

UNIT 54: TASK AND DELIVERY ORDER CONTRACTING

September 2004

UNIT CERTIFICATION

Statement of Completion

_____ has satisfactorily completed training in the duty of this Unit under the conditions described below and in accordance with the overall standard(s) for this Unit.

Overall Duty	Utilize task order contracts, delivery order contracts, and basic ordering agreements.
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Overall Conditions	Given recurring requirements, acquisition planning, and a decision to simplify and expedite the process of obtaining those requirements.
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Overall Standard	Correctly apply the policies and procedures for establishing and using task and delivery order contracts, and using basic ordering agreements.
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Part A: Establishing Task or Delivery Order Contracts

Sub-Duty	Establish task or delivery order contracts.
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Additional Conditions	Given a decision to establish a task or delivery order contract.
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Sub-Duty Standard	Identify and correctly apply the policies and procedures for establishing task or delivery order contracts.
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Part B: Orders From FAR Part 8 Sources

Sub-Duty	Issue orders for supplies and services from FAR Part 8 sources.
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Additional Conditions	Given a purchase request and a decision to consider ordering from a FAR Part 8 source.
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Sub-Duty Standard	Comply with applicable FAR Part 8 policies and procedures. Correctly determine whether price reductions and other terms may be negotiated.
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Part C: Ordering Using Single Award Task or Delivery Order Contracts

Sub-Duty	Order using a single award task or delivery order contract.
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Additional Conditions	Given single award task or delivery order contract and a purchase request for a supply or service covered by the contract.
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Sub-Duty Standard	Correctly verify that the requirement is within the scope, period and maximum value of the contract. When ordering, comply with terms and conditions of the contract and FAR Part 16.505(a).
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Part D: Ordering Using a Multiple Award Task or Delivery Order Contracts

Sub-Duty	Order using a multiple award task or delivery order contract.
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Additional Conditions	Given a multiple award contract and a purchase request for a supply or service covered by the contract.
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Sub-Duty Standard	Correctly determine whether the requirement is within the scope, period and maximum value of the contract. Properly adhere to the contract's ordering procedures and selection criteria. Fairly consider all awardees for each order (when required).
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Part E: Ordering Under a Basic Ordering Agreement

Sub-Duty Determine whether to order against the basic ordering agreement (BOA); prepare and issue orders against BOAs.

Additional Conditions Given a BOA and a purchase request for a supply or service that may be ordered using the BOA.

Sub-Duty Standard When ordering under a BOA, correctly determine whether the requirement is covered by the scope and intent of the BOA and the extent of competition required for the order. Do not obligate the Government to pay more than a fair and reasonable price (or ceiling price for an unpriced order) for the work to be performed. Correctly interpret and apply the BOA's terms and conditions on such matters as order acceptance.

Evaluator
Name
Title
Date

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Insert documentation to support completed training.

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Policies

<i>FAR</i>	<i>Agency Suppl.</i>	<i>Subject</i>
2.101		Definitions of "task order" and "delivery order." Definition for "Performance-based contracting."
3.103-3		No need for another Independent Pricing Certificate under a task or delivery order contract, when one is executed before contract award.
4.601		(d)(6) Adds a record requirement for Contract Reporting for Performance-Based Contracting
5.201		General.
5.203		Publicizing and response time.
6.001(e)		Applicability of FAR competition requirements to task and deliver orders.
6.3		Other than full and open competition.
7.105		Strategies for implementing performance based contracting methods.
8.4		Federal supply schedules. Federal Supply Schedules, Contract Bundling, Requires procuring activities to coordinate with small business specialist (SBS) proposed acquisition strategies or plans contemplating awards above specified dollar thresholds and require the SBS to notify the agency Office of Small and Disadvantaged Utilization (OSDBU) when those strategies include unnecessary and unjustified contract bundling.
8.604		Ordering procedures from Federal Prison Industries.
8.605		Clearance for ordering from a source other than Federal Prison Industries.
8.7		Acquisition from nonprofit agencies employing people who are blind or severely disabled.
9.4		This subpart addresses the placement of orders under existing contracts and agreements with contractors that have been debarred, suspended, or proposed for debarment.
12.102		(g)(1) In accordance with section 1431 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136) (41 U.S.C. 437), the contracting officer also may use Part 12 for any acquisition for services that does not meet the definition of commercial item in FAR 2.101, if the contract or task order- (i) Is entered into on or before November 24, 2013;

