



Weekly Report for April 17, 2015

GOVERNMENT CONTRACTS

DoD, GSA, and NASA Issue Small Entity Compliance Guide

The Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA) issued the Small Entity Compliance Guide. The Small Entity Compliance Guide has been prepared in accordance with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. It consists of a summary of the rules appearing in Federal Acquisition Circular (FAC) 2005-81, which amends the Federal Acquisition Regulation (FAR), [80 Fed. Reg. 19508](#).

DoD, GSA, and NASA Issue Interim Rule to Amend FAR Regarding Further Amendments to Equal Employment Opportunity

The Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA) issued an interim rule to amend the Federal Acquisition Regulation (FAR) to implement Executive Order (E.O.) 13672, "Further Amendments to Executive Order 11478, Equal Employment Opportunity in the Federal Government, and Executive Order 11246, Equal Employment Opportunity". The interim rule applies to solicitations and modifications to contracts, if the contract does not already contain clauses as amended by the rule, issued on or after April 10, 2015, [80 Fed. Reg. 19504](#). The interim rule is effective April 10, 2015. Comments are due June 9, 2015 to be considered in the formation of the final rule.

GSA Turns the Lights on at Acquisition.gov

The General Services Administration (GSA) unveiled its new [acquisition.gov](#) website Thursday April 9, 2015. The new revamped site is a more comprehensive, user-friendly hub for contracting officers, according to the GSA. Besides an aesthetic redesign, the GSA said that the new site will improve searchability of the Federal Acquisition Regulation and the General Services Administration Acquisition Manual, FAR/GSAM archives, real-time updates, and a multimedia library with instructional videos,

speeches, and other public commentary from leaders in federal acquisition. [GSA Turns The Lights On At Acquisition.gov](#).

DoD Issues Implementation Directive for Better Buying Power 3.0: Achieving Dominant Capabilities Through Technical Excellence and Innovation

The Department of Defense (DoD) issued its third round of Better Buying Power reforms on Thursday April 9, 2015. Better Buying Power 3.0 emphasizes the need to maintain DoD's technological superiority, improve cybersecurity around sensitive weapons programs, and reduce bureaucratic barriers to innovation. Frank Kendall, the undersecretary of defense for acquisition, technology and logistics, said DoD is looking for ways to take better advantage of commercial technology by reducing some of the barriers to doing business with DoD. This includes more creative contracting, more outreach to the industry, better use of existing tools such as the Small Business Innovation Research program, and a move towards more modular weapons designs that allow for easier upgrades. Additionally, the DoD is looking to reduce the burden on contractors in areas such as requests for cost and pricing data, commercial item determinations, and reviews of contractors' earned value management systems. [Implementation Directive for Better Buying Power 3.0 - Achieving Dominant Capabilities through Technical Excellence and Innovation](#).

Interagency Suspension and Debarment Committee Issues FY 2014 Report on Federal Agency Suspension and Debarment Activities

The Interagency Suspension and Debarment Committee (ISDC) issued a report pursuant to section 873 of Public Law 110-417 requiring the ISDC to report the status of the Federal suspension and debarment system. According to the report, Federal agencies increased their use of suspension and debarment by about 14 percent between 2013 and 2014. Overall, debarment actions rose from 1,696 in 2013 to 1,929 debarment actions in 2014, while the number of referrals dropped slightly from 3,942 to 3,465. Some of the most active suspension and debarment programs are: the Army with 392 proposed debarments and 279 debarments; the Department of Homeland Security with 338 proposed debarments and 339 debarments; the Department of Housing and Urban Development (HUD) had 272 proposed debarments and 278 debarments, but HUD was also willing to take no exclusionary action on some referrals, with 234 cases in which it declined to use suspension or debarment; the Department of Transportation used the most administrative agreements of any agency, with 11 agreements. The report also highlighted steps that ISDC has taken to improve agency suspension and debarment programs, including the debut of a new [public website](#), providing training to government suspension and debarment practitioners, adding a second vice chair to enhance agency collaboration and coordination generally, improving coordinating with agency inspectors general, and working with agencies to promote the use of administrative agreements as an appropriate alternative to suspension and debarment. [FY14 Report by the Interagency Suspension and Debarment Committee on Federal Agency Suspension and Debarment Activities](#).

SMALL BUSINESS ADMINISTRATION

SBA Issues Proposed Rule to Amend Surety Bond Guarantee Program

U.S. Small Business Administration (SBA) issued a proposed rule to change the regulations for the SBA's Surety Bond Guarantee Program in four areas: 1) the proposal clarifies that a Surety must directly employ underwriting and claims staff sufficient to perform and manage the underwriting and claims functions, as well as final settlement authority for claims and recovery is vested only in salaried employees of the Surety, as conditions for participating in the Prior Approval and Preferred Programs; 2) the proposal provides that all costs incurred by the Surety's salaried claims staff are ineligible for reimbursement by the SBA, but the Surety may seek reimbursement for amounts paid for specialized services that are provided by outside consultants in connection with the processing of a claim; 3) the rule proposes to modify the criteria for determining when a Principal that caused a loss to the SBA is ineligible for a bond guaranteed by the SBA; 4) the rule proposes to modify the criteria for admitting sureties to the Preferred Surety Bond Guarantee Program by increasing the Surety's underwriting limitation, as certified by the U.S. Treasury Department on its list of acceptable sureties, from at least \$2 million to at least \$6.5 million, [80 Fed. Reg. 19886](#). Comments are due June 15, 2015.