

Union Calendar No. 302

113TH CONGRESS
2^D SESSION

H. R. 4094

[Report No. 113–410]

To direct the Administrator of the Small Business Administration to develop and implement a plan to improve the quality of data reported on bundled and consolidated contracts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2014

Mr. GRAVES of Missouri introduced the following bill; which was referred to the Committee on Small Business

APRIL 9, 2014

Additional sponsors: Ms. CHU, Mr. CONNOLLY, Mr. HANNA, Ms. MENG, Mr. MULVANEY, and Mr. MURPHY of Florida

APRIL 9, 2014

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 26, 2014]

A BILL

To direct the Administrator of the Small Business Administration to develop and implement a plan to improve the quality of data reported on bundled and consolidated contracts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Contracting Data and*
5 *Bundling Accountability Act of 2014”.*

6 **SEC. 2. PLAN FOR IMPROVING DATA ON BUNDLED AND**
7 **CONSOLIDATED CONTRACTS.**

8 *Section 15 of the Small Business Act (15 U.S.C. 644)*
9 *is amended by adding at the end the following new sub-*
10 *section:*

11 *“(s) DATA QUALITY IMPROVEMENT PLAN.—*

12 *“(1) IN GENERAL.—Not later than the first day*
13 *of fiscal year 2016, the Administrator of the Small*
14 *Business Administration, in consultation with the*
15 *Small Business Procurement Advisory Council, the*
16 *Administrator of the Office of Federal Procurement*
17 *Policy, and the Administrator of the General Services*
18 *Administration shall develop a plan to improve the*
19 *quality of data reported on bundled and consolidated*
20 *contracts in the Federal procurement data system.*

21 *“(2) PLAN REQUIREMENTS.—The plan shall—*

22 *“(A) describe the roles and responsibilities*
23 *of the Administrator of the Small Business Ad-*
24 *ministration, the Directors of the Offices of*
25 *Small and Disadvantaged Business Utilization,*

1 *the Small Business Procurement Advisory Coun-*
2 *cil, the Administrator of the Office of Federal*
3 *Procurement Policy, the Administrator of the*
4 *General Services Administration, the senior pro-*
5 *urement executives, and Chief Acquisition Offi-*
6 *cers in implementing the plan described in para-*
7 *graph (1) and contributing to the annual report*
8 *required by subsection (p)(4);*

9 “(B) *make necessary changes to policies and*
10 *procedures on proper identification and mitiga-*
11 *tion of contract bundling and consolidation, and*
12 *to training procedures of relevant personnel on*
13 *proper identification and mitigation of contract*
14 *bundling and consolidation;*

15 “(C) *establish consequences for failure to*
16 *properly identify contracts as bundled or consoli-*
17 *dated;*

18 “(D) *establish requirements for periodic and*
19 *statistically valid data verification and valida-*
20 *tion; and*

21 “(E) *assign clear data verification respon-*
22 *sibilities.*

23 “(3) *COMMITTEE BRIEFING.—Once finalized and*
24 *by not later than 90 days prior to implementation,*
25 *the plan described in this subsection shall be presented*

1 to the Committee on Small Business of the House of
2 Representatives and the Committee on Small Business
3 and Entrepreneurship of the Senate.

4 “(4) *IMPLEMENTATION.*—Not later than the first
5 day of fiscal year 2017, the Administrator of the
6 Small Business Administration shall implement the
7 plan described in this subsection.

8 “(5) *CERTIFICATION.*—The Administrator shall
9 annually provide to the Committee on Small Business
10 of the House of Representatives and the Committee on
11 Small Business and Entrepreneurship of the Senate
12 certification of the accuracy and completeness of data
13 reported on bundled and consolidated contracts.

14 “(6) *GAO STUDY AND REPORT.*—

15 “(A) *STUDY.*—Not later than the first day
16 of fiscal year 2018, the Comptroller General of
17 the United States shall initiate a study on the
18 effectiveness of the plan described in this sub-
19 section that shall assess whether contracts were
20 accurately labeled as bundled or consolidated.

21 “(B) *CONTRACTS EVALUATED.*—For the
22 purposes of conducting the study described in
23 subparagraph (A), the Comptroller General of
24 the United States—

1 “(i) shall evaluate, for work in each of
2 sectors 23, 33, 54, and 56 (as defined by the
3 North American Industry Classification
4 System), not fewer than 100 contracts in
5 each sector;

6 “(ii) shall evaluate only those con-
7 tracts—

8 “(I) awarded by an agency listed
9 in section 901(b) of title 31, United
10 States Code; and

11 “(II) that have a Base and Exer-
12 cised Options Value, an Action Obliga-
13 tion, or a Base and All Options Value;
14 and

15 “(iii) shall not evaluate contracts that
16 have used any set aside authority.

17 “(C) REPORT.—Not later than 12 months
18 after initiating the study required by subpara-
19 graph (A), the Comptroller General of the United
20 States shall report to the Committee on Small
21 Business of the House of Representatives and the
22 Committee on Small Business and Entrepreneur-
23 ship of the Senate on the results from such study
24 and, if warranted, any recommendations on how

1 to improve the quality of data reported on bun-
2 dled and consolidated contracts.

3 “(7) *DEFINITIONS.*—*In this subsection the fol-*
4 *lowing definitions shall apply:*

5 “(A) *CHIEF ACQUISITION OFFICER; SENIOR*
6 *PROCUREMENT EXECUTIVE.*—*The terms ‘Chief*
7 *Acquisition Officer’ and ‘senior procurement ex-*
8 *ecutive’ have the meanings given such terms in*
9 *section 44 of this Act.*

10 “(B) *FEDERAL PROCUREMENT DATA SYS-*
11 *TEM DEFINITIONS.*—*The terms ‘Base and Exer-*
12 *cised Options Value’, ‘Action Obligation’, ‘Base*
13 *and All Options Value’, and ‘set aside authority’*
14 *have the meanings given such terms by the Ad-*
15 *ministrator for Federal Procurement Policy in*
16 *the Federal procurement data system on October*
17 *1, 2013, or subsequent equivalent terms.”.*

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