Procurement Countdown

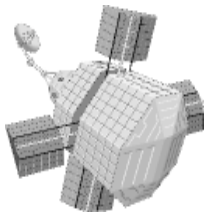
Summer 1998, No. 112

Rapid Spacecraft IDIQ Contract

by Jeff Lamke, Goddard Space Flight Center

The senior management of the Goddard Space Flight Center challenged our Flight Projects Directorate and Management Operations Directorate, in June 1996, to develop an approach that would significantly reduce the lead time of awarding spacecraft contracts from 9-12 months down to 30 days. The GSFC procurement organization established a committee with membership from key GSFC technical organizations and senior procurement management led by the Associate Chief of the Procurement Operations Division.

Within six months, the committee presented its findings to GSFC's senior management and outlined an approach to meet this strategic challenge. The approach consisted of putting in place multiple indefinite delivery/indefinite quantity (IDIQ) contracts for "off the shelf" flight-proven satellites and to order those satellites, as needed, to support scientific missions. Following the culmination of the committee's work, a procurement development team (PDT) was established in February 1997, consisting of



eight members. To put these contracts in place by the end of calendar year 1997, the PDT also served as the Source Evaluation Board (SEB).

Requirements

This team conducted market research to fully understand what industry could offer based on the key elements of the Center's requirements. The market research revealed the major issues that the RFP needed to address. The PDT determined that requiring an existing flight-proven satellite design or one that would be flown in the next three years should be a minimum requirement. Moreover, the vast differences in requirements for potential missions could not be captured in a generic specification.

A broad statement of work was necessary to ensure that all future mission requirements could be accommodated under an offeror-proposed core system specification. Much time and effort was put into developing ordering procedures for the resulting contracts, to insure that the contracts could support a

(continued on page 5)

Highlights...

A message from Deidre A. Lee

As many of you know, I have been nominated for the position of Administrator of the Office of Federal Procurement Policy. The confirmation process is long and complex. After months of paperwork and going through the process, I am in a waiting mode. Several weeks ago, the Committee on Governmental Affairs held the confirmation hearing. The next step is a Committee vote, followed by a full Senate vote.

It is hard to say when these votes will occur. It depends on what is happening in the country and the rest of the world. When the votes take place, if there are no issues with the nomination, "confirmation" occurs, followed by swearing in. As you can see, there are still many important steps in the process that have to occur. I know people are curious about how much longer I will be at NASA. Believe me — when I say, "I don't know when I'm leaving," I mean it.

Before I became involved, I had no idea what the confirmation process was like. It has been very interesting. With any luck, in a month or so, I'll know the outcome, and you will too.

Because this may be my last *Procurement Countdown* article, I'd like to express my appreciation to all of you. I know these last few years have been a challenge. Between budget cuts, threats of downsizing, and massive procurement reform, we've all had our hands full. You've done a great job. We've put some radical ideas out there, ideas that are paying off. But you've made it happen. It's your day-to-day work that makes these changes successful.

I have to admit that being the Associate Administrator for Procurement has been the most challenging job of my career, to date. I have learned a great deal. I have enjoyed it too. I've had a chance to make some important changes. And I've worked with the best – all of you.

Thank you.

Deidre A. Lee
Associate Administrator
for Procurement

NASA Level III Certification

OFPP has established education, training, and experience requirements for the GS-1102 series. The training requirements at NASA consist of six mandatory training courses divided into Level I (for GS-05-07), Level II (for GS-09-12) and Level III (for GS-13 and above). All GS-1102's at grades 13-15 are required to complete CON-301, Executive Contracting, in order to receive their Level III certificates. Our objective over the next 18 months is for all eligible 1102's to be Level III certified. We've made a good start. The following personnel have all received their Level III certifications.

