

U.S. General Services Administration



Contract Closeout Quick Reference Guide

Timely contract closeout process has been identified as a government-wide issue. A 2017 GAO report <u>(Federal Contracting, Additional Management Attention and Action Needed to Close Contracts and Reduce Audit</u> <u>Backlog</u>), identified opportunities for agencies to resolve contract close challenges. Below are quick references to assist agencies with contract closeout.

Contract Closeout - Why it's Important

A Contract Closeout occurs when a contract has met all the terms of a contract and all administrative actions have been completed, all disputes settled, and final payment has been made. This includes those administrative actions that are contractually required; i.e. property, security, patents and royalties. Timely and proper contract closeout:

- Ensures all invoices are paid
- Reduces the burden on industry
- Mitigates risking losing funds to interest payments
- Ensure agencies remain compliant with the <u>Prompt Payment Act</u> (5 CFR Part 1315)
- Deobligates remaining funds
- Creates archived contract files in accordance with <u>FAR 4.805</u>
- Reduces the number of open contract files needing management

New Data Fields in FPDS-NG Addressing Contract Closeout

In October 2018, Federal Procurement Data Systems- Next Generation (FPDS-NG)released a system update to include three data fields specifically designed to capture closeout information. The data fields are:

- closed status
- close status date
- closed by

These data fields will facilitate more accurate data analysis and tracking of closeouts through FPDS-NG. Further information is captured in the FPDS-NG Government User's Manual, Version 1.5.

Contract Closeout Checklist

- Disposition of classified material is completed.
- Final patent report is cleared. If a patent report is required, the Contracting Officer may proceed with contract closeout in accordance with the following procedures, or as otherwise prescribed by agency procedures.
- □ Final patent reports should be cleared within 60 days of receipt.
- If the final patent report is not received, the Contracting Officer shall notify the Contractor of their obligations and the Government's rights under the applicable patent rights clause, in accordance with <u>27.303</u>. If the contractor fails to respond to this notification, the Contracting Officer may proceed with contract closeout upon consultation with the agency legal counsel responsible for patent matters regarding the contractor's failure to respond.
- □ Final royalty report is cleared.
- □ There is no outstanding value engineering change proposal.
- □ Plant clearance report is received.
- □ Property clearance is received.
- □ All interim or disallowed costs are settled;
- □ Price revision is completed;
- □ Subcontracts are settled by the prime contractor;
- Prior year indirect cost rates are settled;
- Termination docket is completed;
- Contract audit is completed;
- □ Contractor's closing statement is completed;
- □ Contractor's final invoice has been submitted.
- □ Contract funds review is completed and excess funds deobligated.

Free up your Workforce to Focus on Mission by Using AbilityOne or GSA Schedules	
AbilityOne Contract Closeout Services - A Mandatory Source (<u>FAR 8.002</u>)	GSA Professional Services Under the Multiple Award Schedule
 AbilityOne offers contract closeout services Priority on closeout services belongs to AbilityOne Agencies are strongly encouraged to review AbilityOne Contract Services webpage offerings For more information, review the AbilityOne <u>Contract</u> <u>Management Support Services webpage</u>. A consideration must be given prior to GSA in accordance with FAR 8.0002. 	 GSA's Multiple Award Schedule offers Acquisition Management Support Services that assist in contract administration support services including assistance with reviewing contractor performance, developing contract modifications, investigating reports of contract discrepancies, and contract closeout procedures. Acquisition Management Support is found under: Large Category: Professional Services Subcategory: Business Administration Services NAICS: 541611 (Administrative Management and General Management Consulting Services) Product Service Code: R707 As of October 2019, there are more than 400 contractors providing services related to Acquisition Management Support
	For data tracking purposes, it is recommended to use "Contract Closeout Services" in the description field of any FPDS entry of an award.

Procurement Considerations

- Inherently Governmental: Inherently Governmental services as identified in <u>FAR 7.503</u> are prohibited under GSA Schedules. It is the responsibility of the Contracting Officer placing the order to make this determination. Ordering activities must require prospective contractors to identify potential conflicts of interest and address those, prior to task order award.
- Statements of Work (SOW): Sample SOWs can be found on the <u>Acquisition Gateway</u> in the Document Library within <u>eBuy</u> <u>Open</u>.
- System Access: Determine how files will be shared and requirements for system database access for contractors.
- **Background Investigations**: Determine physical facility access and network access requirements. Conduct risk analysis and follow agency specific requirements for background investigations.
- **Contract Audits:** When closing out a cost- reimbursable contract, you can seek additional assistance on performing <u>Contract</u> <u>Audits</u> through GSA Schedules.

Contract Closeout Regulations

The procedures for contract closeout are located in Federal Acquisition Regulation (FAR) 4.804-5.

Contracts using simplified acquisition procedures should be considered closed when the Contracting Officer receives evidence of receipt of property and final payment, unless otherwise specified by agency regulations. Time standards for closing out contract files are found in <u>FAR</u> <u>4.804</u>

Quick closeout procedures (see <u>FAR 42.708</u>) should be used, when appropriate, to reduce administrative costs and to enable deobligation of excess funds.

Timeframes	MOCAS Codes and Contract Types
6 Months	J FIRM FIXED PRICE
36 Months	L FIXED PRICE INCENTIVE
	R COST-PLUS AWARD FEE
	S COST CONTRACT
	T COST SHARING
	U COST-PLUS-FIXED-FEE
	V COST PLUS INCENTIVE FEE
	Y TIME AND MATERIALS
	Z LABOR HOUR
20 Months	A FIXED PRICE REDETERMINATION
	K FIXED PRICE W/ECONOMIC PRICE ADJUSTMENT
	0 OTHER – BASIC ORDERING AGREEMENT/BLANKET
	PURCHASE AGREEMENT (BOA/BPA)

For general assistance in evaluating contract closeout alternatives, please email professionalservices@gsa.gov