually engages the Contractor to execute the work.

- The RWA (form 2957) **submitted via eRETA** is accepted by OMB as GSA's formal Inter-Agency Agreement (IAA) with Customers.
- GSA Customer RWA Website: www.gsa.gov/rwa

Laws and Policies Governing RWAs

The RWA Program is governed by two components:

1. Appropriations Laws

- Laws passed by Congress which must be followed by all federal customers/agencies, including GSA, and the Judiciary.

1. GSA-PBS Policies

- Policies established by GSA-PBS to ensure effective and consistent execution of the National RWA program
- Memorialized in the RWA National Policy Manual (NPM)
- Inclusive of Memorandum of Understanding (MOUs) with specific customers/agencies.

Laws and Policies Governing RWAs (*Within and Outside of GSA's jurisdiction*)

The following laws allow GSA PBS to perform reimbursable work:

Properties **WITHIN** GSA's jurisdiction, custody and control

- 40 U.S.C. § 592(b)(2): **Federal Buildings Fund**
 - **“GSA can do work in properties for our tenants”**
 - Authorizes PBS to provide special services not included in rent on a reimbursable basis for properties within GSA's jurisdiction, custody, and control

Properties **OUTSIDE** GSA's jurisdiction, custody and control

- 31 §USC 1535: **Economy Act**
 - **“Re-obligate (contract) in same period as the RWA obligation”**
 - Authority used for RWAs for facilities outside GSA's jurisdiction, custody, and control. PBS must re-obligate the customer's funds within the period of availability pertaining to those funds (*i.e. more limited period of time to deliver work*).
- 40 U.S.C. § 583: **Construction of Buildings**
 - **“GSA can do work in other locations not under GSA jurisdiction”**
 - Authorizes PBS to perform new construction, repairs, and alterations in properties outside of GSA's jurisdiction, custody, and control. Unlike the Economy Act, funds do not need to be re-obligated within their period of availability for obligation (*i.e. more flexibility than Economy Act*).

Laws and Policies Governing RWAs (*financial constraints*)

Federal Customers/Agencies must follow these laws:

- 31 §U.S.C 1301(a): **Appropriations - Use of funds**
 - **“Color of money”**
 - Funds that have been appropriated to an agency for a specific purpose must not be used for any other purpose, except where specifically provided by law (*i.e. can’t use appropriated funds for a different purpose*).
- 31 §U.S.C 1501: **Purpose of Appropriation (Recording Act)**
 - **“Need a clear scope”**
 - Agencies have authority to spend funding for certain purposes and must have documentary evidence to support a valid obligation during the period of availability; and a clear description of work at a certain level of specificity.
- 31 §U.S.C 1502(a): **Bona Fide Needs Rule**
 - **“No Parking of money - True NEED today”**
 - Funds may be obligated for a need arising in the fiscal year for which the appropriation was made

Laws and Policies Governing RWAs (*timing of funds*)

Federal Customers/Agencies must follow these laws:

- 31 §USC 1341: **Anti-Deficiency Act**
 - **“We need an RWA First!”**
 - Officials may not authorize expenditures exceeding amount available in a fund for the obligation.
- 31 §USC 1552(a): **Period of Availability**
 - **“5 Fiscal Years to deliver work”**
 - On September 30 of the 5th fiscal year after period of availability for obligation of a fixed appropriation account ends, the account shall be closed and any remaining balance (whether obligated or unobligated) shall be canceled and thereafter shall not be made for obligation or expenditure for any purpose (*i.e. limited period of time to deliver work*).

RWA Overview - Types of Appropriations

Annual Funds

- Obligational Authority: Single FY
- Obligational Authority of Funds Expires: 9/30 of the current FY
- These funds are only available to satisfy a bona fide need that exists in or prior to and continues to exist in the current FY only.