ARC: Connie Cunningham; Thomas Dussault; Carolyn La Follette; Michael M. Sobremonte; Suzanne Phillips; and, Daryl Wong
DFRC: Louann Beu and Monique Sullivan

GSFC: Rex T. Elliott; Richard J. Keegan; Myron Kemerer; Jeff Lamke; Billie D. Smith; Cornelius Square; Rebecca Barth; E. Kent Cockerham; and Sherry L. Pollack
HQ: Don Abrams; Barbara Cephas; Bill Childs; Harold Jefferson; Rich Kall; Bruce King; Joseph LeCren; Thomas O'Toole; Nancy Porter; Carol Saric; Thomas Sauret; Ken Stepka; Diane Thompson; Scott Thompson; and, Reginald Walker
JSC: Herbert Baker; Thomas Baugh; and, Ludolf R. Ingwersen
KSC: William B. Christopher; James Hattaway, Jr; Cheryl C. Hurst; and, Connie Wilcox
LARC: Jennings Cherry; Panice Clark; Jeanne Covington; Cynthia Cowan; Rosemary Froehlich; Sandra Ray; Archer Vann; Virginia

(continued on page 3)

People on the Move

Kennedy Space Center: Teresa Lawhorn, the Procurement Office's computer specialist took a position with the Payloads Directorate at KSC. Denise Travers took a position with Expendable Launch Vehicles at KSC in the field of program management. Susie Goff retired. Both Travers and Goff worked in the Mission Support Office that handles the JSC delegated Space Flight Operations Contract activities at KSC.

Goddard Space Flight Center: Congratulations to James M. Debelius who recently became a Certified Professional Contracts Manager.

Headquarters: Code H has a new front office secretary. Her name is Bridget Bond. She came to us from Legislative Affairs. Her e-mail address is bridget.bond@hq.nasa.gov. Her phone number is the same as it has always been for the front office (202) 358-2090. Bridget replaced Laura Petitt who left NASA to pursue work with another government Agency. The Office of Procurement recently conducted a competition for GS 14/15s in Code H. Nine people were selected, seven of them from outside Code H. The new personnel will be coming on board throughout the summer. They are: Tom Baugh, JSC; Karl Beisel, HQ; Barbara Cephas, Code H; Jeff Cullen, JSC; Celeste Dalton, GSFC; Sheryl Goddard, GSFC; Jeff Lupis, GSFC; Steve Miley, JSC; and Diane Thompson, Code H.

The list of **People on the Move** only includes those names that were submitted to the *Procurement Countdown*. If you know people who should be listed in this column, contact your Center *Procurement Countdown* point of contact, or send the names to the editor, Susie Marucci, on (202) 358-1896, e-mail susie.marucci@hq.nasa.gov.

Dupuis Named Federal Employee of the Year

Susan Dupuis, NASA contract specialist in the Procurement and Business Management Office at Stennis Space Center was named Federal Employee of the Year by the Mississippi Coast Association of Federal Administrators (MCAFA).

Approximately 24,000 federal employees at different agencies in Hancock, Harrison, Jackson, Pearl River, Stone, and George Counties in Mississippi are represented by MCAFA. Eleven federal employees were nominated for this award, which recognizes dedicated community involvement and outstanding federal civilian service.

Dupuis, a 20-year veteran of federal service, was cited as a prudent business professional whose attention to detail has saved the taxpayers millions of dollars throughout her years of service. Her outstanding community service includes serving on the Board of Directors for Safe Harbor, a St. Tammany parish, LA, shelter for victims of domestic violence; on the New Orleans Area Council of Boy Scouts of American, Troop 98; and as a Sunday school religion teacher at St. Margaret Mary Church in Slidell, LA. She also participated in the Leadership Slidell program, Toastmasters International, and as a volunteer for Special Olympics.

Reprinted from Lagniappe *the newsletter of the Stennis Space Center.*

Level III

(continued from page 2)

Wycoff; and, Mary Jane Yeager
LERC: Brad Baker; Ronald Sepesi; Karin Huth; and, Paivi Tripp
MSFC: Stephen Beale; Byron Butler; Elaine Hamner; David Iosco; Roger McElyea; Dan Mitchell; Patrick Rasco; Dave Seborg; and Robert A. Democh
JPL: Roger Wilson

Congratulations to everyone who received Level III Certification!

The Research World Turns Faster with BOAs

by Tracy Lamm, Marshall Space Flight Center

In today's world of cutting costs and getting the most for your money, MSFC has taken a leap forward by establishing the University Research Program Basic Ordering Agreement (BOA). A basic ordering agreement is a written instrument of understanding, negotiated between the MSFC contracting activity and contractors, that contains terms and clauses applying to future contracts (orders) between the parties during its term; a description of supplies and services to be procured; and the method for pricing, issuing, and delivering contracts/orders under the agreement. The basic ordering agreement is not a contract, nor does it obligate any funds or guarantee any future procurements to that contractor.

