

Report, and the SF 281, Federal Procurement Data System (FPDS)—Summary Contract Action Report (\$25,000 or Less).

Item IV—Increased Federal Prison Industries, Inc. Waiver Threshold (FAR Case 2003–001)

The interim rule published as Item V of FAC 2001–014 is adopted as final without change. The interim rule amended the FAR to increase the Federal Prison Industries, Inc.'s (FPI) clearance exception threshold at FAR 8.606(e) from \$25 to \$2,500, and deleted the criterion that delivery is required within 10 days. Federal agencies are not required to make purchases from FPI of products on FPI's Schedule that are at or below this threshold. Federal agencies, however, may continue to consider and purchase products from FPI that are at or below \$2,500.

Item V—Debarment and Suspension—Order Placement and Option Exercise (FAR Case 2002–010)

This final rule amends FAR part 9 to address the placement of orders under existing contracts and agreements with contractors that have been debarred, suspended, or proposed for debarment.

Item VI—Insurance and Pension Costs (FAR Case 2001–037)

This final rule amends the FAR to revise the Insurance and Indemnification cost principle (FAR 31.205–19), and the portion of the Compensation for Personal Services cost principle relating to pension costs (FAR 31.205–6(j)). The rule revises both cost principles by improving clarity and structure, and removing unnecessary and duplicative language. Changes to FAR 31.205–6(j) include: Use of terminology consistent with Cost Accounting Standard (CAS) 412, Measurement of Pension Costs, and CAS 413, Adjustment and Allocation of Pension Cost; how the Government receives pension cost adjustment amounts for CAS-covered and non-CAS-covered contracts; revision of the allowability limitation on employee stock ownership plan (ESOP) contributions; and removal of the requirement for the contracting officer to approve the ESOP contribution rate. Changes to FAR 31.205–19 include the elimination of the U.S. Treasury discount rate provision for computing actual losses. The case was initiated as a result of comments and recommendations received from industry and Government representatives during a series of public meetings. This rule is of particular interest to contractors and contracting

officers who use cost analysis to price contracts and modifications, and who determine or negotiate reasonable costs in accordance with a clause of a contract, e.g., price revision of fixed-price incentive contracts, terminated contracts, or indirect cost rates.

Item VII—Debriefing—Competitive Acquisition (FAR Case 2002–014)

This rule amends the FAR to include requirements for debriefing unsuccessful offerors under competitive proposals, as required by Sections 1014 and 1064 of the Federal Acquisition Streamlining Act of 1994, as amended, 10 U.S.C. 2305(b) and 41 U.S.C. 253b, respectively. Specifically, 10 U.S.C. 2305(b)(5)(D) and 41 U.S.C. 253b(e)(4) requires each solicitation for competitive proposals to include a statement that prescribes minimal information that shall be disclosed in postaward debriefings. This rule also amends FAR 52.212–1 and 52.215–1 to implement the statutory requirements, and the past performance debriefing requirement at FAR 15.506(d)(2), by listing all the prescribed minimal information that shall be disclosed in postaward debriefings.

Item VIII—Technical Amendments

This amendment makes editorial changes at FAR 1.201–1(b)(1); 6.302–7(c)(1)(i); 13.500(d); 25.701(b); 52.204–7, Alternate I; 52.211–2(a) and (b); and 52.225–13(b).

Dated: December 4, 2003.

Laura Auletta,

Director, Acquisition Policy Division.

Federal Acquisition Circular

Federal Acquisition Circular (FAC) 2001–18 is issued under the authority of the Secretary of Defense, the Administrator of General Services, and the Administrator for the National Aeronautics and Space Administration.

Unless otherwise specified, all Federal Acquisition Regulation (FAR) and other directive material contained in FAC 2001–18 are effective January 12, 2004, except for Items III, IV, and VIII which are effective December 11, 2003.

Dated: December 1, 2003.

Domenic C. Cipicchio,

Acting Director, Defense Procurement and Acquisition Policy.

Dated: December 1, 2003.

Joseph A. Neurauter,

Acting Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration.

Dated: November 24, 2003.

Tom Leudtke,

Assistant Administrator for Procurement, National Aeronautics and Space Administration.

[FR Doc. 03–30471 Filed 12–10–03; 8:45 am]

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1, 36, and 53

[FAC 2001–18; FAR Case 2000–608; Item I]

RIN 9000–AJ15

Federal Acquisition Regulation; New Consolidated Form for Selection of Architect-Engine Contractors

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) have agreed on a final rule amending the Federal Acquisition Regulation (FAR) to replace Standard Form (SF) 254, Architect-Engine and Related Services Questionnaire, and SF 255, Architect-Engine and Related Services Questionnaire for Specific Projects, with SF 330, Architect-Engineer Qualifications. The SF 330 reflects current architect-engineer practices in a streamlined and updated format, and is organized into data blocks that readily support automation.

DATES: Effective Date: January 12, 2004.

Applicability Date: The policies and the SF 330, Architect-Engineer Qualifications, of this final rule apply for all agencies and their solicitations issued on or after January 12, 2004. However, agencies may delay implementation of this final rule until June 8, 2004, at which time it becomes mandatory for all agencies and their solicitations issued on or after that date.

FOR FURTHER INFORMATION CONTACT: The FAR Secretariat, Room 4035, GS Building, Washington, DC 20405, (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Ms. Cecelia Davis, Procurement Analyst, at (202) 219-0202. Please cite FAC 2001-18, FAR case 2000-608.

SUPPLEMENTARY INFORMATION:

A. Background

An interagency ad hoc committee developed the SF 330. It was based on the results of a joint Federal-industry survey of the existing Standard Forms (SFs) 254 and 255 conducted by the Standing Committee on Procurement and Contracting of the Federal Facilities Council (FCC) in 1995 and published in 1996 as FCC Report Number 130, entitled "Survey on the Use of Standard Forms 254 and 255 for Architect-Engineer Qualifications." The survey's purpose was to evaluate the current use of the forms which are used for the submission of qualifications by architect-engineer (A-E) firms interested in Federal contracts, and to identify possible improvements which would enable the existing forms to better serve the needs of Federal agencies and the A-E industry. The SFs 254 and 255 have changed little since their introduction in 1975, although the variety of A-E services has greatly expanded and new technologies have dramatically changed the way A-E firms do business. The report states that Federal agencies and A-E industry overwhelmingly support a structured format for submitting A-E qualifications, because the structured format saves time and effort and allows efficient and consistent evaluations. It also recommends many specific changes to the existing forms to enhance their effectiveness and simplify their use. Both Federal and A-E industry practitioners believe that the forms need streamlining as well as updating to facilitate electronic usage. The objectives of the SF 330 are to merge the SFs 254 and 255 into a single streamlined form, expand essential information about qualifications and experience, reflect current architect-engineer disciplines, experience types and technology, eliminate information of marginal value, permit limitations on submission length, and facilitate electronic usage. On October 19, 2001, a proposed FAR rule for a new Architect-Engineer Qualifications form was published in the **Federal Register** (66 FR 53314). The final rule replaces SFs 254 and 255 with SF 330, and makes related FAR revisions in 1.106,

36.603, 36.702, 53.236-2, 53.301-254, 53.301-255, and 53.301-330. SF 330 may be used beginning on January 12, 2004. However, until June 8, 2004, agencies may authorize the continued use of SFs 254 and 255 instead.

