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ACQUISITION,
TECHNOLOGY
AND LOGISTICS

MAR 19 2010

MEMORANDUM FOR COMMANDER UNITED STATES SPECIAL OPERATIONS COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION COMMAND (ATTN: ACQUISITION EXECUTIVE)
DEPUTY ASSISTANT SECRETARY OF THE ARMY (PROCUREMENT), DASA(P)
DEPUTY ASSISTANT SECRETARY OF THE NAVY (ACQUISITION & LOGISTICS MANAGEMENT), DASN(A&LM)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (CONTRACTING), SAF/AQC
DIRECTORS, DEFENSE AGENCIES
DIRECTORS, DOD FIELD ACTIVITIES

SUBJECT: Revised Posting and Reporting Requirements for the American Recovery and Reinvestment Act of 2009 (Recovery Act)

This memorandum and its attachment provide updated instructions to the previously issued guidance on March 13, April 21, and August 19 of 2009. Upcoming changes to the way by which the Recovery Act-related treasury account symbols are reported in the Federal Procurement Data System (FPDS) necessitate this update.

The General Services Administration's (GSA's) FPDS program office anticipates the next planned release of FPDS (version 1.4) to be implemented the weekend of March 13-14, 2010. Upon implementation, the collection of Recovery Act-related treasury account symbols will be accomplished through specific data elements on the contract action report that is submitted for each contract action, rather than in the *Description of Requirement* data field solution currently in production. As such, any contract action for the Recovery Act that will be reported March 13, 2010 or later must be reported using the new *Treasury Account Symbol* data fields. FPDS will cease to pull the information from the Description of Requirement data field. Additionally, FPDS will begin comparing the Recovery Act-related treasury account symbols provided by users to the master list maintained at the Office of Management and Budget for the Recovery Act. If the data provided does not match this list, it will not be identified as a Recovery Act action, nor provided to Recovery.gov.

The updated attachment also removes the requirement to provide presolicitation notices of modifications to contracts and orders for use of Recovery Act funds. Per the

Federal Acquisition Regulation subpart 5.7, Publicizing Requirements Under the American Recovery and Reinvestment Act of 2009, only award notices of Recovery Act-related modifications are required.

Continued Executive and Legislative oversight of Recovery Act funds may necessitate changes to the policy and guidance in the future. Our office will continue to work closely with other functional areas and the OSD Recovery Act program office to provide your offices with updated information as quickly as possible. It is important these instructions are adhered to for proper data compilation and reporting. My action officer for these instructions is Lisa Romney, lisa.romney@osd.mil, 703-602-8007. As a reminder, grants and assistance actions using Recovery Act funding are also subject to specific instructions. Dr. Mark Herbst, mark.herbst@osd.mil, 703-588-1377, in OUSD(AT&L)/DDR&E for further guidance on these actions. Please see http://www.defenselink.mil/recovery/ for more information as to DoD's role in executing the Recovery Act.

Shay D. Assad
Director, Defense Procurement
and Acquisition Policy

Attachment:
As stated

ATTACHMENT
(UPDATED MARCH 1, 2010)

INSTRUCTIONS
POSTING PRE-SOLICITATION AND AWARD NOTICES AND REPORTING CONTRACT ACTIONS FOR ACTIONS FUNDED BY THE AMERICAN RECOVERY AND RE-INVESTMENT ACT OF 2009

Effective immediately, all Military Services and Defense Agency contracting offices shall implement the following instructions in reference to posting and reporting requirements for the American Recovery and Re-Investment Act of 2009 (Recovery Act). (NOTE: For planning purposes, procurements that use multiple Recovery Act treasury account symbols or project numbers on the same contract action are NOT allowed, as they can not be efficiently tracked at this time. Use separate delivery orders or modifications to obligate the multiple Recovery Act funds if it is absolutely necessary to accomplish the project under the same overall contract. It is understood that projects identified by project numbers as described herein may result in more than one contract action.)

