



Assessment and Use of Contractor Performance and Integrity Information

A Mandatory Reference for ADS Chapter 302

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SECTION 1. Purpose and Applicability

This mandatory reference provides guidance and procedures to implement the Federal Acquisition Regulation (FAR) and USAID Acquisition Regulation (AIDAR), requirements related to the assessment and use of contractor performance and integrity information. This reference also supplements the [Guidance for the Contractor Performance Assessment Reporting System \(CPARS\)](#) and the [Contractor Performance Assessment Reporting System \(CPARS\) User Manual](#).

SECTION 2. Roles and Responsibilities

Detailed information about the various roles and responsibilities can be found in the [Guidance for the Contractor Performance Assessment Reporting System \(CPARS\)](#). Below is a list of Agency specific tasks, by role.

2.1 Agency Past Performance Coordinator

The Agency Past Performance Coordinator is responsible for:

1. Administrative oversight of the CPARS process.
2. Granting and managing individual access to the various past performance and integrity systems (CPARS including FAPIIS).
3. Establishing procedures to assess contractor past performance and use of past performance in selection of contractors across the Agency.
4. Monitoring and reporting to OMB on the Agency's compliance with reporting requirements.
5. Coordinating management decisions and resolution of Office of the Inspector General (OIG) and Government Accountability Office (GAO) audit findings pertaining to contractor performance.

At USAID/Washington, the Past Performance Coordinator signs off on Exit Checklists for the departing Contracting Officers/Contracting Officer's Representatives (COs/CORs), verifying completion of any due/overdue assessments or pre-assessment notes in CPARS.

2.2 Assessing Official

The Assessing Official is the CO and is responsible for overall contract administration and the accurate and timely review and processing of past performance evaluations in CPARS.

2.3 Assessing Official Representative

The Assessing Official Representative, typically the COR, assists the Assessing Official by providing a timely and quality narrative and the proposed ratings for all evaluated areas. The Contract Specialist may also serve in this capacity, provided the Contract Specialist has sufficient personal knowledge of the contractor's performance to provide a quality assessment. The Assessing Official may assign multiple Assessing Official Representatives per contract. Each assigned representative has the capability of inputting and reviewing information input by other designated representatives.

2.4 Focal Point

In USAID Missions, the Focal Point must sign off on the Exit Checklist of departing Assessing Officials or Assessing Official Representatives, taking into account assessments completed, notes entered into CPARS (mid-period of performance), transfer of responsibilities in CPARS and, when necessary, rescinding the separating individual's access to CPARS. When the Assessing Official or Assessing Official Representative separates from the Agency, the Focal Point must contact the Agency Past Performance Coordinator at ppperformance@usaid.gov to ensure that CPARS access is rescinded. The Supervisory Contracting Officer (SCO) may assign as many Focal Points as needed. If necessary, up to five (5) alternate Focal Points may assist the Focal Point in performing any of the duties specified above. Alternate Focal Points are not authorized to assign additional alternate Focal Points.

2.5 Personal Services Contractors (PSCs)

At USAID, the following CPARS roles may be performed by individuals with personal services contracts, including U.S. PSCs, Third Country National PSCs, and Cooperating Country National PSCs: Focal Points, Alternate Focal Points, Assessing Official's Representatives, and Assessing Officials, when the individual has a warrant (see **Section 3.1** for CPARS access requirements for PSCs).

2.6 Reviewing Official (RO)

The RO's role in the main CPARS module is to review and sign the assessment when the contractor indicates non-concurrence with the CPAR. At USAID, the RO is authorized to resolve any disagreements between the Assessing Official and the contractor. When doing so, the RO must consider any significant discrepancies between the Assessing Official's evaluation and the contractor's remarks.

FAR Subpart 42.15 requires that the RO's role is performed by a government employee at an organizational level above the CO. At USAID, the RO is the CO's supervisor (typically the Supervisory Contracting Officer). For Missions with only one CO, the RO is the Deputy Mission Director or other officer to whom the CO reports. For the Bureau for Management, Office of Acquisition and Assistance (M/OAA) Operations, if an M/OAA Division Chief is the administering CO, then the Deputy Director for USAID/W

Operations is the RO. For other USAID/W awards, the CO's direct supervisor will be the RO.