1. *Extension of Comment Period.* The FAR Council published this FAR case as a proposed rule in the **Federal Register** on October 19, 2001 (66 FR 53314), and later published an extension on December 20, 2001 (66 FR 65792). This extended the comment period from December 18, 2001, to January 8, 2002. One hundred and ten public comments were received from industry and Federal Government agencies.

2. *Summary of Public Comments.*

A. *General Comments:*

Comment: The new form for A-E qualifications is not necessary.

Response: SFs 254 and 255 were issued in 1975 and have changed little. However, there have been significant changes in the A-E industry since then, such as new technologies, changes in codes and standards, and new laws and regulations. Also, there have been substantial changes in Government contracting processes and agencies' requirements. The SF 330 reflects these changes and provides a more streamlined presentation of essential information required by agencies for selecting A-E firms.

Comment: Significant effort will be required to convert existing databases that have been developed for use with SFs 254 and 255, especially converting the profile codes.

Response: The SF 330 utilizes much of the same information as the SFs 254 and 255, which should minimize the effort required to convert existing databases for use with the new form. All of the existing experience categories that appear on the SF 254 have been retained (although a new alphanumeric system is used for the profile codes), and new experience categories have been added to reflect industry changes since the forms were first developed in 1975. Hence, firms do not have to change the current experience categories for example projects in their databases. Commercial software products for preparing the SF 330 should allow for easy conversion of the existing numeric profile codes to the new alphanumeric profile codes. The change to an alphanumeric code system allows for future profile code additions with minimal changes to the form.

Comment: The SF 330 overemphasizes branch offices, which will increase the cost of submissions and is not relevant for a large firm with a matrix organization.

Response: The A-E selection process is focused on the specific team proposed for the contract. Although a firm may have many branch offices, a specific office is typically assigned the lead role for the work, with possible support from one or more other offices. A Government A-E selection board is mainly concerned with the qualifications of the branch offices designated to perform the work, and not the entire firm. The form and instructions were changed to only require information on the branch offices having a key role in the contract, not all offices.

Comment: The SF 330 does not work well for indefinite delivery contracts (IDCs).

Response: The SF 330 requires submission of essentially the same information as SFs 254 and 255, and can be adapted for use with IDCs in the same manner as SFs 254 and 255. In fact, the language of the SF 330 emphasizes "contracts" instead of "projects" to reflect the Federal Government's current use of IDCs instead of project-specific contracts.

Comment: What is the implementation schedule for the SF 330?

Response: The SF 330 is effective January 12, 2004. However, the Councils have recommended that agencies may delay implementation of the SF 330 until June 8, 2004, at which time it becomes mandatory for all agencies and their solicitations issued on or after that date.

Comment: Can the SF 330 be expanded?

Response: The SF 330 can be expanded in the same manner as the SFs 254 and 255. Data elements have been realigned on the final form to allow vertical expansion and contraction, depending upon the amount of information inserted. Additional sheets can be attached to certain sections.

Comment: The page numbering system is burdensome and confusing.

Response: We eliminated the requirement for insertion of page numbers on the completed form.

Comment: Will the SF 330 be available electronically and in what format?

Response: The SF 330 will be posted electronically on the General Services Administration forms website in a screen-fillable format, Adobe Acrobat Portable Document Format, and possibly other formats. Also, commercial vendors will develop customized software products for preparation of the SF 330, similar to those currently available for the SFs 254

and 255. Individual agencies will specify if electronic submission is required and the specific format to use.

B. Comments on Part I:

Comment: The SF 330 overemphasizes the importance of previous relationships and teams, and discourages new firms and teams.

Response: The Brooks A-E Act requires that A-E firms be selected "on the basis of demonstrated competence." Hence, the proven competence of project teams is an important consideration in selecting A-E firms, which is reflected in the information on previous teaming arrangements required on the SF 330. On each contract submission, an A-E firm must decide whether to team with previous partners and subcontractors or to make new alliances.

Comment: The requirement for organizational "flowchart" in Section D is unclear and will be burdensome to show all branch offices.

Response: We have clarified the instructions to require an organizational chart of the proposed team showing the names and roles of all key personnel listed in Section E and the firms they are associated with, as listed in Section C. Also, only those branch offices having a key role in the contract need to be shown, not every office involved.

Comment: Revise Section E to allow more than 5 relevant projects for each key person.

Response: We disagree. Five projects are sufficient to demonstrate that a person has experience in the required type of work. The SF 330 actually provides more space for the experience of key persons than the SF 255.

Comment: Need instructions on the number, size, type, labeling, attachment and page numbering of photos for Section E (Resumes of Key Personnel Proposed for This Contract) and Section F.

Response: The Councils have deleted the instructions and check boxes for photos. If an agency requires photos, it will provide specific submission instructions.

Comment: What happens if a firm has less than 10 example projects to present in Section F?

Response: The requirement for 10 projects is the same as on the SF 255. A firm should present as many relevant projects as it can, up to a total of ten.

Comment: Clarify owner versus client in Section F. The user may be a better point of contact.

Response: The term "project owner" was used on the SF 255 and is used in the same manner on the SF 330. As defined in the instructions, the project owner is the agency, installation,

institution, corporation or private individual for whom the project was performed. The client may or may not be the project owner, depending on what organization awarded and managed the A-E contract. The point of contact may be a person associated with the project owner or the organization that contracted for the professional services, as long as the person is familiar with the project and the A-E firm's performance on that project.

Comment: The request for fee information on past projects in Section F violates the Brooks A-E Act on using price in A-E selections.

Response: We have eliminated the requirement for fee information on past projects.

Comment: The matrix in Section G, Key Personnel Participation in Example Projects, is redundant with other information on the SF 330.

Response: The matrix does include the names of the key personnel and their proposed roles from Section E and the titles of the example projects from Section F. But, repetition of this information is necessary to clearly portray which personnel have worked together before on the example projects, which is only partially shown in Section E and Section F. Also, Section E provides space for five relevant projects for each key person, which may or may not be any of the ten example projects for the team in Section F.

Comment: Is there a page limit on Section H—Additional Information? Can photos and graphics be included?

Response: Individual agencies may impose page limitations on the overall SF 330 and/or Section H. Photos and graphics may be inserted in Section H if they are requested by the agency.

C. Comments on Part II:

Comment: Will the Architect-Engineer Contract Administration Support System (ACASS) be changed to reflect the SF 330?

Response: Yes. ACASS, which is DoD-wide database maintained by the Portland, Oregon, District of the U.S. Army Corps of Engineers, will be changed to accommodate the SF 330, Part II, instead of the SF 254.

Comment: How are unlisted disciplines added to block 9—Employees by Discipline?

Response: The instructions indicate that any additional unlisted disciplines should be written in under column 9.b and the function code left blank. This is similar to the write-in procedure for the SF 254.

Comment: Many specific additional disciplines should be added to the List of Disciplines (Function Codes) in the instructions.

Response: Thirty commenters recommended specific additions, deletions and/or changes in the listed disciplines. Generally, we have added, deleted, and changed disciplines if suggested by three or more commenters. Specifically, we added the following disciplines: aerial photographer, archeologist, computer programmer, materials handling engineer, geographic information system specialist, hydraulic engineer, hydrographic surveyor, land surveyor, photogrammetrist, remote sensing specialist, sanitary engineer, water resources engineer, and photo interpreter. We deleted topographic surveyor, draftsman, geospatial information systems, and information systems engineer. We changed specification engineer to specifications writer, and separated electrical/electronics engineer into separate disciplines.