1. Posting Sources Sought and Presolicitation Notices on Federal Business Opportunities (FedBizOpps).

a. Sources sought and presolicitation notices for proposed new contracts must be posted on FedBizOpps in accordance with FAR Part 5 applicable dollar thresholds. When posting a sources sought or presolicitation notice for an action that will use Recovery Act funds, DoD contracting offices shall use the following special format:

- If directly posting on FedBizOpps using the website (www.fbo.gov):
  - Select the radio button on the screen that indicates the effort is for a Recovery Act effort.
  - All sources sought and presolicitation notices must include the word RECOVERY as the first word in the *Title* field prior to the actual title of the presolicitation notice. The word RECOVERY must be spelled correctly.
  - The format of the data entered in the Title field shall be "RECOVERY—PROJECT NUMBER XX, Title" as described below:
    - The word RECOVERY followed by two dashes (--),

- PROJECT NUMBER. Include the words PROJECT NUMBER followed by the actual project number (in place of the XX in the format above). This tracks directly back to the DoD-assigned project numbers for planned Recovery Act related efforts as posted on http://www.defenselink.mil/recovery/. The four DoD-identified categories of programs with projects are:
  - Energy Conservation and Investment Program;
  - Facilities Sustainment, Restoration, & Modernization Program;
  - Military Construction Program; and
  - Near Term Energy-Efficient Technologies Program.
  - (Note: Projects under the two 'Energy' categories may or may not have a project number assigned. When there is no project number assigned, leave this portion of the format out from the Title field.)
- Title. Insert the Project Title contained in Attachment A, Funding Table and Delivery Schedule with Major Milestones, of each DoD Recovery Act Program Plan, as posted on http://www.defenselink.mil/recovery/.
- Example: "RECOVERY—PROJECT NUMBER QYZH970018P2, Maintain Slabs, B Ramp (Phase 2 of 8)"

- If using an electronic system to post to FedBizOpps, include the word RECOVERY as the first word in the <SUBJECT> tag on the Sources Sought or Presolicitation template prior to the actual title of the presolicitation notice. For presolicitation notices not using Recovery Act funding, the classification code shall still remain in the first position of the Title field or <SUBJECT> tag. However for all Recovery Act funded notices, the word RECOVERY shall be placed before the classification code in the <SUBJECT> tag, followed by two dashes (as prescribed on the FedBizOpps website – under *Electronic Interfaces*). When submitted from an electronic system, FedBizOpps will allow the word RECOVERY to be placed before the classification code. The word RECOVERY must be spelled correctly. Follow the instructions in 1.a. above for the remaining format (e.g., RECOVERY – PROJECT NUMBER XX, Title) of the title.

b. Under the Recovery Act, presolicitation notices are also required for orders under a task or delivery order contract meeting the FAR Part 5 dollar thresholds. This includes orders under Federal Supply Schedules, Governmentwide Acquisition Contracts (GWACs), multi-agency contracts or any other Indefinite Delivery Contract authorized in FAR part 16.5. This requirement is also applicable to orders under Blanket Purchase Agreements (BPAs) or Basic Ordering Agreements (BOAs) that meet the FAR part 5 dollar thresholds. Presolicitation notices for orders are required to be posted individually,

they may not be posted under an umbrella notice for the base contract or ordering vehicle. For these orders, the following special format requirements apply:

- If directly posting on FedBizOpps using the website (www.fbo.gov):
  - Select the radio button on the screen that indicates the effort is for a Recovery Act effort.
  - All presolicitation notices must include the word RECOVERY as the first word in the *Title* field prior to the actual title of the presolicitation notice. The word RECOVERY must be spelled correctly. Follow the instructions in 1.a. above for the remaining format (e.g., RECOVERY – PROJECT NUMBER XX, Title) of the title.
  - All presolicitation notices for orders under vehicles other than Federal Supply Schedules, GWACs, or multi-agency contracts must include verbatim the phrase RECOVERY – PER FAR 5.7 THIS NOTICE IS PROVIDED FOR INFORMATION PURPOSES ONLY; THEREFORE FAR 5.203 DOES NOT APPLY. THIS OPPORTUNITY IS AVAILABLE ONLY TO CONTRACTOR(S) UNDER THE CURRENT CONTRACT NUMBER(S): [contracting officer insert contractor(s) name(s) and associated contract number(s) along with the program name, if any]. at the beginning of the *Description* field prior to the actual title of the presolicitation notice.
  - All presolicitation notices for orders under Federal Supply Schedules, GWACs, or multi-agency contracts must include verbatim the phrase RECOVERY – PER FAR 5.7 THIS NOTICE IS PROVIDED FOR INFORMATION PURPOSES ONLY; THEREFORE FAR 5.203 DOES NOT APPLY. THIS OPPORTUNITY IS AVAILABLE ONLY TO CONTRACTOR(S) UNDER: [contracting officer insert the name of the Federal Supply Schedule, GWAC, or multi-agency contract]. at the beginning of the *Description* field prior to the actual title of the presolicitation notice. Examples of the program name are: GSA Schedule 03FAC, COMMITS, or Navy's SEAPORT-E.

