



OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

ACQUISITION
AND SUSTAINMENT

MEMORANDUM FOR COMMANDER, UNITED STATES CYBER
COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES SPECIAL OPERATIONS
COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION
COMMAND (ATTN: ACQUISITION EXECUTIVE)
DEPUTY ASSISTANT SECRETARY OF THE ARMY
(PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING)
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Action Required to Address Miscoded Single and Multiple Award Contract Task and Delivery Orders

Government Accountability Office (GAO) report, GAO-19-63 “Information Technology: Agencies Need Better Information on the Use of Noncompetitive and Bridge Contracts,” found Department of Defense (DoD) contracting officials misreported competition data in the Federal Procurement Data System-Next Generation (FPDS-NG), miscoding single and multiple award contract task and delivery orders as “noncompetitive” when the underlying contract was competitively awarded.

I'm writing to remind our DoD contracting community that single-award indefinite delivery contracts must identify the correct value for the “Extent Competed” data element; and task/ delivery orders awarded under a multiple award indefinite delivery vehicles must identify the correct value for the “Fair Opportunity/Limited Sources” data element. The attached DFARS Procedures, Guidance, and Information subpart 204.606(3)(xiv)(B) and (F) show the values available for the data elements and indicates the corresponding FAR authorities allowing other than full and open competition and fair opportunity procedures to be applied. Users should select the entry in FPDS-NG that matches the FAR authority referenced for other than competitive procedures. Additional information on competition requirements may be found in DAU continuous learning course, CLC 055 “Competition Requirements.”

Please ensure your staff are aware of these requirements for correctly coding contract actions in FPDS-NG. My point of contact for this subject is Mr. Larry McLaury, at 703-697-6710 or larry.j.mclaury2.civ@mail.mil; and for FPDS-NG matters, contact Ms. Jessica Williams at 703-693-4845 or jessica.m.williams126.civ@mail.mil.

John M. Tenaglia
Principal Director,
Defense Pricing and Contracting

Attachment:
As stated

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- subpart 23.2;
- (ii) Energy efficient products or services in accordance with FAR
- 23.4; and
- (iii) Biobased products or services in accordance with FAR subpart
- with FAR subpart 23.7.
- (iv) Environmentally preferable products or services in accordance

(xiv) *FPDS Entry – Competition Information Section.*

(A) *Solicitation procedures.* Select the appropriate entry from the following list:

(1) *Simplified Acquisition.* Report this code for competitive and noncompetitive contract actions that used simplified acquisition procedures in accordance with FAR part 13, to include acquisitions using the Commercial Items Test Program. However, if the action is noncompetitive and the reason for other than full and open competition is other than “Authorized by Statute,” “Authorized Resale,” or “SAP Noncompetition,” then enter “Only One Source Solicited” as the solicitation procedure. (Note that most times when in conflict, the reason for other than full and open competition takes precedence over the type of solicitation procedure used.)

(2) *Only One Source Solicited.* Use this code if no solicitation procedure was used or only one source is solicited for the action.

(3) *Negotiated Proposal/Quote.* Use this code for competitive contract actions that use negotiated procedures (FAR parts 12, 13, or 15).

(4) *Sealed Bid.* Use this code for contract actions using sealed bid procedures (FAR part 14).

(5) *Two Step.* Use this code for contract actions that use a combination of sealed bids and negotiated procedures (FAR 6.102).

(6) *Architect-Engineer FAR 6.102.* Use this code if the action resulted from selection of sources for architect-engineer contracts pursuant to FAR 6.102(d)(1).

(7) *Basic Research.* Use this code if the action resulted from a competitive selection of basic research proposals pursuant to FAR 6.102(d)(2).

(8) *Alternative Sources.* Use this code if the action resulted from use of procedures that provided for full and open competition after exclusion of sources to establish or maintain alternative sources pursuant to FAR 6.202.