Comment: Firms need to be able to expand block 9 to allow for more than 20 disciplines.

Response: We disagree. The principal competencies and expertise of a firm, which is the focus of the Brooks A-E Act, can typically be covered by its 20 most prevalent disciplines.

Comment: How are unlisted profile codes added to block 10 (Profile of Firm's Experience and Annual Average Revenue for the Last 5 Years)?

Response: The instructions indicate that any additional unlisted relevant experience categories should be written in under column 10.b and the profile codes left blank. This is similar to the write-in procedure for the SF 254.

Comment: Many specific additional experience categories (profile codes) should be added to the List of Experience Categories (Profile Codes) in the instructions.

Response: We revised the experience categories of many profile codes so that they exactly matched all of the existing profile code experience categories on the SF 254, minimizing the conversion of existing project databases to the new form. Twenty-one commenters recommended specific additions, deletions, and/or changes in the listed profile code experience categories. We added and changed the profile code experience categories if suggested by two or more commenters. Specifically, we added the following profile code experience categories: Aerial Photography, Airborne Data and Imagery Collection and Analysis; Anti-Terrorism/Force Protection; Cartography; Charting; Nautical and Aeronautical; Digital Elevation and Terrain Model Development; Digital Orthophotography; Environmental and Natural Resource Mapping;

Environmental Planning; Geodetic Surveying; Ground and Airborne; Geospatial Data Conversion; Scanning, Digitizing, Compilation, Attributing, Scribing, Drafting; Intelligent Transportation Systems; Mapping Location/Addressing Systems; Navigation Structures and Locks; and Remote Sensing. Finally, we changed the following profile code experience categories: Aerial Photogrammetry to Photogrammetry; Design-Build to Design-Build—Preparation of Requests for Proposals; Geographic Information System Development/Analysis to Geographic Information System Services: Development, Analysis, and Data Collection; Land Boundary Surveying to Land Surveying; and Topographic Mapping to Topographic Surveying and Mapping.

Comment: Firms need to be able to expand block 10 to allow for more than 20 profile codes.

Response: We disagree. The principal competencies and expertise of a firm, which is the focus of the Brooks A–E Act, can typically be covered by its 20 most prevalent profile codes.

Comment: Are individual projects illustrating each profile code listed in block 10?

Response: No. The profile code description is inserted in column 10.b. Specific example projects are not required in Part II, although they were required in the SF 254 to illustrate each profile code.

Comment: Block 10—Profile of Firm's Experience, requires data for 5 years, but block 11—Annual Average Professional Services Revenues, requires data for 3 years. The same time period should be used for both blocks.

Response: We disagree. There is no reason that the time periods for these blocks must be the same. The 3-year period for revenues in block 11 was selected to be compatible with the same period used for measuring the revenues of small businesses. A 3-year basis for computing average revenues is sufficient to determine the annual workload capacity of a firm. On the other hand, 3 years is not long enough to characterize the type of work a firm does, especially since the design phase of some large projects can last 2 to 3 years. Therefore, 5 years was selected for block 10.

Comment: Include example projects in Part II as were included in the SF 254.

Response: We disagree. Selection boards rarely refer to the example projects in block 11 of the SF 254. Instead, selection boards focus on the example relevant projects in block 8 of

the SF 255, which corresponds with Section F of SF 330, Part I.

This is not a significant regulatory action and, therefore, not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

B. Regulatory Flexibility Act

The Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration certify that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because this final rule does not change the current policy on how architect-engineer contracts are awarded or administered. This change deals directly with the information collection questionnaire, which is a paperwork change. This SF 330 provides a more streamlined format that reflects the current architect-engineer practices and eliminates requesting unnecessary information as requested by the current SFs 254 and 255.

Overall, the SF 330 will request less information than the SFs 254 and 255 and will take no longer to complete than the SFs 254 and 255. There was a comment period and no comments were received from small businesses complaining of any additional burden to them as a result of the SF 330.

C. Paperwork Reduction Act

The Paperwork Reduction Act (Pub. L. 104–13) applies because the final rule contains information collection requirements. The final rule replaces the current SF 254, Architect-Engineer and Related Services Questionnaire, and the current SF 255, Architect-Engineer and Related Services Questionnaire for Specific Project, with a new SF 330, Architect-Engineer Qualifications. The current SF 254 approved information collection requirement states that it takes 1 hour to complete; and the current SF 255 approved information collection requirement states that it takes 1 hour to complete. Experience has shown that these hours are substantially underestimated. The SF 330, Architect-Engineer Qualifications, has been developed by an interagency ad hoc committee, based on Federal Facilities (FCC) Council Technical Report No. 130, "Joint Federal-Industry Survey on the use of SFs 254 and 255 for Architect-Engineer Qualifications," 1996.

To respond to a public comment that the reporting burden for this SF 330 is significantly underestimated, we acknowledge that additional effort will be required initially for firms to become familiar with using the new SF 330. However, after the transition, the SF 330 should take no longer to complete than SFs 254 and 255. Overall, the SF 330 requires less information than SFs 254 and 255. The following information was deleted: duplication of data on number of personnel by discipline (SF 255, block 4 and SF 254, block 8); work currently being performed for Federal agencies (SF 255, block 9); list of all offices and number of personnel in each (SF 254, block 7); revenue information for each of last 5 years (SF 254, block 9); number of projects for each profile code (SF 254, block 10); and 30 example projects (SF 254, block 11). Also, the profile of a firm's project experience is expressed in ranges on the SF 330 instead of specific dollar amounts (SF 254, block 10). The following information was added in comparison to the SF 255: organization chart of proposed team, expanded information on the firm's example projects, and matrix of key personnel participation in example projects. However, firms typically provide much or all of this information now in project submissions. Hence, there is no meaningful burden over current practices. Accordingly, the new information collection requirement for SF 330 has been submitted to the Office of Management and Budget during the proposed rule stage and has received concurrence.

List of Subjects in 48 CFR Parts 1, 36, and 53

Government procurement.

Dated: December 4, 2003.

Laura Auletta,

Director, Acquisition Policy Division.

■ Therefore, DoD, GSA, and NASA amend 48 CFR parts 1, 36, and 53 as set forth below:

■ 1. The authority citation for 48 CFR parts 1, 36, and 53 is revised to read as follows:

Authority: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

PART 1—FEDERAL ACQUISITION REGULATIONS SYSTEM

1.106 [Amended]

■ 2. Amend section 1.106 in the table following the introductory paragraph by—

■ a. Removing from FAR segment 36.603 its corresponding OMB Control Number "9000–0004 and 9000–0005" and adding "9000–0157" in its place;

- b. Removing the FAR segments “SF 254” and “SF 255” and their corresponding OMB Control Numbers “9000–0004” and “9000–0005”, respectively; and
- c. Adding FAR segment “SF 330” and its corresponding OMB Control Number “9000–0157”.