- If using an electronic system to post to FedBizOpps:
  - Include the word RECOVERY as the first word in the <SUBJECT> tag on the Presolicitation template prior to the actual title of the presolicitation notice. For presolicitation notices not using Recovery Act funding, the classification code shall still remain in the first position of the Title field or <SUBJECT> tag. However for all Recovery Act funded notices, the word RECOVERY shall be placed before the classification code in the <SUBJECT> tag, followed by two dashes (as prescribed on the FedBizOpps website – under *Electronic Interfaces*). When submitted from an electronic system, FedBizOpps will allow the word RECOVERY to be placed before the classification code. The word RECOVERY must be spelled correctly. Follow the instructions in

1.a. above for the remaining format (e.g., RECOVERY – PROJECT NUMBER XX, Title) of the title.

- Include verbatim one of the two phrases in 1.b. above at the beginning of the <DESC> tag on the Presolicitation template prior to the actual description of the procurement action.

c. If it is anticipated that multiple or split awards could be made from the procurement, clearly state the possibility in the *Description* field of the posted notice.

d. In the remainder of the *Description* field, use clear and concise language to describe the planned procurement. The description should supplement the title to provide public understanding and knowledge of the Recovery Act funded project. Use descriptions of the goods and services (including construction), that can be understood by the general public. Avoid the use of acronyms or terminology that would only be understood by a select few. Do not describe what the specific contract action is doing; describe what is being procured.

(1) Example of a bad description: "Provide incremental funding."
(2) Example of a bad description: "Task Order 0001."
(3) Example of a bad description: "Construction stuff."
(4) Example of a good description: "Construct the new wing of the medical clinic at Fort Bragg."
(5) Example of a bad description: "Add-ons to Building 4."
(6) Example of a good description: "Install carpeting for the Child Daycare Center on Andrews AFB."

2. Announcing Awards of Contracts, Modifications, and Orders on FedBizOpps.

Award notices must also be posted on FedBizOpps in accordance with FAR Part 5 requirements immediately upon contract action award. In addition, award notices for any modification or order meeting FAR Part 5 thresholds are also required by the Recovery Act to be posted on FedBizOpps. Award notices for modifications and orders are required to be posted individually, they may not be posted under an umbrella notice for the base contract or ordering vehicle. To facilitate transparency and ensure consistency in tracking award announcements for Recovery Act funds, agencies shall use the following special format requirement:

- If directly posting on FedBizOpps using the website (www.fbo.gov):
  - Select the radio button on the screen that indicates the effort is for a Recovery Act effort.
  - All award notices must include the word RECOVERY as the first word in the *Title* field prior to the actual title of the award notice. The word RECOVERY must be spelled correctly. Follow the instructions in 1.a.

above for the remaining format (e.g., RECOVERY – PROJECT NUMBER XX, Title) of the title.

- If using electronic systems to post to FedBizOpps, include the word RECOVERY as the first word in the <SUBJECT> tag on the Award template prior to the actual title of the award notice. For award notices not using Recovery Act funding, the classification code shall still remain in the first position of the *Title* field or <SUBJECT> tag. However for all Recovery Act funded notices, the word RECOVERY shall be placed before the classification code in the <SUBJECT> tag, followed by two dashes (as prescribed on the FedBizOpps website – under *Electronic Interfaces*). When submitted from an electronic system, FedBizOpps will allow the word RECOVERY to be placed before the classification code. The word RECOVERY must be spelled correctly. Follow the instructions in 1.a. above for the remaining format (e.g., RECOVERY – PROJECT NUMBER, Title) of the title.

- All award notices for modifications to or orders under vehicles other than Federal Supply Schedules, GWACs, or multi-agency contracts must include verbatim the phrase RECOVERY – PER FAR 5.7 THIS NOTICE IS PROVIDED FOR INFORMATION PURPOSES ONLY; THEREFORE FAR 5.203 DOES NOT APPLY. THIS OPPORTUNITY WAS AVAILABLE ONLY TO CONTRACTOR(S) UNDER THE CURRENT CONTRACT NUMBER(S): [contracting officer insert contractor(s) name(s) and associated contract number(s) along with the program name, if any] at the beginning of the *Description* field prior to the actual title of the presolicitation notice.

