

# Contract Closeout Overview

**Defense Pricing and Contracting** 

Mr. David Guinasso, supporting OSD A&S DPC

www.dodprocurementtoolbox.com



# Training will begin shortly! Please take note of the content below:

#### **Webinar Access**

- If you have Chrome as a web browser, please use Chrome instead of IE.
- To access training, please pick one:
  - Click the WebEx link to view the live video presentation, and use computer speakers for audio
  - OR
  - Phone dial in and download slides to follow along the presentation, not both as this will lower bandwidth of the WebEx

Call in: 1-844-531-0958Access code: 922-159-715

- Make sure you are on Mute at all times!
  - If there is an echo or feedback it means that people are not on mute and/or individuals have logged into Webex and dialed into the phone line as well (please pick one to avoid the echo)
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#### **Administrative Concerns**

- Do not announce yourself, we are not taking attendance
- Continuous Learning certificate instructions will be given at the end of the training, please wait until the end for further instructions
- Training slides can be download from the DoD Procurement Toolbox under 'Contract Closeout' and 'Training and Resources' <a href="https://dodprocurementtoolbox.com/site-pages/training-resources">https://dodprocurementtoolbox.com/site-pages/training-resources</a>
- Please place all questions in the chat by responding to everyone, we will not be allowing verbal questions until the end of the training, time permitting
- Trainings are recorded and will be posted to the Procurement Toolbox (please allow a few weeks for posting)

# STATES OF ARREST

# Agenda

- Electronic Closeout Closeout
- PIEE Contract Closeout Module
- Special Contract Closeout Policy
- EDA Procurement Instruments Awarded and Closed Report
- EDA & FPDS Contract Closeout Clean-up Initiative
- PIEE Records Retention and Destruction
- Questions



# Electronic Contract Closeout



# **Electronic Contract Closeout Topics**

- What policy is applicable?
  - DFARS PGI
  - DFARS
  - FMR
- How does it work?
- What tools can be used?



# **Standard Data Policy for Closeout**

#### PGI 204.804-1 Closeout by the office administering the contract:

Locally developed forms or a statement of completion may be used instead of the DD Form 1594, Contract Completion Statement, and use the administration office closeout date. Whichever method is used, the form shall be retained in the contract file and copies sent to Electronic Document Access (EDA) and financial systems using the American National Standards Institute (ANSI) X12 Electronic Data Interchange (EDI) 567 transaction set.

PGI 204.804-2 Closeout of the contracting office files if another office administers the contract. (iv) Upon final payment—

(A)Process a DD Form 1594 or the electronic equivalent verifying that all contract administration office actions have been completed; and

(B) Send the original DD Form 1594 or the electronic equivalent to the contracting office for filing in the contract file and send a copy to EDA and financial systems using the **ANSI X12 567**.

Whether you close your own contracts, or someone else's a 567 needs to be sent.



## The Data Standard for Closeout

ANSI X12 567 also called a DLMS 567C is an electronic version of the DD form 1594.

The standard is found in DLM 4000.25 Volume 7 Chapter 4.

**Site Navigation:** Defense Logistics Agency > HQ > InformationOperations > EBSO Home > DLMS Programs > DLMS Programs - DLMS (dla.mil) **Web Link:** https://www.dla.mil/HQ/InformationOperations/DLMS/DLMSPrograms/dlms/

#### Like the DD form 1594 the 567C can be used for multiple purposes:

- Identifying a contract is physically complete
- Identifying a delay in closeout
- PCO requesting a different closeout date
- Closing the Contract



# Federal Procurement Data System (FPDS) Close-Out Requirement

#### **DFARS 204.606**

- (ii) The "Status" is changed to "Closed" in one of three ways:
- (A) User reports a modification using "Closeout" in the "Reason for Modification" field. This should be rare and only occur when a modification being issued actually closes the award in that modification (not just prepares for it). If a contract action report is finalized with "Closeout" as the value, it will no longer be able to be corrected by the user. Users will need to contact the FPDS help desk to perform any corrections.
- (B) User with "Closeout" privileges in FPDS marks the award as closed. This will be rare in DoD; only the DoD and Service lead system administrators will be given these privileges.
  - (C) An agency system sends a "Close" notice via web services to FPDS.

Web service to FPDS is automatic if a 567C is sent to EDA

Over 10,000,000 Closeout Notices sent to FPDS since FY17



# **Deobligation at Contract Closeout**

# The FMR Volume 3 Chapter 8 081612 A identifies that deobligation can result from multiple actions including "...determination of final contract closure..."

"081612. De-obligation of Dormant Obligations

A. Within 10 calendar days of their identification by the Funds Holders, all required de-commitments, de-obligations, adjustments or corrections identified must be initiated and substantiated by evidence of ongoing corrective actions. Contract de-obligations result from a contract modification, determination of final contract closure, documented adjustments or corrections, cancellation of an order, or when funds are determined to be excess of contract requirements as a result of a periodic review by the Contracting Officer...."

#### 081612 B.1. discusses the use of the DD1594 or electronic equivalent.

"B.1. It is the responsibility of the contracting officer to send notification to the Financial Manager, Program Office, and Funds Holder denoting that a contract is complete and no further valid transactions will be forthcoming through the use of a DD Form 1594, Contract Completion Statement (DD 1594), or electronic equivalent as described in DFARS, PGI 204.804. The Funds Holder must reconcile the contract expenses and disbursements prior to the modification and/or the closeout DD 1594."



# **Deobligation Prior to Contract Closeout**

# 081612 B.2 covers the deobligation of funds prior to closure where a modification is required.

"B.2.Once the contracts have been physically completed the contracting officer administering the contract must review the contract funds status and notify the Funds Holder of any funds excess to the needs of the contract that can be de-obligated prior to contract closeout. De-obligation will be done through the use of a contract modification."

#### **In Summary:**

- If a deobligation occurs before contract closeout, a modification is required (FMR Volume 3 Chapter 8 081612B.2).
- At closeout a DD form 1594 or electronic equivalent can be used to deobligate funds, a modification is <u>not</u> required (FMR Volume 3 Chapter 8 081612 B.1).



# 567C Contract Closeout Notice Data Routing\*

Contract Closeout System sends single transaction with single header.

GEX will route.



Routing by DoDAAC for issue, admin, and pay offices; and by AAI for accounting

If 567C is used a closeout modification is not required



# **Electronic Closeout Systems**

#### **Current:**

- MOCAS DCMA
- EBS DLA
- CAMIS ONR
- SPS Army, Navy, Defense Agencies
- PIEE Contract Closeout Air Force, Space Force, Defense Agencies, available to all

#### **Planned:**

- NPS Navy
- IT Contract Closeout/IQO Contract Closeout—DISA
- DCMA plans to move to PIEE Contract Closeout



## **DoD Automated Closeout Policy**

DFARS PGI 204.804-(3)(1) Automated contract closeout. As permitted by FAR 4.804-5(a), automated contract closeout allows a system to initiate and execute the closeout action. The contract qualifies for the automated closeout process if the contract—

- (i) Is firm-fixed priced;
- (ii) Does not exceed a total contract value of \$500,000 (inclusive of exercised options); and
- (iii) Does not contain any of the following provisions requiring administrative action at closeout:
- (A) FAR 52.211-11 Liquidated Damages—Supplies, Services, or Research and Development.
- (B) FAR 52.216-7 Allowable Cost and Payment.
- (C) FAR 52.227-9 Refund of Royalties.
- (D) FAR 52.227-11 Patent Rights—Ownership by the Contractor.
- (E) FAR 52.227-13 Patent Rights—Ownership by the Government.
- (F) FAR 52.232-16 Progress Payments.
- (G) FAR 52.232-29 Terms for Financing of Purchases of Commercial Items.
- (H) FAR 52.232-30 Installment Payments for Commercial Items.
- (I) FAR 52.232-32 Performance-Based Payments.
- (J) FAR 52.245-1 Government Property.
- (K) FAR 52.248-1 Value Engineering.

# Three Systems perform Automated Closeout:

- MOCAS
- EBS
- PIEE



# PIEE Contract Closeout Module



### **PIEE Contract Closeout Module**



#### **Automated Closeout:**

- Automatically closes the contract and creates the 567C for contracts that meet the automated contract closeout criteria.
- Is triggered by the payment of a final invoice.
- Requires PDS data in EDA, invoicing in WAWF, invoicing in MyInvoice
- The Contracting Officer has <u>60</u> days to stop auto-close.

#### **Manual Closeout:**

- Allows for the manual generation of the DD1594 and contract completion checklist.
- Information is imported and prepopulated to support closeout from EDA, WAWF and MyInvoice.
- Can be used for any contract that can't be auto-closed.



#### **Automated Contract Closeout Overview**

- As permitted by FAR 4.804-5(a), Automated Contract Closeout (ACCO) allows a system to initiate and execute the closeout action without action on the part of the Contracting Officer administering the contract.
- ACCO is a capability that currently resides in PIEE.
- A contract qualifies for the ACCO process if it meets all of the criteria in both boxes at the right:
- If the contract meets all of the criteria for ACCO as outlined above, a notification will be sent to the organization administering the contract making them aware that if they do not take action, the contract will be closed in 60 days.
- After the 60 days has lapsed, an electronic Contract Completion notice, also known as the EDI 567C, will be created and posted to EDA. A Contract Closeout notification will also be sent to and stored in FPDS.
- If an organization is aware of an issue that should prevent closeout, the organization must place the contract on hold within the 60-day limit. Upon release of the hold, the contract will automatically close when the 60 days has passed.

#### DFARS PGI 204.804-3 Requirements for Automated Contract Closeout

Contract Type = Firm-fixed priced

Contract Value does not exceed \$500,000 (inclusive of exercised options)

Contract does not contain any of the following provisions requiring administrative action at closeout:

- (A) FAR 52.211-11 Liquidated Damages—Supplies, Services, or Research and Development.
- (B) FAR 52.216-7 Allowable Cost and Payment.
- (C) FAR 52.227-9 Refund of Royalties.
- (D) FAR 52.227-11 Patent Rights—Ownership by the Contractor.
- (E) FAR 52.227-13 Patent Rights—Ownership by the Government.
- (F) FAR 52.232-16 Progress Payments.
- (G) FAR 52.232-29 Terms for Financing of Purchases of Commercial Items.
- (H) FAR 52.232-30 Installment Payments for Commercial Items.
- (I) FAR 52.232-32 Performance-Based Payments.
- (J) FAR 52.245-1 Government Property.
- (K) FAR 52.248-1 Value Engineering.

#### **Additional Automated Contract Closeout Requirements**

All shipments for the contract must be in a processed or extracted status in Wide Area Work-Flow (WAWF)

A final invoice must have been submitted in WAWF

A "Paid" status must be present in WAWF (sourced from MyInvoice data)

Contract does not contain any of the following provisions:

FAR 52.216-16 Incentive Price Revision - Firm Target

FAR 52.216-17 Incentive Price Revision – Successive Targets

FAR 52.219-9 Small Business Subcontracting Plan

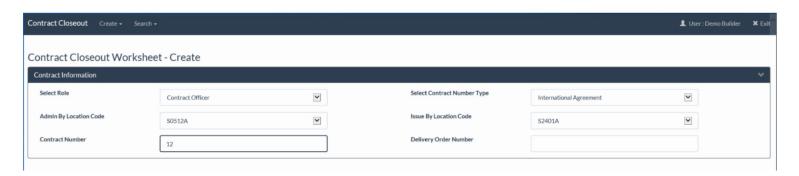
DFARS 252.227-7039 Patents – reporting of subject inventions

Contracts, orders, and all subsequent modifications must be present in EDA in Procurement Data Standard (PDS) compliant status if a Contract Writing System (CWS) was used to generate to contract action.