PART 36—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

- 3. Amend section 36.603 by—
 - a. Revising paragraph (b);
 - b. Removing “SF’s 254 and 255” from the last sentence of the introductory text of paragraph (c) and adding “SF 330” in its place; and
 - c. Removing “254” from paragraph (d)(1) and adding “330, Part II” in its place; and in paragraph (d)(2) by removing “SF’s 254 and 255” and adding “SF 330, Part II,” in its place.
- The revised text reads as follows:

36.603 Collecting data on and appraising firms’ qualifications.

* * * * *

(b) *Qualifications data.* To be considered for architect-engineer contracts, a firm must file with the

appropriate office or board the Standard Form 330, “Architect-Engineer Qualifications,” Part II, and when applicable, SF 330, Part I.

* * * * *

- 4. Amend section 36.702 by revising paragraph (b) to read as follows:

36.702 Forms for use in contracting for architect-engineer services.

* * * * *

(b) The SF 330, Architect-Engineer Qualifications, shall be used to evaluate firms before awarding a contract for architect-engineer services:

(1) Use the SF 330, Part I—Contract-Specific Qualifications, to obtain information from an architect-engineer firm about its qualifications for a specific contract when the contract amount is expected to exceed the simplified acquisition threshold. Part I may be used when the contract amount is expected to be at or below the simplified acquisition threshold, if the contracting officer determines that its use is appropriate.

(2) Use the SF 330, Part II—General Qualifications, to obtain information

from an architect-engineer firm about its general professional qualifications.

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PART 53—FORMS

- 5. Amend section 53.236–2 by revising the section heading; removing paragraphs (b) and (c); redesignating paragraph (d) as paragraph (c); and adding a new paragraph (b) to read as follows:

53.236–2 Architect-engineer services (SF’s 252, 330, and 1421).

* * * * *

(b) *SF 330 (1/04), Architect-Engineer Qualifications.* SF 330 is prescribed for use in obtaining information from architect-engineer firms regarding their professional qualifications, as specified in 36.702(b)(1) and (b)(2).

* * * * *

- 6. Add section 53.301–330 to read as follows:

53.301–330 Architect-Engineer Qualifications.

BILLING CODE 6820–EP–P

ARCHITECT-ENGINEER QUALIFICATIONSOMB No.: 9000-0157
Expires: 12/31/2003

Public reporting burden for this collection of information is estimated to average a total of 29 hours per response (25 hours for Part 1 and 4 hours for Part 2), including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVA), Regulatory and Federal Assistance Publications Division, GSA, Washington, DC 20405.

PURPOSE

Federal agencies use this form to obtain information from architect-engineer (A-E) firms about their professional qualifications. Federal agencies select firms for A-E contracts on the basis of professional qualifications as required by the Brooks A-E Act (40 U.S.C. 1101 - 1104) and Part 36 of the Federal Acquisition Regulation (FAR).

The Brooks A-E Act requires the public announcement of requirements for A-E services (with some exceptions provided by other statutes), and the selection of at least three of the most highly qualified firms based on demonstrated competence and professional qualifications according to specific criteria published in the announcement. The Act then requires the negotiation of a contract at a fair and reasonable price starting first with the most highly qualified firm.

The information used to evaluate firms is from this form and other sources, including performance evaluations, any additional data requested by the agency, and interviews with the most highly qualified firms and their references.

GENERAL INSTRUCTIONS

Part I presents the qualifications for a specific contract.

Part II presents the general qualifications of a firm or a specific branch office of a firm. Part II has two uses:

1. An A-E firm may submit Part II to the appropriate central, regional or local office of each Federal agency to be kept on file. A public announcement is not required for certain contracts, and agencies may use Part II as a basis for selecting at least three of the most highly qualified firms for discussions prior to requesting submission of Part I. Firms are encouraged to update Part II on file with agency offices, as appropriate, according to FAR Part 36. If a firm has branch offices, submit a separate Part II for each branch office seeking work.

2. Prepare a separate Part II for each firm that will be part of the team proposed for a specific contract and submitted with Part I. If a firm has branch offices, submit a separate Part II for each branch office that has a key role on the team.

INDIVIDUAL AGENCY INSTRUCTIONS

Individual agencies may supplement these instructions. For example, they may limit the number of projects or number of

pages submitted in Part I in response to a public announcement for a particular project. Carefully comply with any agency instructions when preparing and submitting this form. Be as concise as possible and provide only the information requested by the agency.

DEFINITIONS

Architect-Engineer Services: Defined in FAR 2.101.

Branch Office: A geographically distinct place of business or subsidiary office of a firm that has a key role on the team.

Discipline: Primary technical capabilities of key personnel, as evidenced by academic degree, professional registration, certification, and/or extensive experience.

Firm: Defined in FAR 36.102.

Key Personnel: Individuals who will have major contract responsibilities and/or provide unusual or unique expertise.

SPECIFIC INSTRUCTIONS**Part I - Contract-Specific Qualifications****Section A. Contract Information.**

1. **Title and Location.** Enter the title and location of the contract for which this form is being submitted, exactly as shown in the public announcement or agency request.

2. **Public Notice Date.** Enter the posted date of the agency's notice on the Federal Business Opportunity website (FedBizOpps), other form of public announcement or agency request for this contract.

3. **Solicitation or Project Number.** Enter the agency's solicitation number and/or project number, if applicable, exactly as shown in the public announcement or agency request for this contract.

Section B. Architect-Engineer Point of Contact.

4-8. **Name, Title, Name of Firm, Telephone Number, Fax (Facsimile) Number and E-mail (Electronic Mail) Address.** Provide information for a representative of the prime contractor or joint venture that the agency can contact for additional information.

Section C. Proposed Team.

9-11. Firm Name, Address, and Role in This Contract. Provide the contractual relationship, name, full mailing address, and a brief description of the role of each firm that will be involved in performance of this contract. List the prime contractor or joint venture partners first. If a firm has branch offices, indicate each individual branch office that will have a key role on the team. The named subcontractors and outside associates or consultants must be used, and any change must be approved by the contracting officer. (See FAR Part 52 Clause "Subcontractors and Outside Associates and Consultants (Architect-Engineer Services)".) Attach an additional sheet in the same format as Section C if needed.

Section D. Organizational Chart of Proposed Team.

As an attachment after Section C, present an organizational chart of the proposed team showing the names and roles of all key personnel listed in Section E and the firm they are associated with as listed in Section C.

Section E. Resumes of Key Personnel Proposed for This Contract.

Complete this section for each key person who will participate in this contract. Group by firm, with personnel of the prime contractor or joint venture partner firms first. The following blocks must be completed for each resume:

12. Name. Self-explanatory.

13. Role in This Contract. Self-explanatory.

14. Years Experience. Total years of relevant experience (block 14a), and years of relevant experience with current firm, but not necessarily the same branch office (block 14b).

15. Firm Name and Location. Name, city and state of the firm where the person currently works, which must correspond with one of the firms (or branch office of a firm, if appropriate) listed in Section C.

16. Education. Provide information on the highest relevant academic degree(s) received. Indicate the area(s) of specialization for each degree.

17. Current Professional Registration. Provide information on current relevant professional registration(s) in a State or possession of the United States, Puerto Rico, or the District of Columbia according to FAR Part 36.

18. Other Professional Qualifications. Provide information on any other professional qualifications relating to this contract, such as education, professional registration, publications, organizational memberships, certifications, training, awards, and foreign language capabilities.

