Tuesday,
March 23, 2010

Part V

Department of Defense
General Services Administration
National Aeronautics and Space Administration

48 CFR Chapter 1
## SUPPLEMENTARY INFORMATION:
A summary for the FAR rule follows. For the actual revisions and/or amendments made by this FAR case, refer to FAR Case 2008–027.

FAC 2005–40 amends the FAR as specified below:

**Federal Awardee Performance and Integrity Information System (FAPIIS) (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. Government input to FAPIIS is accomplished at 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—

- Check the FAPIIS website, available at 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
- 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.

### RULE LISTED IN FAC 2005–40

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Dated: March 18, 2010.

Al Matera,
Director, Acquisition Policy Division.

Federal Acquisition Circular

Federal Acquisition Circular (FAC) 2005-40 is issued under the authority of the Secretary of Defense, the Administrator of General Services, and the Administrator for the National Aeronautics and Space Administration. Unless otherwise specified, all Federal Acquisition Regulation (FAR) and other directive material contained in FAC 2005-40 is effective April 22, 2010.

Dated: March 17, 2010.

Linda W. Neilson,
Deputy Director, Defense Procurement and Acquisition Policy (Defense Acquisition Regulation System).


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Acting Senior Procurement Executive, Office of Acquisition Policy, U.S. General Services Administration.


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