2.7 Supervisory Contracting Officers (SCOs)

The SCO of each contracting activity, in regard to contractor past performance, is responsible for:

1. Monitoring the timely completion of past performance reports and report integrity (e.g., quality of reports) by periodically reviewing rating metrics, and both system-generated and M/OAA/Cost and Audit Support (CAS)-provided reports, for all awards under their supervision. The SCO may establish a process to monitor and improve the quality of all evaluations.
2. Systematically monitoring actions at the pre-award stage for use of past performance information when selecting contractors and ensuring adequate file documentation.
3. Selecting and nominating past performance Focal Point(s) to the super Focal Point. When the individual separates or transfers, the SCO must ensure that another individual is assigned the Focal Point responsibilities.

SECTION 3. Accessing the Contractor Performance Assessment Reporting System and Other Administrative Guidance

3.1 Obtaining Access to CPARS

COs and CORs who require access to CPARS may submit their request to **ppformance@usaid.gov**.

If the procurement official who requires CPARS access is a PSC, the PSC and PSC's cognizant CO must sign a nondisclosure agreement (**[AID Form 302-1, Non-Disclosure Agreement for USAID Personal Services Contractors](#)**) [for Internal USAID use only] and submit it electronically to the Past Performance Coordinator. The CO's signature indicates endorsement of the PSC's access to the systems. The PSC must email the signed form to **ppformance@usaid.gov**. The cognizant CO must file the signed form in the PSC contract file after submission. The cognizant PSC CO must also notify the Past Performance Coordinator of any applicable PSC contract term extensions to maintain the PSC's access beyond the expiration date listed on the nondisclosure form. U.S. Direct-Hire (USDH) personnel do not need to complete this form.

3.2 Training Requirements

All participants of the contractor performance evaluation process must complete the required training to understand the CPARS reporting requirements. The training is role specific and available online at **https://www.cpars.gov/lc_function.htm**.

In addition to CPARS-specific trainings, all participants in the acquisition process are encouraged to take other past performance courses, such as CLC 028, *Past Performance Information* course and CLC 106, *Contracting Officer's Representative with a Mission Focus* course, FAC 079 Pa. Acquisition professionals and CORs should also visit Defense Acquisition University's (DAU) website at <http://www.dau.edu> for other training courses related to past performance information.

SECTION 4. Evaluation and Use of Contractor Past Performance and Integrity Information (CPII)

Prior to awarding a contract (including a task/delivery order under a multiple-award IDIQ (see [FAR 16.505\(b\)](#)) anticipated to exceed the simplified acquisition threshold, the CO must consider contractor performance information in the following circumstances:

- During source selection.
- During the responsibility determination.

4.1 Source Selection (FAR Subpart 15.3)

FAR Subpart 15.3 requires COs to consider contractor past performance information, as a separate (stand-alone) evaluation criterion, in all source selections for negotiated competitive acquisitions expected to exceed the simplified acquisition threshold. The solicitation must also describe the methodology for evaluating past performance, including the evaluation of similar work for state, local, and foreign governments, commercial contracts, and subcontracts of similar size, scope, and complexity. COs must assign the comparative evaluation factor, for contractor performance information, sufficient weight to make it a significant element in distinguishing between the offerors and the outcome of the selection. The expected weight range or relative importance of the past performance criterion should be 20-30 percent of the total non-cost evaluation criteria.

Further, as described in OFPP memorandum dated July 10, 2014 entitled "[Making Better Use of Contractor Performance Information](#)", evaluators must perform additional research and outreach when assessing contractor performance information for complex information technology (IT) development, systems, and services exceeding \$500,000 and high-risk contracts and orders. The memorandum provides a definition of high-risk contracts and details on additional research and outreach steps.

