

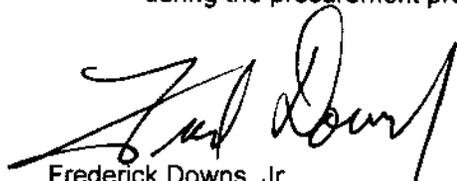
Standard Operating Procedure

ACQUISITION SECURITY REQUIREMENTS:

- PART I: IMPLEMENTING VA HANDBOOK 6500.6, CONTRACT SECURITY,**
- PART II: CONTRACTOR PERSONNEL SECURITY AND SUITABILITY**
- PART III: PERSONAL IDENTITY VERIFICATION (PIV) OF CONTRACTORS; AND**
- PART IV: BUSINESS ASSOCIATE AGREEMENTS (BAA) FOR CONTRACTS**

Purpose: This Standard Operating Procedure (SOP) provides procedures for the Contracting Officer Technical Representative (COTR), the Contracting Officer (CO) or VA employee with acquisitions responsibilities to follow with regards to security language, identifying what classification of contract workers require a security screening; Personnel Identity Verification (PIV) Credentials; and/or background investigation to perform work for the Veterans Health Administration (VHA). For the purpose of this SOP and in accordance with VA security references, the Executive Director for the Office of Acquisition, Logistics and Construction re-delegates oversight responsibility for background investigations to the Assistant Secretary for Policy and Planning, Office of Security and Law Enforcement. This SOP establishes the following:

- 1) Standardized processes for the implementation of VA Handbook 6500.6, Contract Security.
- 2) Centralized Security Office Index (SOI) for electronic for Special Agreement Checks (SAC) or commonly referred to as "fingerprint submissions" for all VHA Office of Procurement and Logistics Contract Awards.
- 3) Centralized Program Office for the Special Agreement Check (SAC) Adjudications and Suitability Determinations: Communicating results directly with the Contracting Officer (CO) on issues related to Suitability Determinations and recommendations for appropriate Agency response.
- 4) Centralized Program Office (VHA Service Center, Seven Hills) for SAC Report. Standardizing the Homeland Security Presidential Directive-12 report, and eliminating the individual VISN submission. Information from the VISN level will be gathered and reported quarterly to this Program Office for a standardized VHA Office of Procurement and Logistics - SAC report.
- 5) Utilization of the Position Designation Automated Tool (PDAT) within VHA Office of Procurement and Logistics which assigns the appropriate risk and sensitivity level to applicable new and existing contractor and subcontractor personnel and contract employees providing services to VA.
- 6) Emphasis and effort during the post-award phase of the contract award: Post-award review creates opportunity to address the VA's security concerns between the contractor and agency, re-establish security requirements on behalf of the agency, and provides new and existing contractor and subcontractor personnel providing services to VA instructions for using VA's web-based background tracking system.
- 7) VA contractor training requirements and the process of documenting required VA training for contractor and subcontractor personnel.
- 8) Basic tractable timelines for establishing the start date for the period of performance notice.
- 9) Establishes the time frames for processing security requirements and oversight with enforcement during the procurement process.



Frederick Downs, Jr.
Chief Procurement and Logistics Officer (10F)
Veterans Health Administration
VA Central Office
Washington, DC 20420

PART I – IMPLEMENTING VA HANDBOOK 6500.6 CONTRACT SECURITY

Purpose: Part I establishes the Standard Operating Procedures for implementing VA Handbook 6500.6, Contract Security, throughout VHA.

Policy: [VA Handbook 6500.6, Contract Security](#) establishes the security requirements, procedures, responsibilities and departmental framework for ensuring that security is included in appropriate VA contracts and acquisitions.

Procedures:

1. Acquisition Planning (Pre-Solicitation) Phase:

- a. **Checklist for Information Security (“Appendix A”):** During the planning (pre-solicitation) phase of the acquisition process, the Contracting Officer (CO), Privacy Officer (PO), Information Security Officer (ISO), Contracting Officer’s Technical Representative (COTR) and other applicable staff, such as Program or Project Managers and Information System Owners, shall **jointly** complete the Checklist for Information Security in Appendix A of VA Handbook 6500.6, Contract Security. The checklist must be completed for **ALL** acquisitions and **ALL** applicable questions on the checklist **must** be answered. Please note, if the acquisition or purchase is **ONLY** for commodities or goods (e.g., equipment and software that does NOT require installation or maintenance as part of the contract) and the clause is therefore NOT required, then the **REQUESTER** may sign page A-6 and submit it to the CO when submitting the procurement request.