#### **Manual Contract Closeout Module Overview**

- The Contract Closeout Module in PIEE assists users in performing the contract closeout process as defined in FAR 4.804 in an electronic environment.
- The PIEE CCO module can be used to close any contract, regardless of whether the contract is in EDA, uses PDS, or is invoiced using WAWF.
- Fields within the tool also have the ability to prepopulate with any data that is available in PIEE.
- The PIEE CCO module allows the Contracting Officer to create and update the closeout checklist in an electronic format and forwards the resulting Contract Completion Statement in the form of an EDI 567C to EDA.
- Following Closeout, this tool also distributes the contract completion statements electronically to FPDS in accordance with the requirements in DFARS PGI 204.804.
- Organizations responsible for contract administration that do not have a contract closeout tool capable of meeting all of the requirements in FAR 4.804 and DFARS PGI 204.804 shall use the PIEE Contract Closeout Module in lieu of manual or partially automated processes.
- Leveraging the PIEE CCO module to perform closeout will improve efficiency, enforce compliance with applicable policy, and ensure that contract completion statements are shared in standard formats and distributed to all appropriate downstream systems.
- The PIEE CCO module also improves the auditability and timely recovery of excess funds. The PIEE CCO module is available to Contracting Officers or Specialists who have EDA access with an active Upload/Inactive Contracts role.
- Web based training on the PIEE CCO module is available at: https://wawftraining.eb.mil/wbt/xhtml/wbt/closeout/index.xhtml





# **Registration & Roles**

- Who should register for Contract Closeout Modules in PIEE?
  - All Contract Office personnel involved in contract closeout processes via Contract Closeout
  - All Contracting Officers who may have contracts Auto-closed by Contract Closeout or will use PIEE for Manual Closeout
- What Roles are available?
  - Contract Specialist
  - Contracting Officer
  - View Only



# **How do I Register?**

# Click on 'Register' button



Help/Training 🗁

Certificate Login
Certificate Login
CAC Help?
User ID Login
User ID
Password
Login
Forgot your User ID?   Forgot your Password?   Who's my GAM?

system Messages	
(2016-JUN-28 00:00 MDT) System: All Subject: WAWF 5.9 Validation Warning Messages Message For: A	II Users
"Attention: If you receive the following informational message "IRAPT VALIDATION WARNING MESSAGES" and the Filick "OK" to proceed", please try the following steps:	Pop-Up window does not display
Turn off Pop-Up Blockers in your Web Browser. 2. Clear your browser History Folder and Cookies. 3. Clear your brownindows. 5. Open new browser and type in the WAWF URL https://wawf.eb.mil to access the WAWF website. (Do NO).	
If the above options still do not resolve the issue please try a different web browser. (Internet Explorer, Firefox, Chrome	)
CORT - These same steps can also be used if the pop-up confirmation box is not displaying to process/reject nomination	ons."
(2016-JUN-19 00:00 MDT) System: All Subject: Help Desk Phone Options have Changed Action Required	d! Message For: All Users
"The Electronic Business Service Desk phone menu options have changed. Choose option #1 for all calls related to iRAMy Invoice, and GEX. Choose option #2 for all calls concerning IUID."	APT, EDA, CORT, NCCS,























### **Contract Closeout Email Workflow**

disa.ogden.eis.mbx.wawfnoreplv@mail.mil HT001416P1530\\HT0014\Automated Contract Closeout Initiated

Roeck John E CTV DHA DHA CAE (LIS)

Contract will be systematically closed out on 2018/04/23

Contract Number: HT001416P1530

Delivery Order Number:

Issue By: HT0014

To prevent the automated contract closeout, access the Contract Closeout application at Wide Area Workflow e-Business Suite and place the contract on hold.

THIS IS A SYSTEM GENERATED EMAIL MESSAGE. PLEASE DO NOT RESPOND TO THIS EMAIL.

Sat 1272372017 2:21 AM disa.ogden.eis.mbx.wawfnoreply@mail.mil Contract Closeout Worksheet Initiated for W910UZ06D0010 / V306

Roeck, John E CTV DHA DHA CAE (US)

A Contract Closeout Worksheet has been initiated:

Contract Number: W91QUZ06D0010

Delivery Order Number: V306

Issue By: HT0011

Admin By: HT0011

Please access the WAWF e-Business Suite to evaluate the Contract Closeout Worksheet

THIS IS A SYSTEM GENERATED EMAIL MESSAGE. PLEASE DO NOT RESPOND TO THIS EMAIL

Mon 12/11/2017 11:32 PM disa.ogden.eis.mbx.wawfnoreply@mail.mil Reminder - Contract Closeout Worksheets Initiated for HT0038

) Roeck, John F CIV DHA DHA CAE (US)

Contract Closeout Worksheets were initiated for the following Contracts:

Contract Number: HT003816F0003 Delivery Order Number: null Issue Bv: HT0038 Admin By: HT0038 Initiation Date: 2017-10-11 21:27:03

Please access the WAWF e-Business Suite to evaluate the Contract Closeout Worksheet(s)

THIS IS A SYSTEM GENERATED EMAIL MESSAGE. PLEASE DO NOT RESPOND TO THIS EMAIL

#### Each of these emails represent a contract that requires action in the PIEE Contract Closeout Module:

- The first notifies of an automated closeout and requires review for additional action such as hold.
- The second notifies that automated closeout didn't occur, but that a worksheet was created and meets closeout with final invoice but may require admin action.
- The third is a reminder of the first email but it's nearing closeout time period.



## **Accessing the PIEE Contract Closeout Module**

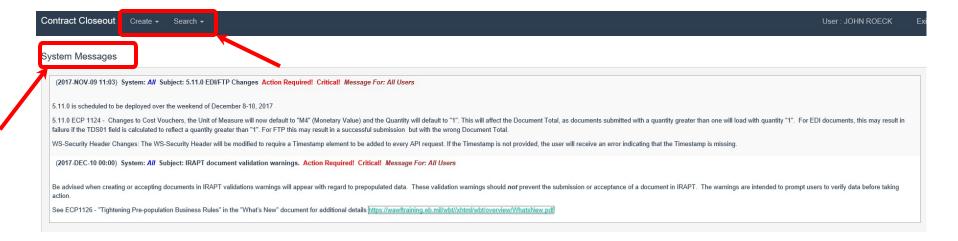


#### The following roles may have access to the Contract Closeout Module:

- Contracting Officer to view, hold, create, update, release and close a manual CCO worksheet
- Contracting Specialist to view, hold, create, update and release (if authorized) a manual CCO worksheet
- CCO View Only role view only



# Navigating the PIEE Contract Closeout Module



- System Messages and menu options are displayed on the Home page of the Contract Closeout Module
- Note that the 'Create' menu option is only available for the Contracting Officer and Contracting Specialist
- The search item has two functions:
  - Search Hold contracts and Automated worksheets
  - The search is by DODAAC



## Placing a Hold on Automated Closeout

Contract Closeout Folds

Contract Closeout Folds

Contract Closeout Folds

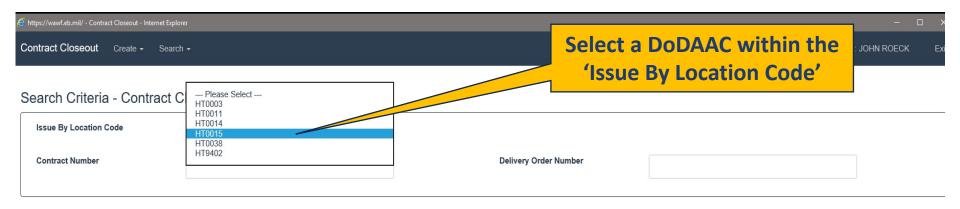
Contract Closeout Worksheet

Contract Closeout Hold'

Contract Closeout Hol

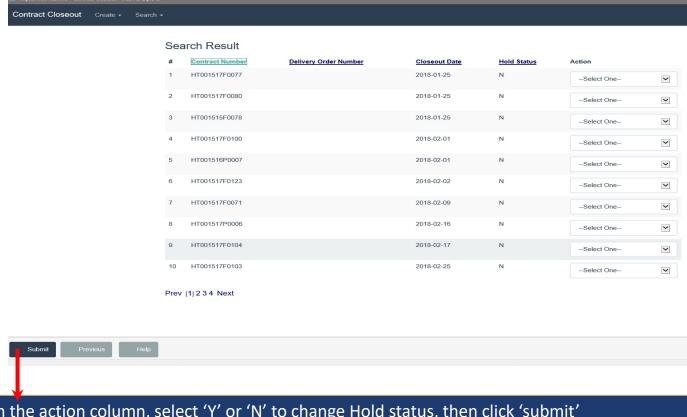


# Placing a Hold on Automated Closeout (Cont'd)





# **Changing the Automated Closeout Hold Status**



- In the action column, select 'Y' or 'N' to change Hold status, then click 'submit'
  - 'Y' = yes, a contract is now placed on hold for Automated Closeout and updates the Contract Closeout Worksheet status to 'Hold'
  - 'N' = no, a contract is not on hold for Automated Closeout and will be processed for Automated Closeout if it qualifies



### **Manual Closeout in PIEE**

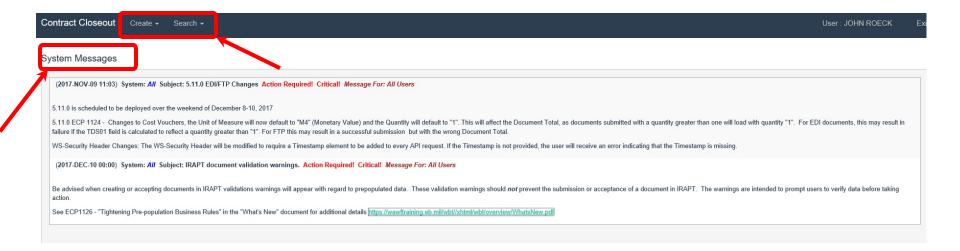
#### Manual closeout can be initiated in two ways:

- System initiated When a final invoice on a contract has been paid, but the contract does not meet the criteria for auto-close (email notification).
- User initiated Whenever a user wants to start taking actions toward closeout once the contract is physically complete.

The Contract Closeout Module will pre-populate as much content as possible based on what information is available in PIEE



# Accessing a Manual Closeout Worksheet in PIEE



- System Messages and menu options are displayed on the Home page of the Contract Closeout Module.
- Note that the 'Create' menu option is only available for the Contracting Officer and Contracting Specialist roles.



## **Opening a Manual Worksheet**

Click to creat a new Contract Closeout Worksheet

Contract Closeout Worksheet

System Messages

(2017-NOV-09 11:03) System: All Subject: 5.11.0 EDI/FTP Changes Action Sequired! Critical! Message For: All Users

5.11.0 is scheduled to be deployed over the weekend of December 8-10, 2017

5.11.0 ECP 1124 - Changes to Cost Vouchers, the Unit of Measure will now default to "14". (Monetary Value) and the Quantity will default to "1". This will affect the Document Total, as documents submitted with a quantity greater than one will load with quantity "1". For EDI documents, this may result in failure if the TDS01 field is calculated to reflect a quantity greater than "1". For FTP this may result in a successful submission but with the wrong Document Total.

WS-Security Header Changes: The WS-Security Header will be modified to require a Timestamp element to be added to every API request. If the Timestamp is not provided, the user will receive an error indicating that the Timestamp is missing.