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<i>FAR</i>	<i>Agency Suppl.</i>	<i>Subject</i>
		(ii) Has a value of \$25 million or less; (iii) Meets the definition of performance-based contracting at FAR 2.101; (iv) Includes a quality assurance surveillance plan; (v) Includes performance incentives where appropriate; (vi) Specifies a firm-fixed price for specific tasks to be performed or outcomes to be achieved; and (vii) Is awarded to an entity that provides similar services to the general public under terms and conditions similar to those in the contract or task order.
13.003(a)		FAR Part 13 requirements are not applicable to task and delivery order contracting.
16.500		Indefinite-delivery contracts.
16.504		Indefinite-quantity contracts.
16.505		Ordering.
16.703		Basic ordering agreements (BOAs).
27.304-2		Patent clauses when contracts are placed by or for other Government agencies.
37.601		General description of "performance-based contracting." (a) Performance-based contracting methods are intended to ensure that required performance quality levels are achieved and that total payment is related to the degree that services performed or outcomes achieved meet contract standards.
37.602		Elements of performance-based contracting.
38.101		Federal supply schedule program. This subpart text was reorganized and revised for ease of use.
52.213		52.213-1 Fast Payment Procedure 52.213-2 Invoices 52.213-3 Notice to Supplier 52.213-4 Terms and Conditions-Simplified Acquisitions (Other Than Commercial Items).
52.216-18		Ordering.
52.216-19		Order limitations.
52.216-20		Definite quantity.
52.216-21		Requirements.
52.216-22		Indefinite quantity.
52.216-27		Single or multiple awards.
52.216-28		Multiple awards for advisory and assistance contracts.

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Other KSAs

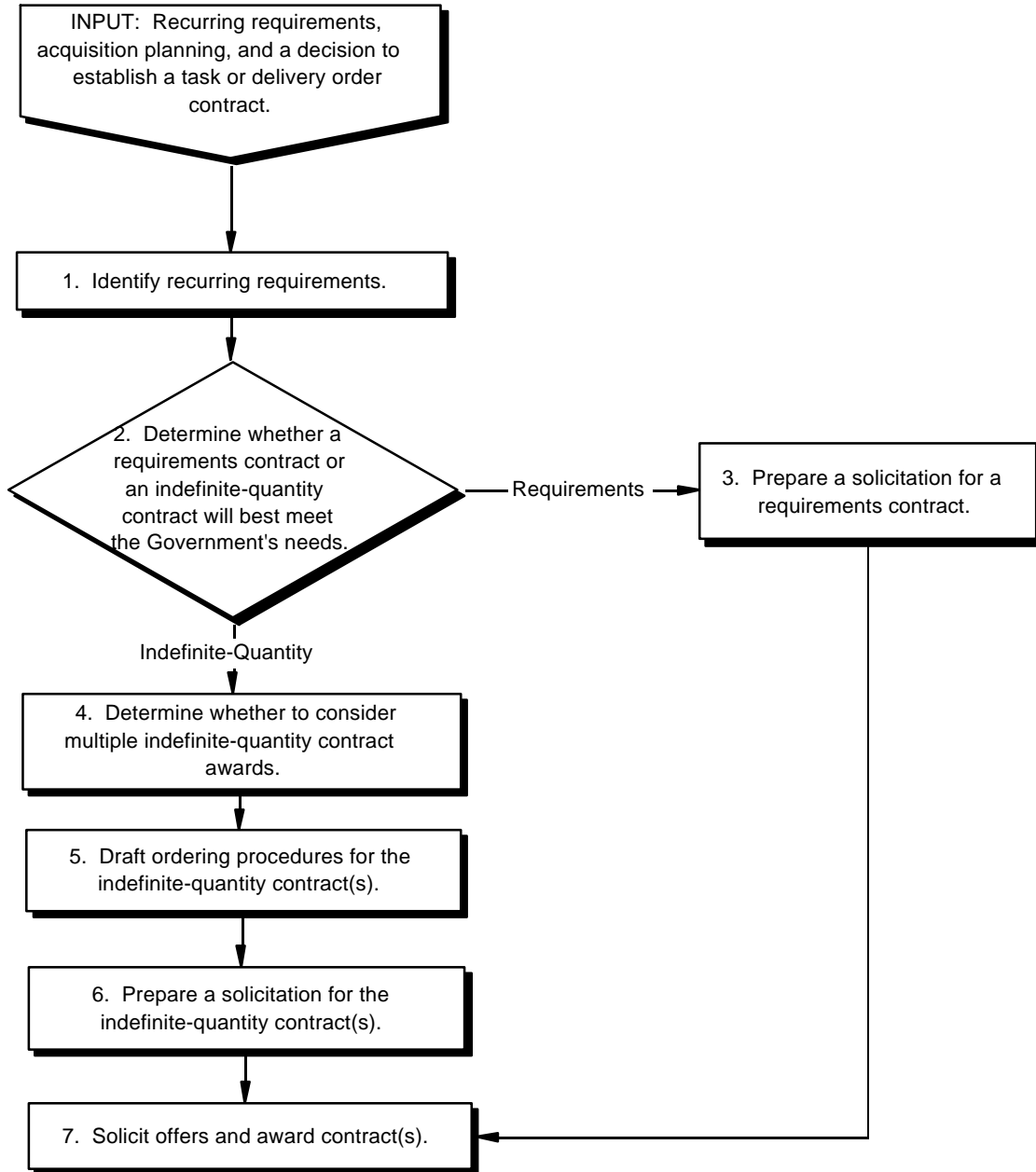
1. Ability to determine the accuracy and relevance of data related to recurring requirements, identify problems, and generate viable contracting alternatives.
 2. Ability to identify ways that task or delivery contracts can be used to improve the efficiency and effectiveness of the contracting activity.
 3. Ability to make well-informed decisions about using task and delivery orders to expedite and improve the effectiveness of the acquisition team.
 4. Ability to maintain the honesty and integrity of the acquisition process.
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Other Policies and References (Annotate As Necessary):

