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Accountability in Government Contracting Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Feb 17, 2007

Current Status: Held at the desk.

Latest Action: Held at the desk. (Nov 8, 2007)

Official Text: https://www.congress.gov/bill/110th-congress/senate-bill/680

Sponsor

Name: Sen. Collins, Susan M. [R-ME]

Party: Republican • State: ME • Chamber: Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Carper, Thomas R. [D-DE]	D · DE		Feb 17, 2007
Sen. Coleman, Norm [R-MN]	R · MN		Feb 17, 2007
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Feb 17, 2007
Sen. McCaskill, Claire [D-MO]	D · MO		Feb 17, 2007
Sen. Akaka, Daniel K. [D-HI]	D · HI		Jul 26, 2007

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Hearings By (full committee)	Oct 17, 2007

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
110 HR 1362	Related bill	Mar 15, 2007: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Accountability in Government Contracting Act of 2007 - **Title I: Acquisition Workforce** - (Sec. 101) Amends the Office of Federal Procurement Policy Act to require the Administrator for Federal Procurement Policy to: (1) designate a member of the Senior Executive Service as the Associate Administrator for Workforce Programs, in the Federal Acquisition Institute, to oversee government-wide acquisition workforce activities; and (2) establish a government-wide acquisition intern program. Sets forth requirements for program course work.

Requires: (1) the Administrator to establish a government-wide Contingency Contracting Corps that shall be available for deployment in responding to disasters and contingency operations; (2) the Administrator to report to specified congressional committees, annually, on the status of the Corps; (3) agency heads to establish acquisition and contracting training programs; (4) the Administrator to issue policies to promote the development of performance standards for training and to evaluate such programs; (5) the Administrator to ensure that agencies collect and maintain standardized information on acquisition and contracting workforces relating to such training programs; and (6) each agency's Chief Acquisition Officer to develop a succession plan consistent with the agency's strategic human capital plan for the recruitment, development, and retention of the agency's acquisition workforce. Requires such plan to address: (1) recruitment goals for personnel from procurement intern programs; (2) the agency's acquisition workforce training needs; (3) actions to retain high performing acquisition professionals who possess critical relevant skills; and (4) recruitment goals for personnel from the Federal Career Intern Program and the Presidential Management Fellows Program.

Authorizes appropriations for FY2008-FY2009 for the Acquisition Workforce Training Fund. Sets forth authorized uses of the Fund. Eliminates the expiration date for the Fund.

Requires the Administrator to ensure that a sufficient number of federal employees are trained in the acquisition of architect and engineering services.

Amends the Services Acquisition Reform Act of 2003 to extend until September 30, 2010, the direct hire authority for members of the acquisition workforce.

Requires Chief Acquisition Officers to be appointed from among persons who have an extensive management background.

Directs the Administrator, in coordination with the Director of the Office of Personnel Management (OPM), to encourage agencies to utilize existing authorities to recruit and retain acquisition personnel and to consider recruiting acquisition personnel who may be retiring from the private sector.

Title II: Competition and Accountability - (Sec. 201) Requires the Administrator to promulgate in the Federal Acquisition Regulation regulations requiring competition in the purchase of property and services by all executive agencies pursuant to multiple award contracts. Declares that an individual purchase of property or services is made on a competitive basis only if it is made pursuant to certain procedures.

Requires: (1) such regulations to require that each individual purchase of property or services in excess of the simplified acquisition threshold under a multiple award contract be made on a competitive basis, with specified exceptions; and (2) agencies to meet specified notice requirements regarding sole source orders in excess of such threshold that are placed against multiple award contracts or blanket purchase agreements.

(Sec. 202) Amends the Federal Property and Administrative Services Act of 1949 and defense contracting provisions to

require that a task or delivery order include a statement of work that clearly specifies the tasks to be performed or property to be delivered.

Requires the statement of work for a task or delivery order in excess of the threshold for use of simplified procedures for commercial items to: (1) be made available to all eligible contractors; (2) set forth a clear statement of agency requirements; (3) permit a reasonable response period; (4) disclose significant factors the agency plans to use in evaluating proposals; (5) include a statement documenting the basis for selection for an order that was awarded on a best value basis; and (6) provide an opportunity for a post award debriefing. Authorizes protests of task or delivery orders that exceed a certain threshold.

(Sec. 204) Includes as a condition for the use of noncompetitive contract procedures the public disclosure of justification and approval documents. Limits the length of specified noncompetitive contracts for property or services available from only one source.

(Sec. 206) Sets forth provisions concerning: (1) conditions required for the award of a task or delivery order contract for services in an amount estimated to exceed \$100 million; (2) the issuance of guidance on the use of tiered evaluations of offers for contracts and for task or delivery orders under contracts (3) the issuance of regulations outlining the proper use of cost-reimbursement contracts and a review of the use of such contracts; (4) preventing and mitigating organizational and personal conflicts of interest in federal contracting; and (5) the issuance of guidance for agencies on the appropriate use of award and incentive fees in federal acquisition programs.

Title III: Accountability and Administration - (Sec. 301) Sets forth provisions concerning: (1) time periods for definitizing letter contracts; (2) Office of Management and Budget (OMB) guidelines for, and requirements governing, interagency acquisitions and assisted acquisitions; (3) OMB guidelines and procedures for government-wide commercial purchase cards; (4) a report on travel by agency employees at the expense of the federal government; (5) the issuance of guidance on the use of lead system integrators in the best interest of the federal government; (6) limitations on the use of subcontractors or tiers of subcontractors who do not perform work in proportion to overhead or profit received; (7) considering, in awarding a federal contract, whether a contractor may pose a serious threat to national security; (8) the assignment of certified program managers to administer DHS programs with an estimated value of more than \$100 million; (9) elimination of the one-year limitation on interest due on late payments to contractors; (10) establishing government-wide guidelines to ensure that inherently governmental work is performed by federal employees; (11) an OMB report on implementation of the Acquisition Advisory Panel's recommendations; (12) a Government Accountability Office (GAO) report on federal acquisition policy and a report on the implementation of requirements related to determinations made by agencies regarding indefinite delivery, indefinite quantity contracts; (13) the issuance of guidance on contracting for mapping and surveying services; and (14) the timely and accurate transmission of information included in the federal procurement data system.

Declares that provisions this Act requiring the promulgation of regulations or the production of reports shall be carried out using existing funds.

Actions Timeline

- **Nov 8, 2007:** Received in the House.
- **Nov 8, 2007:** Message on Senate action sent to the House.
- **Nov 8, 2007:** Held at the desk.
- **Nov 7, 2007:** Measure laid before Senate by unanimous consent. (consideration: CR 14095-14101; text of measure as reported in Senate; CR S14095-14101)
- **Nov 7, 2007:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Nov 7, 2007:** Passed Senate with an amendment by Unanimous Consent.
- **Oct 22, 2007:** By Senator Lieberman from Committee on Homeland Security and Governmental Affairs filed written report. Report No. 110-201.
- **Oct 17, 2007:** Committee on Homeland Security and Governmental Affairs. Hearings held. Hearings printed: S.Hrg. 110-530.
- **Oct 15, 2007:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Lieberman with an amendment in the nature of a substitute. Without written report.
- **Oct 15, 2007:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 420.
- **Aug 1, 2007:** Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 17, 2007:** Committee on Homeland Security and Governmental Affairs. Hearings held.
- **Feb 17, 2007:** Introduced in Senate
- **Feb 17, 2007:** Sponsor introductory remarks on measure. (CR S2205-2206)
- **Feb 17, 2007:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.