



**DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY**

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ARLINGTON, VIRGINIA 22203-1635

Procurement Division

DoDEA Administrative Instruction 8000.6
March 23, 2005

**DEPARTMENT OF DEFENSE EDUCATION ACTIVITY
ADMINISTRATIVE INSTRUCTION**

SUBJECT: Doing Business with Contractors/Vendors

- References: (a) DoDEA Contracting Advisory 95-02, "Test/Demonstration of Vendor Products or Services," July 25, 1997 (hereby canceled)
- (b) Section 2304 of title 10, United States Code, Contracts: Competition Requirements
 - (c) Section 253 of title 41, United States Code, Competition Requirements
 - (d) Federal Acquisition Regulation, Part 6 of the FAR, "Full and Open Competition," current edition

1. PURPOSE

This Administrative Instruction:

- 1.1. Replaces reference (a).
- 1.2. Updates policy and responsibilities regarding the Department of Defense Education Activity (DoDEA) procedures for doing business with contractors/vendors in accordance with references (b) and (c).
- 1.3. Establishes DoDEA procedures for interactions with outside vendors.

2. APPLICABILITY

This Administrative Instruction applies to the Office of the Director, Department of Defense Education Activity; the Director, Domestic Dependent Elementary and Secondary Schools, and Department of Defense Dependent Schools, Cuba (DDESS/DoDDS-Cuba); the Director, Department of Defense Dependents Schools, Europe (DoDDS-E); the Director, Department of Defense Dependents Schools, Pacific, and Domestic Dependent Elementary and Secondary Schools, Guam (DoDDS-P/DDESS-Guam); and all DoDEA District Superintendents, School Principals, Teachers, and Support Staff.

3. DEFINITIONS

3.1. Market Research. A collection of information required to gain insight and understanding of the market place and to determine if a commercial item can meet the agency's requirement. Market research is NOT about getting information that is specific to ONE contractor/vendor; nor is it a new way of getting proposal information from a specific contractor/vendor. Market information can be obtained from a variety of sources (e.g., yellow pages, internet, trade publications, sources sought synopsis, historical documentation, and contacting sales offices).

3.2. Price Quote. A written or oral offer by a vendor/contractor specifically developed for a particular buy/solicitation.

3.3. Competitive Procedures. Requires that agencies promote and provide for full and open competition, in which all responsible sources are permitted to compete, in all procurements to which the law applies.

4. POLICY

It is DoDEA policy that:

4.1. The Department of Defense Education Activity, as a Department of Defense Field Activity shall not provide preferential or avoid the appearance of providing preferential treatment to any contractor/vendor, and must not commit to buying products or services prior to a competitive procurement.

4.2. Competitive procedures, under the guidance of reference (d), will be used to fulfill the Government's requirements for all supplies and services unless specific conditions are met under other than full and open competition.

5. RESPONSIBILITIES

5.1. The Director, Department of Defense Education Activity, as the Head of the Contracting Activity, shall exercise authority, direction, and control over the Chief, Procurement Division, Department of Defense Education Activity.

5.2. The Chief, Procurement Division, Department of Defense Education Activity, shall:

5.2.1. Develop overall program policy.

5.2.2. Ensure effective management controls are in place.

5.3. The Chief, Procurement Policy and Compliance, Department of Defense Education Activity shall:

5.3.1. Appoint, in writing, a full-time DoDEA Small Business Specialist.

5.3.2. Act as the alternate to attend capability meetings in the absence of the DoDEA Small Business Specialist.

5.4. The DoDEA Small Business Specialist shall:

5.4.1. Respond to calls, e-mails, and letters from possible contractors/vendors who wish to do business with DoDEA. Notify the appropriate DoDEA staff element of potential contractors/vendors who wish to have a capability meeting with potential DoDEA staff customers to ensure the correct personnel are invited to the meeting.

5.4.2. Arrange and/or attend capability presentations/meetings between DoDEA employees and prospective contractors/vendors wishing to do business with DoDEA to ensure the FAR is followed and no favoritism by agency employees occur during meetings.

5.4.3. Maintain a listing of contractors/vendors presenting capability information to assist contracting specialists and staff customers in market research.

5.4.4. Provide advice regarding appropriateness of meetings and discussions.

5.5. The DoDEA Procurement Analysts shall:

5.5.1. Respond to calls, e-mails, and letters from possible contractors who wish to do business with DoDEA.

5.5.2. Notify the customer of potential contractors/vendors who wish to have a capability meeting in order to ensure that the correct personnel are invited.

5.5.3. Arrange and/or attend capability presentations/meetings between DoDEA employees and prospective contractors wishing to do business with DoDEA in order to ensure that the FAR is followed and that no favoritism by agency employees occurs.

5.5.4. Maintain a listing of contractors/vendors presenting capability information to assist contracting specialists and staff customers in market research.

5.5.5. Provide advice regarding the appropriateness of meetings and discussions.

5.6. The DoDEA Staff Customers shall:

5.6.1. Refer any contractor/vendor who wishes to have a capability meeting or demonstrate a particular type of product or service to the appropriate DoDEA staff element, DoDEA Small Business Specialist, or DoDEA Procurement Analyst.

5.6.2. Ensure the DoDEA Small Business Specialist or DoDEA Procurement Analyst is present in the meetings and/or product demonstrations.

5.6.3. Advise contractors/vendors that DoDEA staff customers do not have the legal authority to bind DoDEA or the U.S. Government when holding meetings or discussions during market research. Only a DoDEA Contracting Officer may make an offer or acceptance of an offer on behalf of DoDEA or the U.S. Government.

5.6.4. Not divulge any contractor/vendor pricing information to other contractors/vendors under any circumstances.

5.6.5. Not divulge source selection information (e.g. government cost estimates, contractor/vendor pricing data, technical proposals, and government technical reviews) that would give one contractor/vendor an undue advantage over another.

5.6.6. Limit market research discussions strictly to the contractor's/vendor's capabilities.

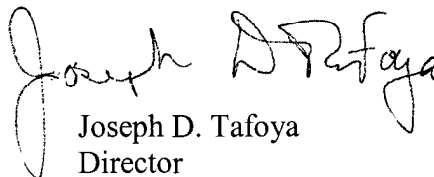
5.6.7. Inform all contractors/vendors that a request for information does not obligate DoDEA or imply that the person making the inquiry has the authority to obligate the agency. Potential sources should not be asked to submit more than the minimum information necessary.

5.6.8. Refer any contractor/vendor inquiry about any procurements over \$25,000 to Federal Business Opportunities or United States General Services Administration Advantage.

5.6.9. Refer contractors/vendors attempting to market their supplies or services by inquiring whether any new requirements are being generated by DoDEA, to the DoDEA Contracting Officer, Small Business Specialist, or Procurement Analyst.

6. EFFECTIVE DATE

This Administrative Instruction is effective immediately.



Joseph D. Tafoya
Director