This BOA program offers basic and applied research development to be performed by colleges, universities, and other institutions of higher education within the United States. The BOAs scope includes providing research-related support for scientific and engineering research, technology development, design and fabrication of selected (one-of-a-kind) apparatus to support demonstration of research or technology tasks to be performed, and the organization and conduct of scientific colloquia, conferences, seminars and working group meetings for the purpose of technical interchange, defining research goals, carrying out research efforts, and reporting research results with Principal Investigators (PIs) across the country.

Currently sixteen (16) of these BOAs are in place with academia across the United States. The initial BOAs have a period of performance of one year and can be renewed for an additional four years. Task Orders (TOs) issued against the BOAs have a maximum period of performance of one year, cannot exceed $100,000, including modifications, and must be fully funded. The TOs may be fixed-price or cost-reimbursement.

Participation

Currently BOAs are in place with the following Universities: Alabama A&M University, Auburn University, California

Institute of Technology, Florida State University, Georgia Institute of Technology, Mississippi State University, Pennsylvania State University, University of Alabama, University of Alabama in Birmingham, University of Alabama in Huntsville, University of Florida, University of Michigan, University of South Alabama, University of Tennessee Space Institute, Vanderbilt University and Utah State University.

Additional universities may become part of the University BOA Vendor Contact List by either of two procedures. Non-participating universities may submit a proposal in response to a solicitation posted on NAIS/CBD. The requisitioning organization will evaluate the proposal and the university's capabilities on the basis of "best value."

If the university's quotation offers the best value, all factors considered, a standardized BOA is forwarded to the university inviting the university to become part of the program with subsequent award to that university. In the event the university elects not to join the program, the award is made using a grant.

The second procedure is for requests from universities to be added to the list that are not associated with a specific solicitation. Interested universities are advised to submit a capability overview. The qualification documentation is then forwarded to the BOA technical representative for evaluation and recommendation for addition to the list.

The university BOAs are identified on MSFC's list of available CCI contracts.

Further information can be found on the CCI homepage at http://ec.msfc.nasa.gov/hq/cci/boas.html

Using A BOA

Other NASA centers may submit a procurement request (PR) to be issued against the university BOA. The orders will be issued against the BOA for the desired research task by the MSFC Contracting Officer. A procurement package should

(continued on page 12)

Rapid Spacecraft IDIQ Contract

(continued from page 1)

broad base of customers. The basic tenant was that all contract holders would be permitted to bid or no-bid on each NASA mission, thereby, allowing industry to self-eliminate, based on their perceived competitiveness on a given mission.

Out to Industry

In May of 1997, a draft RFP was released to industry for comment. The RFP requirements included the following: 1) only existing satellites with flight proven heritage or satellites currently being designed and expected to fly during the ordering period would be considered for award; 2) the ordering period of the IDIQ contracts would be three years, 3) pricing would include not-to-exceed, fixed contract line item prices for the offered satellite core system, with mission unique modifications priced for each individual delivery order, 4) the ordering procedures included a "mini-competition" for each mission; and, 5) the resulting contracts would be open to all Government agencies and non-government organization/PI's performing under a NASA contract resulting from an Announcement of Opportunity.

Industry's response to the new approach was enthusiastic. NASA held an industry conference and one-on-one meetings to outline the new way of doing business and discuss any issues. Because most of industry's comments were in favor of the new approach, the final RFP was not dramatically different from the draft RFP.

The final RFP was released in June of 1997 with proposals due the last day of July. A total of 10 proposals were received. GSFC evaluated, conducted discussions, determined competitive range, conducted site visits at two companies (whose capabilities were not readily known to NASA), requested and evaluated BAFO's, presented results to senior management, and awarded contracts on October 9, 1997, (70 days from receipt of the initial proposals).

The first delivery order, the JPL's Quick Scatterometer Mission, was placed following a "mini-competition" in 17 days. The Quick Scatterometer Mission

is scheduled for launch in November 1998 (one year from order placement).