4.1.1 Obtaining Contractor Past Performance Information From CPARS

When proposals are received, the CO identifies an individual involved in the source selection process to obtain the past performance information and provides it to the technical evaluation committee (TEC). This individual, referred to below as the procurement official, may be the contract specialist or a person on the TEC designated by the CO to perform this function, or the CO may choose to retain the responsibility.

The procurement official must attempt to obtain past performance information for an offeror's contracts by searching CPARS, the primary source for contractor performance information for U.S. Government contractors. The procurement official must file any evaluation(s) obtained from CPARS in ASIST as source selection documentation. Note: to search for evaluations of contractors excepted from registration in the System for Award Management (SAM) and not assigned unique **entity identifiers**, the CO or designated individual should search CPARS by contractor name or contract number.

If the procurement official does not have access to CPARS, the CO must request an account from the USAID Past Performance Coordinator at **ppperformance@usaid.gov**. The Past Performance Coordinator will provide instructions for navigating the CPARS website (<https://www.cpars.gov/index.htm>). TEC members may be granted access at the CO's discretion. When applicable, the COs can stipulate if a TEC member should be provided with a restricted system access. This is typically the case when there is no expectation that the individual will participate in the source selection process under other awards in the near future.

If the procurement official who requires CPARS access is a PSC, see **Section 3.1**.

4.1.2 Evaluating Contractor Past Performance Information

In most cases the TEC will find related contractor performance information for each offeror and therefore will not need to assign the neutral rating. Guidance on evaluating contractor performance information is available in the **[Contractor Performance Information template](#)** and is only available to Agency staff on the intranet.

4.1.3 Monitoring the Use of Contractor Past Performance Information in Source Selection

As part of its procurement reviews, M/OAA's Evaluation Division (M/OAA/E) will maintain appropriate oversight through evaluation of pre-award contract files. To accomplish this, the team will review selected best value awards exceeding simplified acquisitions for evidence of use of past performance information in source selection or justification for not using past performance and proper documentation in the TEC memo and negotiation memo. When repetitive issues are identified, they will be brought to the attention of the SCO (or other supervisor). The Contracting Activity must then develop a corrective action plan. This plan may include establishing procedures for systematic and targeted monitoring at the pre-solicitation state, use of checklists, and additional training of staff.

4.2 Responsibility Determination (FAR Subpart 9.1)

FAR Subpart 9.1 prescribes policies, standards, and procedures for determining whether prospective contractors and subcontractors are responsible. The subpart requires COs to consider the information in the **[Federal Awardee Performance and](#)**

[Integrity Information System \(FAPIS\)](#) and other past performance information (see [Subpart 42.15](#)) when making these determinations.

4.2.1 Contractor Integrity Information in Determining Responsibility

For awards above the simplified acquisition threshold, COs must use the information available through CPARS to support determining the responsibility of a prospective contractor. Particular attention should be given to any information concerning the offeror in Federal Awardee Performance and Integrity Information System (FAPIS) (available through CPARS at <https://www.cpars.gov>). COs must use sound business judgement when determining weight and relevance of the information in FAPIS and how it relates to the new award.

To comply with the requirements in [FAR 9.1](#), COs may document the complete determination of responsibility in the negotiation memorandum or summarize the determination in the memorandum and identify where in the pre-award file the determination is retained. When applicable, the contract file must provide sufficient information to explain how the information in FAPIS was considered and what actions were taken as a result.

4.2.2 Obtaining Contractor Integrity Information from Other Sources

If the CO determines that CPARS does not contain sufficient data for the purpose of adequate evaluation, the CO has broad discretion to consider or authorize consideration of contractor integrity information from other sources deemed relevant and reliable. They may include but are not limited to: business references named in the offeror's proposal; commercial databases such as Dun and Bradstreet, Standard and Poors, et al.; other sources available to the government, including the FAPIS, the Electronic Subcontract Reporting System (eSRS), or other databases.