Multi-Year Funds

- Obligational Authority: More than 1 FY
- Obligational Authority of Funds Expires: 9/30 of the final FY of availability as determined by Congress
- These funds are available to satisfy a bona fide need that exists in or prior to and continues to exist in any FY that the funds have been determined by Congress to be available
- RWA Policy does not allow you to change scope after the first year the RWA was accepted even if funds are still legally available

No-Year Funds

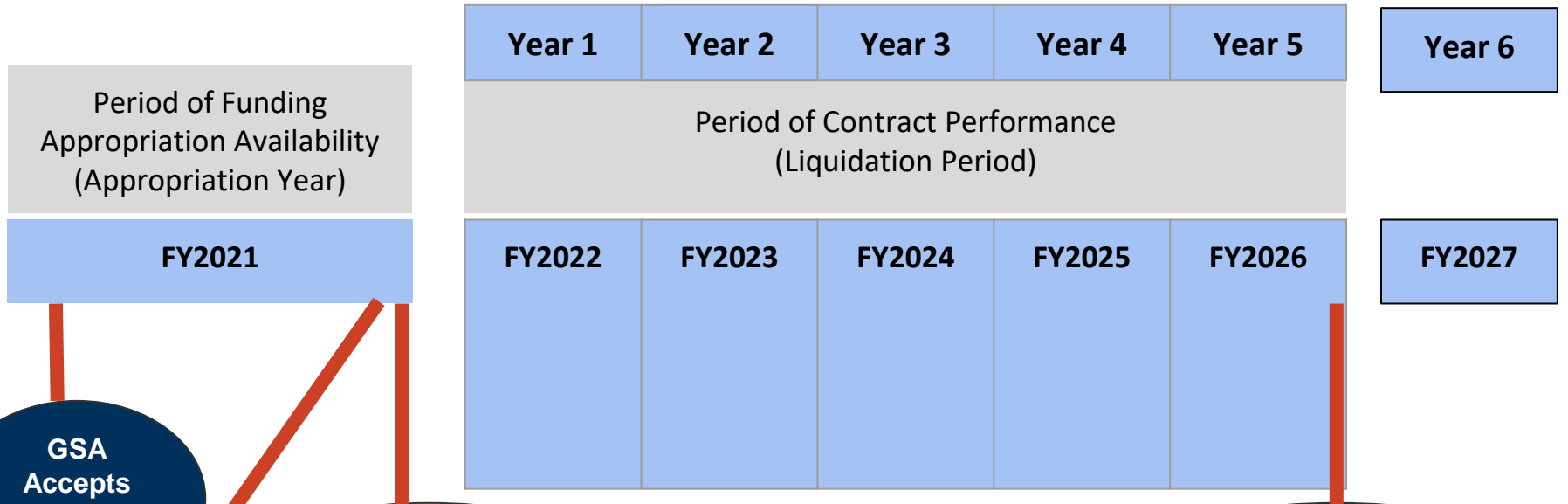
- Obligational Authority: Available until expended
- Obligational Authority of Funds Expires: Never
- These funds can satisfy a need looking forward or backward.
- RWA policy does not allow you to change scope after the first year the RWA was accepted



Note: For time limited funds, PBS can enter into contracts and liquidate obligations within 5 years after the obligational authority of funds expiration.

RWA Overview - Period of Availability

Period of Availability Example - Annual Funds



GSA Accepts RWA 12/10/2020

After 9/30/2021, GSA can no longer accept NEW RWAs using funds from FY2021

9/7/2021 GSA "New" RWA Deadline

Expiration Date of Obligational Authority

After 9/30/2026, Appropriation is closed in accordance with 31 U.S.C. § 1552 (a)

RWA Overview - RWA Classification

Recurring RWAs:

- A Recurring RWA type is used when costs of the services are not separately invoiced and cannot be readily identified from standard operating costs. Recurring RWAs can be used when GSA is the source of the good or service provided.
- Recurring RWAs cannot extend past the current FY and will default to a 9/30 completion date unless an earlier date is entered.

Nonrecurring RWAs:

- A Nonrecurring RWA type is used when there is a separate invoice for the costs of the goods or services provided.

RWA Overview - Types of Services

Severable Services are continuing in nature.

Customer receives value as the service is rendered.

Services with annual appropriation funding must be contractually obligated when the services are rendered. RWAs must be fully obligated in the FY they are accepted for the Period of Performance (PoP) to cross into the following FY.