UNIT 54: TASK AND DELIVERY ORDER CONTRACTING

Part A: Establishing Task Or Delivery Order Contracts

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UNIT 54: TASK AND DELIVERY ORDER CONTRACTING

Part A: Establishing Task Or Delivery Order Contracts

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Tasks	Related Standards
1. Identify recurring requirements.	<p>With other members of the acquisition team, identify supplies or services that the Government expects to acquire repetitively in the future. For example, examine requirements for supplies or services that:</p> <ul style="list-style-type: none"> • Have been acquired repetitively during the last year; or • Are needed to support known mission requirements in the future.
2. Determine whether a requirements contract or an indefinite-quantity contract will best meet the Government's needs.	<p>Requirements contracts:</p> <ul style="list-style-type: none"> • Require: <ul style="list-style-type: none"> – The Government to establish a realistic total quantity of each supply or service identified in the contract. – The Government to acquire from the contractor all actual requirements for the items identified in the contract. – That only a single requirements contract be awarded for any supply or service. • Must not be used for advisory and assistance services in excess of three years and \$10,000,000 (including all options) unless the Contracting Officer or other official designated by the head of the agency determines: <ul style="list-style-type: none"> – In writing that the services required are so unique or highly specialized that it is not practicable to make multiple awards; or – The advisory and assistance services are necessarily incidental to, and not a significant component of, the contract. • May permit faster deliveries when production lead-time is involved because contractors are usually willing to maintain limited stocks.

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Part A: Establishing Task Or Delivery Order Contracts

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Tasks	Related Standards
	<p>Indefinite-quantity contracts:</p> <ul style="list-style-type: none"> • Require the: <ul style="list-style-type: none"> – Government to acquire a minimum quantity or dollar amount using the contract; and – Contractor to furnish any quantities up to the maximum quantity or dollar amount stated in the contract. • May provide for any appropriate pricing arrangement. • Permit the award of multiple contracts to maintain competition to provide the required supply or service.
3. Prepare a solicitation for a requirements contract.	<p>In addition to other applicable requirements, the solicitation:</p> <ul style="list-style-type: none"> • Must: <ul style="list-style-type: none"> – State a realistic estimated total quantity for each contract item based on the most current information available. – State, if feasible, the maximum limit of the contractor's obligation to deliver and the Government's obligation to order. – When used to acquire work (e.g., repair, modification, or overhaul) on existing items of Government property, specify that failure of the Government to furnish such items in the amounts or quantities described in the Schedule as "estimated" or "maximum" will not entitle the contractor to any equitable adjustment in price under the Government Property clause of the contract. – Include the: <ul style="list-style-type: none"> ? Requirements clause (FAR 52.216-21) or the clause with an appropriate alternate; ? Ordering clause (FAR 52.216-18); and ? Order Limitations clause (FAR