In order to facilitate the discussion for completing the Checklist for Information Security in Handbook 6500.6, Appendix A, it is highly recommended that the team follow the flow chart and cross walk developed by VA OIT located on the following website:
<https://vaww.infoprotection.va.gov/policy/default.aspx>.

The completed checklist shall be loaded into the Pre-solicitation Documents (Funding Action) briefcase in eCMS.

The CO, PO, ISO and COTR shall also consult the Deputy Under Secretary for Health for Operations and Management (10N) Memorandum dated May 18, 2010, VAAR Security Clause in Contracts, for guidance related to specific VHA health care contracts.

- b. **VA Information and Information System Security/Privacy Language (“Appendix C”):** If the completed checklist indicates that the appropriate security/privacy language outlined in Appendix C must be incorporated into the solicitation, the CO, ISO, PO, COTR and other applicable staff must **jointly** review Appendix C to determine which language is applicable and should be inserted into the solicitation as well as what the appropriate values are for any fill-ins in the selected language.
- c. **Consensus on Security Clause and Language:** The CO, PO, COTR and ISO must be in complete agreement on all answers from Appendix A as well as what language from Appendix C should be included in the solicitation. If the CO, PO, COTR and ISO cannot reach an agreement prior to issuance of the solicitation, such as whether or not the security clause should be included, the CO should contact their supervisor and coordinate a discussion with OGC and an ISO superior for guidance.
- d. **VA Handbook 6500 Waiver/Compensating Control Approval:** When a contractor refuses to sign a contract, delivery/task order, or modification request due to the inclusion of VAAR 852.273-75, Security Requirements for Unclassified Information Technology Resources (Interim – October 2008), the procedures outlined in the Office of Cyber and Information

Security (OCS) Standard Operating Procedure (SOP), VA Handbook 6500, Waiver/Compensating Control Approval, can be followed **IF** the issue at hand is a security compensating control item. Further information regarding the OCS VA 6500 Waiver Process is available at https://vaww.infoprotection.va.gov/policy/VA_6500_Waiver.aspx. The ISO takes the lead on the OCS Waiver/Compensating Control Approval process. The OCS Waiver/Compensating Control Approval package does NOT get routed through VHA Office of Procurement and Logistics or the SAO's office. It is purely an OIT process. Please note, if the VAAR clause 852.273-75 (Security Requirements for Unclassified Information Technology Resources) is determined necessary, the clause shall be included unless a National agreement with the contractor, OIT and OGC has been reached. The remedies process allows for the waiver of particular security controls and is NOT a waiver of the clause. The remedies process approves the waiver of a security process control, i.e. if co-mingling of contractor and VA data cannot be resolved; the waiver request addresses what security control processes can and cannot be implemented. The clause still applies.

2. Solicitation Phase:

- a. **VA Acquisition Regulation Solicitation Provision and Contract Clause ("Appendix B"):**
If the completed checklist indicates that VAAR 852.273-75 should be included in the solicitation, the CO shall insert the clause into the solicitation using the eCMS clause library. The eCMS clause library will have the most recent version of the clause available.
- b. **VA Information and Information System Security/Privacy Language ("Appendix C"):** If the completed checklist indicates that the appropriate security/privacy language outlined in Appendix C must be incorporated into the solicitation, the CO shall insert the ***tailored*** language using eCMS in **Section C** (Contract Clauses, Terms and Conditions) of the solicitation directly following VAAR 853.373-75.

3. Contract Administration (Post-Award) Phase:

- a. Upon award, the CO shall provide the contractor with the "Notice of Award" letter (Attachment A), which provides further instructions for completing training and a copy of the contractor rules of behavior (i.e., how to get access to training, who to send the signed rules of behavior to, etc.).
- b. When the training certificates and signed rules of behavior are received, the CO shall load copies into the eCMS Award Action briefcase.

PART II – CONTRACTOR PERSONNEL SECURITY AND SUITABILITY (BACKGROUND INVESTIGATIONS AND SPECIAL AGREEMENT CHECKS)

Purpose: Part II provides the procedures for determining contractor position risk and sensitivity levels, determining what level of background investigation is required and/or whether or not a Special Agreement Check (SAC) is required. Part II also describes the steps for initiating background investigations and SAC and provides templates for “Notice of Award” letters.

Policy: [VA Directive 0710](#) and [VA Handbook 0710](#) establish policies and procedures for the VA Personnel Security and Suitability Program including designation of position risk and sensitivity levels and corresponding background investigation levels and requiring reciprocity when applicable.

[VHA Directive 0710](#) established a requirement that contract personnel who are exempt from the requirement in VA Directive 0710 to have a background investigation completed **and** who provide direct and/or ancillary health care services at VA facilities or have access to VA information systems or sensitive information must have a background screening, known as a SAC or fingerprinting, completed prior to entry on duty. [VHA Handbook 0710.01](#) defines the procedures for implementing the policies established in VHA Directive 0710.