19. Relevant Projects. Provide information on up to five projects in which the person had a significant role that demonstrates the person's capability relevant to her/his proposed role in this contract. These projects do not necessarily have to be any of the projects presented in Section F for the project team if the person was not involved in any of those projects or the person worked on other projects that were more relevant than the team projects in Section F. Use the check box provided to indicate if the project was performed with any office of the current firm. If any of the professional services or construction projects are not complete, leave Year Completed blank and indicate the status in Brief Description and Specific Role (block (3)).

Section F. Example Projects Which Best Illustrate Proposed Team's Qualifications for This Contract.

Select projects where multiple team members worked together, if possible, that demonstrate the team's capability to perform work similar to that required for this contract. Complete one Section F for each project. Present ten projects, unless otherwise specified by the agency. Complete the following blocks for each project:

20. Example Project Key Number. Start with "1" for the first project and number consecutively.

21. Title and Location. Title and location of project or contract. For an indefinite delivery contract, the location is the geographic scope of the contract.

22. Year Completed. Enter the year completed of the professional services (such as planning, engineering study, design, or surveying), and/or the year completed of construction, if applicable. If any of the professional services or the construction projects are not complete, leave Year Completed blank and indicate the status in Brief Description of Project and Relevance to This Contract (block 24).

23a. Project Owner. Project owner or user, such as a government agency or installation, an institution, a corporation or private individual.

23b. Point of Contact Name. Provide name of a person associated with the project owner or the organization which contracted for the professional services, who is very familiar with the project and the firm's (or firms') performance.

23c. Point of Contract Telephone Number. Self-explanatory.

24. Brief Description of Project and Relevance to This Contract. Indicate scope, size, cost, principal elements and special features of the project. Discuss the relevance of the example project to this contract. Enter any other information requested by the agency for each example project.

25. Firms from Section C Involved with This Project. Indicate which firms (or branch offices, if appropriate) on the project team were involved in the example project, and their roles. List in the same order as Section C.

Section G. Key Personnel Participation in Example Projects.

This matrix is intended to graphically depict which key personnel identified in Section E worked on the example projects listed in Section F. Complete the following blocks (see example below).

26. and 27. Names of Key Personnel and Role in This Contract. List the names of the key personnel and their proposed roles in this contract in the same order as they appear in Section E.

28. Example Projects Listed in Section F. In the column under each project key number (see block 29) and for each key person, place an "X" under the project key number for participation in the same or similar role.

29. Example Projects Key. List the key numbers and titles of the example projects in the same order as they appear in Section F.

Section H. Additional Information.

30. Use this section to provide additional information specifically requested by the agency or to address selection criteria that are not covered by the information provided in Sections A-G.

Section I. Authorized Representative.

31. and 32. Signature of Authorized Representative and Date. An authorized representative of a joint venture or the prime contractor must sign and date the completed form. Signing attests that the information provided is current and factual, and that all firms on the proposed team agree to work on the project. Joint ventures selected for negotiations must make available a statement of participation by a principal of each member of the joint venture.

33. Name and Title. Self-explanatory.

SAMPLE ENTRIES FOR SECTION G (MATRIX)

| 26. NAMES OF KEY PERSONNEL (From Section E, Block 12) | 27. ROLE IN THIS CONTRACT (From Section E, Block 13) | 28. EXAMPLE PROJECTS LISTED IN SECTION F (Fill in "Example Projects Key" section below first, before completing table. Place "X" under project key number for participation in same or similar role.) | | | | | | | | | |
|--|---|--|---|---|---|---|---|---|---|---|----|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| Jane A. Smith | Chief Architect | X | | X | | | | | | | |
| Joseph B. Williams | Chief Mech. Engineer | X | X | X | X | | | | | | |
| Tara C. Donovan | Chief Elec. Engineer | X | X | | X | | | | | | |
| | | | | | | | | | | | |

29. EXAMPLE PROJECTS KEY

| NO. | TITLE OF EXAMPLE PROJECT (FROM SECTION F) | NO. | TITLE OF EXAMPLE PROJECT (FROM SECTION F) |
|-----|--|-----|---|
| 1 | Federal Courthouse, Denver, CO | 6 | XYZ Corporation Headquarters, Boston, MA |
| 2 | Justin J. Wilson Federal Building, Baton Rouge, LA | 7 | Founder's Museum, Newport RI |

Part II - General Qualifications

See the "General Instructions" on page 1 for firms with branch offices. Prepare Part II for the specific branch office seeking work if the firm has branch offices.

1. Solicitation Number. If Part II is submitted for a specific contract, insert the agency's solicitation number and/or project number, if applicable, exactly as shown in the public announcement or agency request.

2a-2e. Firm (or Branch Office) Name and Address. Self-explanatory.

3. Year Established. Enter the year the firm (or branch office, if appropriate) was established under the current name.

4. DUNS Number. Insert the Data Universal Numbering System number issued by Dun and Bradstreet Information Services. Firms must have a DUNS number. See FAR Part 4.6.

5. Ownership.

a. Type. Enter the type of ownership or legal structure of the firm (sole proprietor, partnership, corporation, joint venture, etc.).

b. Small Business Status. Refer to the North American Industry Classification System (NAICS) code in the public announcement, and indicate if the firm is a small business according to the current size standard for that NAICS code (for example, Engineering Services (part of NAICS 541330), Architectural Services (NAICS 541310), Surveying and Mapping Services (NAICS 541370)). The small business categories and the internet website for the NAICS codes appear in FAR Part 19. Contact the requesting agency for any questions. Contact your local U.S. Small Business Administration office for any questions regarding Business Status.

6a-6c. Point of Contact. Provide this information for a representative of the firm that the agency can contact for additional information. The representative must be empowered to speak on contractual and policy matters.

7. Name of Firm. Enter the name of the firm if Part II is prepared for a branch office.

8a-8c. Former Firm Names. Indicate any other previous names for the firm (or branch office) during the last six years. Insert the year that this corporate name change was

effective and the associated DUNS Number. This information is used to review past performance on Federal contracts.

9. Employees by Discipline. Use the relevant disciplines and associated function codes shown at the end of these instructions and list in the same numerical order. After the listed disciplines, write in any additional disciplines and leave the function code blank. List no more than 20 disciplines. Group remaining employees under "Other Employees" in column b. Each person can be counted only once according to his/her primary function. If Part II is prepared for a firm (including all branch offices), enter the number of employees by disciplines in column c(1). If Part II is prepared for a branch office, enter the number of employees by discipline in column c(2) and for the firm in column c(1).

10. Profile of Firm's Experience and Annual Average Revenue for Last 5 Years. Complete this block for the firm or branch office for which this Part II is prepared. Enter the experience categories which most accurately reflect the firm's technical capabilities and project experience. Use the relevant experience categories and associated profile codes shown at the end of these instructions, and list in the same numerical order. After the listed experience categories, write in any unlisted relevant project experience categories and leave the profile codes blank. For each type of experience, enter the appropriate revenue index number to reflect the professional services revenues received annually (averaged over the last 5 years) by the firm or branch office for performing that type of work. A particular project may be identified with one experience category or it may be broken into components, as best reflects the capabilities and types of work performed by the firm. However, do not double count the revenues received on a particular project.