- All award notices for modifications to or orders under Federal Supply Schedules, GWACs, or multi-agency contracts must include verbatim the phrase RECOVERY – PER FAR 5.7 THIS NOTICE IS PROVIDED FOR INFORMATION PURPOSES ONLY; THEREFORE FAR 5.203 DOES NOT APPLY. THIS OPPORTUNITY WAS AVAILABLE ONLY TO CONTRACTOR(S) UNDER: [contracting officer insert the name of the Federal Supply Schedule, GWAC, or multi-agency contract]. at the beginning of the *Description* field prior to the actual title of the presolicitation notice. Examples of the program name are: GSA Schedule 03FAC, COMMITS, or Navy's SEAPORT-E.

- In the remainder of the *Description* field, use clear and concise language to describe the awarded procurement. The description should supplement the title to provide public understanding and knowledge of the Recovery Act funded project. Use descriptions of the goods and services (including construction), that can be understood by the general public. Avoid the use of acronyms or terminology that would only be understood by a select few. Do not describe what the specific contract action did; describe what is being procured.

- Example of a bad description: "Provide incremental funding."
- Example of a bad description: "Task Order 0001."
- Example of a bad description: "Construction stuff."
- Example of a good description: "Construct the new wing of the medical clinic at Fort Bragg."
- Example of a bad description: "Add-ons to Building 4."
- Example of a good description: "Install carpeting for the Child Daycare Center on Andrews AFB."

- All award notices shall include the awardee's nine-digit Dun & Bradstreet DUNS number in the "Contractor Awarded Name" data element field following the name of the awardee in the following format "CONTRACTOR NAME (DUNS XXXXXXXXX)." This must be the exact number that is also reported to the Federal Procurement Data System (FPDS).

- Every effort shall be made not to use both Recovery Act funds and non-Recovery Act funds on the same contract action. However, if the contract action included both Recovery Act funds and non-Recovery Act funds, the Contract Award Dollar Amount data element field in FedBizOpps shall reference the total of the funds obligated by the action. The user shall then provide a breakdown of the amounts of Recovery Act and non-Recovery Act funds that together equal the Contract Award Dollar Amount in the *Description* field.

- Awards that use multiple Recovery Act treasury account symbols or project numbers on the same contract action are NOT allowed.

3. Providing Summaries of Awards that are Other-Than-Fixed-Price and Non-Competitively Awarded.

a. **The contracting officer shall make every attempt to compete Recovery Act actions.** If the award notice references an action regardless of contract type that was awarded using other than competitive procedures, the *Description* field in the award notice must include a summary of the rationale used for this acquisition approach.

- Ensure for new contract awards or modifications that add new work that the appropriate Justification and Authorization (J&A) document is posted on FedBizOpps in accordance with FAR Part 6.305 requirements and linked with the award notice.

- Contracting officers should use the following language in their award notice for new contracts or modifications to contracts to explain the use of non-

competitive procedures: "This contract action was accomplished using other than competitive procedures because [*include one of the choices from below*]."

- There is only one responsible source due to a unique capability provided, and no other supplies or services will satisfy agency requirements (FAR 6.302-1). See posted J&A for further information.
- There is only one responsible source as this is a follow-on contract, and no other supplies or services will satisfy agency requirements (FAR 6.302-1). See posted J&A for further information.
- There is only one responsible source as this was an unsolicited research proposal, and no other supplies or services will satisfy agency requirements (FAR 6.302-1). See posted J&A for further information.
- There is only one responsible source due to patent or data rights requirements, and no other supplies or services will satisfy agency requirements (FAR 6.302-1). See posted J&A for further information.
- There is only one responsible source as this contract is for utilities, and no other supplies or services will satisfy agency requirements (FAR 6.302-1). See posted J&A for further information.
- There is only one responsible source due to standardization requirements, and no other supplies or services will satisfy agency requirements (FAR 6.302-1). See posted J&A for further information.
- There is only one responsible source and no other supplies or services will satisfy agency requirements (FAR 6.302-1). See posted J&A for further information.
- There is an unusual and compelling urgency and a delay in award would result in serious injury, financial or other, to the Government (FAR 6.302-2). See posted J&A for further information.
- It is necessary to maintain a facility, producer, manufacturer, or other supplier for furnishing these supplies\services in case of a national emergency (FAR 6.302-3). See posted J&A for further information.
- It is necessary to maintain a facility, producer, manufacturer, or other supplier for furnishing these supplies\services due to the need to achieve industrial mobilization (FAR 6.302-3). See posted J&A for further information.
- It is necessary to establish or maintain an essential engineering, research, or development capability to be provided by an educational or other nonprofit institution or a federally funded research and development center. (FAR 6.302-3). See posted J&A for further information.
- It is necessary to acquire the services of an expert or neutral person for a current or anticipated litigation (FAR 6.302-3). See posted J&A for further information.
- Competition need not be provided for when precluded by the terms of an international agreement or a treaty between the United States and a foreign government or international organization or the written