The Deputy Under Secretary for Health for Operations and Management (10N) Memorandum dated February 8, 2007, Contractors Excepted from Background Investigation and Screenings, provides clarification on which low risk or non-sensitive contractor positions do not meet the requirements for background investigation or background screening (SAC).

Procedures:

1. Acquisition Planning (Pre-Solicitation) Phase:

- a. **Position Designation System and Automated Tool (PDAT):** All VHA offices shall use PDAT for designating position risk and sensitivity levels and the corresponding level of background investigation (or background screening) for **all** contractor positions. The Contracting Officer (CO) and the Contracting Officer’s Technical Representative (COTR) shall use PDAT to appropriately designate the statement of work (or other written description of the work to be completed) with the proper risk or sensitivity level and corresponding level of background investigation required for the contract employees. Information Security Officers should be consulted when access to VA Information systems and data is involved to ensure appropriate risk levels are assigned to contractors. The PDAT summary report must be completed and provided to the contracting activity before the procurement process can begin. The Contracting Officer shall load the PDAT summary report into the “Pre-solicitation Documents” (Funding Action) briefcase in eCMS.

The risk level designations for public trust positions and the corresponding background investigation levels, as defined in VA Directive 0710, are:

<u>Public Trust Risk Level Designation</u>	<u>Background Investigation Level</u>
High Risk	Background Investigation (high public trust: e.g., access to mission critical data or patients) (BI).
Moderate Risk	Minimum Background Investigation (moderate levels of public trust: e.g., access to facilities or sensitive data) (MBI)
Low Risk	National Agency Check with Written Inquiries (NACI)

- b. **Exemptions from Background Investigations:** Upon completion of the PDAT, the CO and COTR shall determine whether an exemption to the background investigation requirement applies. VA Directive 0710 specifies that the Office of Personnel Management (OPM) has exempted the following positions from investigative requirements:
- i. Low Risk/Nonsensitive positions that are temporary, intermittent, per diem, or seasonal not to exceed an aggregate of 180 days in either a single continuous appointment or series of appointments;
 - ii. Positions filled by aliens outside the United States;
 - iii. Consultants or experts appointed to Low Risk/Nonsensitive positions for a period of one year or less and not to be reappointed; and experts or consultants appointed for a period of more than one year or reappointed after a year with no break in service, provided the service does not exceed more than 30 days in any one calendar year;
 - iv. Physicians appointed under 38 U.S.C. 7406 to Low Risk/Nonsensitive positions as medical residents, provided they do not exceed one year of continuous service at a VA facility, regardless of the duration of the residency program;
 - v. Purchase and hire employees appointed to Low Risk/Nonsensitive positions appointed for six months or less;
 - vi. Contract personnel assigned to Low Risk/Nonsensitive positions for 180 days or less under a single contract or series of contracts.
- c. **Special Agreement Check (SAC) Requirements and Exemptions:** If it is determined that an exemption to a background investigation applies, the CO and COTR shall determine whether or not a SAC is required. All contract personnel who are exempt from a background investigation and who provide direct and/or ancillary health care services at VA facilities or have access to VA information systems or sensitive information must have a SAC completed unless an exemption applies. The Deputy Under Secretary for Health for Operations and Management (10N) Memorandum dated May 18, 2010, VAAR Security Clause in Contracts, specifies that the following low risk or non-sensitive contractor positions are exempt from the requirement to have a background screening (SAC):
- i. Contract personnel not accessing VA information resources such as personnel hired to maintain the medical facility grounds, construction contractors, utility system contractors, etc.
 - ii. Contract personnel with limited and intermittent access to equipment connected to facility networks where limited Personal Health Information (PHI) is available, including contractors who install, maintain and repair network building equipment such as fire alarm, heating ventilating and air conditioning equipment, elevator control systems, etc.
 - iii. Contract personnel with limited and intermittent access to equipment connected to facility networks where limited PHI may reside, including medical equipment contractors who install, maintain and repair networked medical equipment such as CT Scanners, EKG Systems, ICU monitoring, etc. In this situation, medical facilities must have a VA Business Associate Agreement (see Section III of this SOP) with the vendor to assure compliance with the requirements of the Privacy Act of 1974 and Health Insurance Portability and Accountability Act of 1996.

NOTE: Contract personnel that are exempt from a background investigation but are required to have a SAC completed may require more than a SAC if they are required to obtain a Personal Identity Verification (PIV) card (see Part III of this SOP for more information).