(2017-DEC-10 00:00) System: All Subject: IRAPT document validation warnings. Action Required! Critical! Message For: All Users

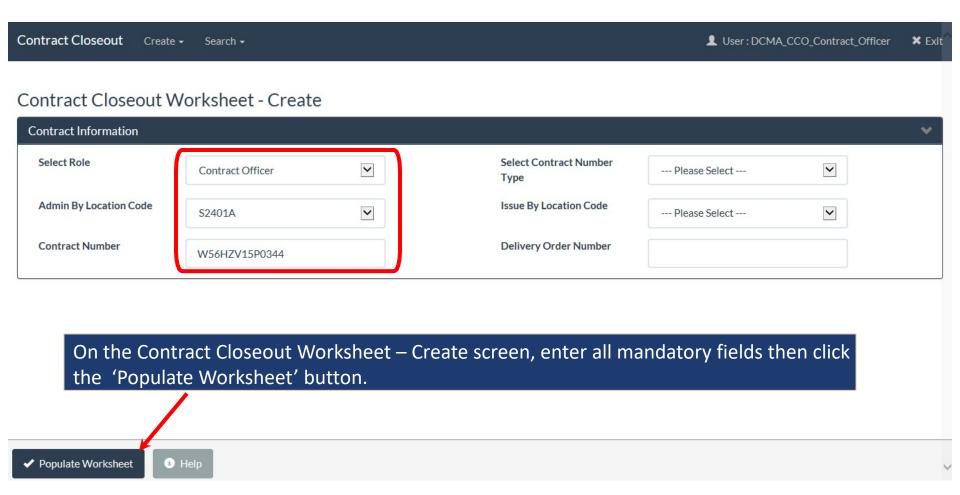
Be advised when creating or accepting documents in IRAPT validations warnings will appear with regard to prepopulated data. These validation warnings should not prevent the submission or acceptance of a document in IRAPT. The warnings are intended to prompt users to verify data before taking action

See ECP1126 - "Tightening Pre-population Business Rules" in the "What's New" document for additional details <a href="https://wawftraining.eb.mil/wbt//xhtml/wbt/overview/WhatsNew.pdf">https://wawftraining.eb.mil/wbt//xhtml/wbt/overview/WhatsNew.pdf</a>

Click the 'Contract Closeout Worksheet' link from the 'Create' menu drop-down.

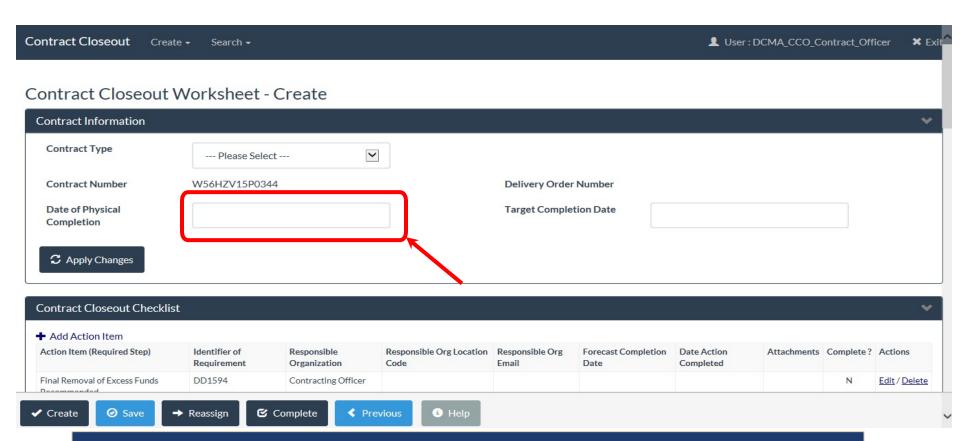


# **Creating a Manual Worksheet (Step 1 of 4)**





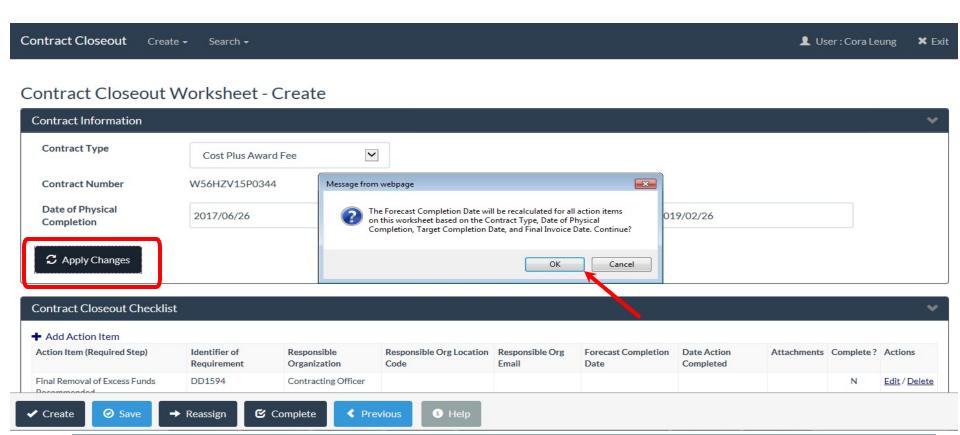
# Creating a Manual Worksheet (Step 2 of 4)



When the user enters a date in the Date of Physical Completion field, the Target Completion Date will be automatically calculated.



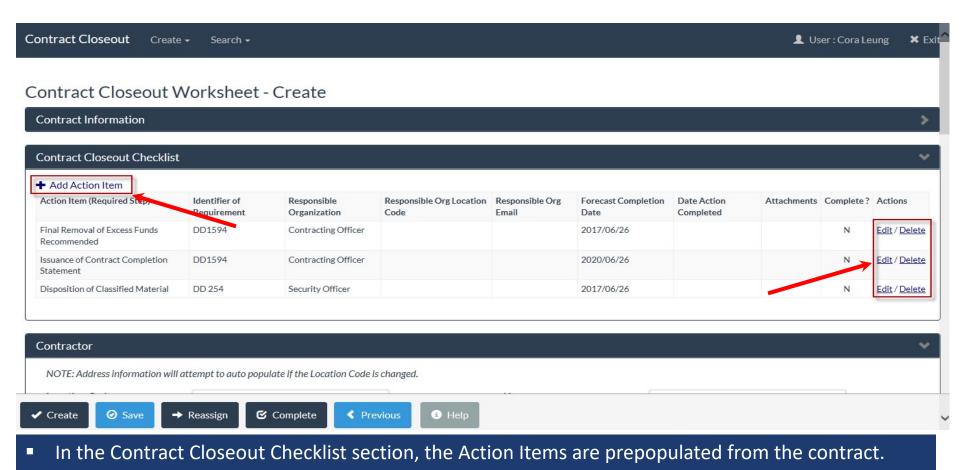
# **Creating a Manual Worksheet (Step 3 of 4)**



- Once the user clicks the 'Apply Changes' button, a popup message will be displayed.
- Click 'OK' from the popup to continue.



# **Creating a Manual Worksheet (Step 4 of 4)**



Action Items may be added, edited and deleted by clicking the respective links.

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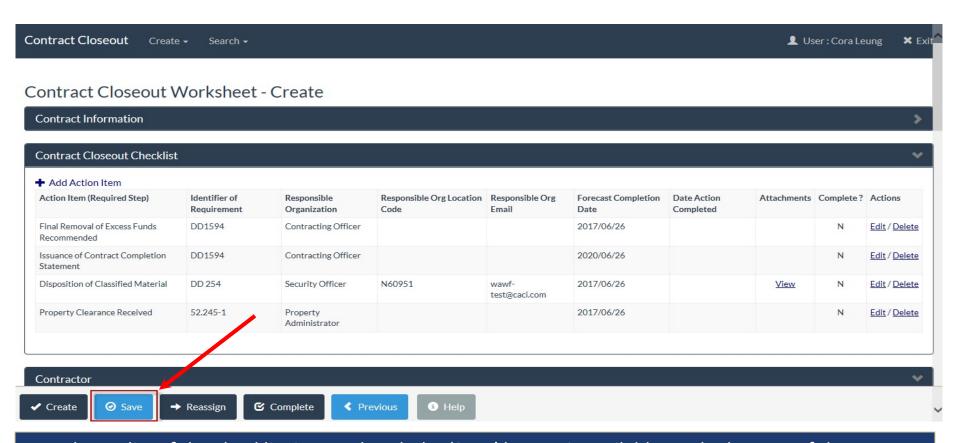


# **Adding Items to a Worksheet**





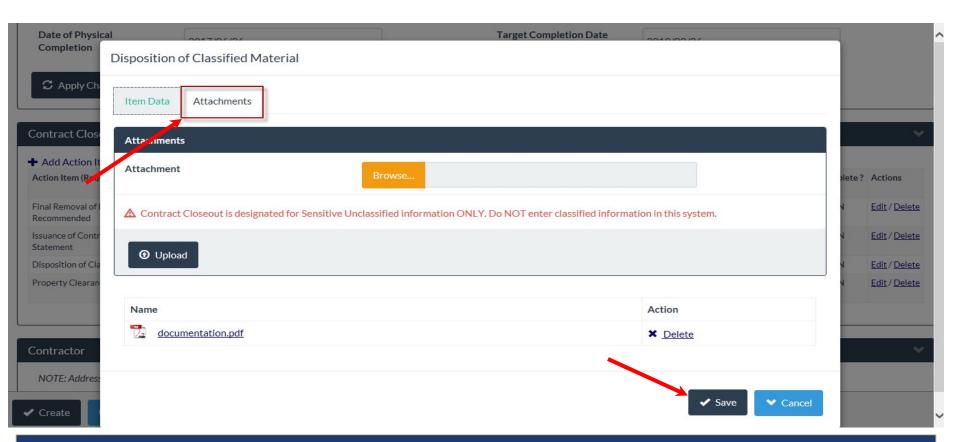
# Saving a Manual Worksheet



- When edits of the checklist is completed, the 'Save' button is available on the bottom of the screen.
- User can click the 'Save' button to save the worksheet and work on it later.



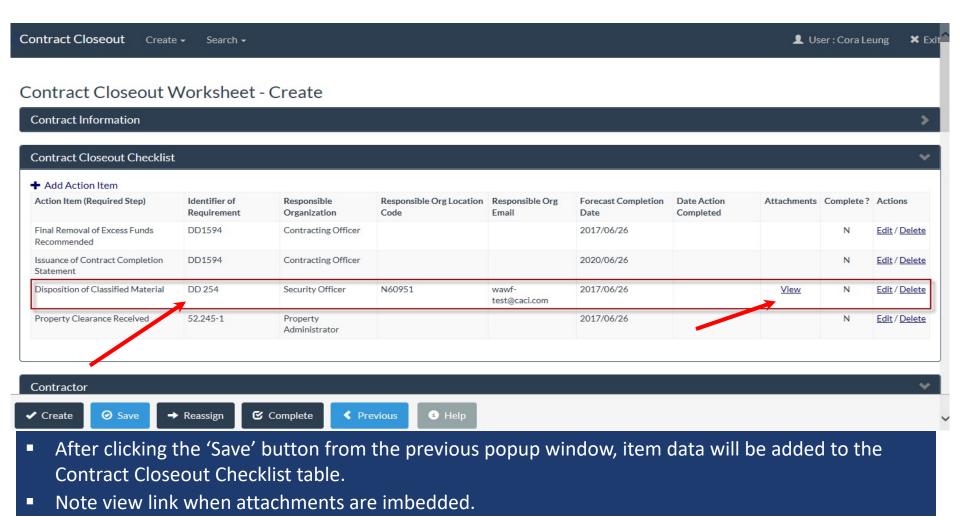
# **Adding Attachments**



In the 'Attachments' tab, the user may upload file attachments.