directions of a foreign government reimbursing the agency for the cost of the acquisition of the supplies or services for such government (FAR 6.302-4). *(Enter one the following statements. When a J&A is required, per DFARS 206.302-4, enter:)* See posted J&A for further information. *(When a J&A is not required, per DFARS 206.302-4, enter:)* This award is justified by a document describing the terms of an agreement or treaty or written direction and did not require a J&A (per DFARS 206.302-4).

- A statute exists that expressly authorizes or requires that the acquisition be made from a specific source or through another agency (FAR 6.302-5); specifically, (*insert the specific FAR 6.302-5(b) authority using the words, not U.S.C. reference – for example, "a sole source award under the HUBZone Act"). (Enter one the following statements. When a J&A is required, per FAR 6.302-5, enter:)* See posted J&A for further information. *(When a J&A is not required, per FAR 6.302-5, enter:)* Per FAR 6.302-5 a J&A is not required for this award.
- The agency's need is for a brand name commercial item for authorized resale (FAR 6.302-5). A J&A is not required, per FAR 6.302-5.
- Disclosure of the Government's needs would compromise the national security (FAR 6.302-6). See posted J&A for further information.
- The agency head has determined that it is not in the public interest to compete this action on a full and open basis (FAR 6.302-7). See posted J&A for further information.
- The procurement is awarded to a sole source under the Test Program for Certain Commercial Items (FAR 13.5). See posted J&A for further information.
    - *(Note to contracting officers: due to the increased transparency requirements of the Recovery Act, contract awards under FAR 13.5 that use Recovery Act funds are required to post the J&A (FAR 13.501(a)) on FedBizOpps using the most appropriate J&A category available there.)*

- Contracting officers should use the following language in their award notices for orders or modifications to orders to explain the use of non-competitive procedures: "This contract action was accomplished using other than competitive procedures because [*include one of the choices from below*]." Contracting officers must provide additional narrative after the given language that explains why the exception was used.
    - This is a task/delivery order where an exception to fair opportunity requirements was approved due to urgency (FAR 8.405-6(b)(3) or 16.505(b)(2)(i)).
    - This is a task/delivery order where an exception to fair opportunity requirements was approved due to only one source being available (FAR 8.405-6(b)(1) or 16.505(b)(2)(ii)).

- This is a task/delivery order where an exception to fair opportunity requirements was approved as this is a logical follow-on order to a competitive initial order (FAR 8.405-6(b)(2) or 16.505(b)(2)(iii)).
- This is a task/delivery order where an exception to fair opportunity requirements was approved for a minimum guarantee (FAR 16.505(b)(2)(iv)).
- This is a task/delivery order where an exception to fair opportunity requirements was approved due to other statutory authority (DFARS 208.405-70(b)(1) or DFARS 216.505-70(b)(1)).
- This is an order under an existing contract that was awarded using non-competitive procedures.

- The contracting officer shall include the rationale for the justification in the remainder of the *Description* field when a J&A is not also posted.

- The information posted on FedBizOpps regarding the extent to which competitive procedures were used must match what is reported to FPDS in accordance with FAR 4.6. Note: each of the above choices is considered the use of non-competitive procedures and corresponds with the values that can be reported in FPDS.