2. Solicitation Phase:

- a. The CO shall insert the following language into solicitations for contracts that require a background investigation or SAC. The language shall be tailored accordingly:

Background Investigations and Special Agreement Checks

All contractor employees are subject to the same level of investigation as VA employees who have access to VA Sensitive Information. The level of background investigation commensurate with the level of access needed to perform the statement of work is: _____ . This requirement is applicable to all subcontractor personnel requiring the same access.

The contractor shall bear the expense of obtaining background investigations. If the investigation is conducted by the Office of Personnel Management (OPM) through the VA, the contractor shall reimburse the VA within 30 days.

3. Contract Administration (Post-Award) Phase:

- a. **Notice of Award:** Upon award, the CO shall provide the contractor with a "Notice of Award" letter (Attachment B), which shall contain detailed instructions on fulfilling security requirements.

b. Steps to Initiate Special Agreement Check (SAC):

- i. The COTR is responsible for coordinating finger printing requirements with the designated VHA Office (either the facility's Human Resource (HR) Services or Security Services). The COTR shall inform the Contractor of the scheduled SAC appointment, the location, and who their point of contact shall be. It is recommended that the COTR escort the Contractor during the SAC appointment.
- ii. The designated VHA Office (HR or Security Services) submits the SAC electronically to the Office of Personnel Management (OPM). All VHA Security Office Index (SOI) Numbers shall be submitted as: VA08 for central billing purposes.
- iii. OPM sends the results of the SAC to the VHA Service Center (VSC) within 5 days. The VSC Security Office reviews the results and makes an adjudication recommendation to the CO within 10 days. Final suitability adjudication of the results must be determined by both the CO and the COTR. This determination is then documented and filed within the eCMS Contract Briefcase (Award Action). In cases where unfavorable SAC determinations are rendered and a contractor is denied access to VA property, the Network Contract Manager will be notified and a final review and determination shall be made whether to remove the Contractor from the project or terminate the contract.
- iv. Encrypted e-mail notifications will be sent to the Service Area Office (SAO), Compliance Office for immediate review in matters concerning unfavorable SAC determinations for contracted personnel. Appeals and final review will occur with the *VHA Procurement and Logistics Project Office Personnel Security Team*. All SAC determinations shall be documented and imported into eCMS.

PART III – PERSONAL IDENTITY VERIFICATION (PIV) OF CONTRACTORS

Purpose: The purpose of this SOP is to establish a procedure for ensuring contractors obtain PIV cards when necessary as well as establish a centralized office for all VHA PIV card sponsorship.

Policy: [Homeland Security Presidential Directive \(HSPD-12\)](#), Policy for a Common Identification Standard for Federal Employees and Contractors, dated August 27, 2004, mandates that Federal employees and contractors be issued a standard and reliable form of identification that complies with the technical and procedural requirements defined in Federal Information Processing Standards Publication (FIPS) 201, Personal Identity Verification (PIV) of federal employees and contractors, dated February 25, 2005, as amended by [FIPS 201-1](#), dated March 2006.

Office of Personnel Management Memorandum, [Final Credentialing Standards for Issuing Personal Identity Verification Cards under HSPD-12](#), dated July 31, 2008, provides final government-wide credentialing standards to be used by all departments and agencies in determining whether to issue or revoke personal identity verification cards to their employees and contractor personnel.

VA Directive 0735, Personal Identity Verification of Federal Employees and Contractors, in conjunction with VA Handbook 0735, is to provide guidance regarding usage, administration, and governance for the VA Personal Identity Identification (PIV) card as well as providing guidance regarding identification cards for short-term employees, contractors and visitors. **Note:** VA Directive 0735 and VA Handbook 0735 are currently in draft form and this SOP will be updated once they have been finalized.

Procedures:

1. Acquisition Planning (Pre-Solicitation) Phase:

- a. **Determining Access Requirements:** There are three types of identification cards that can be issued to contractors: PIV Card, Non-PIV Card and Flash Badge. The determining factor as to the type of card issued is an examination of a contractor's access requirements for physical and/or logical VA resources. During the acquisition planning phase, the Contracting Officer (CO) together with the Contracting Officer's Technical Representative (COTR) and/or Program Managers shall determine which type of identification card the contract employees working on a specific contract will need and compare the level of background investigation required for the identification card with the level of background investigation determined in Part I of the SOP. Whichever results in the higher level of background investigation is the level the contractor employee shall receive. The following information describes the criteria for each type of identification card.

- i. **PIV Card:**

Access Requirements: Unsupervised, full-time, logical and/or physical access for more than 6 months OR more than 180 aggregate days in a one year period

ID Requirements: Two IDs compliant with PIV Guidelines

Background Investigation Requirements: Favorable SAC adjudication and an initiated National Agency Check with Written Inquiries (NACI).