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Part A: Establishing Task Or Delivery Order Contracts

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Tasks	Related Standards
	<p style="text-align: center;">52.216-19) or a similar clause.</p> <ul style="list-style-type: none"> • Should: <ul style="list-style-type: none"> – State what organizations are authorized to order under the contract. – Provide for evaluating offered prices using the estimated quantities in the solicitation and the unit prices proposed by each offeror. – Specify acceptable payment methods (e.g., governmentwide commercial purchase card or other electronic funds transfer). • May also specify the: <ul style="list-style-type: none"> – Maximum or minimum quantities that the Government may order under each individual order; and – Maximum quantity that it may order during a specified period of time.
<p>4. Determine whether to consider multiple indefinite-quantity contract awards.</p>	<p>Except for advisory and assistance services, give the maximum practicable preference to making multiple awards under a single solicitation for the same or similar supplies or services.</p> <ul style="list-style-type: none"> • Determine whether multiple awards are appropriate as part of acquisition planning. • Avoid situations in which awardees specialize exclusively in one or a few areas within the statement of work, thus creating the likelihood of sole-source orders. • Consider the following: <ul style="list-style-type: none"> – The requirement’s scope and complexity; – The expected duration and frequency of orders; – The mix of resources a contractor needs to perform expected order requirements; and

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Part A: Establishing Task Or Delivery Order Contracts

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Tasks	Related Standards
	<ul style="list-style-type: none"> – The ability to maintain competition throughout the contract period. • Never use multiple awards if: <ul style="list-style-type: none"> – Only one contractor is capable of providing unique or highly specialized requirements at the quality level required; – More favorable terms and conditions will be provided if a single award is made; – The expected cost of administration of multiple contracts outweighs the expected benefits of making multiple awards; – The projected task orders are so integrally related that only a single contractor can reasonably perform the work; – The total estimated value of the contract is less than the simplified acquisition threshold; or – Multiple awards would not be in the best interests of the Government. <p>For an advisory and assistance service requirement that exceeds 3 years and \$10 million, including all options, make multiple awards unless one of the exceptions in FAR 16.504(c)(2) applies.</p>
5. Draft ordering procedures for the indefinite-quantity contract(s).	<p>Procedures should specify:</p> <ul style="list-style-type: none"> • Acceptable methods of ordering (e.g., written delivery order or blanket purchasing agreement call). • What organizations are authorized to order under the contract. • For multiple-award contracts, methods for providing each awardee a fair opportunity to be considered for each order exceeding \$2,500 unless an exception under FAR 16.505(b)(2) applies. The Contracting

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Part A: Establishing Task Or Delivery Order Contracts

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Tasks	Related Standards
	<p>Officer has broad discretion, but must meet the requirements of FAR 16.505(b)(1), such as:</p> <ul style="list-style-type: none"> – Developing ordering procedures suited to the requirement and other aspects of the contracting environment; – Not using any method (such as allocation or designation of any preferred awardee) that would not result in fair consideration being given to all awardees prior to placing each order; – Tailoring the procedures to each acquisition; – Including the procedures in the solicitation and the contract; – Considering price or cost under each order as one of the factors in the selection decision; and – Considering the following when developing the procedures: <ul style="list-style-type: none"> ? Past performance on earlier orders under the contract, including quality, timeliness and cost control; ? Potential impact on other orders placed with the contractor; and ? Minimum order requirements. <p>Formal evaluation plans or scoring of quotes or offers are not required.</p>
6. Prepare a solicitation for the indefinite-quantity contract(s).	<p>In addition to other requirements, the solicitation:</p> <ul style="list-style-type: none"> • Must: <ul style="list-style-type: none"> – Specify the period of the contract, including the number and length of any options; – Specify the total minimum and maximum quantity of supplies or services the Government will acquire under the contract; – Include a statement of work,

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Part A: Establishing Task Or Delivery Order Contracts