- If one of the above FAR/DFARS citations is used and does not require a J&A be developed or posted, including procurements below the simplified acquisition threshold using simplified acquisition procedures, the contracting officer shall include additional rationale in the *Description* field after the citation that describes why other than competitive procedures were necessary.

b. **The contracting officer shall make every attempt to award a fixed-price contract action.** If the award notice references an action that is other than a fixed-price contract type, the *Description* field in the award notice must include a summary of the rationale used for this acquisition approach.

- Contracting officers should use the following language in their award notice to explain the use of a non-fixed price contract type as the predominant contract type on the action: "This contract action was not awarded as a fixed price contract type because [*insert one of the choices from below*]." Provide additional rationale following the inserted choice to clearly indicate why a non-fixed price contract type was awarded.
  - Uncertainties involved in contract performance did not permit costs to be estimated with sufficient accuracy to use any type of fixed price contract. As such, a cost-reimbursement type action was awarded (FAR 16.301-2).
  - It was not possible to estimate accurately the extent or duration of the work or to anticipate costs with any reasonable degree of confidence.

As such, a time-and-materials type action was awarded for non-commercial supplies and services (FAR 16.601(c)).

- It was not possible to estimate accurately the extent or duration of the work or to anticipate costs with any reasonable degree of confidence. As such, a labor-hours type action was awarded for non-commercial services (FAR 16.602).
- It was not possible to estimate accurately the extent or duration of the work or to anticipate costs with any reasonable degree of confidence. As such, a time-and-materials type action was awarded for commercial supplies and services (FAR 12.207(b)).
- It was not possible to estimate accurately the extent or duration of the work or to anticipate costs with any reasonable degree of confidence. As such, a labor-hours type action was awarded for commercial services (FAR 12.207(b)).

- The information posted on FedBizOpps regarding the use of other than a fixed price contract type must match what is reported to FPDS in accordance with FAR 4.6. Note: Each of the above choices is considered the use of a non-fixed price contract type and corresponds with the values that can be reported in FPDS.

c. If the award notice references an action that was awarded using non-competitive procedures AND is other than a fixed price contract type, rationale for both are required. Address the non-competitive procedures prior to the other than a fixed price contract type in the Description field in the award notice.

4. Reporting Recovery Act Actions to the Federal Procurement Data System (FPDS).

a. Agencies shall follow existing FAR Part 4 requirements for reporting contract actions to FPDS. With the exception of classified procurements and transactions under the micro-purchase threshold both purchased and paid for using the governmentwide commercial purchase card, each DoD contract action that uses Recovery Act funds is required to be reported individually to FPDS regardless of dollar value. Contract actions shall be reported to FPDS immediately upon award. This reporting requirement includes any order placed using electronic catalog tools (e.g., GSA Advantage!, DoD EMALL, AFWay) using the governmentwide commercial purchase card as the method of payment. Additional instructions are expected for open market purchase card transactions made under the micro-purchase threshold.

b. CONTRACT ACTIONS REPORTED PRIOR TO MARCH 13, 2010.

When entering contract action reports in FPDS to report contracting actions that were funded using Recovery Act funds, agencies shall enter the Treasury Account Symbol (TAS) at the beginning of the *Description of Requirement* field. NOTE: THIS ONLY APPLIES TO ACTIONS USING RECOVERY ACT FUNDS; DO NOT USE THIS FORMATTING FOR ACTIONS NOT USING RECOVERY ACT FUNDS.

The TAS is found in the line of accounting used to fund a contract action. The requiring / budget office should identify in the requirements package whether any of the lines of accounting to be used to fund the contract action use Recovery Act funds. When Recovery Act funds are then used on a contract action, the resulting line items must be clearly identified as using Recovery Act funds.

The TAS code shall be entered in the FPDS *Description of Requirement* field with TAS:: preceding the code and ::TAS following the code. The code itself is made up of three parts: (a) the Agency code (two characters), (b) the Account code (four characters), and (c) an optional Subaccount code (three characters). The fiscal year of the funds is not used in this format. The Sub-account code is rarely used in DoD and, as of the date of these instructions, none have been authorized. When entering the TAS itself into FPDS, insert spaces between the segments. The entry would appear as follows:

- If a Subaccount is not used: TAS::XX XXXX::TAS
- Example: This should be the most common format encountered. The TAS for Operation and Maintenance, Navy – Recovery Act is 17-1805. This would be entered into the FPDS *Description of Requirement* field as TAS::17 1805::TAS.