- ii. **Non-PIV Card:**

Access Requirements: Unsupervised, logical and/or physical access for less than 6 months OR less than 180 aggregate days in a one year period

ID Requirements: Two IDs compliant with PIV Guidelines

Background Investigation Requirements: Favorable SAC adjudication

iii. **Flash Badge:**

Access Requirements: Common physical access ONLY for less than 6 months OR less than 180 aggregate days in a one year period

ID Requirements: One ID compliant with PIV Guidelines

Background Investigation Requirements: None

2. **Solicitation Phase:**

- a. In accordance with FAR 4.1303, the CO shall use eCMS to insert the clause 52.204-9, Personal Identity Verification of Contractor Personnel, in solicitations and contracts when contract performance requires contractors to have routine physical access to a Federally-controlled facility and/or routine access to a Federally-controlled information system. The clause shall not be used when contractors require only intermittent access to Federally-controlled facilities.

3. **Contract Administration (Post-Award) Phase:**

- a. Upon award, the CO shall provide the contractor with a "Notice of Award" letter (Attachment B), which shall contain detailed instructions on fulfilling security requirements.

PART III - BUSINESS ASSOCIATE AGREEMENTS

Procedures: The following guidance and processes shall be used by all acquisition and procurement staff in the management of Business Associate Agreements (BAA).

1. As part of procurement initiation process, the program office/using service will ensure the requirement is reviewed by the Privacy Officer. The Privacy Officer will review all requirements to determine the necessity to incorporate a BAA as part of the contract/purchase order/agreement. As part of the procurement package, Appendix A in accordance with VA Directive 6500.6 will be signed by the Information Security Officer (ISO), Privacy Officer (PO), Contracting Officer's Technical Representative (COTR), Program Manager (if applicable), and Contracting Officer (CO).
2. If the PO determines a BAA is required based on the work required under the contract/purchase order/agreement, the CO/Purchasing Agent (PA) will perform the following:
 - a. Ensure the latest version of the BAA is incorporated into the solicitation. The template is located at <http://vaww4.va.gov/hia/BAA.html>.
 - b. Prior to award, the CO will search the National Business Associate Agreement website <http://vaww4.va.gov/hia/BAA.html> to verify if a National BAA exists for the apparent awardee.
 - c. If there **is** an active national BAA, the CO will ensure the existing agreement is incorporated into the resultant contract/purchase order/agreement.
 - d. If **no** national BAA exists, the CO will obtain the required reviews in accordance with IL 001AL-09-02.
 - e. The BAA will be reported to the central tracking database as required below.
 - f. If there is a dispute between the CO/PA and PO, follow the process outlined in Section C.

B. Mandatory Tracking of Business Associate Agreements

1. Upon execution of a Business Associate Agreement, the Network Contract Activity will enter the information into the central tracking database located on the VHA DCPO SharePoint site: <http://vaww.teamshare.va.gov/PCLO/AWI/default.aspx>.
2. The VHA Operations Office will be responsible for running monthly reports to determine if duplicative local BAAs with the same vendor has been executed across VHA.
3. The list shall be provided to the VHA Health Information Access (HIA) Office, which manages National Level BAAs, for a determination if a national BAA would be appropriate.
4. If a BAA is executed, the HIA Office will notify the VHA Operations Office so this information can be disseminated through the Service Area Offices and the Network Contract Activities.

C. Dispute Escalation Plan between the Privacy Officer and Contracting Official

1. For complex BAA issues or in the event of a dispute between the CO/PA and the PO whether a BAA applies or does not apply, the HIA BAA Program Manager will be contacted for assistance. A request will be generated and submitted via email to james.gwyn@va.gov for assistance and/or clarification.
2. The HIA Office will provide their response via email and the response shall be uploaded into the official eCMS file.
3. **Responsible Office:** The Executive Director for Office of Acquisition, Logistics and Construction is responsible for the material contained in this Standard Operating Procedure.

D. Liquidated Damages

1. The CO will ensure a Liquidated Damages (LD) clause is included in all contracts that require a Business Associate Agreement.
2. The LD assessment will be \$37.50 per day, per individual. This figure will be assessed annually by VA Office of General Counsel (OGC).

