**DFARS Case 2018-D063**

**Data Collection and Inventory for Services Contracts**

**Final Rule**

**PART 204—ADMINISTRATION AND INFORMATION MATTERS**

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**[SUBPART 204.17—SERVICE CONTRACTS INVENTORY**

**204.1700 Scope of subpart.**

**This subpart prescribes the requirement to report certain contracted services in accordance with 10 U.S.C. 2330a.**

**204.1701 Definitions.**

**As used in this subpart—**

**“First-tier subcontract” means a subcontract awarded directly by the contractor for the purpose of acquiring services for performance of a prime contract. It does not include the contractor’s supplier agreements with vendors, such as long-term arrangements for materials or supplies or services that benefit multiple contracts and/or the costs of which are normally applied to a contractor’s general and administrative expenses or indirect costs.**

**204.1703 Reporting requirements.**

**(a) *Thresholds*. Service contractor reporting of information is required in the System for Award Management (SAM) when a contract or order—**

**(i) Has a total estimated value, including options, that exceeds $3 million; and**

**(ii) Is for services in the following service acquisition portfolio groups (see PGI 204.1703 for a list of applicable product and service codes):**

**(A) Logistics management services.**

**(B) Equipment-related services.**

**(C) Knowledge-based services.**

**(D) Electronics and communications services.**

**(b) *Agency reporting responsibilities*. In the event the agency believes that revisions to the contractor-reported information are warranted, the agency shall notify the contractor.**

**(S-70) *Contractor reporting.***

**(1) The basic and the alternate of the clause at 252.204-7023, Reporting Requirements for Contracted Services, require contractors to report annually, by October 31, on the services performed under the contract or order, including any first-tier subcontracts, during the preceding Government fiscal year.**

**(2) For indefinite-delivery contracts, basic ordering agreements, and blanket purchase agreements—**

**(i) Contractor reporting is required for each order issued under the contract or agreement that meets the requirements of paragraph (a) of this section; and**

**(ii) Service contract reporting is not required for the basic contract or agreement.**

**204.1705 Contract clauses.**

**(a)(i) Use the basic or the alternate of the clause at 252.204-7023, Reporting Requirements for Contracted Services, in solicitations, contracts, agreements, and orders, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial items, that—**

**(A) Have a total estimated value, including options, that exceeds $3 million; and**

**(B) Are for services in the following service acquisition portfolio groups:**

**(*1*) Logistics management services.**

**(*2*) Equipment-related services.**

**(*3*) Knowledge-based services.**

**(*4*) Electronics and communications services.**

**(ii) Use the basic clause in solicitations and contracts, except solicitations and resultant awards of indefinite-delivery contracts, and orders placed under non-DoD contracts that meet the criteria in paragraph (a)(i) of this section.**

**(iii) Use the alternate I clause in solicitations and resultant awards of indefinite-delivery contracts, basic ordering agreements, and blanket purchase agreements, when one or more of the orders under the contract or agreement are expected to meet the criteria in paragraph (a)(i) of this section.]**

**PART 212—ACQUISITION OF COMMERCIAL ITEMS**

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**SUBPART 212.3--SOLICITATION PROVISIONS AND CONTRACT CLAUSES FOR THE ACQUISITION OF COMMERCIAL ITEMS**

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**212.301 Solicitation provisions and contract clauses for the acquisition of commercial items.**

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(f)\* \* \*

(ii)  *Part 204—Administrative and Information Matters.*

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**[(N) Use the clause at 252.204-7023,** **Reporting Requirements for Contracted Services, to comply with 10 U.S.C. 2330a**.

**(*1*) Use the basic clause as prescribed in 204.1705(a)(i) and (ii).**

**(*2*) Use the alternate I clause as prescribed in 204.1705(a)(i) and (iii).]**

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**Part 252―Solicitation Provisions and Contract Clauses**

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**SUBPART 252.2―TEXT OF PROVISIONS AND CLAUSES**

**\* \* \* \* \***

**[252.204-7023 Reporting Requirements for Contracted Services.**

***Basic*. As prescribed in 204.1705(a)(i) and (ii), use the following clause:**

**Reporting Requirements for Contracted Services—Basic (JUL 2021)**

**(a) *Definition.* As used in this clause--**

**“First-tier subcontract” means a subcontract awarded directly by the contractor for the purpose of acquiring services for performance of a prime contract. It does not include the contractor’s supplier agreements with vendors, such as long-term arrangements for materials or supplies or services that benefit multiple contracts and/or the costs of which are normally applied to a contractor’s general and administrative expenses or indirect costs.**

**(b) The Contractor shall report annually, by October 31, at *https://www.sam.gov*, on the services performed under this contract or order, including any first-tier subcontracts, during the preceding Government fiscal year (October 1 - September 30).**

**(c) The Contractor shall report the following information for the contract or order:**

**(1) The total dollar amount invoiced for services performed during the preceding Government fiscal year under the contract or order.**

**(2) The number of Contractor direct labor hours, to include first-tier subcontractor direct labor hours, as applicable, expended on the services performed under the contract or order during the previous Government fiscal year.**

**(d) The Government will review the Contractor’s reported information for reasonableness and consistency with available contract information. In the event the Government believes that revisions to the Contractor’s reported information are warranted, the Government will notify the Contractor. Upon notification, the Contractor shall revise the reported information or provide the Government with a supporting rationale for the information.**

**(End of clause)**

***Alternate I*. As prescribed in 204.1705(a)(i) and (iii), use the following clause, which substitutes “contract or agreement for each order” in lieu of “contract or order” in paragraph (b) and “order” in lieu of “contract or order” in paragraphs (c) and (c)(1) and (2), and identifies the dollar threshold and service acquisition portfolio groups for which orders under the contract or agreement require service contract reporting.**

**REPORTING REQUIREMENTS FOR CONTRACTED SERVICES—ALTERNATE I (JUL 2021)**

**(a) *Definition.* As used in this clause--**

**“First-tier subcontract” means a subcontract awarded directly by the contractor for the purpose of acquiring services for performance of a prime contract. It does not include the contractor’s supplier agreements with vendors, such as long-term arrangements for materials or supplies or services that benefit multiple contracts and/or the costs of which are normally applied to a contractor’s general and administrative expenses or indirect costs.**

**(b) The contractor shall report annually, by October 31, at *https://www.sam.gov*, on services performed during the preceding Government fiscal year (October 1 - September 30) under this contract or agreement for each order, including any first-tier subcontract, which exceeds $3 million for services in the following service acquisition portfolio groups:**

**(1) Logistics management services.**

**(2) Equipment-related services.**

**(3) Knowledge-based services.**

**(4) Electronics and communications services.**

**(c) The Contractor shall report the following information for the order:**

**(1) The total dollar amount invoiced for services performed during the preceding Government fiscal year under the order.**

**(2) The number of Contractor direct labor hours, to include first-tier subcontractor direct labor hours, as applicable, expended on the services performed under the order during the previous Government fiscal year.**

**(d) The Government will review the Contractor’s reported information for reasonableness and consistency with available contract information. In the event the Government believes that revisions to the Contractor’s reported information are warranted, the Government will notify the Contractor. Upon notification, the Contractor shall revise the reported information or provide the Government with a supporting rationale for the information.**

**(End of clause)]**