(9) *Subject to Multiple Award Fair Opportunity.* FPDS will automatically populate this entry for orders placed against multiple award contracts (to include Federal Supply Schedules) and FAR part 8 BPAs (and orders issued under such BPAs that are subject to fair opportunity pursuant to FAR 16.505(b)(1)).

(B) *Extent Competed.* Select the appropriate entry from the following list. The extent competed for any modification or order against a task or delivery order contract pulls

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from the basic contract and is shown in the “Extent competed for referenced IDV” data field.

(1) *Competed under SAP*. Report this for competitive contract actions that were awarded using FAR part 13 Simplified Acquisition Procedures (i.e., solicitation procedures were “Simplified Acquisition”), to include for the Commercial Item Test Program.

(2) *Full and Open Competition (F&OC)*. Report this if the contract action resulted from an award pursuant to FAR 6.102(a), Sealed bids; FAR 6.102(b), Competitive proposals; FAR 6.102(c), Combination; or any other competitive method that did not exclude sources of any type.

(3) *F&OC after Exclusion of Sources*. Report this when sources are excluded before competition. (Note: This terminology is broader than FAR subpart 6.2, which includes set-aside actions and actions to establish or maintain alternate sources, in that it also includes actions justified by a justification and approval that provided for competition).

(4) *Not Available for Competition*. Report this if the contract action is not available for competition (i.e., contract actions where the solicitation procedure was “Only One Source” and the reason not competed is “Authorized by Statute,” “International Agreement,” “Utilities,” or “Authorized Resale.”) Note that sole source awards for 8a firms, HUBZone firms, and service-related disabled veteran-owned concerns should always be identified as “Authorized by Statute” as the reason for other than full and open competition.

(5) *Not Competed under SAP*. Report this for non-competitive contract actions that were awarded using FAR part 13, Simplified Acquisition Procedures (i.e., solicitation procedures were “Simplified Acquisition”).

(6) *Not Competed*. Report this when the contract action is not competed and the solicitation procedures are “Only One Source.”

(C) *Type of Set-Aside*.

(1) If the contract action is a result of a set-aside or sole source authorized under part 19 of the FAR, choose the applicable value. In order to indicate a FAR part 19 set-aside or sole source on an order under a multiple-award contract, see paragraph (F) of this section.

(2) Note that the type of set-aside is collected on the original award. In the case of a task or delivery order being reported, the user will see the type of set-aside from the original contract in the “Type Set Aside” data element. The “Type of Set-Aside Source” data element is system generated to indicate whether the data in the “Type Set Aside” data element was entered on the specific CAR being viewed or if it was pre-populated from the original contract award.

(D) *SBIR/STTR*. Ensure the “SBIR/STTR” data field is completed if the contract action is a result of a Small Business Innovative Research (SBIR) or Small Technology Transfer Research (STTR) Program. SBIR and STTR Phase III awards require that a previous SBIR or STTR award exists.

(E) *Other than Full and Open Competition*.

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(1) *Simplified Acquisition Procedures (SAP)*. Select only “SAP Non-Competition,” “Authorized by Statute” if a sole source set-aside shall also be noted, or “Authorized for Resale” when the award is noncompetitive and simplified acquisition procedures were used, including those awards under the commercial items test program. Do not choose other values from the list.

(2) *Other than Simplified Acquisition Procedures*. Select from available values the one that matches the FAR part 6 authority referenced in the Justification & Authorization document for using other than competitive procedures. Do not choose “SAP Non-competition.”

(3) *Acquiring Products or Services from Afghanistan*. When DFARS [225.7703-1](#)(a)(2) or (3) procedures are used to limit competition to products or services from Afghanistan, or to award a contract to a particular source or sources from Afghanistan, select “Authorized by Statute” in the “Other than Full and Open Competition” data field.

(F) Fair Opportunity/Limited Sources. This field is the basis for determining whether competition is provided for on orders placed against multiple-award contracts (to include DoD contracts, Governmentwide Acquisition Contracts, Federal Supply Schedules, and BPAs issued under the Federal Supply Schedules). If a Federal Supply Schedule contract or a Governmentwide multiple-award contract is not coded as a multiple-award vehicle, thereby preventing completion of this field, the FPDS user should advise the agency FPDS so that the contracting office for the multiple-award contract can be notified and pursue correction.

