



FFATA, Recovery Act, FPDS, and Data Validation

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Legislation Changing the Landscape

- Federal Funding Accountability and Transparency Act of 2006 - requires full disclosure of all entities and organizations receiving Federal funds.
- American Recovery and Reinvestment Act of 2009 – requires assistance and contracts go to the saving or creation of jobs.



New Horizons in Acquisition

1. Agencies must determine when contracting makes sense
2. Create *unprecedented* transparency and accountability 'needed for good governance'
3. Establish the legal status of contractor personnel (discern the lobbyists from the contract managers and performance employees)
4. Reduce corruption and cost overruns
5. Prioritize prosecutions that will punish and deter fraud, waste and abuse
6. Conduct acquisition reform and management, which would end the common practice of "no-bid" contracting
7. Restore the government's ability to manage contracts by rebuilding our contracting workforce
8. Disclose what contracts contractors are getting, and;
9. How well those contracts are being performed
10. Require that *nearly all* contract/orders over \$25,000 be competitively awarded
11. Reduce procurement costs with purchase cards
12. Support to women business owners

OFPP Objectives

- The Chief Acquisition Officers Council (CAOC) developed four priorities
 - Strengthen the Acquisition workforce
 - Improve Acquisition Transparency and its Information Management
 - Promote effective sourcing management
 - Improve requirements development, oversight, and management of major acquisitions

Acquisition Workforce

- Contracting professionals critical to achieving agency missions
- Successful acquisition requires robust, skilled team, FAC-C, FAC-PPM, FAC-COR outline competencies for these key acquisition team members
- The Federal Acquisition Intern Coalition (FAIC) – an interagency effort to identify, recruit, develop, and retain skilled contracting professionals
- OFPP working with agencies on an Acquisition Workforce Development Strategic Plan focused on identifying numbers, mix, and skills of future acquisition professionals

Major Acquisitions

Improve requirements development, oversight, and management of major acquisitions

- Including reforming DoD contracting

Sourcing Management

Promote effective sourcing management to:

- Leverage the government's buying power through strategic sourcing
- Ensure maximum practicable opportunities for small business
- Achieve the best results possible from the blended workforce

Transparency and its Information Management

- Establish a Federal Data Dictionary
- Break out agreements to find out what agencies are really doing in contracts, grants, loans, leases, Other Transactions, Financial Agency Agreements etc.
- Instill discipline, consistency and standards on grant processes and information
- Will take unprecedented collaboration between functional areas such as finance and contracting
- All of this will take the most accurate information we can afford and that part is up to you.



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IAE SYSTEMS AND RECOVERY REPORTING

IAE Systems And Recovery Reporting

- Recovery and FBO

- When submitting notices electronically via ftp/email, enter "Recovery" as the first word in the title (<SUBJECT> tag within the template). **Note: "Recovery" must be the first word and spelled exactly; letter case will not have an effect.**
- When entering notices directly on FBO select the "yes" radio button for the "Is this a Recovery and Reinvestment Act action" field on the "Notice Details" form located below the "NAICS Code" field.
- Notices of proposed contract actions are required for orders of \$25,000 or more, funded in whole or in part by the Recovery Act, which are issued under task and delivery order contracts. See FAR 5.704(a)(2) for additional information. Contracting officers must include the following statement in the *Description* field preceding the actual description:

“THIS NOTICE IS PROVIDED FOR INFORMATION PURPOSES ONLY. THIS OPPORTUNITY IS AVAILABLE ONLY TO CONTRACTORS UNDER [Contracting officer insert program name. For example: GSA Schedule 03FAC, COMMITS, Navy’s SeaPort-e].”

