

DEPARTMENT OF THE ARMY
Pacific Ocean Division, Corps of Engineers
Fort Shafter, Hawaii 96858-5440

PODR 1-1-9

CEPOD-RM-M

Regulation
No. 1-1-9

29 June 1990

Administration
SUPPORT AGREEMENTS

1. PURPOSE. To establish policy and procedures on providing or obtaining administrative and logistic services (exclusive of personnel services) involving the US Army Engineer Division, Pacific Ocean (USAEDPO) and another agency.
2. APPLICABILITY. This regulation applies to all elements of the Pacific Ocean Division (POD).
3. REFERENCES.
 - a. ER 1-1-6, Transfer of Missions and Functions, Providing and Obtaining Support Services.
 - b. AR 37-19, Financial Administration of Interservice and Interdepartmental Support Agreement.
 - c. AR 37-49, Budgeting, Funding, and Reimbursement for Base Operations Support of Army Activities.
 - d. DOD 4000.19R, Defense Regional Interservice Support (DRIS) Regulation.
4. DEFINITIONS.
 - a. Support Agreement is any document that reflects an arrangement between USAEDPO and another agency (or between Corps of Engineers offices, when required), whereby administrative and logistic support is provided by one office or agency to another.
 - b. Other agencies or another agency means any other Federal agency outside of USAEDPO and non-Federal agencies.
5. POLICY.
 - a. Providing Support to Other Agencies.
 - (1) Corps of Engineers (CE) offices may provide requested administrative and logistic services to other Department of Defense (DOD) elements to the extent that established Department of the Army and DOD policies and the organization's resources will permit. Administrative and logistic services may be provided to non-Defense agencies when it is clearly advantageous to the CE. Decisions to provide these services should be contingent on development of a satisfactory agreement.
 - (2) Important facets of a satisfactory agreement are that the Corps is delegated sufficient authority to perform its responsibilities efficiently and effectively, has control over its own personnel and the methods employed, and receives full and timely reimbursement for direct and indirect services rendered.

b. Obtaining Support from Other Agencies.

(1) Administrative and logistic services will be obtained from other agencies (or by contract) when it is more advantageous to the CE than to develop or maintain parallel capabilities.

(2) Technical services are not normally requested from other agencies since the CE by nature of its mission has capability to perform most of these services. However, technical services will be obtained from other agencies when it is more advantageous to the CE than to develop or maintain parallel capabilities.

c. The service or support provided or received for each mission, program, activity or project will be defined in writing.

d. All proposed support agreements, new or revised, will be fully coordinated and approvals obtained before final commitments are made. This is to ensure requirements, resources, legalities, and organizational considerations are appropriately covered.

6. AUTHORITIES. Commanders, Far East District and Japan Engineer District are delegated authority to approve proposals, negotiate, and sign implementing agreements with other agencies, providing that in the judgement of the Commander: (1) the scope of the agreement is within the Commander's area of responsibility; (2) the agreement does not set a precedent or have potentially broad significance; and (3) there is no conflict with the stated policies in paragraph 5.

7. RESPONSIBILITIES.

a. Directorates and Separate Office Chiefs requiring support will:

(1) Coordinate with Management Analysis Division, Directorate of Resource Management (CEPOD-RM-M) on all communications with prospective source of support and provide CEPOD-RM-M with all background information and supporting material which will aid in preparing the support agreement.

(2) Draft a proposed statement of support or services which defines at the minimum:

(a) Tasking and interfaces each participant must provide to the other.

(b) Funding data (estimated cost and funding source to include the financing appropriation; reimbursement data).

(c) Manpower resource requirements.

(d) Effective and termination dates.

(3) Initiate reimbursable orders to cover costs for administrative and logistic support obtained from other agencies, where required.

b. Directorate of Resource Management will:

(1) Coordinate the proposal with appropriate staff elements, including as a minimum, Directorate of Contracting, Office of Counsel, and Directorate of Personnel and obtain Executive Office approval. (Management Analysis Division).

(2) Review funding data and reimbursement arrangements to ensure funds are appropriately budgeted and that the financial language conforms to established procedures. (Budget Division, Finance & Accounting Division, Accounting Systems & Policy Division).

(3) Determine the effect and availability of manpower requirements. (Manpower Management Division).

(4) Prepare formal support agreement requiring support from other agencies in final form and distribute to affected offices. (Management Analysis Division).

(5) Review agreements annually to determine whether they should be continued, modified or terminated. Modifications are processed in the same manner as original agreements. (Management Analysis Division).

(6) Maintain a file of all POD support agreements for review and historical purposes. (Management Analysis Division).

c. Directorate of Contracting will review for compatibility with contracting regulations, existing or proposed contracts, and other matters under its cognizance.

d. Office of Counsel will review for legal sufficiency to ensure that the agreement clearly defines POD's rights and liabilities, defines the scope of the agreement, avoids ambiguity, and conforms with appropriate regulations and policies.

e. Directorate of Personnel will advise on the implications to current staffing and initiate action to apprise the labor organization granted exclusive recognition, as necessary.

8. PROCEDURES.

a. Guidelines in referenced publications will be followed. DD Form 1144, intended for inter-service agreements may be used (with modifications, as required), for intra-Army support. When a narrative-type agreement is to be prepared, in lieu of DD Forms or as a supplement, guidance in paragraph 6, AR 37-49 regarding items to be covered in an agreement will be followed.

b. If an agreement does not specifically state a termination date, joint reviews will be conducted on the anniversary date of the document to determine if it should be continued, modified or terminated. Reviews will be initiated 120 days prior to the anniversary or termination date.

c. Support Agreements may be changed or revised at any time by mutual consent of all parties, providing that such changes are accomplished by written amendments.

d. Reimbursement methods agreeable to both parties, may be used to develop the estimated cost of work to be performed, provided the test of reasonable accuracy and simplicity are met and there is no contravention of existing policies and regulations. (Reimbursement procedures for personnel servicing are covered by Appendix A, ER 690-1-272.)

(1) One or a combination of the following methods may be employed to assist the two parties in arriving at estimated costs:

(a) Pro-rata share of population served or items processed.

(b) Time spent to perform work, or to perform similar work in the past, or other equitable basis of an experience type.

(c) Published or other recognized criteria, such as unit costs or per person rates, that could be used to determine approximate support charges.

(d) Past experiences with actual costs.

(e) Other valid methods acceptable to both parties.

(2) The main ingredient in developing a mutually agreeable approach to reimbursement is a positive, cooperative attitude by both parties. Emphasis will be placed on minimizing time spent in negotiations and on avoiding elaborate methods of record-keeping beyond what is currently required for internal operations and higher authority reports. Insignificant expenditures of time and materials will be treated accordingly.

FOR THE COMMANDER:


ARLOF D. HEWSON
Director of Information Management

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