Examples: Overtime Utilities, preventative maintenance, window cleaning, carpet cleaning, extermination services.

Requires use of the Overtime Utility Estimate (OUE) Tool (applies to all severable RWAs)

Nonseverable Services or work result in a single outcome, product or report.

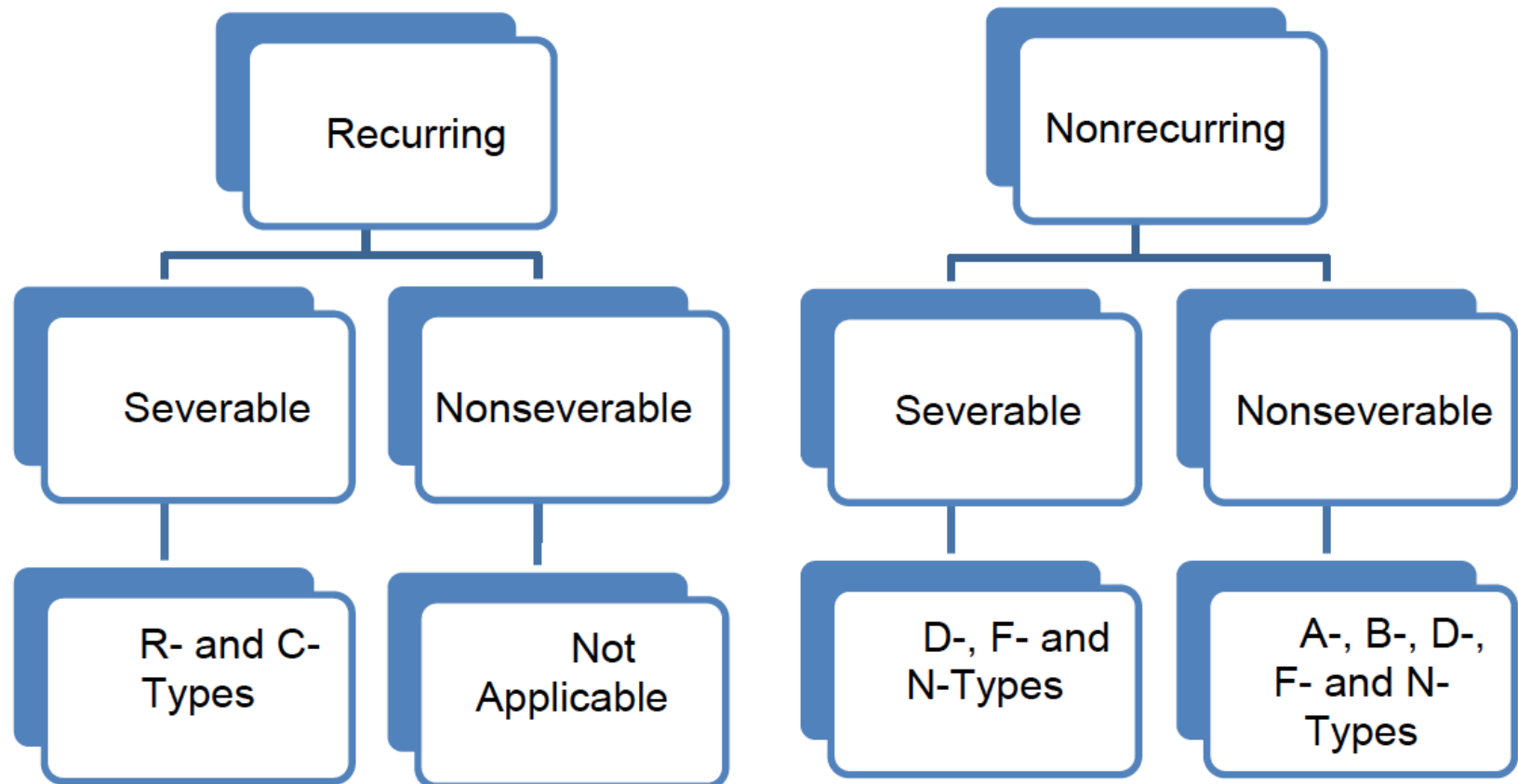
Customer receives value only when the entire service is performed

GSA can utilize funds to contract and liquidate for 5 years after the obligation year; except F Types which close each FY.