11. Annual Average Professional Services Revenues of Firm for Last 3 Years. Complete this block for the firm or branch office for which this Part II is prepared. Enter the appropriate revenue index numbers to reflect the professional services revenues received annually (averaged over the last 3 years) by the firm or branch office. Indicate Federal work (performed directly for the Federal Government, either as the prime contractor or subcontractor), non-Federal work (all other domestic and foreign work, including Federally-assisted projects), and the total. If the firm has been in existence for less than 3 years, see the definition for "Annual Receipts" under FAR 19.101.

12. Authorized Representative. An authorized representative of the firm or branch office must sign and date the completed form. Signing attests that the information provided is current and factual. Provide the name and title of the authorized representative who signed the form.

List of Disciplines (Function Codes)

| Code | Description | Code | Description |
|------|--|------|-------------------------------------|
| 01 | Acoustical Engineer | 32 | Hydraulic Engineer |
| 02 | Administrative | 33 | Hydrographic Surveyor |
| 03 | Aerial Photographer | 34 | Hydrologist |
| 04 | Aeronautical Engineer | 35 | Industrial Engineer |
| 05 | Archeologist | 36 | Industrial Hygienist |
| 06 | Architect | 37 | Interior Designer |
| 07 | Biologist | 38 | Land Surveyor |
| 08 | CADD Technician | 39 | Landscape Architect |
| 09 | Cartographer | 40 | Materials Engineer |
| 10 | Chemical Engineer | 41 | Materials Handling Engineer |
| 11 | Chemist | 42 | Mechanical Engineer |
| 12 | Civil Engineer | 43 | Mining Engineer |
| 13 | Communications Engineer | 44 | Oceanographer |
| 14 | Computer Programmer | 45 | Photo Interpreter |
| 15 | Construction Inspector | 46 | Photogrammetrist |
| 16 | Construction Manager | 47 | Planner: Urban/Regional |
| 17 | Corrosion Engineer | 48 | Project Manager |
| 18 | Cost Engineer/Estimator | 49 | Remote Sensing Specialist |
| 19 | Ecologist | 50 | Risk Assessor |
| 20 | Economist | 51 | Safety/Occupational Health Engineer |
| 21 | Electrical Engineer | 52 | Sanitary Engineer |
| 22 | Electronics Engineer | 53 | Scheduler |
| 23 | Environmental Engineer | 54 | Security Specialist |
| 24 | Environmental Scientist | 55 | Soils Engineer |
| 25 | Fire Protection Engineer | 56 | Specifications Writer |
| 26 | Forensic Engineer | 57 | Structural Engineer |
| 27 | Foundation/Geotechnical Engineer | 58 | Technician/Analyst |
| 28 | Geodetic Surveyor | 59 | Toxicologist |
| 29 | Geographic Information System Specialist | 60 | Transportation Engineer |
| 30 | Geologist | 61 | Value Engineer |
| 31 | Health Facility Planner | 62 | Water Resources Engineer |

List of Experience Categories (Profile Codes)

| Code | Description | Code | Description |
|------|---|------|--|
| A01 | Acoustics, Noise Abatement | E01 | Ecological & Archeological Investigations |
| A02 | Aerial Photography; Airborne Data and Imagery Collection and Analysis | E02 | Educational Facilities; Classrooms |
| A03 | Agricultural Development; Grain Storage; Farm Mechanization | E03 | Electrical Studies and Design |
| A04 | Air Pollution Control | E04 | Electronics |
| A05 | Airports; Navajds; Airport Lighting; Aircraft Fueling | E05 | Elevators; Escalators; People-Movers |
| A06 | Airports; Terminals and Hangars; Freight Handling | E06 | Embassies and Chanceries |
| A07 | Arctic Facilities | E07 | Energy Conservation; New Energy Sources |
| A08 | Animal Facilities | E08 | Engineering Economics |
| A09 | Anti-Terrorism/Force Protection | E09 | Environmental Impact Studies, Assessments or Statements |
| A10 | Asbestos Abatement | E10 | Environmental and Natural Resource Mapping |
| A11 | Auditoriums & Theaters | E11 | Environmental Planning |
| A12 | Automation; Controls; Instrumentation | E12 | Environmental Remediation |
| B01 | Barracks; Dormitories | E13 | Environmental Testing and Analysis |
| B02 | Bridges | F01 | Fallout Shelters; Blast-Resistant Design |
| C01 | Cartography | F02 | Field Houses; Gyms; Stadiums |
| C02 | Cemeteries (<i>Planning & Relocation</i>) | F03 | Fire Protection |
| C03 | Charting: Nautical and Aeronautical | F04 | Fisheries; Fish ladders |
| C04 | Chemical Processing & Storage | F05 | Forensic Engineering |
| C05 | Child Care/Development Facilities | F06 | Forestry & Forest products |
| C06 | Churches; Chapels | G01 | Garages; Vehicle Maintenance Facilities; Parking Decks |
| C07 | Coastal Engineering | G02 | Gas Systems (Propane; Natural, Etc.) |
| C08 | Codes; Standards; Ordinances | G03 | Geodetic Surveying: Ground and Airborne |
| C09 | Cold Storage; Refrigeration and Fast Freeze | G04 | Geographic Information System Services: Development, Analysis, and Data Collection |
| C10 | Commercial Building (<i>low rise</i>); Shopping Centers | G05 | Geospatial Data Conversion: Scanning, Digitizing, Compilation, Attributing, Scribing, Drafting |
| C11 | Community Facilities | G06 | Graphic Design |
| C12 | Communications Systems; TV; Microwave | H01 | Harbors; Jetties; Piers, Ship Terminal Facilities |
| C13 | Computer Facilities; Computer Service | H02 | Hazardous Materials Handling and Storage |
| C14 | Conservation and Resource Management | H03 | Hazardous, Toxic, Radioactive Waste Remediation |
| C15 | Construction Management | H04 | Heating; Ventilating; Air Conditioning |
| C16 | Construction Surveying | H05 | Health Systems Planning |
| C17 | Corrosion Control; Cathodic Protection; Electrolysis | H06 | Highrise; Air-Rights-Type Buildings |
| C18 | Cost Estimating; Cost Engineering and Analysis; Parametric Costing; Forecasting | H07 | Highways; Streets; Airfield Paving; Parking Lots |
| C19 | Cryogenic Facilities | H08 | Historical Preservation |
| D01 | Dams (<i>Concrete; Arch</i>) | H09 | Hospital & Medical Facilities |
| D02 | Dams (<i>Earth; Rock</i>); Dikes; Levees | H10 | Hotels; Motels |
| D03 | Desalinization (<i>Process & Facilities</i>) | H11 | Housing (<i>Residential, Multi-Family; Apartments; Condominiums</i>) |
| D04 | Design-Build - Preparation of Requests for Proposals | H12 | Hydraulics & Pneumatics |
| D05 | Digital Elevation and Terrain Model Development | H13 | Hydrographic Surveying |
| D06 | Digital Orthophotography | | |
| D07 | Dining Halls; Clubs; Restaurants | | |
| D08 | Dredging Studies and Design | | |

