

Acquisition Policy  
DOT DASH  
2010-08

**Date:** March 30, 2010  
**To:** Chief of the Contracting Office (COCO)  
Acquisition Personnel  
**From:** Office of the Senior Procurement Executive  
**Subject:** Federal Acquisition Circular 2005-40

**Summary:** Federal Acquisition Circular 2005-40, which makes changes to the Federal Acquisition Regulation, was published in the March 23, 2010 issue of the Federal Register. A summary of the changes are attached.

This DASH and its attachment will be available online at the following website:  
<http://www.dot.gov/ost/m60>, under Breaking News or Quick Picks, Policy DASHES.

Questions concerning this policy DASH should be directed to Camille Reddick at (202) 366-7511.

  
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Office of the Senior Procurement Executive

Attachment

## ATTACHMENT (1)

Federal Acquisition Regulation Circular (FAC) 2005-40 amends the Federal Acquisition Regulation (FAR) as specified below:

List of Rules in FAC 2005-40

### I. Federal Awardee Performance and Integrity Information System

SUPPLEMENTARY INFORMATION: Summary of FAR rule follows:

Item I-Federal Awardee Performance and Integrity Information System (FAR Case 2008-027)

This final rule adopts, with changes, the proposed rule published in the *Federal Register* on September 3, 2009 (74 FR 45579); and amends the FAR to implement section 872 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009. Section 872 requires the establishment of a data system, Federal Awardee Performance and Integrity Information System (FAPIIS), containing specific information on the integrity and performance of covered Federal agency contractors and grantees. FAPIIS is available for use in award decisions at [www.ppirs.gov](http://www.ppirs.gov). Government input to FAPIIS is accomplished at [www.cpars.csd.disa.mil](http://www.cpars.csd.disa.mil). FAPIIS is intended to significantly enhance the scope of information available to contracting officers as they evaluate the integrity and performance of prospective contractors competing for Federal contracts and to protect taxpayers from doing business with contractors that are not responsible sources. This final rule impacts Government contracting officers and contractors. The Government contracting officers will be required to— 1. Check the FAPIIS website, available at [www.ppirs.gov](http://www.ppirs.gov), before awarding a contract over the simplified acquisition threshold, consider all the information in FAPIIS and PPIRS when making a responsibility determination, and notify the agency official responsible for initiating debarment or suspension action if the information appears appropriate for the official's consideration; and 2. Enter a non-responsibility determination into FAPIIS.

The contractor will be required to:

1. Confirm, at the time of offer submission, information pertaining to criminal, civil and administrative proceedings through which a requisite determination of fault was made, and report this information into FAPIIS; and
2. Update the information in FAPIIS on a semi-annual basis, throughout the life of the contract, by entering the required information into FAPIIS via the Central Contractor Registration database, available at <http://www.ccr.gov>.