IAE Systems And Recovery Reporting

- **Recovery and FBO (cont'd)**
 - Any contract action, including all modifications and orders under task or delivery order contracts, that was not both fixed-price and competitive, must include a rationale for using other than a fixed-price and/or competitive approach (see FAR 5.705(b)) in the award notice. Your rationale will be available to the public through FedBizOpps as well as a special section of Recovery.gov. If you do not provide a rationale, the contract action is assumed to be fixed-price and competitive.
 - Take special care in ensuring that what you enter into FedBizOpps is consistent with what is entered into FPDS. Your award notices in FedBizOpps and your Contract Action Report (CAR) details from FPDS will be available for all to see.

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- FPDS

- Enter the Treasury Account Symbol (TAS) in the Description of Requirement field using the following format:

TAS::XX XXXX XX::TAS (if using the optional sub account code) OR

TAS::XX XXXX::TAS (if not using the optional sub account code)

IAE Systems And Recovery Reporting

New Recovery Static Report available on the <https://www.fpds.gov> website – updated daily



 Log In	 What's New	 Top Requests
<p>Log-In: <input style="width: 100%;" type="text"/></p> <p>Password: <input style="width: 100%;" type="password"/></p> <p style="text-align: center;"><input type="button" value="Log In"/></p> <p>Forgot Your Password? Security and Privacy About FPDS-NG Contact Help Desk</p>	<p>New government wide standard reports and improved adhoc reporting is now available. New FPDS-NG enhanced reporting capability! American Recovery and Reinvestment Act 2009 New Interagency Contract Directory GCE unveils new 'ezSearch' Tool For more information on reports and other new items please click here. DoD Data Availability For more information on using and importing the XML data archives please click here. FPDS-NG User's Manual</p>	<p>Current top requests:</p> <p>American Recovery and Reinvestment Act Report Hurricane Katrina Contracts Hurricane Rita Contracts Other Hurricane/Disaster Relief Trending Analysis Report for the Last 5 Years FPDS-NG Transaction and User Statistics Performance Based Statistics Top 100 Federal Contractors Report FY 2007 Top 100 Federal Contractors Report FY 2006</p>



IAE Systems And Recovery Reporting

- Recovery information will be the focus of a great deal of attention so ensuring the accuracy of FPDS data is more important than ever.
- Make sure:
 - Competition information is correct
 - To provide clear descriptions of the good\service you are purchasing
 - Dollar amounts are correct
 - Date information is updated



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**Data accuracy is more
important now than ever...**

DoD Data Validation Requirements

- OMB established FPDS data validation requirements (May 2008)
 - FFATA and Recovery Act also emphasize data validation to ensure accuracy
- DoD issued Department plan (July 2008, updated March 2009)
 - Requires quarterly reports and annual certifications of FPDS data
 - Revised Due Dates
 - Quarterly results due 45 days after quarter, annual certification due Dec 15)
 - Latest Plan & Exhibits posted to DPAP site, under “Data Improvement”
 - http://www.acq.osd.mil/dpap/pdi/eb/federal_procurement_data_system_next_generation_fpds-ng.html
 - Provide Status of Quarterly Reporting
 - Actions Reported
 - Actions Backlogged, if any
 - Estimated Date to Reduce Backlog
 - Provide Error Rates and Root Causes
- Updated OMB data validation requirements expected ~Q3FY09
- DPAP will be prescribing FPDS Ad Hoc Reports to support reviewing data anomalies seen in FPDS data



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FY08 & Q1FY09* Results

Worst of FY08

Worst of Q1 FY09

1. Completion Date
2. Base & All Options Value
3. Principal NAICS Code
4. Est. Ultimate Completion Date
5. Place of Manufacture
6. Base & Exercised Options Value
7. Place of Performance Zip Code
8. PBSA
9. Reason for Mod
10. Product Service Code (PSC)

1. Principal NAICS Code
2. Principal Place of Perf Code
3. Est. Ultimate Completion Date
4. Base & All Options Value
5. Place of Performance Zip Code
6. Description of Requirement
7. Funding Agency ID
8. Base & Exercised Options Value
9. Reason for Mod
10. Product Service Code (PSC)

