COURSE SYLLABUS

Contract and Procurement Fraud for Investigators Course (Self-Paced)

Learn to detect and analyze contract and procurement fraud schemes in government contracts and grants, including false claims, corruption, and front operations.

> Group classes (Live Online) and onsite training are available for this course. For more information, email onsite@graduateschool.edu or visit: https://www.graduateschool.edu/courses/contract-and-procurement-fraud-for-investigators-course-self-paced



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Course Outline

Module 1: Introduction

- Explain the current audit and investigative environment around procurement fraud and why proactive detection matters.
- Identify Yellow Book expectations for fraud discussion, planning, and referral to investigators or law enforcement.
- Clarify the respective roles of investigators, prosecutors, and contracting officials in addressing fraud.
- Trace the historical persistence of contract fraud to frame modern risks and remedies.

Module 2: What is Fraud?

- Define fraud in contrast to waste and abuse; review common law elements versus modern statutory standards.
- Summarize key criminal, civil, and contractual authorities governing contract fraud (e.g., False Claims, False Statements, Anti-kickback).
- Recognize corruption offenses (bribery, gratuities, conflicts, extortion) and typical red flags.
- Apply practical audit/investigation tips to detect falsified documents, false claims, and material misrepresentations.

Module 3: The Government Contracting Process

- Map the contracting cycle: needs identification, vehicle selection, solicitation/evaluation, performance monitoring, payment, and termination.
- Differentiate firm-fixed-price and cost-type contracts and the controls required for each.
- Spot fraud indicators in requirements definition, competition/sole-source justifications, and bid evaluation.
- Understand financing and payment rules (e.g., progress payments, Prompt Payment Act) and when suspected fraud halts terminations/actions.

Module 4: The Importance of Contractor Integrity to the Contracting Process

- Explain “present responsibility” and FAR standards for ethics, integrity, and business conduct.
- Use SAM, FAPIIS, past performance, and pre-award surveys to assess responsibility and verify certifications.
- Discuss mandatory disclosure, codes of business ethics (FAR 52.203-13/-14), and limits of contractor self-policing.
- Leverage required certifications (e.g., size status, independent price determination, PIA compliance) to test truthfulness.

Module 5: Major Contract Fraud Schemes

- Identify common schemes such as defective pricing, product substitution, mischarging, false quality/testing, and collusive bidding.
- Link schemes to the contract phase where they arise and to relevant statutes/clauses.
- Recognize scheme-specific red flags and evidence sources (records, physical inspection, data patterns).
- Practice triage and scoping for multi-faceted schemes that combine false claims, kickbacks, and obstruction.

Module 6: Fraud Schemes Related to Special Contracts

- Examine vulnerabilities in simplified acquisitions, micro-purchases, commercial item buys, and IDIQs/task orders.
- Assess risks unique to set-asides, small/disadvantaged business programs, and socioeconomic certifications.
- Evaluate prime–subcontract relationships for kickbacks, pass-throughs, and unallowable costs.
- Apply tailored testing to performance-based payments and progress payment certifications.

Module 7: Remedies for Contract Fraud

- Compare criminal, civil (e.g., Civil False Claims Act), administrative, and contractual remedies and their standards of proof.
- Outline suspension/debarment, termination for default, withhold/reduction of payments, and voiding tainted contracts.
- Coordinate with DOJ, contracting officers, and agency counsel to select and sequence remedies.
- Calculate loss and damages considerations for criminal versus civil actions.

Module 8: Issues Related to Investigators, Fraud, and Audit Independence

- Navigate independence requirements when audits uncover potential fraud and when to transition to investigation.
- Preserve evidence integrity; manage scope limitations, access issues, and indications of obstruction.
- Balance investigative needs with audit objectives and reporting protocols.
- Address communication, confidentiality, and whistleblower considerations during joint engagements.

Module 9: Obtaining Information about Government Contractors Involved in Fraud

- Identify sources for contractor information: agency records, SAM/FAPIIS, CPARS, financials, and third-party data.
- Use subpoenas, search warrants (via law enforcement), and contractual access-to-records clauses appropriately.
- Plan interviews with program staff, CO/COR, subcontractors, and whistleblowers to corroborate allegations.
- Develop a documentation strategy that supports referrals, remedies, and potential litigation.