

Reporting Other Contractor Information into Federal Awardee Performance and Integrity Information System



Guiding Principles

- Report other contractor information into FAPIIS through CPARS.
- Other contractor information includes--
 - Terminations for cause or default;
 - Defective cost or pricing data;
 - Determinations of non-responsibility; and
 - Administrative agreements for debarment or suspension.

References

Federal Acquisition Regulation (FAR) Subparts

- 8.4 Federal Supply Schedules – 8.406 Ordering activity responsibilities
- 9.1 Responsible Prospective Contractors – 9.105 Procedures
- 9.4 Debarment, Suspension and Ineligibility – 9.406 Debarment and 9.407 Suspension
- 12.4 Unique Requirements Regarding Terms and Conditions for Commercial Items - 12.403 Termination
- 15.4 Contract Pricing – 15.407 Special cost or pricing areas
- 42.15 Contractor Performance Information – 42.1503 Procedures
- 49.4 Termination for Default – 49.402 Termination of fixed-price contracts for default

DEAR and Acquisition Guide

- Chapter 42.15 Contractor Performance Information

This chapter has two sections. Section I provides a summary on reporting other contractor information into the Federal Awardee Performance Integrity Information System (FAPIIS). Section II describes DOE’s procedure on the use of the FAPIIS module in the Contractor Performance Assessment Reporting System (CPARS).

Section I. OVERVIEW

The Federal Awardee Performance and Integrity Information System (FAPIS) is intended to significantly enhance the scope of information available to contracting officers as they evaluate the integrity and performance of prospective contractors. FAPIS will include contracting officers' non-responsibility determinations (*i.e.*, agency assessments that prospective contractors do not meet requisite responsibility standards to perform for the Government), contract terminations for default or cause, agency defective pricing determinations, administrative agreements entered into by suspension and debarment officials to resolve a suspension or debarment, and contractor self-reporting of criminal convictions, civil liability, and adverse administrative actions. The system will collect this information, on an ongoing basis, from existing systems within the Government.

The Acquisition Guide has two chapters addressing the implementation of Federal Acquisition Regulation (FAR) Part 42.15 – Contractor Performance Information. Chapter 42.15, Contractor Performance Information, addresses DOE's application of CPARS and the evaluation and reporting of contractor performance. This chapter 42.16, Reporting Other Contractor Information into Federal Awardee Performance and Integrity Information System, addresses the data entry procedures and management for reporting other contracting information into the FAPIS module in CPARS.

Section II. Federal Awardee Performance and Integrity Information System (FAPIS) Module in CPARS

The Federal Awardee Performance and Integrity Information System (FAPIS) is a web-enabled application that is used to collect other contractor performance information including terminations for cause or default, defective cost or pricing data, determinations of non-responsibility, and administrative agreements for debarment or suspension. Once records are completed in FAPIS, they become available in the PPIRS where they are used to support future acquisitions.

Only Government personnel have access to FAPIS at www.cpars.scd.disa.mil.

A. Roles and Responsibilities for FAPIS Module

- **FAPIS Data Entry User (contracting officer, contract specialist, debarring official, or suspending official)**
 - Reviews the current version of the FAPIS user manual at <https://www.cpars.csd.disa.mil>.
 - Takes FAPIS training (on-site or on-line).
 - Creates, updates and completes FAPIS records in a timely manner.
 - Monitors the status of records that he/she has started or completed.

- Completes his/her records that are started, but not completed.
- Ensures actions that require FAPIIS reporting and also require a contractor performance evaluation into CPARS, ACCASS or CCASS that the contracting officer or the contract specialist responsible for the evaluation is notified.
- Updates user profile as necessary.
- Provides user feedback as necessary.

Focal Point (CPARS point of contact at contracting activities)

- Reviews the current version of the FAPIIS user manual at <https://www.cpars.csd.disa.mil>.
- Takes FAPIIS training (on-site or on-line).
- Provides access to alternate(s) and is responsible for any alternate(s).
- Provides access to FAPIIS for Data Entry User(s) within own contracting activity,
- Assists the FAPIIS Data Entry User(s) in implementing the FAPIIS process by providing training and helping with administrative matters to ensure that records are completed in a time manner.
- Monitors and checks the status of pertinent records that have been started but are not yet completed and marked for release to PPIRS.

● **Alternate Focal Point (at contracting activities)**

- Reviews the current version of the FAPIIS user manual at <https://www.cpars.csd.disa.mil>.
- Takes FAPIIS training (on-site or on-line).
- Provides access to FAPIIS for Data Entry User(s) within own contracting activity
- Assists the FAPIIS Data Entry User(s) in implementing the FAPIIS process by providing training and helping with administrative matters to ensure that records are completed in a time manner.
- Monitors and checks the status of pertinent records that have been started but are not yet completed and marked for release to PPIRS.

● **Agency Point of Contact (Agency Coordinator)**

(On-line CPARS information will title this position as the Command Point of Contact)

- Authorizes access to FAPIIS Focal Point(s).
- Monitors the status of records across DOE that have been started or completed.