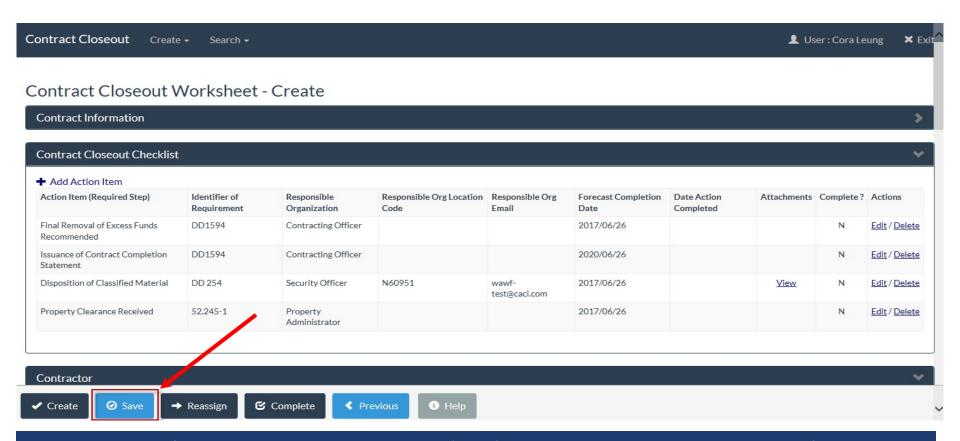


# **Adding Attachments (Cont'd)**





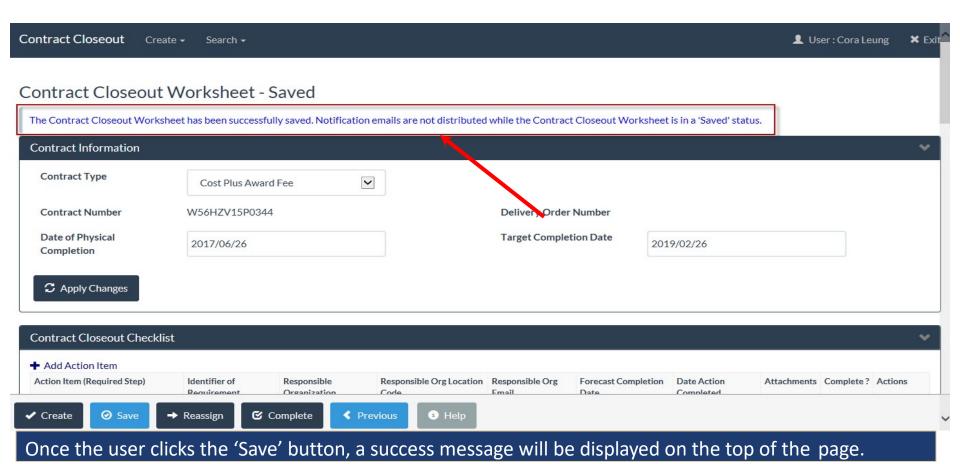
#### Saving a Manual Worksheet



- When edits of the checklist is completed, the 'Save' button is available on the bottom of the screen.
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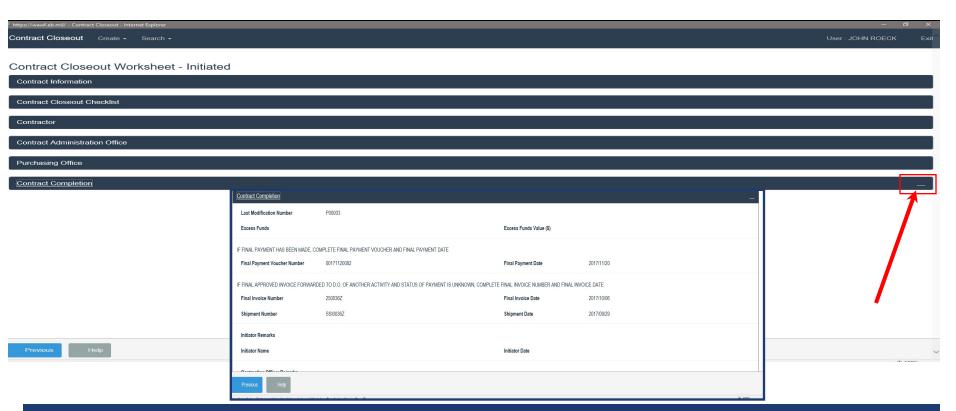


### Saving a Manual Worksheet (Cont'd)





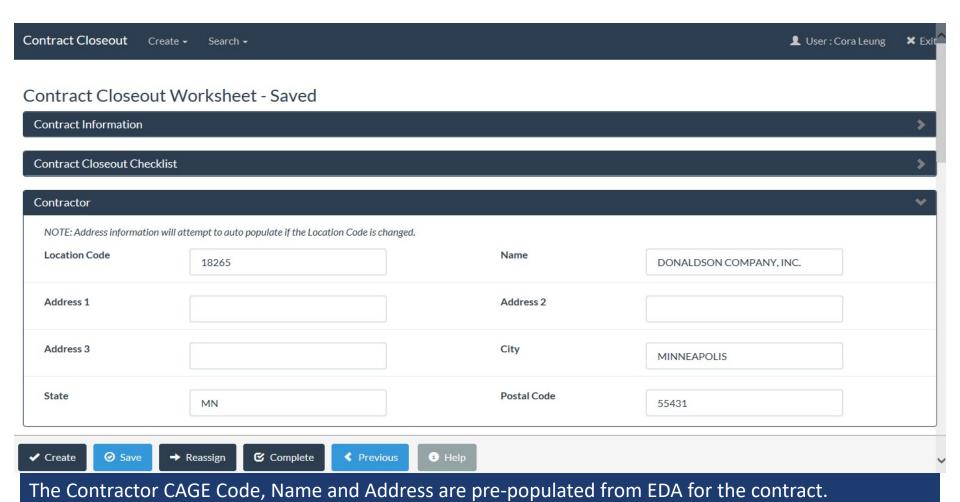
#### Views of a Worksheet



- Six screens comprise the worksheet view with each screen containing pre-populated data on the contract data from EDA.
- Mouse hover the right side of the views to open a wider view, click the arrow to open the view.
- Clicking the arrow again closes the window.
- Open each window to confirm data prior to proceeding with closeout.

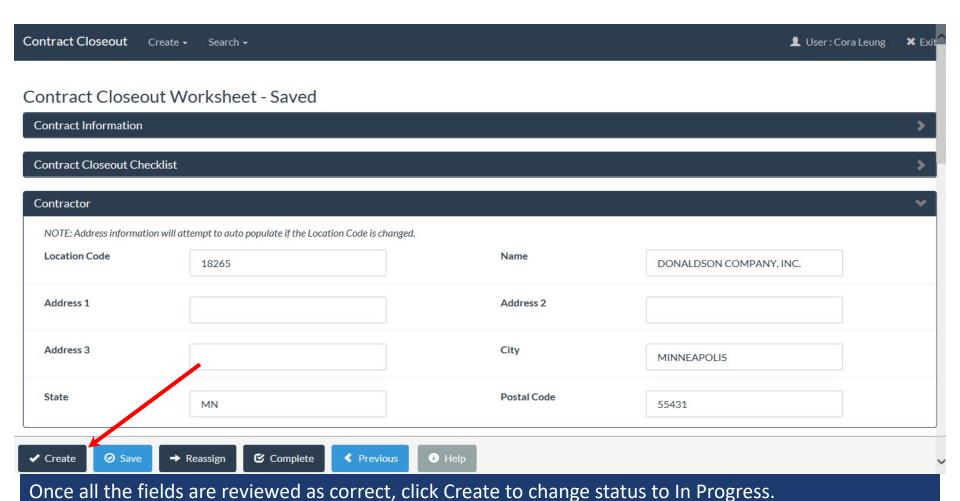


### Views of a Worksheet (Cont'd)



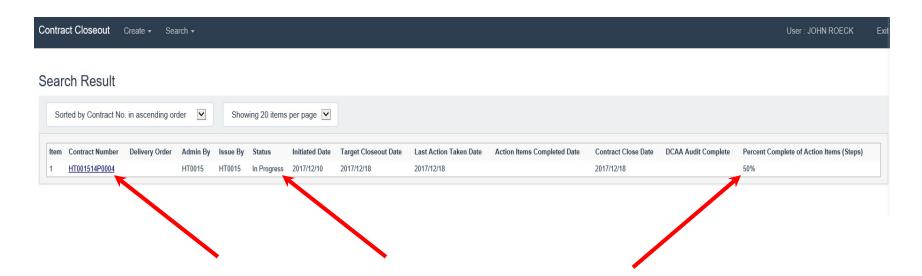


### **Changing to In Progress**





#### **In Progress Worksheet**

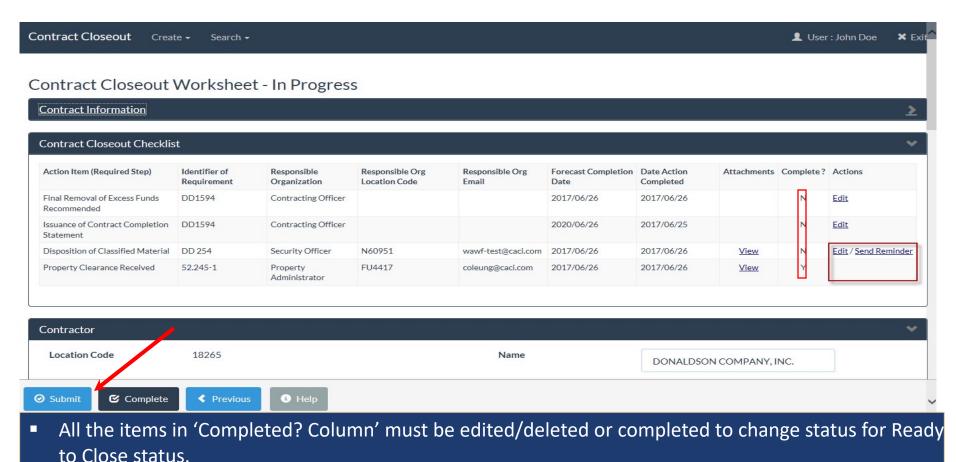


- Results of a search for In Progress Worksheets.
- Note Status column and Percent completed.
- Click hyperlink of contract number to open.



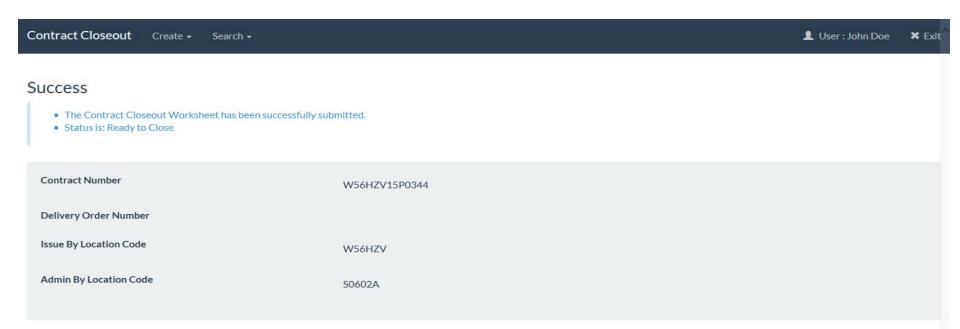
### **Worksheet Completion**

When the Completed column is all Y, click Submit.





