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Notes from the Administrator December 2011

This is my final Notes as Administrator for Federal Procurement Policy, and I'm writing with mixed emotions. I am in the final week of my federal career, with retirement planned for the end of the week. As I look back at my tenure as Administrator, I recall with special warmth my many discussions with procurement professionals at our contracting agencies – from front line contracting officers to senior procurement executives and chief acquisition officers. I worry that I learned more from you than vice versa, but that only makes me more grateful to you for the opportunities you gave me to talk with you. We have had successes – in particular, we've seen a real strengthening of the federal acquisition workforce, and far better use of strategic sourcing – but there are many areas where much remains to be done –including, unsurprisingly, both strengthening the acquisition workforce and improving strategic sourcing. The 'mythbusters' campaign has only begun to change the culture, and much more work remains there, if we are going to meaningfully improve communication between the government and vendors. But, looking back, I see an increase in appreciation for the acquisition function – in agencies as well as on Capitol Hill. If I have done anything to persuade people to show more respect and appreciation for your good work, my time was well spent.

With that, let us turn to a few updates, including information about training and career issues, as well as updates on new (and ever so exciting!) cost accounting standards rules:

Career Corner

Training Opportunities

Did you know that there are a number of free, online courses that are available from the Federal Acquisition Institute (FAI) and the Defense Acquisition University (DAU), as well as other sources, for you and your acquisition staff members? This month, we're highlighting four of them:

- ***Combating Human Trafficking (FAC 022)***

In the June issue of the Notes, we highlighted the efforts of the President's Interagency Task Force to Monitor and Combat Trafficking in Persons, as well as the FAR clause (52.222-50) that codifies the federal government's zero-tolerance policy for contractors who engage in human trafficking. The Departments of Homeland Security and State led the effort to develop government-wide awareness training on human trafficking specific to the acquisition workforce. This class provides one continuous learning point.

- ***Small Business Programs (FAC 031)***

This course provides students with a foundational overview of the various types of small business programs, including the purpose, legal authority, Government-wide small business procurement goals, and small business resources, as well as tips on how to effectively utilize small businesses in Government acquisitions. FAI worked with the Small Business Administration and the Office of Federal Procurement Policy (OFPP) to develop this course in order to address the training requirement in Section 1343 of the Small Business Jobs Act of 2010 and the recommendation from the Interagency Small Business Contracting Task Force. Upon completion of the course, students should be able to identify key personnel and offices responsible for ensuring maximum practicable participation of small business concerns, as well as identify considerations and methods for meeting small business requirements throughout the acquisition process. This class provides two continuous learning points.

- ***Federal Awardee Performance and Integrity Information System (FAPIIS) (FAC 019)***

This course equips contracting professionals with the knowledge and skills needed to effectively use FAPIIS to make appropriate decisions related to contract and grant awards. The class provides one continuous learning point.

The above continuous learning modules are appropriate for all members of your acquisition workforce, from new contract specialists and seasoned contracting officers, to contracting officer's representatives and program managers. For civilian agency employees, training is available through the FAI Training Application System ([FAITAS](#) - instructions for registration can be found in the FAITAS Quick Start Guide at <http://www.fai.gov/pdfs/FAITAS-v2-Quick-Start-Guide-v1.pdf>). Any civilian federal employee may create a profile and have access to this training, as long as his/her supervisor also builds a profile (the automated system will send a request to the supervisor). DoD employees have access to this training through the [Defense Acquisition University](#) continuous learning portal.

- ***BioPreferred Federal Procurement Preference Program***

This training isn't provided through the same system as above, but by taking two archived seminars, participants will learn about this important program, understand how giving procurement preference to biobased products will advance important national goals, and discover success stories and best practices in using biobased products for operations, maintenance and cleaning. Earn one CEU credit by "attending" both of these seminars, completing pre and post work, successfully completing the quiz, and then applying for the credit. Click [here](#) for details and to register.

If you have any questions on these courses, please feel free to contact [Joanie Newhart](#).

New Opportunity

The Federal Election Commission is looking for an experienced 1102 to fill a supervisory GS-14 position. The FEC Director of Procurement serves as the senior contracting officer and technical expert to the Chief Financial Officer, with unlimited signatory authority, for contract planning, preparation of price and cost analyses for designated actions, formulating negotiation strategies, developing negotiation objectives, negotiating all types of contracts for the agency's programs, including Information Technology (IT) contracts, computer programming and equipment, conference management, case management, and others. In addition, the Director of Procurement serves as an authoritative source of information in the interpretation of rules, regulations, and policies. Duties include performing all necessary contracting functions in accordance with Federal Acquisition Regulation (FAR), Federal Election Commission (FEC) internal procedures, and all other applicable regulations and policies. If you are interested in applying for this position, the deadline is January 6, 2012, and additional details are available here:

<http://www.usajobs.gov/GetJob/ViewDetails/304494300>.

Cost Accounting Standards Board Rules

Final Rule Updating the Cost Accounting Standards (CAS) Applicability Threshold

The CAS Board published a final rule to update the CAS applicability threshold. Statutorily, this threshold is tied to the Truth in Negotiations Act (TINA) threshold, as adjusted. The TINA threshold was recently adjusted for inflation to \$700,000, which required a change to the CAS applicability threshold. The new rule will allow future changes to the CAS applicability threshold to align automatically with changes to the TINA threshold. The rule was published on December 22 and is available here: <http://www.federalregister.gov/articles/2011/12/22/2011-32726/cost-accounting-standards-change-to-the-cas-applicability-threshold-for-the-inflation-adjustment-to>.

Final Rule Implementing the Pension Protection Act

The CAS Board also published a final rule addressing the reimbursement of government contractors' pension costs in light of changes made to the Employee Retirement Income Security Act (ERISA), the law which governs the funding of pension plans, by the Pension Protection Act (PPA). The rule was published on December 27 and is available here:

<http://www.federalregister.gov/articles/2011/12/27/2011-32745/cost-accounting-standards-cost-accounting-standards-412-and-413-cost-accounting-standards-pension>.

REMINDER: Chief Acquisition Officers Council Acquisition Excellence Awards

Nominations remain open for the Chief Acquisition Officers Council's 2012 Acquisition Excellence Awards. The awards this year will be for federal employees engaged in team or individual activities that led to excellent results in FY 11 in any of the following three acquisition

categories: Buying Smarter, Effective Vendor Communication, and Strategic Sourcing. Additionally, this year we are partnering with the Small Business Procurement Advisory Council to add an award for small business excellence. For this award, we are seeking nominations for those federal employees engaged in collaboration between their Office of Small and Disadvantaged Business Utilization and the acquisition community that led to awards that were successful from both a small business and an acquisition perspective. Nominations are being accepted through January 17, 2012. For questions or a copy of the nomination forms, please contact [Joanie Newhart](#) at OFPP. Please submit completed nominations for the Acquisition Excellence Awards to [John Andre](#) at FAI. Please submit completed nominations for the Small Business Excellence Award to [Susan Truslow](#) at OFPP.

And that's all for now. I hope that the holidays have been a relaxing time for you and your families, and that 2012 will bring you success and satisfaction in your work, and health and happiness in your personal life.

Thank you for your support and advice throughout my time as Administrator and, more importantly, for your service to the taxpayers and to our country.



Daniel I. Gordon
Administrator for Federal Procurement Policy

P.S. If you want to reach me after December 31, feel free to email me at George Washington University Law School: dgordon@law.gwu.edu.

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Once you're registered, you can find the Notes from the Administrator here: <https://max.omb.gov/community/x/cYJ2I>.