The Rapid Spacecraft Development Office (RSDO), of the GSFC's Flight Projects Directorate, manages the IDIQ contracts. The RSDO is responsible for all aspects of this dynamic and versatile program. This office directs the definition, competition, and delivery order placement under the multiple IDIQ contracts, offering NASA and other United States Government Agencies the capability to expeditiously procure spacecraft for their missions.

Faster, Smaller, Cheaper

These missions are characterized by relatively low to moderate cost, small- to medium-sized missions that are capable of being built, tested, and launched in a short time interval. The spacecraft defined by this office are capable of supporting a variety of scientific objectives from NASA's Space Science and Earth Science Enterprises.

The management of this effort reflects a new way of doing business, consisting of a small cadre of project personnel that provide program insight and innovative teaming arrangements. Following delivery order award under an IDIQ contract, the responsibility for delivery order management is delegated to the user, who is either the science PI and team, or a flight project. To keep costs as low as possible, all contracts use standard industry procedures and practices already in place at the spacecraft vendor's plant, light touch management, and minimum data deliverables.

The RSDO is agile enough to support PI's participating in any of NASA's Announcements of Opportunity processes, as well as those scientists and flight projects defining new mission concepts and design studies.

As with any multi-faceted procurement, there was a myriad of smaller issues that were resolved at the Center and Headquarters. Without the support of GSFC's senior management and Headquarters' Code Y and Code H staff members, this effort would not have been as quick or as successful.

(continued on page 9)

So You Want to Go to Headquarters?

by Steve Parker, Headquarters Analysis Division

Part 1 – Getting There

I would like to graciously thank the editor of the *Procurement Countdown* for giving me this opportunity to share my experiences as an employee detailed to NASA Headquarters (HQ).

As you may recall, last fall our esteemed Associate Administrator, Ms. Dee Lee, issued an announcement for rotational assignments at Headquarters. I was one of the brave souls who dared to solicit my management's support, apply, and accept an offer to come to HQ on a detail. It sounds easy, eh?

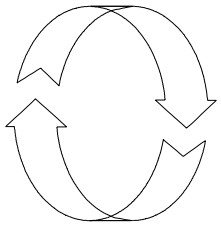
Not so fast. Wanting and getting a rotational assignment are two very different things. In my case, the wanting goes back to before I even started with NASA. I previously worked for DoD at the Naval Avionics Center (NAC), Indianapolis, a satellite branch of NAVAIR. The programs I worked on then brought me to NAVAIR in Crystal City on numerous occasions. I was always intrigued by the possibility of working at the next level and living in our nation's capital.

The NAC procurement office always sponsored one or two people per year on a rotational assignment to Crystal City. I think NAVAIR used the assignments to supplement their workforce, and to "steal" the best workers from NAC. If I hadn't taken a job with NASA in 1991, I likely would have been the next candidate for that assignment.

Fast forward through 5 years of NASA experience to 1996, when I first started asking my boss about opportunities for a rotational assignment at NASA HQ. His responses were quite predictable, "Hey buddy, now is not a good time, we just lost employees X, Y and Z to buyout/retirement/transfer, there is too much work and not enough people, I can't afford to let you go, etc."

All of which were entirely true. But to borrow a line from MLK, I had a dream. And the beauty of a dream is you don't let it go.

The next year I attended a training class with the boss, which also provided an opportunity to corner him in a captive



setting where neither of us had to worry about meetings or phone calls or other interruptions. We talked about career issues, what I expected out of my career, how I fit into his long range plans for the organization, and I again reminded him of my desire to participate in a rotational assignment at the HQ level. His responses were like an instant replay of our previous encounter, but I could tell that the foundation had been laid to pursue this at a later date.

Then came Dee's letter in September 1997, which stated so eloquently that, "career development should play a larger role in our professional development plans. The Office of Procurement's Career Development Program is designed to create professional development opportunities through rotational assignments." It also included some high falootin' concepts like career broadening opportunities and developmental activities, looking for someone who has a strong procurement background, interested in enhancing his/her career path. This sounded like a personal appeal to me. Sure, Dee addressed the letter to all Procurement Officer's, but I know she really wrote it for me.