- If a Subaccount is used: TAS::XX XXXX XXX::TAS
- As of the date of this memorandum, no DoD Recovery Act funds are anticipated to have TAS' in this format. However, it is provided for instruction in the case when DoD contracting offices award other Federal Agency provided Recovery Act funds.

The contracting officer shall make every attempt to not use both Recovery Act funds and other funds on the same contract action. However, for contract actions that include both Recovery Act funds and other funds, the contracting officer shall use the *Multiple Reports* capability in FPDS available to DoD and shall report those actions separately by obligations of Recovery Act funds and other funds. If your office needs additional information on using the *Multiple Reports* capability, contact your Agency System Administrator.

Awards that use multiple Recovery Act treasury account symbols on the same contract action are NOT allowed.

Following the TAS in the FPDS *Description of Requirement* field as shown in 4.b. above, insert a space and the Recovery Project Number. This shall be entered with RECOVERYPROJECT#:: preceding the actual project number and ::RP# following the actual project number. Do not include spaces within RECOVERYPROJECT#. This should match that which is entered on the award notice posted on FedBizOpps.

- Example: TAS::57 3404::TAS RECOVERYPROJECT#::QYZH970018P2::RP# (Note: This example directly relates to the Air Force planned project posted at www.defenselink.mil/recovery entitled "Maintain Slabs, B Ramp (Phase 2 of 8)" at Mountain Home AFB, ID.)

Awards that use multiple Recovery Act treasury account symbols on the same contract action are NOT allowed.

- Following the TAS and Recovery Project Number, include the Project Title. This should match that which is entered on the award notice posted on FedBizOpps.

c. CONTRACT ACTIONS REPORTED MARCH 13, 2010 OR LATER.

When entering contract action reports in FPDS to report contracting actions that were funded using Recovery Act funds, agencies shall enter the TAS in the discrete data element fields provided on the FPDS contract action report formats. NOTE: THIS ONLY APPLIES TO ACTIONS USING RECOVERY ACT FUNDS; DO NOT USE THESE DATA FIELDS FOR ACTIONS NOT USING RECOVERY ACT FUNDS.

The TAS is found in the line of accounting used to fund a contract action. The requiring / budget office should identify in the requirements package whether any of the lines of accounting to be used to fund the contract action use Recovery Act funds. When Recovery Act funds are used on a contract action, the resulting line items must be clearly identified as using Recovery Act funds.

The TAS code shall be entered in the FPDS *Treasury Account Symbol* data fields. The code itself is made up of three parts: (a) the Agency code (two characters), (b) the Account code (four characters), and (c) an optional Subaccount code (three characters). The fiscal year of the funds is not used in this format. At this time, Agency codes within DoD and other Federal Agencies are two characters. Although this may increase to three characters in the near future, FPDS can only accept two characters at this time. The Sub-account code is rarely used in DoD and, as of the date of these instructions, none have been authorized. FPDS

displays the *Treasury Account Symbol* data fields as "Agency Identifier", "Main Account", and "Sub-account" for data entry. As an example, the TAS for Operation and Maintenance, Navy – Recovery Act is 17-1805. This would be entered into the FPDS *Treasury Account Symbol* data fields as 17 in the Agency Identifier block and 1805 in the Main Account block.

Note: If the TAS provided does not match a TAS being tracked by OMB as a Recovery Act TAS, FPDS will not recognize it as such, nor provide it to Recovery.gov.

The contracting officer shall make every attempt to not use both Recovery Act funds and other funds on the same contract action. However, for contract actions that include both Recovery Act funds and other funds, the contracting officer shall use the *Multiple Reports* capability in FPDS available to DoD and shall report those actions separately by obligations of Recovery Act funds and other funds. If your office needs additional information on using the *Multiple Reports* capability, contact your Agency System Administrator.

Awards that use multiple Recovery Act treasury account symbols on the same contract action are NOT allowed.

At the beginning of the FPDS *Description of Requirement* field, include the Recovery Project Number. This shall be entered with RECOVERYPROJECT#:: preceding the actual project number and ::RP# following the actual project number. Do not include spaces within RECOVERYPROJECT#. This should match that which is entered on the award notice posted on FedBizOpps.

- Example: RECOVERYPROJECT#::QYZH970018P2::RP# (Note: This example directly relates to the Air Force planned project posted at www.defenselink.mil/recovery entitled "Maintain Slabs, B Ramp (Phase 2 of 8)" at Mountain Home AFB, ID.)