Improving the Data

- DPAP updating the DFARS and PGI; more to be added in the future
 - Advise lisa.romney@osd.mil of particular situations needing coverage
- Establish regular organization reviews of FPDS
 - Standard reports to review reported data and trends
 - Static reports to review reported data on high-visibility issues
 - Ad hoc reports to look for anomalies
- Ensure users are trained on FPDS
- Ensure organization trains users on procurement situations that are causing errors
- Identify suspected errors to the FPDS Users' Manual or Data Dictionary to lisa.romney@osd.mil for resolution with GSA

Helpful Standard Reports

- Individual Data Item Oversight Tracker
- Status of Actions
- Federal Actions & Dollars
- Small Business Goaling
- Small Business Achievements by Awarding Organization
- Funding

Ad Hoc Anomaly Reports

- In support of Recovery Actions:
 - With “date signed” prior to Feb 2009
 - With place of performance outside U.S.
 - Awarded by contracting offices where it doesn’t make sense
- Construction or Services contracts in U.S. where:
 - Davis-Bacon Act isn’t marked (*389 as of March*)
 - Service Contract Act isn’t marked (*7,401 as of March*)
- Actions where:
 - Completion date occurs before date signed (*16,475 as of March*)
 - Last date to order occurs before date signed (*596 as of March*)
- CCR Exceptions that don’t make sense (*1 classified as of March*)
- Funding Agency = DFAS (*3,275 as of March*)
- NIAs with places of performance that don’t make sense
- NAICS codes that don’t make sense with the PSCs

Available Training

- DAU SPS 100 (Admins) & 101 (User) Course Learning Modules
 - Provides in-depth GUI interface instruction for PD2 Users
 - Visit <https://learn.dau.mil/html/clc/Clc.jsp>
- BTA FPDS Webinars
 - V1.3 Changes
 - Common Mistakes
 - Recovery Act Funding
 - Contact Gary Pugliano (gary.pugliano@bta.mil) to schedule a 2-hour session for your organization
- DPAP developing FPDS Specific DAU Course Learning Module

Other Odds & Ends

- You can only issue orders against “A”, “D”, and “G” actions – NOT definitive “C” contracts
- If you are writing an order against a NIB/NISH existing contract/schedule, it **MUST** be reported as a Delivery/Task Order NOT a Purchase Order
- You get socio-economic goaling credit as of the “date signed” of the contract
- Funding Agency and Office codes DO NOT equal the DFAS payment office - they represent the customer
- The NAICS code on your CAR should match the NAICS you used on the solicitation
- If you have a Recovery Act action reported to FPDS, there needs to be a corresponding award announcement on FBO
- If it is anticipated that the purchase card might be used for a Recovery Act action, you need to establish a new purchase card exclusively for those funds (upcoming DoD memo)



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Questions?



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Back-up



Contractor Reporting

- Section 1512(c) of the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) (Recovery Act) requires, as a condition of receipt of funds, quarterly reporting by the prime contractor on the use of funds.
- FAR Case 2009-0009 issued as an Interim Rule (effective immediately) requires contractors to report information including, but not limited to:
 - Government contract / order number
 - The dollar amount of contractor invoices
 - A detailed list of all services performed or supplies delivered, including construction, for which the contractor has invoiced, including –
 - Program or project title, a description of the overall purpose and expected outcomes or results of the contract
 - An assessment of the contractor's progress towards the completion of the overall purpose and expected outcomes An estimate of the number of jobs created and retained by the contractor, in the United States and outlying areas
 - Names and total compensation of each of the five most highly compensated officers for the calendar year in which the contract is awarded (subject to certain conditions)
 - Specific information on first-tier subcontractors:
 - For subcontracts valued < \$25,000 or any subcontracts awarded to an individual or to a subcontractor which in the previous tax year had gross income < \$300,000, the Contractor reports the aggregate number of such first tier subcontracts awarded and dollar amount.
 - For first-tier subcontract > \$25,000 and not subject to aggregate reporting above, the Contractor reports several individual data elements