

POLICY FLASH 2008-22

DATE: February 21, 2008
TO: Procurement Directors
FROM: Office of Procurement and Assistance Policy, MA-61
Office of Procurement and Assistance Management

SUBJECT: Implementation of the Consolidated Appropriations Act, 2008 (Energy and Water Development and Related Agencies Appropriations Act, 2008)

SUMMARY: Acquisition Letter 2008-04 Implements the Consolidated Appropriations Act, 2008 (Energy and Water Development and Related Agencies Appropriations Act, 2008). It provides detailed procedures regarding the Department's implementation of Sections –

- 301 Contract Competition;
- 302 Unfunded Request for Proposals;
- 307 User Facilities;
- 311 Use Permit; and
- 501 Lobbying Restrictions

While various forms of section 301 contract competition provisions are included every year, please note new requirements this year concerning non-competitive management and operating contracts including awards of a significant extension or expansion and contracts for environmental remediation or waste management at a current or former management and operating contract site or facility. Note that the provisions of the Consolidated Appropriations Act, 2008 regarding competition are in addition to section 995 of The Energy Policy Act of 2005 (EPACT 05), which is covered in Acquisition Letter 2005-14. Section 995 also required competition to award a management and operating contract for a National Laboratory in certain cases.

This Flash and its attachment will be available online within a day, at the following website:
http://management.energy.gov/policy_guidance/policy_flashes.htm.

Questions concerning this policy flash should be directed to Barbara Binney at (202) 287-1340 or Barbara.Binney@hq.doe.gov.



Michael P. Fischetti, Director
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Attachment