

**Federal Acquisition Regulation
Federal Acquisition Circular 2005-82 Summary of Rules**

FAC 2005-82

<u>Item</u>	<u>Subject</u>	<u>FAR Case</u>
I	Equal Employment and Affirmative Action for Veterans and Individuals with Disabilities	2014-013
II	Review and Justification of Pass-Through Contracts	2013-012
III	Enhancements to Past Performance Evaluation Systems	2014-010
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Item I-- Equal Employment and Affirmative Action for Veterans and Individuals with Disabilities (FAR Case 2014-013)

This final rule amends the FAR to implement two DOL final rules issued on September 24, 2013 relating to equal opportunity and affirmative action for veterans and individuals with disabilities. The clauses at FAR 52.222–35, Equal Opportunity for Veterans, and 52.222–36, Equal Opportunity for Workers are revised to include citations to the applicable clauses in the DOL regulations.

Item II -- Review and Justification of Pass-Through Contracts (FAR Case 2013-012)

This final rule amends the FAR to implement section 802 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2013. This section provides additional requirements relative to the review and justification of pass-through contracts. Specifically, in those instances where an offeror for a contract, task order, or delivery order informs the agency pursuant to FAR 52.215–22 of its intention to award subcontracts for more than 70 percent of the total cost of work to be performed under the contract, task order, or delivery order, section 802 requires the contracting officer to (1) consider the availability of alternative contract vehicles and the feasibility of contracting directly with a subcontractor or subcontractors that will perform the bulk of the work; (2) make a written determination that the contracting approach selected is in the best interest of the Government; and (3) document the basis for such determination. These statutory requirements are being implemented in FAR 15.404–1(h).

Item III – Enhancements to Past Performance Evaluation Systems (FAR Case 2014-010)

This final rule changes the language at FAR 42.1502 to accommodate the recent merger of the Architect-Engineer Contract Administration Support System (ACASS) and the Construction Contractor Appraisal Support System (CCASS) as modules within the Contractor Performance Assessment Reporting System (CPARS) database. This action will standardize the past performance reporting requirements under the CPARS database.

Item IV—Technical Amendments

Editorial changes are made at FAR 4.905(a), 22.102–2(a), 39.101(a)(1)(ii), 52.212–4(v), 52.212–5(b)(36)(i),(b)(36)(ii), (b)(39)(ii), and (e)(1)(v), 52.213–4(a) and (b), and 52.223–16.