

## Intergovernmental Cooperation Act Agreement Checklist

31 U.S.C. § 6505

1.  Does the agreement identify the parties to the agreement, and is the party entering into the agreement with your operating unit a state or local government organization?
  2.  Does the agreement include a unique agreement number?
  3.  Does the agreement cite the Intergovernmental Cooperation Act as the authority for your operating unit to retain reimbursement for the services it will provide pursuant to this agreement?
  4.  Does the agreement cite the “programmatically” authority by which the operating unit is authorized to undertake the contemplated activity?
  5.  Is the contemplated service of a type similar to what the operating unit would provide for its own use?
  6.  Is the contemplated service of a type authorized to be provided by Federal agencies as listed in OMB Circular A-97, § 6? (Available at [http://www.whitehouse.gov/omb/circulars\\_default/](http://www.whitehouse.gov/omb/circulars_default/)).
  7.  Does the agreement describe the terms and conditions under which the contemplated activities will be completed? In particular:

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    - a.  Does the agreement include a clear and specific description of the tasks to be completed and deliverables to be provided by the operating unit for the total amount of funds to be transferred?
    - b.  Does the agreement state the total estimated cost to the operating unit for which it will receive reimbursement?
    - c.  Will the operating unit be reimbursed for all actual costs in providing the contemplated service?
    - d.  Does the agreement describe the method and frequency of payment?
    - e.  Does the agreement include a provision stating that performance by the Department operating unit is subject to the continued availability of funds?

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  8.  Does the agreement include a termination date?
  9.  In accordance with OMB Circulars A-97 and A-76, does the agreement include a provision stating that the state or local government organization certifies that the contemplated services cannot be procured reasonably and
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expeditiously by it through ordinary business channels?

10.  Does the agreement include a provision permitting either party to unilaterally cancel/terminate the agreement with advance written notice?
  11.  Does the agreement contain a provision regarding the payment of early termination costs?
  12.  Does the agreement contain a dispute resolution provision?
  13.  Does the agreement provide the names and contact information for both administrative/financial and technical/program contacts for each party?
  14.  Does the agreement contain signature lines for each party?
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