So now I had my dream, my foundation, and Dee's letter to use as ammunition with the boss. He tried to replay the same excuses, but I risked heresy and pointed out that using his logic, there never would be a good time to send personnel to HQ for a rotational assignment. I built my case, explaining the dream, reminding him of the foundation and then unloaded both barrels with how HQ thought this was a career broadening experience and I could use more experience with broads. No, that's not quite right. But I did use those high falootin' words to my advantage.

To my surprise, he agreed to support my request. Lo and behold, six months later I got the call from HQ that they wanted me to come.

I can't fault my boss for being reluctant to allow me to participate. There is a negative impact to the organization when a worker is absent for an

(continued on page 11)

NASA Holds Fourth Annual Contractor Open Forum

by Dan Lewis, Kennedy Space Center

On November 12, 1997, the Fourth Annual Contractor Open Forum was held at the Florida Solar Energy Center in Cocoa, Florida. More than fifty individuals represented their companies at the Forum, asking questions and listening to the questions, views, and opinions of other interested persons concerning NASA's procurement policies.

Deidre A. Lee, NASA Associate Administrator for Procurement, was introduced by James E. Hattaway, Jr., KSC's Procurement Officer. Lee's broad topics included planning, procurement, socio-economic goals, remedies, and administration and management.

Electronic Commerce generated the greatest number of questions and comments, but interest was expressed in each of the broad areas introduced. The issue that seemed to be of most interest to those attending involved the use by major prime contractors of electronic

posting systems like the NASA Acquisition Internet System (NAIS). Lee indicated that some were already using NAIS, but more could be done to encourage broader use of its capabilities.

Some people in the audience expressed concern about contract consolidations like the Joint Base Operations Support Contract (J-BOSC) being implemented by NASA and the Air Force at KSC and Patrick AFB. They were uneasy, fearing that as prime contractors got bigger through consolidations some small business contractors could lose their current subcontracts. After explaining the different NASA socioeconomic programs and goals, Lee said that it was important that NASA not lose its Small Business focus while attempting to economize. She said NASA would continue to place challenging socioeconomic goals in its solicitations, expecting that they would be met or exceeded. Individuals with specific issues to discuss were able to pursue them at the end of the meeting with Lee and Hattaway.

Other questions asked involved: the applicability of the Consolidated Contracting Initiative (CCI) to prime contractors, how to obtain a copy of the new FAR Part 15, the availability of training on how to access business opportunities electronically, resolving competition issues real time prior to award instead of afterwards when personalities become an issue, and the ability of NASA to affect current performance as the contracts become larger and the prime contractors fewer.

Lee indicated that CCI might apply, depending on the particular prime contractor, but that all primes would be expected to perform appropriate market research for each of their purchases. She indicated that current FAR guidance was available on the Internet at NASA's Home Page site; and KSC's Small Business representative, Celene Morgan, offered assistance to those seeking help locating business opportunities through the NAIS.

On the question of resolving issues prior to award, Ms. Lee explained the difficulty of using non-binding Alternative Disputes

Resolution. The statute does not allow a non-government person to commit the government to pay a sum of money if that should be the decision. Lastly, with respect to being able to influence current contract performance as primes become fewer and contracts larger, Lee indicated that the top twelve NASA contractors will be reviewed and evaluated on the basis of their impact on the Agency and not just their impact on the Center or Centers at which they do business. NASA Administrator Daniel S. Goldin, may personally contact a company's CEO, if he believes the situation warrants it.

In her closing remarks, Lee said new regulations, reduced staff and reduced budget were the biggest issues facing NASA Procurement. She planned to address these by focusing on implementation training, softer business acumen training, and rotational assignments for procurement personnel in industry. She encouraged communications with her and Center Procurement Officers and stressed NASA's desire to be a better communicator and buyer.

Transferring Principal Investigators and Their Contracts

by Linda S. Kelley, Goddard Space Flight Center

One of the idiosyncrasies of the Announcement of Opportunity (AO) process is that it is the principal investigators (PIs) and co-investigators (Co-Is) who are officially selected under the AO, not his or her organization. Thus, if PIs or Co-Is decide to switch employers, the work follows them. Although this is still not a frequent occurrence, I personally processed 4 such actions in 6 months.