Examples: Space Build Out, Repairs and Alterations, Designs, or Studies.

Requires use of the Summary Cost Estimate (SCE).

RWA Types



RWA National Policy

Areas of Emphasis and Focus - Requirements Development and SOW

Requirements Development: GSA PM should discuss and share information

- Needs Assessment Interview to gather initial project requirements
- Jointly develop a specific, clear and discrete scope of work.
- Discuss desired schedule and budget
- Review compliance requirements: Fiscal Law, Policy, ABAAS, Historic Preservation, P100

Scope of Work (SOW) must depict at a minimum:

- **Purpose/Objective** and the **outcome of the service requested**
 - New office space/climate controlled server room/upgraded finishes for new leader/Judge
- **Elements and specifics of HOW** the project outcome will be achieved
 - Demo, Design, Construction, M&I, Furniture; Install Air Handling Unit, Remove and replace carpet, install office walls, paint.
- **Geographic Location of the service:** Address, building number, floor, room number
- **Required delivery time frame**
- **Total Square Footage**

Please Note:

- ★ A scope of work must be provided in sufficient detail to permit a contract to be awarded
- ★ You cannot use an RWA for scope that is not defined on that RWA
- ★ **SOW on an existing RWA is locked at the end of FY in which RWA is accepted regardless of funding type.**

RWA National Policy

Areas of Emphasis and Focus - Full Funding vs Incremental Funding

Full Funding (Required)

- Funding for nonseverable services must be sufficient to accomplish the entirety of the requested work, even if the work is scheduled to occur over multiple fiscal years.
- If a project is nonseverable, the customer must fund the entire scope of work with funds available for obligation at the time the customer submits the RWA for acceptance.

Incremental Funding (Prohibited)

- Nonseverable projects may NOT be partially or incrementally funded over a period of time, regardless of fund type (including no-year funds).

RWA National Policy

Areas of Emphasis and Focus - Lease Award Funding

Lease RWA funding above TI Allowance: RWA must be accepted prior to lease award (yes, even for DoD).

For initial tenant improvement (TI) build-out associated with new leases or continuing occupancies (e.g., new/replacing, succeeding or superseding leases),

- If TI exceeds customer allowance, RWA must cite currently available funds and be received and accepted by PBS no later than the date of lease award.

Note: RWAs can be accepted as soon as the project is identified, scoped and estimated, but no later than immediately ahead of lease award.

RWA National Policy

Areas of Emphasis and Focus - Antecedent Liability

Antecedent Liability - Events that cause price increase in the original scope of work.

- No scope increases, only price or cost increase
- Antecedent Liability **MUST be an amendment** to the RWA. No new or other RWAs.

Examples include:

- Differing site conditions
- Cost increase to move ductwork which was not shown on the available drawings
- Cost increases for fire and life safety requirements inadvertently left out in planning
- Unforeseen increases in material or labor costs, or both, without scope change to the RWA, that exceed the original Independent Government Estimate
- Contractor proposal exceeds estimates but still fair and reasonable
- Additional GSA Direct Charges

RWA National Policy

Areas of Emphasis and Focus - Antecedent Liability (cont.)

Antecedent Liability:

- Customer **MUST** provide funds that were available when the original RWA was submitted and accepted.
 - If funding from the original FY is no longer available:
 - Must meet both conditions below:
 - **Current** year funding can be used **and**
 - **Statement of Further Written Assurance (SOFWA)** must be signed and provided by the customer

Example: RWA funded with FY19 Annual funds to build out a courtroom. Project was underestimated, therefore resulting in an antecedent liability in FY21. In FY21, the RWA should be amended with FY19 Funds.

- If FY19 funds or no-year funds are no longer available, FY21 (currently available) funds may be used if a Statement of Further Written Assurance* is also provided.