SECTION 5. Contractor Performance Assessment Reporting (CPAR)

5.1 FAR Subpart 42.15 Contractor Performance Information

As required in [FAR Subpart 42.15](#), USAID must evaluate contractor performance using CPARS. When evaluating contractor performance information, COs and CORs must follow the guidance provided by CPARS, especially [Guidance for the Contractor Performance Assessment Reporting System \(CPARS\)](#) found on the [CPARS website](#).

[AIDAR Subpart 742.15](#) exempts personal services contracts and FAR Subpart 42.15 exempts contracts awarded under FAR Subpart 8.7, Acquisition from Nonprofit Agencies Employing People Who Are Blind or Severely Disabled (AbilityOne Program), from the requirements for conducting these assessments. Therefore, CPARS are not required in these cases.

5.2 CPARS Quality Reviews

Each Contracting Activity must closely monitor the integrity (e.g., quality) and timeliness of contractor performance assessments. As part of its procurement review process, M/OAA/E will also examine the timeliness and integrity of the CPARS submittals by reviewing the award files for evidence of timely CPARS reporting. M/OAA/E will report the findings to the Supervisory CO. When necessary, the Contracting Activity will develop corrective action plans to address any delinquent or deficient past performance reports.

For awards requiring a Justification and Approval (J&A), where a proposed action triggers the competition requirements, the Agency Competition Advocate will also verify CPARS assessments before clearing on the J&A.

5.3 CPARS File Documentation

Upon completion of each past performance evaluation, the Assessing Official must retain a copy of the completed evaluation, contractor response, and any review comments in the official award file in ASIST. A CPAR Evaluation Tool has been developed to facilitate timely, accurate, detailed, and complete contractor performance evaluations. The CPAR Evaluation Tool is non-mandatory and serves as a guide to prepare a CPAR evaluation outside of the CPARS System. Use of the tool does not relieve the Assessing Official Representative and Assessing Official from completing the official evaluation within CPARS.

5.4 Assessments of Multi-year Contracts

For multi-year contracts where the information on the contractor's performance for the previous year(s) is not available (or where there is a gap between an earlier assessment that has been completed and the most recent period of performance requiring an assessment), the Assessing Official Representative must determine that no substantive notes were left or entered into the system. The representative must then make one attempt to contact the former Assessing Official and Assessing Official Representative to obtain the necessary information. If the former Assessing Official or Assessing Official Representative declines to assist or does not respond, the current Assessing Official Representative must perform a CPARS assessment for the current period of performance, explaining the absence of previous assessments in the "Assessor" tab. To accomplish this, the individual initiating the assessment must manually enter the period of performance being evaluated and, if necessary, contact ppformance@usaid.gov for system support. A single assessment covering multiple periods of performance should be avoided, but may be approved by the Agency Past Performance Coordinator on a case-by-case basis.

5.5 Assessments of Expired Awards

For completed awards that have not passed the CPARS 3-year expiration date, where the information on the contractor's performance for the previous year(s) is not available, the Assessing Official, or another individual as designated by the Assessing Official, must make one attempt to contact the former Assessing Official and Assessing Official Representative to obtain the necessary information. If the former Assessing Official or Assessing Official Representative declines to assist or does not respond, the current Assessing Official must use the "administrative evaluation" as described in the CPARS Guidance document, rate the management evaluation as "Satisfactory," and provide the following suggested rationale for issuing an administrative report in the Assessing Official's narrative:

"The available factual information on the contractor's performance is insufficient to produce a reliable quality assessment. Please concur with this conclusion and return this report to the Assessing Official for closure."

The Assessing Official must route the report through the normal CPARS workflow. If the contractor does not provide concurrence, the assessment is automatically forwarded to the RO for consideration and closure.

5.6 FAPIIS

Separate from CPARS requirements above, the FAR requires the CO to report contractor data in FAPIIS within three calendar days after a CO:

1. Issues a final determination that a contractor has submitted defective cost or pricing data, or makes a subsequent change to this determination;
2. Issues a final termination for cause or default notice or makes a subsequent withdrawal or conversion to termination for convenience;
3. Makes a non-responsibility determination; or
4. Receives a final determination regarding substantiated allegations of trafficking in persons-related violations.