List of Experience Categories (Profile Codes)

| Code | Description | Code | Description |
|------|---|------|--|
| I01 | Industrial Buildings; Manufacturing Plants | P10 | Product, Machine Equipment Design |
| I02 | Industrial Processes; Quality Control | P11 | Pneumatic Structures, Air-Support Buildings |
| I03 | Industrial Waste Treatment | P12 | Postal Facilities |
| I04 | Intelligent Transportation Systems | P13 | Power Generation, Transmission, Distribution |
| I05 | Interior Design; Space Planning | P14 | Public Safety Facilities |
| I06 | Irrigation; Drainage | | |
| J01 | Judicial and Courtroom Facilities | R01 | Radar; Sonar; Radio & Radar Telescopes |
| L01 | Laboratories; Medical Research Facilities | R02 | Radio Frequency Systems & Shieldings |
| L02 | Land Surveying | R03 | Railroad; Rapid Transit |
| L03 | Landscape Architecture | R04 | Recreation Facilities (Parks, Marinas, Etc.) |
| L04 | Libraries; Museums; Galleries | R05 | Refrigeration Plants/Systems |
| L05 | Lighting (Interior; Display; Theater, Etc.) | R06 | Rehabilitation (Buildings; Structures; Facilities) |
| L06 | Lighting (Exteriors; Streets; Memorials; Athletic Fields, Etc.) | R07 | Remote Sensing |
| | | R08 | Research Facilities |
| M01 | Mapping Location/Addressing Systems | R09 | Resources Recovery; Recycling |
| M02 | Materials Handling Systems; Conveyors; Sorters | R10 | Risk Analysis |
| M03 | Metallurgy | R11 | Rivers; Canals; Waterways; Flood Control |
| M04 | Microclimatology; Tropical Engineering | R12 | Roofing |
| M05 | Military Design Standards | S01 | Safety Engineering; Accident Studies; OSHA Studies |
| M06 | Mining & Mineralogy | S02 | Security Systems; Intruder & Smoke Detection |
| M07 | Missile Facilities (Silos; Fuels; Transport) | S03 | Seismic Designs & Studies |
| M08 | Modular Systems Design; Pre-Fabricated Structures or Components | S04 | Sewage Collection, Treatment and Disposal |
| | | S05 | Soils & Geologic Studies; Foundations |
| N01 | Naval Architecture; Off-Shore Platforms | S06 | Solar Energy Utilization |
| N02 | Navigation Structures; Locks | S07 | Solid Wastes; Incineration; Landfill |
| N03 | Nuclear Facilities; Nuclear Shielding | S08 | Special Environments; Clean Rooms, Etc. |
| | | S09 | Structural Design; Special Structures |
| O01 | Office Buildings; Industrial Parks | S10 | Surveying; Platting; Mapping; Flood Plain Studies |
| O02 | Oceanographic Engineering | S11 | Sustainable Design |
| O03 | Ordnance; Munitions; Special Weapons | S12 | Swimming Pools |
| | | S13 | Storm Water Handling & Facilities |
| P01 | Petroleum Exploration; Refining | T01 | Telephone Systems (<i>Rural; Mobile; Intercom, Etc.</i>) |
| P02 | Petroleum and Fuel (Storage and Distribution) | T02 | Testing & Inspection Services |
| P03 | Photogrammetry | T03 | Traffic & Transportation Engineering |
| P04 | Pipelines (Cross-Country - Liquid & Gas) | T04 | Topographic Surveying and Mapping |
| P05 | Planning (Community, Regional, Areawide and State) | T05 | Towers (<i>Self-Supporting & Guyed Systems</i>) |
| P06 | Planning (Site, Installation, and Project) | T06 | Tunnels & Subways |
| P07 | Planning (Site, Installation, and Project) | | |
| P08 | Plumbing & Piping Design | | |
| P09 | Prisons & Correctional Facilities | | |

List of Experience Categories (Profile Codes)

| Code | Description |
|-------------|---|
| U01 | Unexploded Ordnance Remediation |
| U02 | Urban Renewals; Community Development |
| U03 | Utilities (Gas and Steam) |
| V01 | Value Analysis; Life-Cycle Costing |
| W01 | Warehouses & Depots |
| W02 | Water Resources; Hydrology; Ground Water |
| W03 | Water Supply; Treatment and Distribution |
| W04 | Wind Tunnels; Research/Testing Facilities Design |
| Z01 | Zoning; Land Use Studies |

ARCHITECT - ENGINEER QUALIFICATIONS

PART I - CONTRACT-SPECIFIC QUALIFICATIONS

A. CONTRACT INFORMATION

1. TITLE AND LOCATION *(City and State)*

2. PUBLIC NOTICE DATE

3. SOLICITATION OR PROJECT NUMBER

B. ARCHITECT-ENGINEER POINT OF CONTACT

4. NAME AND TITLE

5. NAME OF FIRM

6. TELEPHONE NUMBER

7. FAX NUMBER

8. E-MAIL ADDRESS

C. PROPOSED TEAM

(Complete this section for the prime contractor and all key subcontractors.)

| | <i>(Check)</i> | | | | 9. FIRM NAME | 10. ADDRESS | 11. ROLE IN THIS CONTRACT |
|----|----------------|------|---------|---|--------------|-------------|---------------------------|
| | PRIME | J.V. | PARTNER | SUBCONTRACTOR | | | |
| a. | | | | | | | |
| | | | | <input type="checkbox"/> CHECK IF BRANCH OFFICE | | | |
| b. | | | | | | | |
| | | | | <input type="checkbox"/> CHECK IF BRANCH OFFICE | | | |
| c. | | | | | | | |
| | | | | <input type="checkbox"/> CHECK IF BRANCH OFFICE | | | |
| d. | | | | | | | |
| | | | | <input type="checkbox"/> CHECK IF BRANCH OFFICE | | | |
| e. | | | | | | | |
| | | | | <input type="checkbox"/> CHECK IF BRANCH OFFICE | | | |
| f. | | | | | | | |
| | | | | <input type="checkbox"/> CHECK IF BRANCH OFFICE | | | |

D. ORGANIZATIONAL CHART OF PROPOSED TEAM

(Attached)

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT
 (Complete one Section E for each key person.)

| | | | |
|---|---------------------------|--|----------------------|
| 12. NAME | 13. ROLE IN THIS CONTRACT | 14. YEARS EXPERIENCE | |
| | | a. TOTAL | b. WITH CURRENT FIRM |
| 15. FIRM NAME AND LOCATION (City and State) | | | |
| 16. EDUCATION (DEGREE AND SPECIALIZATION) | | 17. CURRENT PROFESSIONAL REGISTRATION (STATE AND DISCIPLINE) | |
| 18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.) | | | |