(1) *Urgency*. Report this if the action was justified pursuant to FAR 8.405-6(a)(1)(i)(A) or 16.505(b)(2)(i)(A).

(2) *Only One Source*. Other – Report if the action was justified pursuant to FAR 8.405-6(a)(1)(i)(B) or 16.505(b)(2)(i)(B).

(3) *Follow-On Delivery Order Following Competitive Initial Order*. Report this if the action was justified pursuant to FAR 8.405-6(a)(1)(i)(C) or 16.505(b)(2)(i)(C).

(4) *Minimum Guarantee*. Report this if it was necessary to place an order to satisfy a minimum amount guaranteed to the contractor. See FAR 16.505(b)(2)(i)(D).

(5) *Other Statutory Authority*. Report this if a statute expressly authorizes or requires that the purchase be made from a specified source. See FAR 16.505(b)(2)(i)(E).

(6) *Fair Opportunity Given*. Report this if fair opportunity was given pursuant to FAR 16.505(b)(1).

(7) *Competitive Set-Aside*. Report this if the order was set aside pursuant to FAR 19.502-4(c) and a sub-set of multiple-award contract holders meeting the set-aside criteria were provided fair opportunity to submit an offer. If this value is selected, also choose the appropriate set-aside in the “Type of Set-Aside” field. Do not select this value if the original multiple award contract itself was set-aside or partially set-aside.

(8) *Sole Source*. Report this if the order was issued pursuant to FAR

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19.502-4(c) and awarded to a single contract holder meeting the socio-economic criteria without providing fair opportunity to other multiple-award contract holders. If this value is selected, also choose the appropriate value in the “Type of Set-Aside” field.

(G) If an award did not provide for full and open competition; or in the case of simplified acquisition, did not provide the maximum extent of competition practicable; select the value in the “Other Than Full and Open Competition” field that represents the justification used.

(H) In the “Commercial Item Acquisition Procedures” data field, indicate whether commercial procedures were (1) used for commercial items, (2) used for supplies or services pursuant to FAR 12.102(f), (3) used for services pursuant to FAR 12.102(g), or (4) not used.

(I) In the “Simplified Procedures for Certain Commercial Items” data field, indicate if the contract action utilized procedures under FAR 13.5.

(J) In the “A-76 Action” data field, indicate if the contract action resulted from an A-76 / FAIR Act competitive sourcing process. Note, however, that DoD is currently under a moratorium from procuring services using these procedures. See [PGI 207.302](#) for more information.

(K) In the “Local Area Set Aside” data field, indicate if the contract action resulted from a local area set-aside in accordance with FAR 26.202.

(L) In the “FedBizOpps” data field, enter “Yes” if the award was greater than \$25,000 in value and subject to FAR 5.2 synopsis requirements. Enter “No” if the award was greater than \$25,000 in value, but an exception to synopsis requirements applied. Enter “Not Applicable” if the award was less than or equal to \$25,000 in value.

(M) *Number of Offers.*

(1) Enter the specific number of offers received in response to the solicitation. In the case of contracts awarded as a result of a Broad Agency Announcement, enter the number of proposals received under the specific announcement. In the case of orders under a multiple-award contract (including Federal Supply Schedules and GWACs), BOAs, and BPAs, enter the number of offers received for the specific order.

(2) Note that the “Number of Offers Received” is collected on the original award. In the case of a task or delivery order being reported, the user will see the number of offers from the original contract in the “IDV Number of Offers” data element. The “Number of Offers Source” data element is system generated to indicate whether the data in the “Number of Offers Received” data element was entered on the specific CAR being viewed or if it was pre-populated from the original contract award.

(xv) *FPDS Entry – Preference Programs / Other Data Section.*

(A) *Contracting Officer’s Business Size Selection—*

(1) When entering a new contract, purchase order, or agreement award in

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subpart 23.2;

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