

Summary of Common RATB Comments

- There have been several comments received in which a company's office location is in the US; however, the company is merely a distributor for a firm headquartered in a foreign country. Buyers must be concerned with the appearance of such arrangements and the applicability of the Buy American Act. Think through the circumstances prior to award and document the file accordingly to ensure there is adequate reasoning that supports the award decision.
- Questions have been forthcoming in which awards are made under a NAICs code when the NAICs code and size standard for a company registration is listed as something entirely different. Be aware of the situation prior to award and document the file as to the appropriateness.
- Be aware of ORCA records as comments have been received regarding their expiration.
- NIH has been cited for ARRA actions not found in FPDS
- Award notices do not always start with the word "Recovery" in the title and therefore do not meet the requirements for publicizing Recovery Act awards.
- In general, items have been found missing in various notices. For example, the street address was missing from the Contractor Awarded Address block and classified as a transparency issue.
- There have been questions as to synopses' descriptions (or lack thereof) and explanations being unclear. They have also been classified as transparency issues. Example of Such a Comment: Ensure the description required by FAR 5.207(a)(16) includes a narrative of the products and services that is clear and unambiguous to the general public. FAR 5.7, regardless of dollar value, including all modifications and orders under task or delivery order contracts, is not both fixed-price and competitively awarded, publicize the award notice and include in the description the rationale for using other than a fixed-priced and/or competitive approach.
- Ensure that ARRA FBO Notices are not missing the Awardee's DUNS number.
- There have been inquiries for contract awards at a particular dollar amount but only a portion of the amount is from ARRA funds. The follow-on questions for such examples deal with how Recovery funds are adequately captured in such systems as FPDS and USASpending.gov.
- Also, there have been comments as to why synopses do not describe how funding for projects will be kept separate and not co-mingled, and what safeguards have been put in place to ensure there is not co-mingling of funds?