



Federal Aviation Administration

Memorandum

Date: April 29, 2016

To: Center Management Team

From: Susan L. Whittington, Manager, Non-Franchise Acquisition Services Division, AAQ-800

Subject: FY16 End of Year (EOY) and FY17 Start-Up Guidance and Timelines

The guidelines and timelines provided below are based on an assumed last day of obligation in the PRISM system of September 23, 2016.

Because there is a very high volume of recurring services that will begin in FY17 or continue into FY17, it is imperative that all requiring offices are aware of the limitations imposed by the Antideficiency Act. Obligations or expenditures in advance of FY17 appropriations for services that continue into or begin in FY17 are prohibited by the Antideficiency Act [31 U.S.C. 1341]. Allowing contractors to continue or to begin performance without a certification of funds availability, even after an appropriation has been approved by Congress, places the Agency, and/or the individual FAA employee, at risk of violating the Antideficiency Act. AAQ-800 contracting officers cannot and will not give verbal direction to contractors to proceed without the appropriate input, documentation, and funding from the users of those services.

To ensure an orderly close out of the current FY and to adequately plan for services beginning in the new FY, the following timelines are provided:

New contracts to be awarded in FY16 with start dates in FY16:

Over \$100K: If the PR (to include a complete and accurate requirements package) is not in AAQ-800 by **June 17, 2016**, then your requirement is at risk. In addition, requirements greater than \$5M that are to be awarded in FY16, not already in AAQ-800, are in jeopardy. Requiring Organizations (RO) can contact either Monte Pope (AAQ-811 for AMP, AAM, AFS, and other non-franchise funded organizations requirements) at x47835 or Shelley Bothwell (AAQ-812 for AMA, AJW-39, AJW-14 and AJV requirements) at x44200 to discuss your individual circumstances for more definitive guidance.

Under \$100K: The approved, fund-certified PR should be in AAQ-800 not later than **June 17, 2016**.

Obligations/Deobligations on awarded contracts that need to be completed in FY16: Approved PRs need to be in AAQ-800 not later than **August 26, 2016**.

To ensure an orderly startup of new FY17 requirements or recurring services, the following timelines are provided:

New contracts to be awarded in FY16 with start dates in FY17:

Over \$100K: For October 1, 2016, start dates, if the PR (to include complete and accurate requirements package) is not in AAQ-800 by **June 17, 2016**, then your requirement is potentially at risk. Please ensure all FY16 start date PRs are appropriately marked "Subject to the Availability of Funds". In addition, requirements greater than \$5M that are to be awarded in FY16 with October 1, 2016 start dates, not already in AAQ-800, are in jeopardy. ROs can contact either Monte Pope (AAQ-811 for AMP, AAM, AFS, and other non-franchise organizations requirements) at x47835 or Shelley Bothwell (AAQ-812 for AMA, AJW-14, AJW-39, and AJV requirements) at x44200 to discuss your individual circumstances for more definitive guidance. Note: Due to competing EOY priorities, FY17PRs will have a lower priority than those with a start date in FY16.

Approved PRs, marked "Subject to the Availability of Funds," with a start date in FY17, to include recurring services, need to be in AAQ-800 not later than **June 17, 2016**

Note: Recurring services (such as software licenses, subscriptions, printers, etc.) that require award of a new contract, issuance of a purchase order or order against a GSA schedule must be received by **June 17, 2016**, to allow for sufficient lead time. Failure to provide a PR by that date may result in a break in maintenance services. **Recurring services may not be continued by the use of the purchase card unless authorized in accordance with AMS T3.2.6.A.1.j.(1).(c) – check with Monte Pope or Shelley Bothwell for additional guidance.** In instances where recurring services are permitted to continue without contractual coverage and with the knowledge of the customer, an unauthorized commitment will have occurred.

Unauthorized Commitments: Only contracting officers and other designated employees acting within the scope of their authority may enter into contracts or other agreements and expend funds on behalf of the government. An agreement that is entered into by an FAA employee who does not have the authority to enter into agreements on behalf of the FAA is an unauthorized commitment. Unauthorized commitments are a serious violation of fiscal law and statutes. Persons who enter into unauthorized commitments will be held accountable. Managers shall make every effort to prevent unauthorized commitments and must consider whether discipline is appropriate for an employee who enters into an unauthorized commitment regardless of whether the procurement action is later ratified.

Please ensure all FY17 start date PRs are appropriately marked "Subject to the Availability of Funds". Note: Due to competing EOY priorities, PRs with FY17 start dates will have a lower priority than those with a start date in FY16.