References:

- a. VA Handbook 6500.6 of March 12, 2010; *Contract Security*
- b. VA Notice 09-02 of March 24, 2009; *Positions Designation Automated Tool (PDAT)*
- c. Deputy Under Secretary for Health for Operations and Management (10N) Memorandum dated February 8, 2007; *Contractors Exempted from Background Investigation and Screenings*
- d. IS-15 of July 2008; *Requesting OPM Personnel Investigations*
- e. Deputy Assistant Secretary for Acquisitions and Materiel Management Policies and Regulations – IL-90-01-6; *Contractor Personnel Security Requirements*
- f. Homeland Security Presidential Directive -12 (*HSPD-12*)
- g. Federal Investigations Notice, July 31, 2008 *Final Credentialing Standards for Issuing Personal Identification Verification Cards under HSPD-12.*
- h. Federal Acquisitions Regulations, 48 C.F.R. Parts 39 and 52
- i. VA Directive 0710 dated June 4, 2010; *Personnel Suitability and Security Program*
- j. VA Handbook 0710 dated September 10, 2004; *Personnel Suitability and Security Program*
- k. VA Notice 06-6 dated December 18, 2006; *Procedures for Initiating Background Investigators for Contractors*

Attachment A:

NOTICE OF AWARD

[Date]

[Contractor Name
Address]

Subject: Award of [insert contract/task order number and title]

Congratulations! This letter confirms award of the subject [insert one: contract or task order] to [insert contractor name] in response to solicitation [insert solicitation number]. Please review and sign the enclosed SF-1449 and return it to the Contracting Officer no later than [insert time and date].

Please note that all of the following items must be completed by each contract employee, including any subcontract employees, prior to commencing work. ***The Contracting Officer will return a countersigned and fully executed copy of the SF-1449 when all of the following items are completed. The countersigned SF-1449 serves as the notice that work can commence.***

1. **STEP ONE: Complete Background Investigation Request Worksheet:** Within five business days of receiving this letter, the contractor shall submit a completed **Background Investigation Request Worksheet (Form #1)** that lists ***all*** contractor employees who will be working on the [insert one: contract or task order] to the VHA Service Center (VSC) Personnel Security Office via password protected or encrypted e-mail to VSCSecurity@va.gov or fax to (216) 447-8020. ***Note:*** due to the personal information contained in the Background Investigation Request Worksheet, the information must be sent in a secure manner. Please **DO NOT** e-mail a document containing social security number unless the e-mail is encrypted.

Within five business days of receiving the Background Investigation Request Worksheet, the VSC Personnel Security Office will enter a background investigation request into the VA Security Investigation Center (SIC) Contractor Request Database (CRD) for each contractor employee. When the request is entered, an automated "initial" e-mail is sent to the contractor point of contact listed on the Background Investigation Request Worksheet. The automated e-mail identifies the background investigation level requested and provides a website link with further instructions.

If a contractor employee has a background investigation from another federal agency, it may be reciprocated as long as the background investigation meets the appropriate level designated in the current statement of work and has occurred within the last five years with a favorable adjudication and **no break** in service. Please be aware that any public trust case that is older than two years and does **not** have a favorable adjudication cannot be reciprocated unless it was a no issue case.

VSC Personnel Security Office staff will coordinate with the VA Security and Investigations Center (SIC) staff to verify reciprocity. If the contractor employee receives the automated e-mail from the VA SIC CRD and believes he/she may be eligible for reciprocity, please contact the VA SIC using the contact information in the e-mail. Reciprocity is **NOT** automatic. If a background investigation can be reciprocated, the VA SIC will send an e-mail notification to the contractor.

Note: As contract personnel are added to the contract or order, the Background Investigation Request Worksheet must be updated and submitted to the VSC Personnel Security Office so that a background investigation can be initiated. The additional contract employee cannot start work until all security requirements listed in this letter are completed.

2. **STEP TWO: Complete Special Agreement Check (SAC) (Fingerprinting):** ALL contractor employees are required to be fingerprinted within 14 calendar days of this notice, except for those who received an e-mail from the VA SIC confirming reciprocity. Courtesy electronic fingerprints can be obtained at some VA facilities. Please contact the Contracting Officer's Technical Representative (COTR) to schedule a fingerprinting appointment at a VA facility as soon as possible. Each contractor employee shall take a copy of the **VHA Special Agreement Check (SAC) Memorandum (Form #2)** to the fingerprinting appointment and complete it. Completed forms shall be faxed to the VSC Personnel Security Office at (216) 447-8020 the same day the contractor employee is fingerprinted.

OPM sends the results of the SAC to the VSC Personnel Security Office within 5 days. The VSC Personnel Security Office reviews the results and makes an adjudication recommendation to the CO within 10 days, who will inform the Contractor POC of the outcome.