Current Practice

Under current procedures, the PI/Co-I, and the losing and gaining organizations are required to notify the cognizant Headquarters program office that 1) the individual is transferring from one organization to the other, 2) the losing entity recognizes that the program will be leaving, and 3) the gaining entity is willing to accept the contract effort with no change in overall program budget. The program office's letter in response to the individual and the gaining entity constitute the authority for the Procurement Office to proceed. At this point, the Procurement Office would phase out the losing contract and initiate a replacement contract with the gaining entity. This is a cumbersome business, requiring that two separate procurement actions, one of which is an entirely new procurement, dovetale seamlessly. As I stated earlier, this is still not a common occurrence, but it has become more frequent of late. Recently, however, when the Co-I for the ASTER Instrument announced on February 9, 1997, that he would be transferring from the South Dakota School of Mines and Technology (SDSMT) to the University of Alabama at Huntsville (UAH), the former contract specialist asked why we couldn't simply transfer the contract from one organization to the other.

New Approach

Our first reaction was that it would be prohibited by 41 USC 15, which prohibits the transfer of Government contracts. However, a closer examination of FAR 42.12 – *Novation and Change of Name Agreements* revealed that, insofar as AOs were concerned, such a transfer is possible, due to the above-cited AO idiosyncrasy. Although a contract is awarded to the entity that the individual works for, it is the individual who is actually selected for award on a competitive basis and, thus, if the individual leaves the contractor's employ, the contractor can no longer perform the contract. Under that reasoning, the individual is a primary asset involved in the performance of the contract. Thus, the contract can be moved from one contractor to another via a novation agreement pursuant to FAR 42.1204(a)(2).

Proceeding under this belief, this office coordinated the transfer of the effort from SDSMT to the UAH. Since there was only one contract awarded to this Co-I under the AO and that was the contract affected, the cognizant Procuring Contracting Officer, rather than the cognizant Administrative Contracting Officer, processed the action. The basic requirements for the transfer agreement were 1) the transferee assumes all the transferor's obligations under the contract, 2) the transferor waives all rights under the contract against the Government, 3) the transferor guarantees performance of the contract by the transferee, and 4) nothing in the agreement shall relieve either party from compliance with any Federal law.

While most of the documentation nominally required by FAR 42.1204(c) did not apply to the current circumstances, this office endeavored to comply with the spirit of the provisions. For this reason, we compared rate agreements for both entities (they were virtually identical), obtained and dispositioned lists of property acquired by SDSMT under this contract, and established a date by which time the responsibility for the effort would be transferred from SDSMT to UAH. With the help of our Office of Chief Counsel, we were able to create a transfer agreement based on the template contained in FAR 42.1204(d). All parties signed the tri-partite modification, which, in turn, incorporated the tri-partite agreement into the contract.

Time Required

This action began with the Co-Is notification (February 7) of his intent to transfer to UAH. By the time (on June 11) we received the May 9 authority to proceed, the previous contract specialist had already investigated with the

(continued on page 12)

Who Are All These People?

by Jack Horvath, Headquarters Analysis Division

As you sit in your cubicle or office, have you given any thought to who those people are in the nearby cubicles or offices? How long have they been with the Agency? Where did they come from? How long have they worked here? In today's environment it's hard to keep track of who our colleagues are anymore. This is especially true here at Headquarters. If the people haven't retired, they're now at the Centers. It's like baseball, you don't know from one year to the next what players will be playing for the home team. You need more than a score card, you need a computer data base to keep up with the changes.

There was a time when I knew a good many of the procurement personnel throughout the Agency. I can't say that now. I've been in procurement for a long time and have seen many people come and go, nowadays it's mostly go. I realize that government is a changin', but sometimes you have to wonder if all the changes are good. There doesn't seem to be that camaraderie that used to pervade the procurement community. Of course, that could be the result of not traveling very much any more since we don't have the travel funds to do so.

Today, we know some of the people's names at other sites, but we have no idea who they are or what they look like. We may have talked to people hundreds of times on the telephone or played e-mail tag, but we wouldn't know them if we passed them on the street. Maybe that's the wave of the future. We talk on the phone, we send e-mails and we get to know each other from what our voices sound like and how we word our e-mails. I guess in a way, that gives you an advantage because now you can visualize in your own mind what the person on the end of the line looks like. If you ever talk to me on the phone, I want you to know that I'm 6'2" and I look like Tom Cruise. If you happen to be female, I'll picture you as Nicole Kidman. While this can be an advantage, especially if you're picturing me as Tom Cruise, it would be nice if we had the opportunity to meet face to face and to get to know each other.