### Ready to close



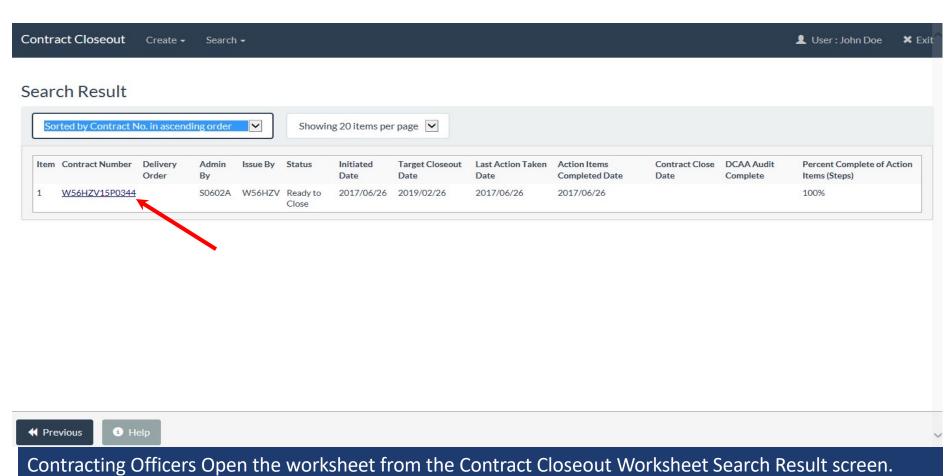




- A success screen is displayed indicating that the worksheet is in "Ready to Close" status.
- Click the search function and status search for Ready to close.



#### Ready to Close (Cont'd)





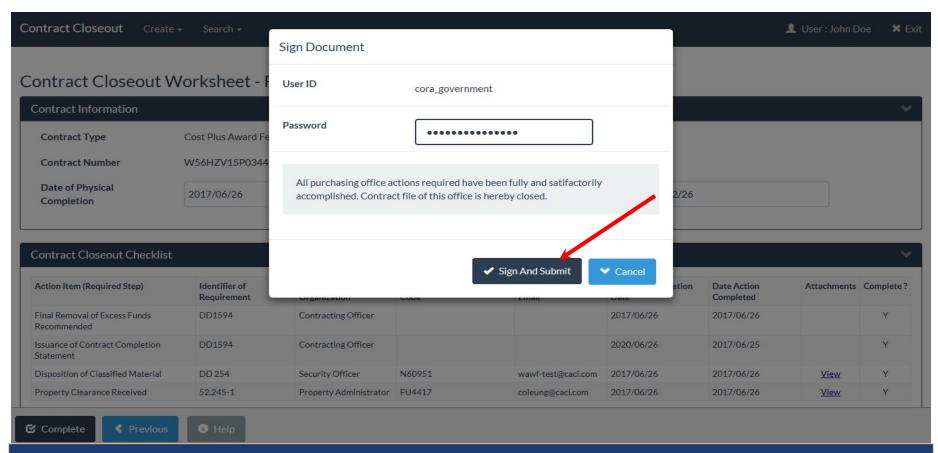
### **Contracting Officer Completion**

inal Invoice Number	INV1204	Final Invoice Date	2017/06/23	
hipment Number	SHP1204	Shipment Date	2017/06/21	
nitiator Remarks				
nitiator Name	CORALEUNG	Initiator Date	2017/06/26	
Contracting Officer Remark	s			
Contracting Officer Name	JOHN DOE	Contract Close Effective Date		

The Contracting Officer must click the 'Complete' button to sign and complete the closeout.



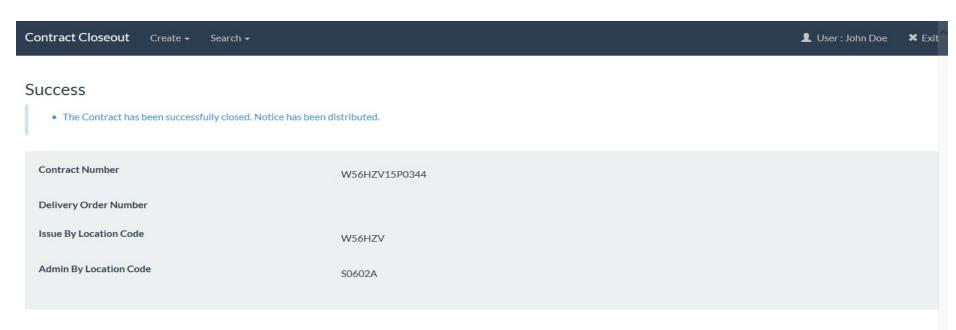
#### **Contracting Officer Signature**



- Upon clicking the 'Complete' button, a signature popup window will display.
- The Contracting Officer must click the 'Sign and Submit' button to digitally sign the worksheet and close the contract.



#### **Completion Message**







Upon successful completion of the Contract Closeout Worksheet, a success page will be displayed and a 567C extract will be generated.



## Special Contract Closeout Policy



### **Special Contract Closeout Policy Topics**

- Quick Closeout
- Special Closeout Authority



#### **Quick Closeout**

#### 42.708 -- Quick-Closeout Procedure.

- (a) The contracting officer responsible for contract closeout <u>shall</u> negotiate the settlement of direct and indirect costs for a specific contract, task order, or delivery order to be closed, in advance of the determination of final indirect rates set forth in <u>42.705</u>, if –
- (1) The contract, task order, or delivery order is physically complete;
- (2) The amount of <u>unsettled direct costs and indirect costs</u> to be allocated to the contract, task order, or delivery order is <u>relatively insignificant</u>. Cost amounts will be considered relatively insignificant when the total unsettled direct costs and indirect costs to be allocated to any one contract, task order, or delivery order does not exceed the lesser of—
  - (i) \$1,000,000; or
  - (ii) 10 percent of the total contract, task order, or delivery order amount;
- (3) The <u>contracting officer performs a risk assessment</u> and determines that the use of the quick-closeout procedure is appropriate. The risk assessment shall include—
  - (i) Consideration of the contractor's accounting, estimating, and purchasing systems;
  - (ii) Other concerns of the cognizant contract auditors; and
- (iii) Any other pertinent information, such as, documented history of Federal Government approved indirect cost rate agreements, changes to contractor's rate structure, volatility of rate fluctuations during affected periods, mergers or acquisitions, special contract provisions limiting contractor's recovery of otherwise allowable indirect costs under cost reimbursement or time-and-materials contracts; and
- (4) Agreement can be reached on a reasonable estimate of allocable dollars.



#### **Quick Closeout Class Deviation**

### Class Deviation – Quick-Closeout Procedures Threshold (2019-00009) Approved May 2, 2019

Effective immediately, contracting officers shall deviate from the quick-closeout procedures in Federal Acquisition Regulation (FAR) 42. 708(a) for cost reimbursement, time and material, labor hour, fixed-price incentive, and fixed-price redeterminable contracts, task orders, and delivery orders. Specifically, in lieu of the thresholds at FAR 42.708(a)(2)(i) and (ii), contracting officers shall consider cost amounts to be relatively insignificant when the total unsettled direct and indirect costs to be allocated to any one contract, task order, or delivery order do not exceed \$2 million.

#### **Defense Contract Management Agency (DCMA) Administrative Contracting Officers**

(ACOs) are further authorized to deviate from FAR 42. 708(a)(2) and negotiate the settlement of direct and indirect costs for a specific contract, task order, or delivery order to be closed in advance of the determination of final direct costs and indirect rates set forth in FAR 42. 705 regardless of the dollar value or percent of unsettled direct or indirect costs allocable to the contract. This class deviation supersedes and incorporates the DCMA Quick-Closeout Procedure Class Deviation (DCMA 17-142), dated August 15, 2017.

Link to memo: https://www.acq.osd.mil/dpap/policy/policyvault/USA001078-19-DPC.pdf



#### **Special Contract Closeout Authority**

#### **DFARS 204.804**

(3)(i) In accordance with section 836 of the National Defense Authorization Act for Fiscal Year 2017 (Pub. L. 114-328) and section 824 of the National Defense Authorization Act for Fiscal Year 2018 (Pub. L. 115-91), contracting officers may close out contracts or groups of contracts through issuance of one or more modifications to such contracts without completing a reconciliation audit or other corrective action in accordance with FAR 4.804-5(a)(3) through (15), as appropriate, if each contract—

- (A) Was entered into on a date that is at least 17 fiscal years before the current fiscal year;
- (B) Has no further supplies or services due under the terms of the contract; and
- (C) Has been determined by a contracting official, at least one level above the contracting officer, to be not otherwise reconcilable, because—
- (1) The contract or related payment records have been destroyed or lost; or
- (2) Although contract or related payment records are available, the time or effort required to establish the exact amount owed to the U.S. Government or amount owed to the contractor is disproportionate to the amount at issue.
- (ii) Any contract or group of contracts meeting the requirements of paragraph (3)(i) of this section may be closed out through a negotiated settlement with the contractor. Except as provided in paragraph (3)(ii)(B) of this section, the contract closeout process shall include a bilateral modification of the affected contract, including those contracts that are closed out in accordance with a negotiated settlement.
- (A) For a contract or groups of contracts, the contracting officer shall prepare a negotiation settlement memorandum that describes how the requirements of paragraph (3)(i) of this section have been met.
- (B) For a group of contracts, a bilateral modification of at least one contract shall be made to reflect the negotiated settlement for a group of contracts, and unilateral modifications may be made, as appropriate, to other contracts in the group to reflect the negotiated settlement.
  - (iii) For contract closeout actions under paragraph (3) of this section, remaining contract balances—
- (A) May be offset with balances in other contract line items within the same contract, regardless of the year or type of appropriation obligated to fund each contract line item and regardless of whether the appropriation obligated to fund such contract line item has closed; and
- (B) May be offset with balances on other contracts, regardless of the year or type of appropriations obligated to fund each contract and regardless of whether such appropriations have closed.
- (iv) USD(A&S) is authorized to waive any provision of acquisition law or regulation in order to carry out the closeout procedures authorized in paragraph (3)(i) of this section (see procedures at PGI 204.804 (3)(iv)).