3. **STEP THREE: Complete and Submit Background Investigation Documents:** Upon receipt of the automated e-mail from the VA SIC CRD (see Step One), each contractor employee who did not receive a reciprocation notice, must complete and submit the required documents to the VA SIC **within five business days**. The submission address will be provided in the automated e-mail. Do not send completed documents to the VA SIC before being fingerprinted or before receiving the initial automated e-mail – **THE DOCUMENTS WILL BE RETURNED.**

The VA SIC reviews the documents within seven business days for completion and accuracy. If the documents do not contain any errors, the VA SIC forwards them to the Office of Personnel Management (OPM) to conduct the background investigation. If the documents contain errors, the VA SIC will return them to the contractor with corrective instructions. The corrections must be made immediately and sent back to the VA SIC. Once the documents are completed correctly and VA SIC forwards them to OPM, an automated e-mail is sent to the contractor point of contact stating that the background investigation has been **initiated**.

On the 20th day, if the VA SIC has not received a completed package, the Contractor POC will receive an e-mail notification that the request is still pending and has not been initiated.

On the 40th day, if the VA SIC has not received a completed package, the Contractor POC will receive an email stating that the request has been terminated and the contractor employee must be replaced due to non-compliance with security requirements and a new background investigation request will need to be submitted.

4. **STEP FOUR: Obtain Personal Identity Verification (PIV) Card (Security Badge):** Each contractor employee is required to obtain a PIV Card. In order to be eligible to receive a PIV Card, the contractor employee must have both a favorable SAC completion and an initiated background investigation (or reciprocation). **Within five business days** of reciprocation or receiving notice of initiated background investigation and favorable SAC adjudication, the contractor employee must complete the **VHA Service Center Contractor PIV Sponsorship Form (Form #3)** and submit it to the VSC Personnel Security Office via e-mail at VSCSecurity@va.gov or fax it to (216) 447-8020.
5. **STEP FIVE: Complete Required Training and Sign Contractor Rules of Behavior:** All contractor employees shall complete the training indicated in the solicitation. The contractor shall **provide copies of training certificates and signed Contractor Rules of Behavior for each employee within five business days of reciprocation or receiving notice of initiated background investigation and favorable SAC adjudication contractor and annually thereafter** to the Contracting Officer and the COTR. In order to obtain access to the VA training via the VA's Learning Management System (LMS), please contact the COTR.

Should you have any questions, contact _____.

Sincerely,

Contracting Officer

CONTRACTOR SECURITY PROCEDURE FLOWCHART

Contractor receives Notice of Award letter from contracting officer.

Five
Business
Days

STEP ONE: Complete and submit Background Investigation Request Worksheet (Form #1)
and
STEP TWO: Complete Special Agreement Check (Fingerprinting) and submit VHA Special Agreement Check (SAC) Memorandum (Form #2)

Five
Business
Days

Contractor POC receives an automated “initial” e-mail from VA SIC for each contract employee listed on the Background Investigation Request Worksheet with a website link that provides further instructions. If a contract employee has a previously completed background investigation, he/she may be eligible for reciprocity. Do any contract employees have previously completed background investigations?

NO

YES

STEP THREE: Upon receipt of the automated “initial” e-mail, each contract employee must complete and submit background investigation documents within five business days.

Contractor POC should contact VA SIC indicating which employees may be eligible for reciprocity. Reciprocity will be verified by the VA SIC. If it can be reciprocated, an e-mail notification will be sent to the Contractor POC.

NO

Seven
Business
Days

YES

Upon receipt of background investigation documents, the VA SIC reviews them for accuracy. If the package is correct and complete, the package is forwarded to OPM and the Contractor POC receives an automated e-mail indicating that the background investigation has been initiated. Has the VA SIC notified the contractor that a background investigation has been initiated?