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Tasks	Related Standards
	<p>specifications, or other description, that reasonably describes the general scope, nature, complexity, and purpose of the supplies or services the Government will acquire;</p> <ul style="list-style-type: none"> - State the procedures that the Government will use in issuing orders, including: <ul style="list-style-type: none"> ? The ordering media; and ? If multiple awards may be made, the procedures and selection criteria that will be used to select the awardee for each order; - If multiple awards may be made, include the name, address, telephone number, facsimile number, and e-mail address of the agency Task and Delivery Order Ombudsman; - Include a description of the activities authorized to issue orders; - Include authorization for placing oral orders, if appropriate, provided that: <ul style="list-style-type: none"> ? The Government has established procedures for obligating funds; and ? Oral orders are confirmed in writing; - Establish the basis for pricing proposals for source selection (e.g., prices paid by other customers, prices for order examples, or fixed labor rates); Establish any necessary non-price evaluation factors (e.g., past performance, key personnel qualifications, performance of sample tasks, and management controls); and - Include the: <ul style="list-style-type: none"> ? Indefinite Quantity clause (FAR 52.216-22); ? Ordering clause (FAR 52.216-18); ? Order Limitations clause (FAR 52.216-19) or a similar clause; and

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Part A: Establishing Task Or Delivery Order Contracts

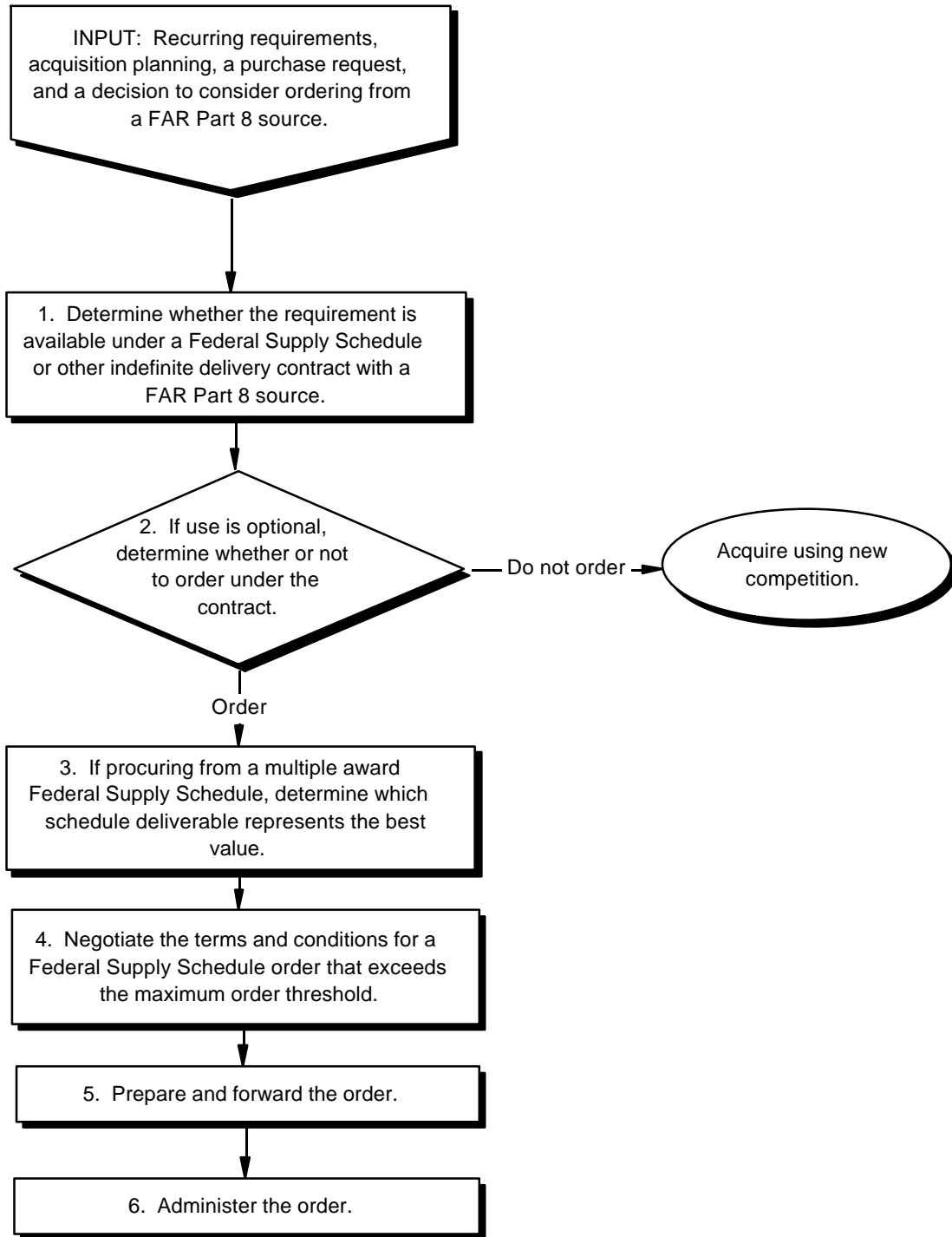
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Tasks	Related Standards
	<ul style="list-style-type: none">? Single or Multiple Awards provision (FAR 52.216-27) or Multiple Awards for Advisory and Assistance Services provision (FAR 52.216-28) (when appropriate).? Should specify acceptable methods of payment (e.g., governmentwide commercial purchase card or electronic funds transfer).
7. Solicit offers and award contract(s).	Evaluate offers and make award(s) using the criteria established in the solicitation.