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# 2021 NDAA Section 820 modifying 2017 NDAA Section 836 Contract closeout authority

#### Closeout any contract or group of contracts

- Was entered into;
- (A) with respect to a contract or group of contracts not described in subparagraph (B), at least 7 fiscal years before the current fiscal year; and
- (B) with respect to a contract or group of contracts for military construction (as defined in section 2801 of title 10, United States Code) or shipbuilding, at least 10 fiscal years before the current fiscal year; and

The Performance or delivery was completed four years prior to the current fiscal year; and

- No further supplies or services deliverables due under the terms and conditions of the contract; and
- Determined by the Secretary of Defense to be not otherwise reconcilable because—
  - Records have been destroyed or lost; or
  - Time or effort required to determine the exact amount owed to the United States Government or amount owed to the contractor is disproportionate to the amount at issue.
- Without completing a reconciliation audit or other corrective action
- Remaining contract balances may be offset with balances within a contract or within other contracts regardless of the year or type of appropriation
- The Secretary of Defense is authorized to waive any provision of acquisition law or regulation to carry out the authority, with notice to Congress
- No liability for contracting officers or financial personnel

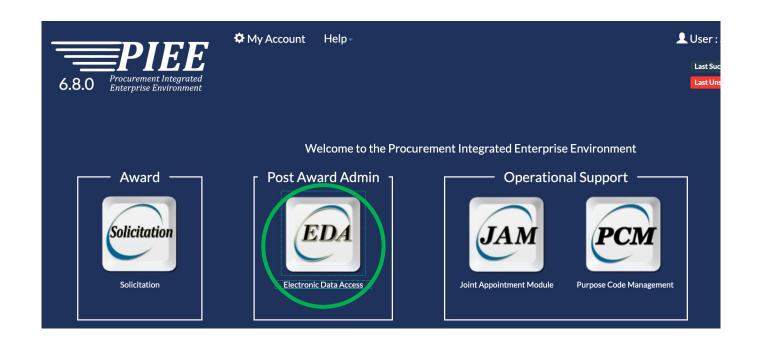
### **DFARS Case In Progress**



## EDA Procurement Instruments Awarded and Closed Report



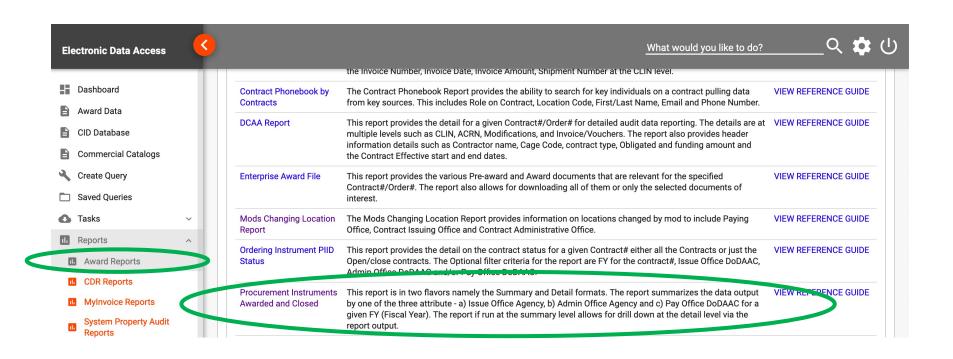
### Log into PIEE and Enter the EDA Module





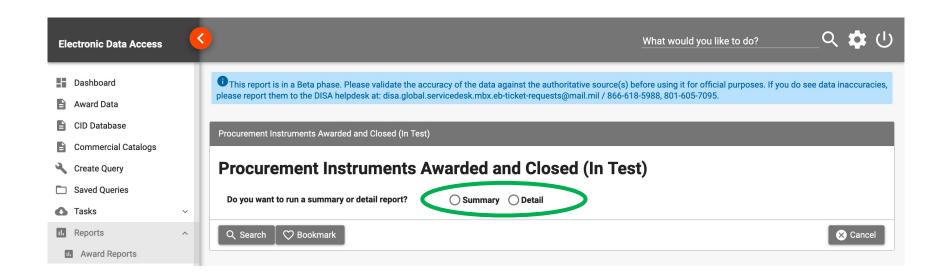
# Select 'Award Reports' under the 'Reports' section

#### Then select 'Procurement Instruments Awarded and Closed'





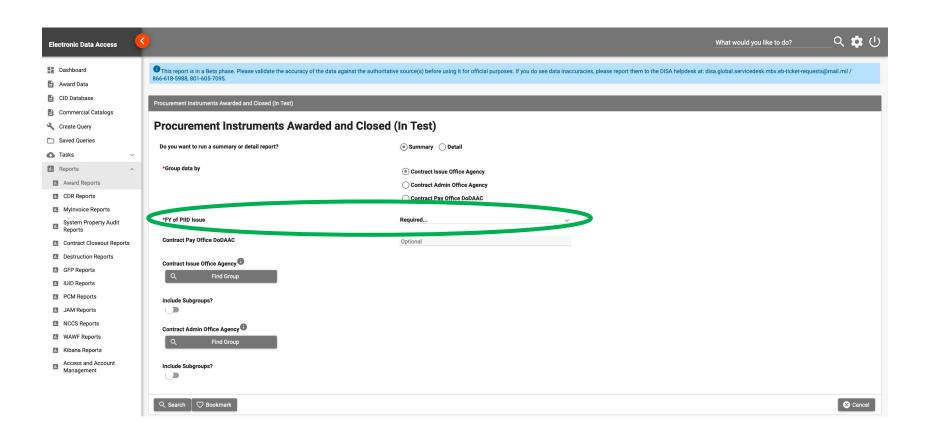
### Choose 'Summary' or 'Detail' Report





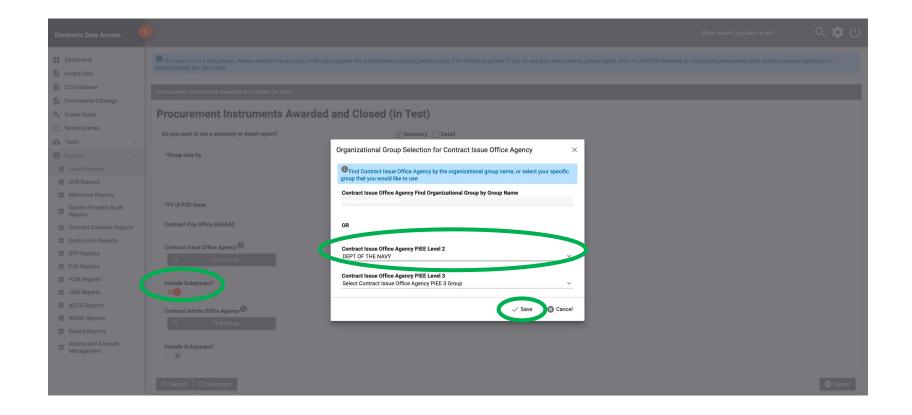
#### **Summary Report**

#### Choose Fiscal Year that the Contracts/Orders were Issued in



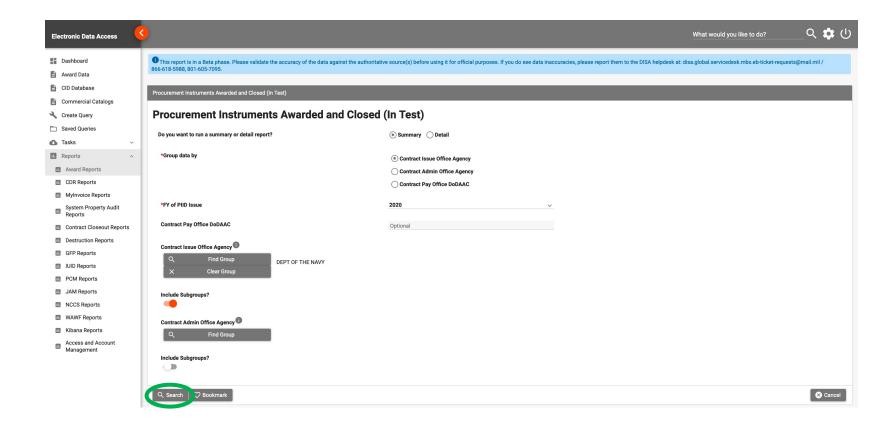


# Select Component and Include Subgroups to Query Data for the Entire Organization



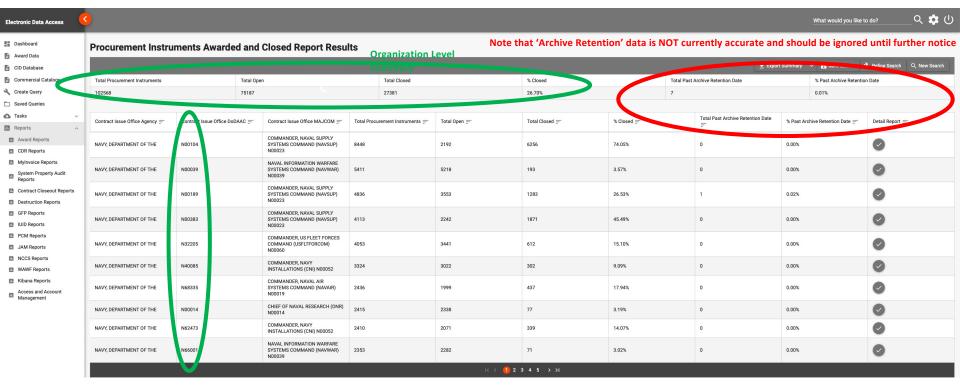


### Select 'Search' to Run the Report





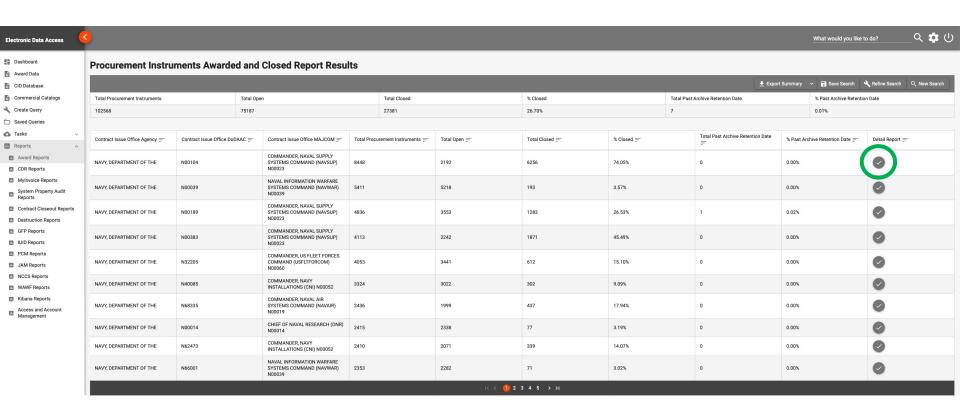
# View Summary of Report Results, Including Organization and Office Level Totals



