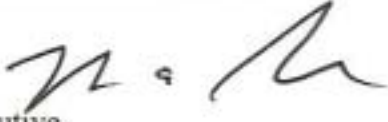




DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

Acquisition Bulletin (AB)
No. 11-02
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MEMORANDUM FOR BUREAU CHIEF PROCUREMENT OFFICERS

FROM: Thomas A. Sharpe, Jr. 
Senior Procurement Executive
Office of the Procurement Executive

SUBJECT: Implementation of FAR 52.209-9 Updates of Information
Regarding Responsibility Matters (FAPIS)

Purpose: This Acquisition Bulletin (AB) outlines the procedures that contracting officers must follow with respect to the modification of existing contracts covered by the new FAR 52.209-9 interim rule.

Effective Date: Effective immediately.

Expiration Date: This AB will expire on April 15, 2011.

Background: The new FAR clause 52.209-09 provides notice to contractors that all information posted in FAPIS on or after April 15, 2011, except past performance reviews, will be publicly available. Because a pending system change will make all FAPIS data available, including data for existing contracts for which the previous protocol was to limit access to the data to government personnel, it is important to immediately initiate actions to bilaterally modify existing contracts to incorporate the new clause.

Required Bureau Action: Between now and April 1, 2011, contracting officers are required to bilaterally modify existing contracts (including indefinite-delivery indefinite-quantity contracts) that contain the superseded FAR clause 52.209-8, but only if the semi-annual FAPIS update via the CCR portal that contractors are required to perform is due on or after April 15, 2011. The modification shall replace the FAR clause 52.209-8 with the new FAR clause 52.209-9. If the contracting officer is unable to negotiate this modification prior to April 15, 2011, the contracting officer will be required to obtain approval at least one level above the contracting officer to negotiate an alternate resolution.

BCPO's must certify to the SPE by April 1, 2011 that all covered contracts have been modified. If any such contracts have not been modified by this deadline, BCPOs must provide a complete list of contracts for which bilateral agreement has not been reached, describing the attempts made to modify the contract, and listing the reason for inability to reach agreement on the modification.

Questions about this AB may be directed to Fernando Tonoletе at fernando.tonolete@do.treas.gov , telephone (202) 622-6416.