Sometimes, just meeting a long-distance co-worker can build a bond that makes working across the miles much easier. So, if you're ever in Washington on business, providing you have travel money, stop in to see some of us Headquarters types. We like matching faces with voices. It makes the work seem a lot more pleasant. Oh, excuse me, I've got to run. My phone is ringing and I just know that Nicole is calling. Lucky me!

IDIQ

(continued from page 5)

Currently, 16 delivery orders have been placed (two full missions valued above $39 million each), and various other mission and systems studies. Four missions are now being competed, and there are six potential missions (three outside of NASA) that may use the Rapid Spacecraft IDIQ approach. These IDIQ contracts have enabled GSFC to conserve personnel resources through avoidance of SEB's, reduce mission costs (from $70M to $40M fixed price), increase response time to new mission opportunities, and assist Government and non-Government PI's to identify spacecraft partners in response to AO's.

The Rapid Spacecraft development and IDIQ contract are already considered a great success. On one mission alone, the Laser Altimeter Mission, NASA will save one year and $20 million by using this approach.

If you are interested in more information on the actual implementation of this Rapid Spacecraft IDIQ contract, please visit the Rapid Spacecraft Development Office's web site at http://rsdo.gsfc.nasa.gov.

Obtain Cost or Pricing Data As a Last Resort

by Joe LeCren, Headquarters Contract Management Division

Over the last several years, a number of changes have been made to the FAR affecting the area of cost or pricing data. One of the changes has been to clearly distinguish between "cost or pricing data," i.e., data that is certified, and information other than cost or pricing data, which is simply data that is not certified (FAR 15.401). Other changes to the FAR no longer permit us to operate in the mode we did previously, i.e., routinely obtaining cost or pricing data.

The FAR now requires that we first determine whether one of the exceptions at FAR 15.403-1 applies before there is any request for cost or pricing data. In effect, instead of obtaining cost or pricing data as the norm, it has become the final option.

The exceptions at FAR 15.403-1 include the ones we have long been familiar with, such as when prices are set by law or regulation. However, there are new exceptions, one being when commercial items are to be acquired. Cost or pricing data are never to be required when a commercial item, as defined at FAR 2.101, is to be acquired. Another change is that cost or pricing data are not required for the exercise of an option when the price was established at contract award or initial negotiation, or for proposals used solely for overrun funding or interim billing adjustments (FAR 15.403-2). Even the "adequate price competition" exception for cost or pricing data has been expanded. Adequate competition is now considered to exist even if only one offer is received, so long as competition was reasonably expected by the Contracting Officer.

Even when one of the exceptions does not apply, the FAR (15.403-1(c)(4)) allows the requirement for cost or pricing data to be waived if the price can be determined to be fair and

reasonable without the submission of such data. Such a waiver can only to be granted by the head of the contracting activity, who is defined at NFS 1802.101 to be the director or head of a field installation, provided the authorization and supporting rationale are in writing. This authority cannot be delegated.

When cost or pricing data are not required, information other than cost or pricing data may be required. Even then, no more information than is necessary for determining price reasonableness or evaluating cost realism should be required. What that level of information is must be determined by the Contracting Officer, given the particular requirement being procured. That determination should be made with the assistance of the Center's technical and pricing personnel. This is also true for those situations when a contract overrun is involved. In those cases, the file should be documented sufficiently to satisfy an outside observer that a reasonable price was established.

The FAR also states that whenever adequate price competition is determined to exist, the general rule is not to require any additional information (FAR 15.403-3(b)).

Occasions when additional information would be needed are considered to be unusual. On those occasions, the Contracting Officer is required to obtain the additional information, to the maximum degree practical, from sources other than the offeror. Contracting Officers must remember that the solicitation must specify the type of information (cost or pricing data or information other than cost or pricing data) that are required to be submitted by an offeror (FAR 15.403-5).

To a large extent, the old ways of doing things are either no longer considered appropriate or no longer permitted. We must familiarize ourselves with the changed FAR requirements and learn to operate in this new environment.