B. Other Contractor Information -- Reporting Criteria and Responsibility for Submitting and Completing FAPIIS

1. In order to ensure consistent, comprehensive, timely, and meaningful FAPIIS documentation, the other contractor information shall be collected for all contract actions that require reporting into the Federal Procurement Data System-Next Generation (FPDS-NG) in accordance with FAR Subpart 4.6 – Contract Reporting. See Chapter 42.15, Section II.C., Types of Contract Actions to Report in CPARS, for details.

2. The following other contractor information shall be reported into FAPIIS.

- **Non-responsibility determination:** In accordance with FAR 9.105-2, the contracting officer shall sufficiently document the determination of non-responsibility and timely submit it within 3 working days in FAPIIS if—
 - The contract is valued at more than the simplified acquisition threshold;
 - The determination of non-responsibility is based on lack of satisfactory performance record or lack of satisfactory record of integrity and business ethics; and
 - The Small Business Administration does not issue a Certificate of Competency.
- **Termination for cause:** In accordance with FAR 8.406-4 and 12.403(c)(4), the contracting officer shall ensure that information related to termination for cause notices and any amendments are reported within 3 business days. This includes reporting any subsequent notice of the conversion to a termination for convenience or withdrawal.
- **Defective cost or pricing:** In accordance with FAR 15.407-1, the contracting officer shall ensure that information relating to the contracting officer's final determination for defective cost or pricing data, to include subsequent changes, is reported within 3 business days. This includes reporting any changes to the final determination in the event of the following:
 - Contracting officer's decision in accordance with the Contract Disputes Act;
 - Board of Contract Appeals decision; or
 - Court decision.
- **Termination for default:** In accordance with FAR 49.402 regarding termination of fixed price contracts, the contracting officer shall ensure that information relating to the termination for default notice and a subsequent withdrawal or conversion to a termination for convenience is reported within 3 business days.
- **Administrative agreement:**
 - **Debarment:** In accordance with FAR 9.406-3 and when FAPIIS module has this feature, the debarring official shall enter requested information into FAPIIS regarding the results of the administrative agreement to resolve a debarment proceeding and timely submit this information within 3 business days. The debarring official is responsible for the accuracy of the documentation.
 - **Suspension:** In accordance with FAR 9.407-3 and when FAPIIS module has this feature, the suspending official shall enter requested information into FAPIIS

regarding the results of the administrative agreement to resolve a suspension proceeding and timely submit this information within 3 business days. The suspension official is responsible for the accuracy of the documentation.

3. Reports (records) not completed within 30 days are automatically deleted.
4. Before uploading any attachment into FAPIIS make sure the document does not contain information that should not be disclosed and also ensure that the document is properly marked, e.g. “For Official Use – Source Selection Information – See FAR 2.101 and 3.104,” as appropriate.

C. CPARS Evaluations

A CPARS evaluation is separate and distinct from a FAPIIS report. When a contract action requires an evaluation report in accordance with Chapter 42.15 and a FAPIIS report, the following action is required:

- For CPARS evaluation, the Assessing Official Representative or the Assessing Official is responsible to ensure the CPARS evaluation includes the relevant other contractor information in the evaluation.
- For Architect-Engineer Contract Administration Support Systems (ACASS) or Construction Contractor Appraisal Support System (CCASS) evaluation, the Assessing Official Representative or the Assessing Official is responsible to ensure the ACASS or CCASS evaluation includes the relevant other contractor information in the evaluation.

D. Records Retention for Other Contractor Information

Reports prepared in FAPIIS should be maintained in electronic form. The FAPIIS records are retained for 5 years following the action date in FAPIIS and PPIRS.

E. E-mail Notifications

To facilitate the recording process, FAPIIS application will send e-mail notifications to the Government and the contractor. A list of the e-mail notifications is as follows:

- **Command POC Member assigned**
- **Focal Point assigned**
- **Alternate Focal Point assigned**
- **FAPIIS Data Entry assigned**
- **FAPIIS Data Entry assigned/records transferred**
- **Weekly reminders to complete FAPIIS records**
- **Overdue notification (record incomplete)**

- **Contractor notification that FAPIIS record is available in PPIRS**

F. FAPIIS Training

The Focal Point is responsible for ensuring that the FAPIIS Alternate Focal Point(s) and the Data Entry User(s) are knowledgeable about FAPIIS and the training that is available to them. Training for the Government is offered monthly via webcast and the calendar can be found on the CPARS web site. The FAPIIS class is highly recommended to all DOE employees who are or may become a FAPIIS Focal Point, a FAPIIS Alternate Focal Point, and/or a FAPIIS Data Entry User.

G. Points of Contact

- Questions regarding FAPIIS policy may be directed to the Office of Procurement and Management Assistance Policy, MA-611, at (202) 287-1330.
- Questions on how to use the FAPIIS system may be directed to the Agency Coordinator, Office of Management Systems, MA-623, at 202-287-1365.