**For Judiciary: their internal policy is that only the AO can sign this waiver.*

RWA National Policy

Areas of Emphasis and Focus - Amendments

Amendments Acceptable for:

- Changes or additions to the scope of work in the same FY when the original RWA was accepted
- Reduction in Scope of Requirements
- Amendments for severable services using funds available at the time the services are (or were) provided
- Within scope cost increases attributed to an antecedent liability

Amendments NOT Acceptable for:

- Out of Scope Changes (after the initial year of acceptance)
- Exercising of Contract Options (must be a new RWA)
- Additions or new scope after the end of the FY the original RWA was accepted, regardless of funding type
 - In these cases, a new RWA would be required using currently available funds.
- Making changes to the Period of Performance (PoP) of Severable RWAs after the initial year of acceptance even if there are No Year funds



- Lots of eRETA info available at www.gsa.gov/ereta
- Lots of RWA info available at www.gsa.gov/rwa
- eRETA System question? ereta@gsa.gov
- General RWA question? AskRWA@gsa.gov
- Specific question on an RWA project or service?
 - Contact the regional RWA Manager (see map) or locate the GSA Project Manager email in eRETA

GSA PBS Region RWA Managers

Region 1: Melissa Mitrano, Melissa.Mitrano@gsa.gov, [617-565-8933](tel:617-565-8933), States include: VT, NH, ME, MA, CT, RI

Region 2: Binisha Suri, Binisha.Suri@gsa.gov, [212-264-3750](tel:212-264-3750), States/territories include: NY, NJ, USVI, PR

Region 3: Jean Forcinito, Jean.Forcinito@gsa.gov, [215-446-4493](tel:215-446-4493), States include: PA, MD, DE, VA, WV

Region 4: John Beall, John.Beall@gsa.gov, [404-215-6779](tel:404-215-6779), States include: KY, TN, NC, SC, MS, AL, GA, FL

Region 5: Rachel Bichsel, Rachel.Bichsel@gsa.gov, [312-886-3310](tel:312-886-3310), States include: MN , WI, MI, IL, IN, OH

Region 6: Laura Beth Hawkins, Laura.Hawkins@gsa.gov, [816-823-5193](tel:816-823-5193), NE, IA, KS, MO

Region 7: LaDonna Jones, Ladonna.Jones@gsa.gov, [817-978-7119](tel:817-978-7119), States include: NM, TX, OK, AR, LA

Region 8: Dan Brousseau, Daniel.Brousseau@gsa.gov, [202-412-6178](tel:202-412-6178), States include: MT, ND, SD, WY, UT, CO

Region 9: Peter Fern, Peter.Fern@gsa.gov, [415-531-7719](tel:415-531-7719), States include: CA, NV, AZ, HI

Region 10: Michael Molnar, Michael.Molnar@gsa.gov, [253-394-1563](tel:253-394-1563), States include: WA, OR, ID, AK

Region 11: Rick Baker, Rick.Baker@gsa.gov, [202-205-2343](tel:202-205-2343), States/districts include: Washington, D.C., MD (Montgomery and Prince George's counties), VA (Arlington, Fairfax, Loudon, and Prince William counties, and the cities of Alexandria and Fairfax)

A Contact Map is also available on our [website](#)



Questions?



Thank you for joining us today for
RWA Policy Highlights

Training materials, including PDF User Guides and video recordings of previous training demonstrations, are available at:

www.gsa.gov/ereta

Come back again, or tell a peer about our **encore session**

Tuesday, March 9th, 2021

1pm-2:30pm

[Register Now!](#)



Upcoming CES sessions

Shape Your Workplace With Activity-Based Planning

Thursday, January 21st 1pm eastern - [Register Now](#)

eRETA Digest

Tuesday, February 9th 1pm eastern - [Register Now](#)

Occupancy Planning and Solutions

Thursday, February 18th 1pm eastern - [Register Now](#)

RWA Policy Manual Highlights - Encore Session!

Tuesday, March 9th 1pm eastern - [Register Now](#)

GSA's COVID-19 Resources for Customers

See our [COVID-19 Website](#) for our Emergency Response Activities and our [Returning to GSA Facilities page](#) for procedures and guidance for GSA Owned and Leased Buildings, Projects and Workplaces

**Coronavirus
Disease 2019
(COVID-19)**



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