19. RELEVANT PROJECTS

| | | | |
|----|---|---|------------------------------|
| a. | (1) TITLE AND LOCATION (City and State) | (2) YEAR COMPLETED | |
| | | PROFESSIONAL SERVICES | CONSTRUCTION (If applicable) |
| | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE | <input type="checkbox"/> Check if project performed with current firm | |
| b. | (1) TITLE AND LOCATION (City and State) | (2) YEAR COMPLETED | |
| | | PROFESSIONAL SERVICES | CONSTRUCTION (If applicable) |
| | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE | <input type="checkbox"/> Check if project performed with current firm | |
| c. | (1) TITLE AND LOCATION (City and State) | (2) YEAR COMPLETED | |
| | | PROFESSIONAL SERVICES | CONSTRUCTION (If applicable) |
| | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE | <input type="checkbox"/> Check if project performed with current firm | |
| d. | (1) TITLE AND LOCATION (City and State) | (2) YEAR COMPLETED | |
| | | PROFESSIONAL SERVICES | CONSTRUCTION (If applicable) |
| | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE | <input type="checkbox"/> Check if project performed with current firm | |
| e. | (1) TITLE AND LOCATION (City and State) | (2) YEAR COMPLETED | |
| | | PROFESSIONAL SERVICES | CONSTRUCTION (If applicable) |
| | (3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE | <input type="checkbox"/> Check if project performed with current firm | |

| | | |
|---|--------------------------|--------------------------------------|
| F. EXAMPLE PROJECTS WHICH BEST ILLUSTRATE PROPOSED TEAM'S QUALIFICATIONS FOR THIS CONTRACT <i>(Present as many projects as requested by the agency, or 10 projects, if not specified. Complete one Section F for each project.)</i> | | 20. EXAMPLE PROJECT KEY NUMBER |
| 21. TITLE AND LOCATION <i>(City and State)</i> | 22. YEAR COMPLETED | |
| | PROFESSIONAL SERVICES | CONSTRUCTION <i>(If applicable)</i> |
| 23. PROJECT OWNER'S INFORMATION | | |
| a. PROJECT OWNER | b. POINT OF CONTACT NAME | c. POINT OF CONTACT TELEPHONE NUMBER |
| 24. BRIEF DESCRIPTION OF PROJECT AND RELEVANCE TO THIS CONTRACT <i>(Include scope, size, and cost)</i> | | |

| 25. FIRMS FROM SECTION C INVOLVED WITH THIS PROJECT | | |
|---|---|----------|
| (1) FIRM NAME | (2) FIRM LOCATION <i>(City and State)</i> | (3) ROLE |
| a. | | |
| b. | | |
| c. | | |
| d. | | |
| e. | | |
| f. | | |

H. ADDITIONAL INFORMATION

30. PROVIDE ANY ADDITIONAL INFORMATION REQUESTED BY THE AGENCY. ATTACH ADDITIONAL SHEETS AS NEEDED.

I. AUTHORIZED REPRESENTATIVE
The foregoing is a statement of facts.

31. SIGNATURE

32. DATE

33. NAME AND TITLE

[FR Doc. 03-30472 Filed 12-10-03; 8:45 am]

BILLING CODE 6820-EP-C

DEPARTMENT OF DEFENSE**GENERAL SERVICES
ADMINISTRATION****NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION****48 CFR Parts 2 and 31**

[FAC 2001-18; FAR Case 2001-026; Item II]

RIN 9000-AJ56

**Federal Acquisition Regulation;
Depreciation Cost Principle**

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) have agreed on a final rule amending the Federal Acquisition Regulation (FAR) to revise the depreciation cost principle to improve clarity and structure, and remove unnecessary and duplicative language.

DATES: *Effective Date:* January 12, 2004.

FOR FURTHER INFORMATION CONTACT: The FAR Secretariat, at (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Mr. Edward Loeb, Policy Advisor, at (202) 501-0650. Please cite FAC 2001-18, FAR case 2001-026.

SUPPLEMENTARY INFORMATION:**A. Background**

DoD, GSA, and NASA published a proposed rule in the **Federal Register** at 68 FR 4876, January 30, 2003, with request for comments. Two respondents submitted public comments; a discussion of the major comments is provided below. The Councils considered all comments and concluded that the proposed rule should be converted to a final rule with changes. Differences between the proposed rule and final rule are discussed below.

B. Public Comments*FAR 31.205-11, Depreciation**FAR 31.205-11(a)*

Comment 1: Both respondents suggested that the cost principle should allow flexibility in the use of residual values less than 10 percent and,

therefore, the word "shall" in the second sentence of proposed FAR 31.205-11(a) should be changed.

Councils' response: Concur. The Councils changed the word "shall" in sentence two of FAR 31.205-11(a) to "need," which conforms with the wording of Cost Accounting Standard (CAS) 409-50(h).

Comment 2: Respondent believes that for clarification and consistency purposes in this area, language in CAS 409-50(h) should be added to the cost principle. Respondent recommended adding the statement regarding the recognition of residual values when certain depreciation methods are used, and the term "significantly" when referring to the allowability of depreciation costs that reduce assets below their residual value.

Councils' response: Concur. The Councils believe the FAR should not be more restrictive than the CAS in this area. Therefore, the Councils added the following sentence as the third sentence of proposed FAR 31.205-11(a): "Where either the declining balance method of depreciation or the class life asset depreciation range system is used, the residual value need not be deducted from capitalized cost to determine depreciable costs." In addition, the Councils added the term "significantly" to the last sentence of proposed FAR 31.205-11(a).

Comment 3: Respondent suggested deleting the last sentence of FAR 31.205-11(a) since it appears to be contradictory to the previous sentence and this requirement is already covered in the definition of "depreciation."

Councils' response: Do not concur. The Councils believe that the sentence does not contradict the previous sentence, and the definition of "depreciation" does not adequately cover this requirement.

FAR 31.205-11(d)

Comment 4: Both respondents suggested deleting the entire proposed paragraph 31.205-11(d). One respondent stated, "Depreciation, by definition, requires a 'cost.' If there is no cost, there is no depreciation. Comments on rental or use charges are already covered in Part 45 and should be covered under 31.205-36, Rental Costs, if considered necessary, and not under the Depreciation Cost Principle."

Councils' response: Do not concur. The Councils believe that in those instances where contractors might put an asset on their books without incurring a cost, *i.e.*, a donated asset, it must be clear that any costs associated with that asset are unallowable.

FAR 31.205-11(f)

Comment 5: Both respondents suggested deleting the third sentence of the proposed FAR 31.205-11(f). They believe the requirements in the sentence are overly prescriptive and instructional. One respondent stated, "FAR 31.109 already provides guidance on how to arrive at advance agreements."

Councils' response: Do not concur. The Councils believe that while FAR 31.109 provides information on advance agreements, it does not address items that should be considered in determining a reasonable amount for a use charge. The Councils believe the guidance is helpful in determining a reasonable charge. However, the last sentence of proposed FAR 31.205-11(f) inappropriately limited the scope of this provision with the words, "the contractor shall consider * * *." Therefore, the Councils have replaced this language with broader guidance, "consideration shall be given to * * *."

FAR 31.205-11(g)

Comment 6: Both respondents recommended revising proposed FAR 31.205-11(g) to more closely reflect the requirements of FAR 31.205-52, Asset valuations resulting from business combinations. They maintain that FAR 31.205-52 does not necessarily "limit" allowability as stated in the proposed words.

Councils' response: Partially concur. It is not necessary to characterize FAR 31.205-52 here as limiting allowability. Therefore, the Councils deleted the words "which limit the allowability of depreciation" from FAR 31.205-11(g). However, the proposed rule inappropriately limited the scope of this provision with the words, "the contractor shall comply with the requirements of 31.205-52." Therefore, the Councils replaced this language with broader guidance, "the requirements of 31.205-52 shall be observed."

FAR 31.205-11(i)

Comment 7: Both respondents recommended deleting the third sentence of FAR 31.205-11(i) as redundant. They also recommended deleting the fourth sentence, as well as paragraph (i)(1), because operating leases and sale and lease back arrangements are already covered under FAR 31.205-36, Rental costs, and need not be repeated in the depreciation cost principle. Finally, they recommended deleting the fifth sentence as repetitive of the first two sentences.

Councils' response: Partially concur. The Councils agree with the