Office Level Summary

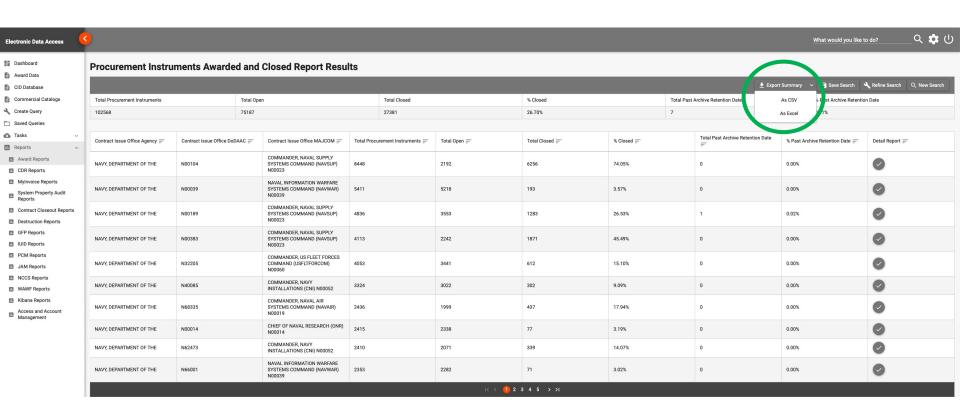


### **Choose to View 'Detail Report'**



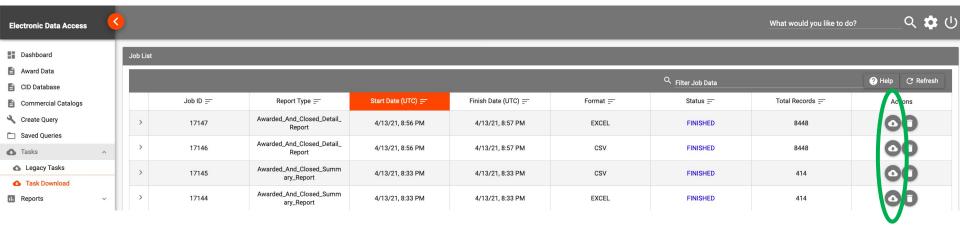


# **Export Summary and Choose 'As CSV'** or 'As Excel'



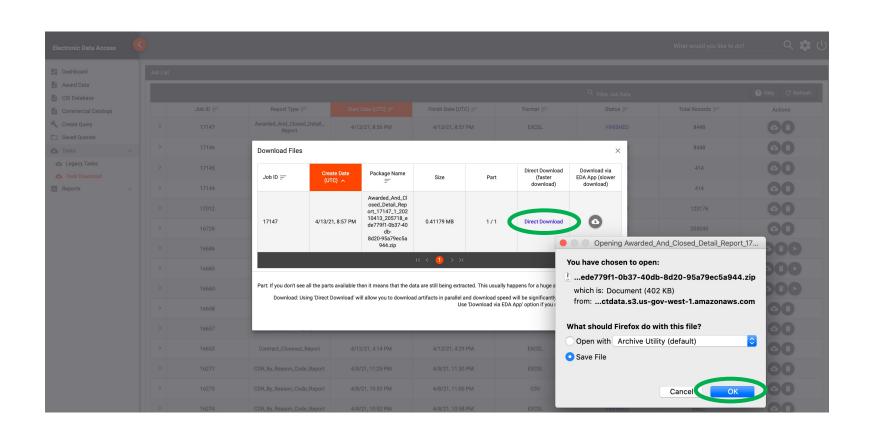


# Select 'Task Download' and Click the Cloud/Download Button





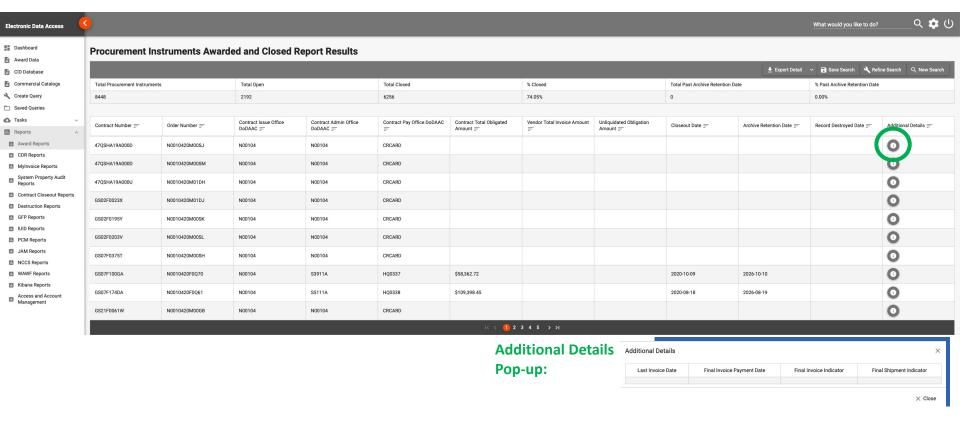
### Select 'Direct Download' and then 'OK'





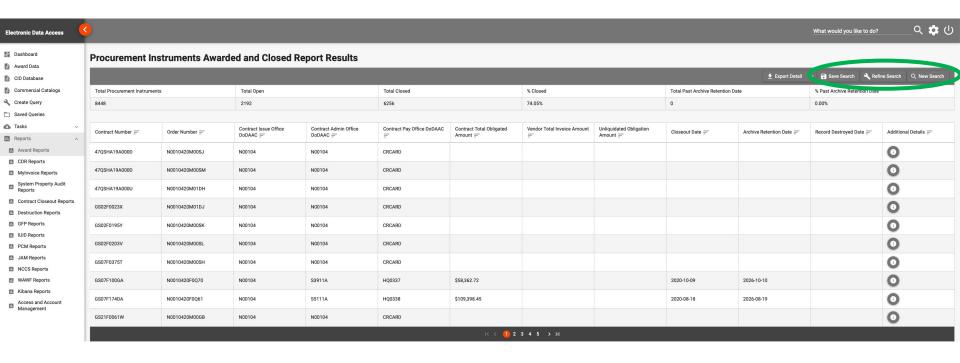
## View Additional Contract Information within Each Office

#### Select 'Additional Details' if Desired





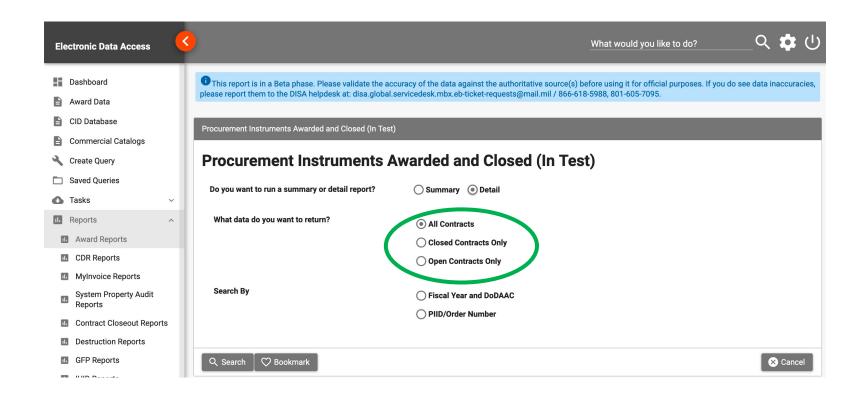
# Save Search, Refine Search, or Create New Search





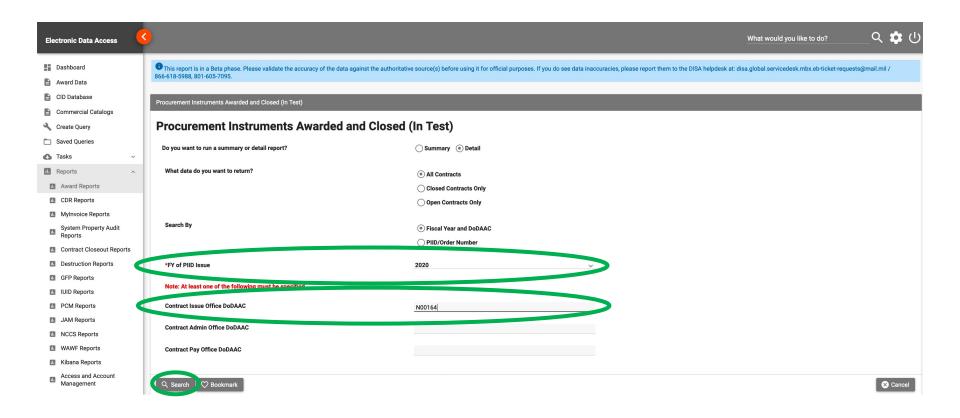
#### **Detail Report**

#### Choose What Data to Return



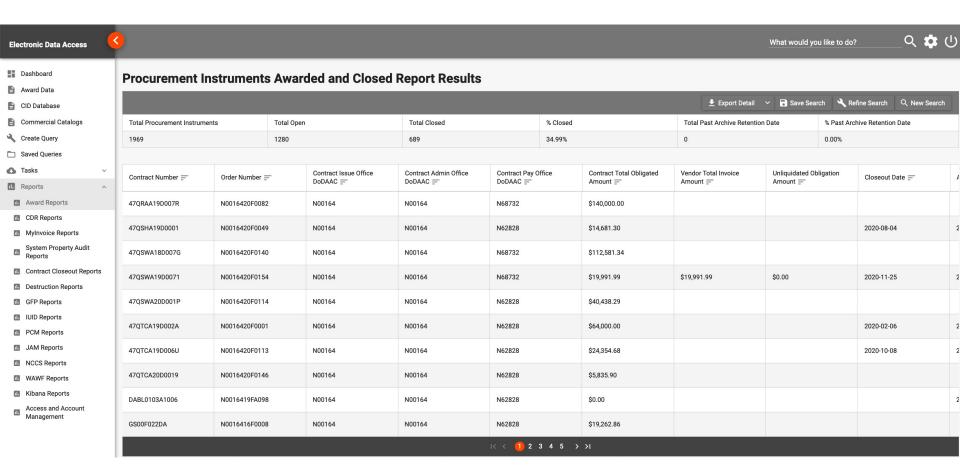


# If Searching by 'Fiscal Year and DoDAAC' Make Both Selections and Click 'Search'





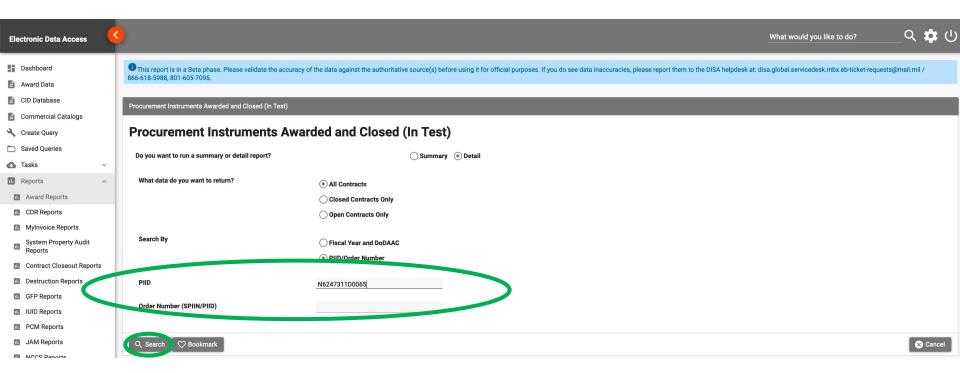
# View Results of Detail Search by 'Fiscal Year and DoDAAC'





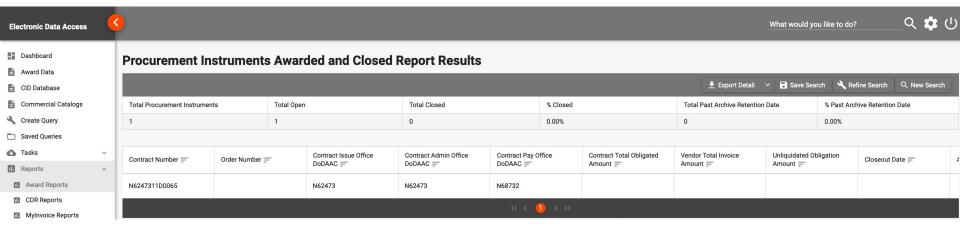
### If Searching by 'PIID/Order Number',

#### Insert Contract Number and Order Number (if applicable)





## View Results of Detail Search by 'PIID/Order Number'

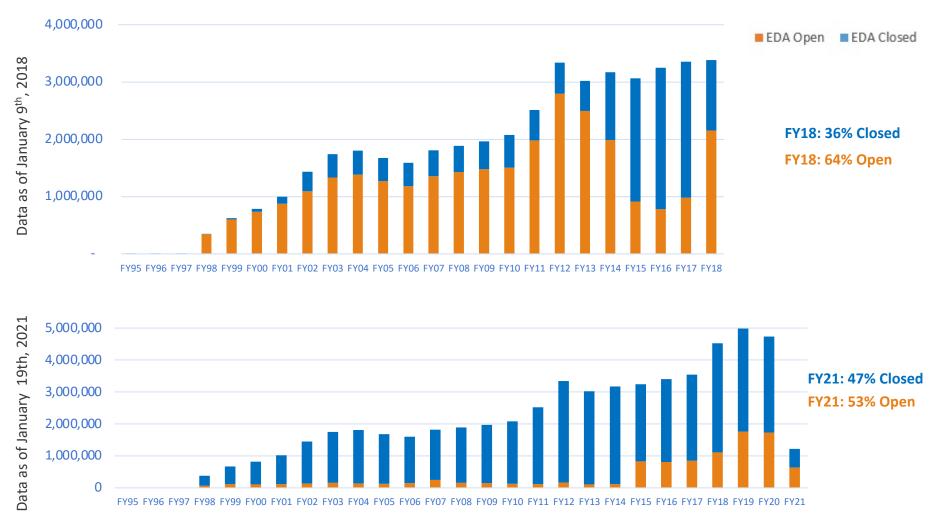




## EDA and FPDS Contract Closeout Clean-up Initiative



## **EDA Database Contract Closeout Progress**





### Interim Bulk Contract Closeout Process

This capability will be very similar to the current EDA Contract Closeout Clean-up Initiative

