

**DATE**: February 12, 2015

**TO**: Procurement Directors

**FROM**: Director, Policy Division

Office of Procurement and Assistance Policy
Office of Procurement and Assistance Management

**SUBJECT:** Service Contracts Reporting (SCR) Requirements

**SUMMARY:** The purpose of this flash is to remind the acquisition community of the SCR Requirements enacted under FAR Final Rule 2010-010. This requirement applies to all solicitations and contracts awarded after January 30, 2014. Attached is a brief "Fact Sheet" for your reference. Please ensure the applicable clauses are included in all contracts subject to SCR Requirements. Please pay particular attention to the paragraph entitled "Contracting Officer Requirements."

This Flash will be available online at the following website: <a href="http://www.management.energy.gov/policy\_guidance/policy\_flashes.htm">http://www.management.energy.gov/policy\_guidance/policy\_flashes.htm</a>.

Questions concerning this policy flash should be directed to Carol Jenkins at 202-287-1827 or carol.jenkins@hq.doe.gov.

Attachment

### POLICY FLASH 2015-Attachment

## Federal Acquisition Regulation (FAR) Subpart 4.17

## **Service Contracts Reporting (SCR) Requirement**

FAR Final Rule <u>2010-010</u>, amended the FAR to require service contractors for executive agencies to submit information annually in support of agency-level inventories for service contracts. The changes in this rule apply to solicitations issued and contracts awarded after January 30, 2014.

## **Statutory Requirement**

Section 743 of Division C of the Consolidated Appropriations Act, 2010 requires executive agencies, except the Department of Defense (DoD), covered by the Federal Activities Inventory Reform (FAIR) Act of 1998 (Public Law 105-270), to submit information annually in support of the agency-level inventories for service contracts.

## **Definition of SCR Requirements**

By law, executive agencies must prepare an annual inventory of their service contracts, known as SCRs. This is in accordance with Section 743(a) of Division C of the Consolidated Appropriations Act, 2010 (Pub. L. 111-117).

Contractors subject to the SCR requirement must provide the following information in the System for Award Management (SAM): 1) Total Amount Invoiced, 2) Number of Contractor Hours, and 3) DUNS, Subcontract Number, and Number of Subcontract Hours (for applicable First-Tier Subcontractors). **Note:** The established deadline for this requirement was October 31, 2014.

# **Contracts Subject to SCR Requirements**

SCRs are required for all service contracts that contain FAR clauses 52.204-14 or 52.204-15. As described in FAR Subpart 4.17, SCRs are required for these thresholds: 1) Costreimbursement, time-and-materials, labor-hour service contracts and/or orders with a "Base and All Options Value" at or above the simplified acquisition threshold of \$150,000, and 2) FY14 fixed price service contracts with a "Base and All Options Value" of \$2.5 million or greater.

# **System for Award Management (SAM) Impacts**

FAR subpart 4.17, Service Contracts Inventory, provides annual reporting requirements for agencies and contractors. Guidance for agencies is available at:

http://www.whitehouse.gov/omb/procurement-service-contract-inventories. FAR clauses 52.204-14 and 52.204-15 provide contractors' annual reporting requirements. Prime and first-tier contractors will submit the information by October 31 at <a href="https://www.sam.gov">www.sam.gov</a>, including total dollar amount invoiced for services performed in the prior Government fiscal year and total amount of labor hours for the previous Government fiscal year.

To complete and submit Service Contracts Reports in SAM, service contractors must have a SAM account with the Entity Administrator, Entity Registration Representative, or Reporter role. Service contractors must take following three steps to complete and submit their SCRs:

- 1. Log into SAM.gov and click on the "Register/Update Entity" link.
- 2. Click on the "Service Contract Reporting (SCR)" link.
- 3. Complete the SCRs for pending actions (displayed by DUNS Number).

If the service contractor does not see a "Service Contract Reporting (SCR)" link, then they do not have reporting privileges (they are not an Entity Administrator, Entity Registration Representative or Reporter) or they do not have contracts subject to the SCR requirements. The SAM.gov provides a *Quick Start Guide for Services Contract Inventory Reporting (for Government Agencies Performing Service Contracts)*.

#### **Contact the Federal Service Desk for More Information**

For more information about the SCR requirements, service contractors should contact the <u>Federal Service Desk (FSD)</u> at 866-606-8220 (U.S.) or 334-206-7828 (international) Monday - Friday 8:00 a.m. to 8:00 p.m. ET.

# **Contracting Officer Responsibilities**

- REMINDER: Contracting Officers should have modified existing indefinite-delivery contracts, on a bi-lateral basis in accordance with FAR 1.108(d)(3), within six months of the effective date of the final rule, if the remaining period of performance extends beyond October 1, 2013, and \$2.5 million of more remains to be obligated.
- REMINDER: In accordance with <u>FAR 4.1704</u>, for other than indefinite-delivery contracts, the contracting office shall ensure that <u>52.204-14</u>, Service Reporting Requirement, is included in solicitations, contracts and orders as prescribed at <u>4.1705</u>. For indefinite-delivery contracts, the contracting officer who awarded the contract shall ensure that <u>52.204-15</u> Service Reporting Requirements for Indefinite-Delivery Contracts is included in solicitations and contracts as prescribed at <u>4.1705</u>. The contracting officer at the order level shall verify the clauses inclusion in the contract.