

April 16, 2010

TO: Heads of Contracting Activity

FROM: Nancy J. Gunderson /s/
Deputy Assistant Secretary for Grants & Acquisition Policy and
Accountability; and Acting Associate Deputy Assistant Secretary for
Acquisition

SUBJECT: Class Deviation -- FAR 9.4 -Federal Awardee Performance and
Integrity Information System (FAPIS)

Purpose: FAR 9.406-3(f)(1) and 9.407-3(e)(1) require debarring and suspending officials to input information in the Federal Awardee Performance and Integrity Information System (FAPIS), regarding administrative agreements entered into to resolve a suspension or debarment proceeding. I hereby approve a class deviation from those requirements, as described below.

Guidance: The FAPIS final rule, published in the Federal Register on March 23, 2010, requires that contracting officials, debarring and suspending officials, and awardees enter various types of performance and integrity information in FAPIS. Currently, FAPIS is not configured to accept information pertaining to administrative agreements. Therefore, debarring and suspending officials are not required to input information in FAPIS on administrative agreements, entered into to resolve a suspension or debarment proceeding, until FAPIS is updated to collect such information (anticipated in late summer 2010).

Effective Date: Immediately. This deviation shall remain in effect until FAPIS is updated to collect information on administrative agreements.

CAAC Consultation: The attached memorandum from the Chairman of the Civilian Agency Acquisition Council constitutes the consultation required by FAR 1.404 for class deviations.

If you have any questions regarding this class deviation, please contact Cheryl Howe at 202-690-5552 or at cheryl.howe@hhs.gov.

Attachment

cc: FAR Secretariat