Awards that use multiple Recovery Act treasury account symbols on the same contract action are NOT allowed.

- Following the Recovery Project Number, include the Project Title. This should match that which is entered on the award notice posted on FedBizOpps.

d. In the remainder of the *Description of Requirement* field, use clear and concise language to describe the awarded procurement. The description should supplement the title to provide public understanding and knowledge of the Recovery Act funded project. Use descriptions of the goods and services (including construction), that can be understood by the general public. This should match that provided in the award

notice posted on FedBizOpps. Avoid the use of acronyms or terminology that would only be understood by a select few. Do not describe what the specific contract action did; describe what is being procured.

- Example of a bad description: "Provide incremental funding."
- Example of a bad description: "Task Order 0001."
- Example of a good description: "Install carpeting for the Child Daycare Center on Andrews AFB."
- Example of a good description: "Construct the new wing of the medical clinic at Fort Bragg."
- Example of a bad description: "Construction stuff."
- Example of a bad description: "Add-ons to Building 4."

e. The information reported to FPDS regarding contracting type and extent of competition must match what is posted on FedBizOpps in accordance with FAR 5.7.

f. Contracting officers shall perform due diligence and verify the contractor's size and socio-economic representations on their record in Online Representations and Certifications Application (ORCA), or otherwise identified in their proposal when ORCA is not required or the contractor has indicated an exception, to ensure the correct data is included in the FPDS *Contracting Officer's Size Determination* field. Note: ORCA pre-populates number of employees, average revenue, and socio-economic characteristics in its records that the contractor certifies from the Central Contractor Registration (CCR) system. If the contracting officer suspects an error in the ORCA record regarding the resulting size and socio-economic representations, she/he should inform the contractor and require them to update both their CCR and ORCA records prior to contract award and the report of the award to FPDS so that the correct data is referenced by FPDS.

5. Awarding Contract Actions for Other Federal Agencies

DoD contracting offices may be requested by other Federal Agencies to award contract actions on their behalf. In these cases, contracting officers shall follow the same instructions as in Sections 1-4 above. In addition, contracting officers shall take special care to confirm with the other Federal Agency customer the correct TAS to report to FPDS. Federal Agencies must provide the DoD contracting office the appropriate TAS so the contracting officer can properly report it to FPDS using one of the two current formats identified in Section 4 above. If the requesting Federal Agency does not provide a project number, do not include any formatting from Sections 1-4 above related to it.

When reporting these actions to FPDS, DoD contracting officers shall also report the appropriate Program/Funding Agency and Office codes that represent the other Federal Agency on the contract action reports. Do not accept a purchase request package from

another Federal Agency customer unless the customer provides both a Program/Funding Agency and Office code that the customer confirms are available for use in FPDS.

6. Data Accuracy.

Contracting officers must provide a meaningful description in the *Description of Requirement* field, in addition to the required TAS and Project Number (as specified in Section 4 above). It is important to remember that standard data verification and validation practices currently required by the Office of Federal Procurement Policy and Defense Procurement and Acquisition Policy are required to be maintained. It is imperative that Agencies place emphasis on the *Description of Requirement* and *Treasury Account Symbol* fields as part of your data validation efforts.

For Contracting Offices to monitor Recovery Actions reported in FPDS, contracting officials may use the FPDS Ad Hoc reporting capability setting the search criteria to the *Description of Requirement* IS SIMILAR TO: "TAS::" and the *Treasury Account Symbol* IS NOT NULL (use the Advanced Search feature to ensure these are identified to search for these two unrelated conditions at the same time). This will allow offices to query for all Recovery Act-related actions identified by the contracting official according to the above policy. Contracting Offices may adjust the search criteria to the *Description of Requirement* IS SIMILAR TO: "RECOVERYPROJECT#::" to focus on the project numbers related to the procurements.

Static reports of all Recovery Act related actions (governmentwide) are available on the FPDS homepage (https://www.fpds.gov) and updated daily by the General Services Administration. The static report is found in the *Top Requests* section in the right top corner of the web page. FedBizOpps also provides a special section of its homepage (https://www.fbo.gov) that lists only Recovery Act related actions. Contracting offices are advised to review both websites regularly to ensure consistency.