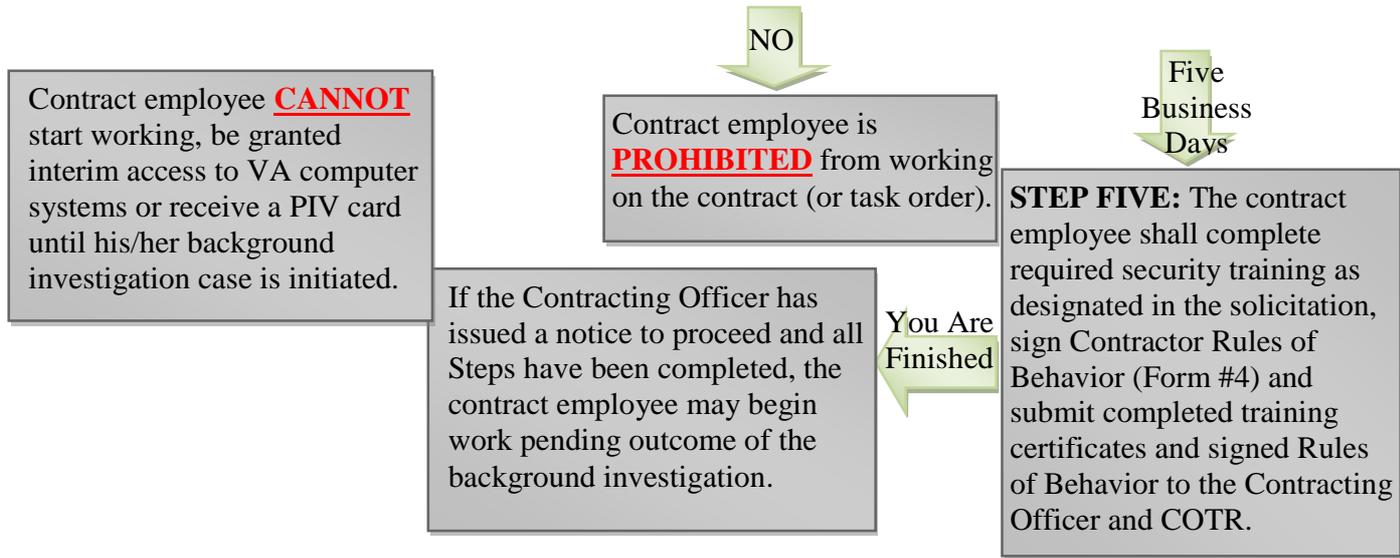
While the background investigation process is being completed, the VSC Personnel Security Office reviews the results of the Special Agreement Check (fingerprints) and makes an adjudication recommendation to the Contracting Officer, who will inform the contractor POC of the outcome. Did the contract employee receive a favorable adjudication?

STEP FOUR: Each contract employee shall complete and submit the VHA Service Center Contractor PIV Sponsorship Form (Form #3) and make an appointment to obtain a PIV card. This shall be completed within five business days of receiving notice of initiated background investigation **and** favorable SAC adjudication

YES

YES

Original Date: 11
NO





Department of Veterans Affairs
VHA Service Center
6100 Oak Tree Blvd #500
Independence, OH 44131
216-447-8010

Background Investigation Request Worksheet

The Contractor is responsible for updating the background investigation form as personnel are added to the order. The Contractor must submit the updated form to the Contracting Officer within five business days of the date to begin work.

Contractor Information

Contracting Officer/Contracting Specialist: _____

Telephone: _____

Station/VISN Number: _____

SAO Region (East/Central/West): _____

Purchase Order Number: _____

Risk Level (Low/Medium/High): _____

Contractor Name (Sub in parentheses): _____

Prime Contractor POC Name & Phone: _____

Prime Contractor POC Email: _____

Prime Contractor Address: _____

Contractor Employee Information

(Date and Place of Birth are required to cross check clearances issued by other departments/agencies.)

Employee Name	SSN	Employee Home Address	D.O.B.	Place of Birth	Previous Investigations Yes/No/Date

Form #1

Security SOP
 Original Date: 2/25/11



**Department of Veterans Affairs
VHA Service Center
6100 Oak Tree Blvd #500
Independence, OH 44131
216-447-8010**

VHA Service Center Contractor PIV Sponsorship Form

Employee Information

Name (First Middle Last):

Social Security Number:

Date of Birth (MM/DD/YYYY):

Gender (M/F):

Race:

Eye Color:

Hair Color:

Height & Weight:

Citizenship: (US,
Naturalized or Non-Citizen Status)

Place of Birth (City, State, Country):

Home Address:

Job Title:

Contractor Company Name:

Company Address:

Form #2

Security SOP
Original Date: 2/25/11

Department of Veterans Affairs
Veterans Health Administration
Washington, DC 20420

VHA Procurement and Logistics
Standard Operating Procedure
February 25, 2011



Department of Veterans Affairs
VHA Service Center
6100 Oak Tree Blvd #500
Independence, OH 44131
216-447-8010

VHA Special Agreement Checks (SAC) Memorandum

FINGERPRINTS MUST BE COMPLETED WITHIN FIVE (5) BUSINESS DAYS AFTER NOTICE OF AWARD

Employee Information (please print)

Name (First Middle Last):

Social Security Number:

Contractor (yes/no):

VA Security Specialist Use Only

SON: 955C / SOI: VA08

Federal Agency Name:

VISN Number:

Station Number:

Date Fingerprinted:

Method of Fingerprinting:

Electronically

After fingerprints are captured, fax this completed document to:

**VHA Service Center (VSC)
Personnel Security Office
Fax# 216-447-8020**

Form #3

Security SOP

Original Date: 2/25/11