An Excel template will be provided that captures 12 data elements, based on the DD 1594 (see table at right)

Components will validate contracts as closed, list all applicable data elements on templates, and send to DPC

DPC will coordinate with EDA and FPDS to record the bulk contract closeouts in both systems

Components will take actions to close contract in their Contract Writing Systems

 The process for SPS closeout available at https://dodprocurementtoolbox.com/site-pages/trainingresources

## DD 1594 data fields available in EDA

**Contract Administration Office** 

**Purchasing Office** 

PII Number

Call/Order Number

**Last Modification Number** 

**Excess Funds** 

**Voucher Number** 

**Voucher Date** 

**Invoice Number** 

Invoice Date

**Responsible Official** 

**Closed Date** 



## **Batch Closing Contracts**

#### **Interim Bulk Closeout**

- Allows for the closeout of large numbers of contracts at one time by providing the data for DD form 1594s to DPC on an EXCEL template.
- DPC will work with EDA and FPDS to run scripts to close contracts, and provide load reports.
- Template: <a href="https://dodprocurementtoolbox.com/cms/sites/default/files/resources/2021-02/Interim%20Bulk%20Contract%20Closeout\_Within%20Records%20Retention%20%26%20Create%20567C.xlsx">https://dodprocurementtoolbox.com/cms/sites/default/files/resources/2021-02/Interim%20Bulk%20Contract%20Closeout\_Within%20Records%20Retention%20%26%20Create%20567C.xlsx</a>

#### **Mass Closeout**

- Allows for the identification of contracts that are closed and past records retention to EDA and FPDS through an EXCEL template provided to DPC.
- DPC will work with EDA and FPDS to run scripts to close contracts, and provide load reports.
- Template: <a href="https://dodprocurementtoolbox.com/cms/sites/default/files/resources/2021-02/Mass%20Closeout%20Clean-up">https://dodprocurementtoolbox.com/cms/sites/default/files/resources/2021-02/Mass%20Closeout%20Clean-up</a> Past%20Records%20Retention.xlsx



# PIEE Records Retention & Destruction



### **PIEE Records Retention & Destruction**

#### **Background:**

- Since the inception of the Procurement Integrated Enterprise Environment (PIEE)'s first application, Electronic Document Access, which was established in 1997, over 200 million records have been created and stored within the suite of systems.
- To comply with federal regulations, meet audit requirements, a systematic records retention and destruction policy has been implemented in PIEE.
- This effort will also decrease the number of antiquated records in PIEE, while reducing PIEE operating costs and improving PIEE performance.

#### **Records Retention Period:**

Record Type	Period
Contracts and Orders (DLA 10 years)	6 Years
Canceled Solicitations	6 Years
Grants and Assistance Agreements	10 Years
Micro-Purchase Receiving Reports	10 Years
Miscellaneous Payments	10 Years
Purchase Requests (Not associated with an Award)	10 Years
Government-to-Government Property Transfers	10 Years
Transportation	10 Years

#### What is Destroyed?

- Contracts, Orders, and Grants & Assistance Agreements (Documents and Data) in PIEE and other associated records, such as:
  - Solicitation
  - NCCS DD Form 254
  - WAWF Invoice and Receiving Reports
  - MyInvoice Records
  - Contract Deficiency Reports
  - Contracting Communication Module Records
  - Purpose Code Management Records (Contractor DoDAAC)
  - SPM and JAM Records
  - GFP Module Records
  - Contract Closeout Records
- Records Not Associated with Contracts or Grants
  - Canceled Solicitations
  - Micro-Purchase Receiving Reports
  - Miscellaneous Payments
  - Purchase Requests (Not associated with an Award)
  - Government-to-Government Property Transfers
  - Transportation



## **PIEE Record of Destruction Data Elements**

Document Destruction Data	Awards	Micro-Purchase Receiving Report		Purchase Request	Property (Government to Government)	Transportation	Cancelled Solicitation
Award Number (Contract Number, Grant Number, Micro-Purchase Number, Miscellaneous Pay Number)	х	х					
Delivery Order Number	X						
Document Number			x	X		x	x
Modification Number						x	
Signature Date/Order							
Date/Acceptance Date/ Posting Date/Receipt Date	х		X	х	х		х
Issue DoDAAC	X		x				x
Admin DoDAAC	X		х				
Pay DoDAAC	X		X				
CAGE Code	X		х				
DUNS Number	X		x				
From				х	х		
То				х	X		
Shipment Date					х		
Shipment Number					х		
Closeout Date/Records Retention Start Date	х	x	х	x	х	х	x
Destruction Date	х	х	х	x	х	X	x

A "Death Certificate" will be kept for each type of document destroyed



## PIEE Records Retention & Destruction Way Forward

- PIEE will identify a records destruction date based on the closeout date for records associated with awards (contracts, grants, and other assistance documents).
- For documents not associated with an award, a records destruction date will be established based on the type of record and the date of the last action in the system.
- Records will be stored in EDA for their required retention periods and systematically destroyed after the records retention period has passed.
- A record of destruction, inclusive of the minimum set of data elements needed to identify whether a record once existed in PIEE, will be maintained in PIEE after the documents and associated data for a record have been destroyed.
- Components will be able to identify documents that need to be excluded from destruction due to investigation, litigation, or historical significance.
- Components must set up internal processes to monitor records that have upcoming destruction dates in PIEE and submit exclusions from destruction accordingly.



### **Records Destruction Exclusions Process**

- Components will need identify records to be excluded from destruction in PIEE if they are currently in litigation, under criminal investigation, or of historical significance
  - Link to SOP: https://www.acq.osd.mil/dpap/pdi/eb/docs/PIEE/PIEE Records Retention and Destruction SOP 20200423.pdf
- The "PIEE Records Retention & Destruction Exclusions Request Form", and "PIEE Records Retention & Destruction Exclusions Removal Request Form" are available for download on the DoD Procurement Toolbox, along with supporting instructions: <a href="https://dodprocurementtoolbox.com/site-pages/piee-records-retention-destruction">https://dodprocurementtoolbox.com/site-pages/piee-records-retention-destruction</a>
  - All requests for exclusion must be submitted using the "PIEE Records Retention & Destruction Exclusions Request Form" to PIEE Rec Retention@dla.mil, Stephanie.L.Radziminski.ctr@mail.mil, and emma.m.burke3.ctr@mail.mil.
  - The reason for exclusion <u>must</u> be included on the "PIEE Records Retention & Destruction Exclusions Request Form"
  - If contracts should not have been closed, please submit a trouble ticket with the list of contracts that need to be re-opened to disa.global.servicedesk.mbx.eb-ticket-requests@mail.mil in addition to submitting the "PIEE Records Retention & Destruction Exclusions Request Form" to PIEE Rec Retention@dla.mil, Stephanie.L.Radziminski.ctr@mail.mil, and emma.m.burke3.ctr@mail.mil.



Date of Request: Requester Name: Requester Role:

## **Exclusions Request Form**

#### PIEE Records Retention & Destruction Exclusion Request Form

All requests for Exclusion from PIEE Records Retention & Destruction must be submitted by an Authorized Individual.

Please complete the form below and submit it to PIEE\_Rec\_Retention@dla.mil.

All requests for Exclusion from PIEE Records Retention & Destruction should be sent to PIEE\_Rec\_Retention@dla.mil directly from the Component's Authorized Individual.

If the request is not sent from the Authorized Individual, then the request should include approval documentation (ie approval emails) from the COR, GAM, or ORC Agency/Service lead.

Requester Email:							
Requester Phone:							
Requester Organization:							
Requester DoDAAC:							
Reason for Exclusion:							
Required Data By Record Type							
Award							
Contract Number:							
Delivery Order Number:							
Micro-Purchase Card Receiving Report							
Micro-Purchase Number:							
	eous Payment						
Misc. Pay/Telecom Control Number:							
Purchase Request (MIPR/eMIPR)							
MIPR/eMIPR Number:							
Government-to-Gove	rnment Property Transfer						
From:							
То:							
Shipment Number:							
Shipment Date:							
	portation						
GBL Number/GTR Number:							
GBL Mod:							
Canceled Solicitation							
Solicitation Number:							

**General Information** 

Authorized Individual By Record Type						
Award						
Contracting or Grant Officer* for either the Issuing or Administering Office						
or the Local GAM for the Paying Office						
Micro-Purchase Card Receiving Report						
Local GAM for the Acceptor DoDAAC						
Miscellaneous Payment						
Local GAM for the Approver DoDAAC						
Purchase Request (MIPR/eMIPR)						
Local GAM for the To or From Office DoDAAC						
Government-to-Government Property Transfer						
Local GAM for the Receiving or Shipping Office DoDAAC						
Transportation						
Local GAM						
Canceled Solicitation						
Canceled Solicitation						

Contracting or Grant Officer\* or the Local GAM for the Contracting Office DoDAAC

Component Level II GAM



### References

- Handshake 9 Distribution of Contract Completion Statements
  - Link to memo: https://www.acq.osd.mil/dpap/pdi/p2p/docs/P2P Handshake 9 Memo.pdf
  - Link to SOP: https://www.acq.osd.mil/dpap/pdi/p2p/docs/Handshake 9 SOP 20200109.pdf
- Contract Closeout Guidebook
  - Link to guidebook: https://dodprocurementtoolbox.com/cms/sites/default/files/resources/2019-11/Contract%20Closeout%20Guidebook 20191025 Final.pdf
- PIEE Records Retention and Destruction SOP
  - Link to SOP: <a href="https://dodprocurementtoolbox.com/site-pages/piee-records-retention-destruction">https://dodprocurementtoolbox.com/site-pages/piee-records-retention-destruction</a>
  - Link to Resources: <a href="https://dodprocurementtoolbox.com/site-pages/piee-records-retention-destruction">https://dodprocurementtoolbox.com/site-pages/piee-records-retention-destruction</a>
- Contract Closeout Resources and Trainings
  - Link to Resources: https://dodprocurementtoolbox.com/site-pages/training-resources



### For more information

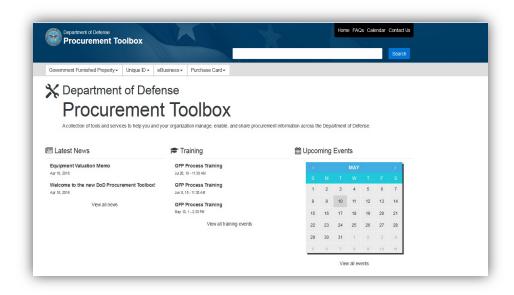
## **DPC** Website

https://www.acq.osd.mil/dpap/pdi/index.html

## Training, Tools, and Resources

www.dodprocurementtoolbox.com





Contact David Guinasso at davidguinasso@gmail.com or (703)727-0317



## Questions?

**David Guinasso 703 727 0317**