Rotation

(continued from page 6)

extended period. Other workers have to assume the missing person's work and may even resent the absence. But the organization benefits too.

Just getting away from the daily grind gave me an opportunity to understand a different point of view. I call it enlightenment. Before coming to HQ, I probably had a grudge against HQ personnel; not on a personal level, but on a business level. There were times that I could not fathom how they came up with some of the crazy ideas and initiatives. Don't they know we have "real" work to do, with little time to chase answers to their silly questions?

I can't say I've swayed anyone at HQ to change their ways per se, however, I can appreciate the pressures and influences that shape their decisions and initiatives. They really do try to be considerate and understand the Center's point of view. At the same time, I have brought my field center experiences to bear on the assignments I've been given. When I return to the home office, I can share my insight with coworkers of how and why policies and decisions are made.

I have met other personnel detailed here from other Center's. I hope I can speak for all of us, that it is an enjoyable experience. I think the greatest benefit is the bonding and realization that we're all in this together. We are one Procurement Office, one NASA. As we build the relationships and communication networks to work together, instead of as separate offices/centers, we can do great things.

Next time: Part 2 - Being There

Principal Investigators

(continued from page 8)

Office of Chief Counsel what would be required to transfer the contract responsibility and was in the process of tailoring the novation template to our needs. At this point, I was assigned to the procurement and proceeded to build on his actions.

If this had been handled in the traditional manner, we would then have had to formally request a proposal (including all certifications) from the University of Alabama, receive the proposal, evaluate it technically and financially, negotiate it, and sign the new contract with the UAH, while phasing out the old contract (with SDSMT) and resolving any outstanding property issues. Given the contract's value and the complexity of the issues to be resolved, that approach could be expected to require four to five months. Using the novation approach, the novation agreement and modification entered the review cycle on July 30, and on July 31 were sent for signature to SDSMT. These were signed by SDSMT and returned on August 15. On August 18, they were then sent to UAH for signature. Thus, from the date that authorization to proceed was received in this office June 11 to August 29, when the modification/novation agreement was fully executed, we were able to realize a considerable savings in time and effort over the normal four to five month leadtime. Based on the above established procedures, we believe that this would represent a major streamlining of the process and that this should become the accepted procedure for those occasions when a PI or Co-I transfers from one facility to another.

For more information, contact me by e-mail at Linda.S.Kelley.1@gsfc.nasa.gov or at (301) 286-2094.

BOAs

(continued from page 4)

be prepared by the initiating Center's requisitioning office and forwarded to the MSFC Contracting Officer for preliminary review for applicability under the BOA statement of work.

The preliminary package will be reviewed by the CO/contract specialist prior to acceptance for award. Required data in an accepted procurement package are: certified funds (processed through MSFC's Office of Chief Financial Officer; completed TO format, statement of work, and (if applicable) Recommendation and Determination for Soliciting from only one Source (RDSS); GFE list; and on-site approval letter.

Research is monitored by an MSFC engineer or scientist. Requests for participation under the University BOA CCI are limited to requests from other NASA centers. The MSFC CO signs noncompetitive justifications. All TOs will be retained by MSFC for administration and close-out.

The work is performed at the contractor's facilities, except: where unique MSFC facilities are required to more efficiently accomplish the work; where scientific field experiments are being conducted at other NASA Centers or at other remote-field sites on aircraft, sounding rockets, high-altitude balloons, satellites, etc.; or other NASA Centers if it is a CCI award.

Various areas of engineering and scientific activity are supported through the BOAs. They include Avionics, Power, Optics; Structures and Dynamics; Materials and Processes; Systems Analysis and Integration; Rocket Propulsion; Mission Operations; and Space Sciences. All task orders under these BOAs involve only research-related tasks.

For further information, please contact Valerie Holmes at 205-544-0314, or e-mail her at Valerie.Holmes@msfc.nasa.gov.

You are invited to share what's going on at your Center. E-mail susie.marucci@hq.nasa.gov for more information.

Procurement Countdown

Procurement Countdown is published by NASA's Office of Procurement.

Editor.....Susie Marucci
(202) 358-1896
susie.marucci@hq.nasa.gov