Immediately upon entering the information into FAPIIS, the CO must also transmit copies of all relevant documents to the Bureau for Management, Office of Management Policy, Budget, and Performance, Compliance Division (M/MPBP/COMP) via **compliance@usaid.gov**, including a brief explanation of the actions taken and the date the information was posted in FAPIIS.

The workflow process for entering the above documents into FAPIIS is specified in the [Contractor Performance Assessment Reporting System \(CPARS\) User Manual](#).

COs must contact the USAID Past Performance Coordinator at ppformance@usaid.gov to request access to the FAPIIS input module.

5.7 USAID Specific Reports

In addition to the CPAR system-available resources, M/OAA/Systems Support and GLAAS (SSG) generates the following reports. The reports not only assist contracting activities in tracking CPARS reporting progress, but also help raise the awareness of the Agency's Senior Leaders and management of agency high profile acquisitions.

1. An online report detailing delinquent contractor performance evaluations. This monthly report is based on all contract actions available for assessment in CPARS, cross-walked with both GLAAS and CPARS databases. The report is shared with the M/OAA Director; the Deputy Director, Washington Operations; the Deputy Director, Foreign Operations; M/OAA Washington Division Chiefs; Supervisory COs; COs; and focal points. The report is also available online via the Enterprise Reporting Portal ([CPARS Universal Report](#)).
2. A list of the annual past performance assessments of the contractors performing on the Agency's highest risk, complex projects is shared with Assistant Administrators, the Chief Information Officer, the Chief Financial Officer, the Senior Procurement Executive, Division Chiefs for M/OAA and Mission Directors.

5.8 CO/COR Transfer or Separation

When the CO or COR responsibilities are transferred to another individual, depending upon where in the performance reporting cycle the report falls, the CO/COR must either initiate or complete a CPARS report for the current reporting period to ensure that feedback on a contractor's performance is properly captured and considered. The departing CO/COR, or another individual, as specified below, must adhere to the following procedures:

1. To the extent possible, the departing COR must notify M/OAA/CAS at ppformance@usaid.gov of their separation date 30 days in advance. To keep others informed, the COR should copy the CO and the Bureau for Management, Office of the Chief Financial Officer (M/CFO) or the Mission Controller on the message.
2. Prior to the departure, the COR must initiate or complete an evaluation for the current reporting period or provide up-to-date substantive pre-assessment notes in CPARS for awards that have advanced at least three months into the reporting cycle. A departing CO must provide the COR with, and leave in the contract file, the detailed notes on any critical contractor performance information that must be included in an upcoming assessment.

3. The departing COR's supervisor must notify M/OAA/CAS at **ppformance@usaid.gov** of the COR's replacement prior to the departure. To ensure the system roles are kept updated, the individual must copy their CPARS Focal Point on the message. When there is a gap in COR designation, the alternate COR is responsible for all CPARS assessments until a new COR is designated.
4. Washington-based COs and CORs must submit the Exit Clearance Form to M/OAA/CAS at **ppformance@usaid.gov** as soon as possible and prior to the scheduled departure/separation, identifying the contract Task Order/Delivery Order (TO/DO) number and the contractor's name for all awards where the individual is performing the CO/COR functions. For CORs, the request should include confirmation from the newly-designated COR (or the alternate COR) that the award file, including any documentation of contractor's performance, was transferred to their possession. COs must identify their replacement in the clearance request. The Past Performance Coordinator will provide electronic exit clearance and, in case of separation, rescind the individual's CPARS access. In Missions, the Focal Point signs off on the Mission Departure Checklist, confirming completion of all applicable assessments and, in case of the CO/COR's separation, rescinds the separating individual's access to CPARS and contacts the Past Performance Coordinator at **ppformance@usaid.gov** to ensure that access is rescinded.
5. The replacement CO/COR must ensure the transfer of responsibilities is reflected in CPARS.

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