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Part B: Orders From FAR Part 8 Sources

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Part B: Orders From FAR Part 8 Sources

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Tasks	Related Standards
1. Determine whether the requirement is available under a Federal Supply Schedule or other indefinite delivery contract with a FAR Part 8 source.	Identify any indefinite delivery contract(s) with a FAR Part 8 source that can be used to obtain the requirement. Contracts may be: <ul style="list-style-type: none"> • Mandatory for your organization to use; or • Optional.
2. If use is optional, determine whether or not to order under the contract.	Do not order under the contract if market research indicates that the requirement can be better satisfied through a new competitive acquisition.
3. If procuring from a multiple award Federal Supply Schedule, determine which schedule deliverable represents the best value.	Place an order at or below the micro-purchase threshold with any Federal Supply Schedule contractor. Place an order for a requirement exceeding the micro-purchase threshold but not exceeding the maximum order threshold with the schedule contractor that can provide the supply or service that represents the best value. Consider: <ul style="list-style-type: none"> • Reasonably available information obtained using the: <ul style="list-style-type: none"> – GSA Advantage! on-line shopping service; or – Catalogs or pricelists of at least three schedule contractors. • The results of any negotiations to obtain a price or other terms more favorable than those listed on the Federal Supply Schedule. • The delivery and other options available under the schedule that meet the agency's needs, including: <ul style="list-style-type: none"> – Special features of the supply or service required for effective program performance; – Trade-in considerations; – Probable life of the item selected as compared with that of a comparable

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Part B: Orders From FAR Part 8 Sources

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Tasks	Related Standards
	item; – Warranty considerations; – Maintenance availability; – Past performance; and – Environmental and energy efficiency considerations.
4. Negotiate the terms and conditions for a Federal Supply Schedule order that exceeds the maximum order threshold.	Before placing an order that exceeds the maximum order threshold: <ul style="list-style-type: none"> • Review additional schedule contractors' catalogs or pricelists, or use the GSA Advantage! on-line shopping service; • Based upon the initial evaluation, generally seek price reductions from the schedule contractor(s) appearing to provide the best value (considering price and other factors); and • After seeking price reductions, place the order with the schedule contractor that provides the best value and results in the lowest overall cost alternative. If further price reductions are not offered, an order may still be placed, if the ordering office determines that it is appropriate.
5. Prepare and forward the order.	When ordering from: <ul style="list-style-type: none"> • A Federal Supply Schedule, comply with FAR 8.405-2. • Federal Prisons Industries, Inc., comply with FAR 8.604. • Workshops for the Blind and Other Severely Handicapped, comply with FAR 8.705-2, 8.705-3, and 8.707.
6. Administer the order.	Identify and apply unique contract administration policies and procedures of: <ul style="list-style-type: none"> • FAR Part 8.405 for Federal Supply Schedule orders with respect to: <ul style="list-style-type: none"> – Inspection and acceptance (FAR 8.405-3); – Delinquent performance (FAR 8.405-4); – Default termination (FAR 8.405-5);

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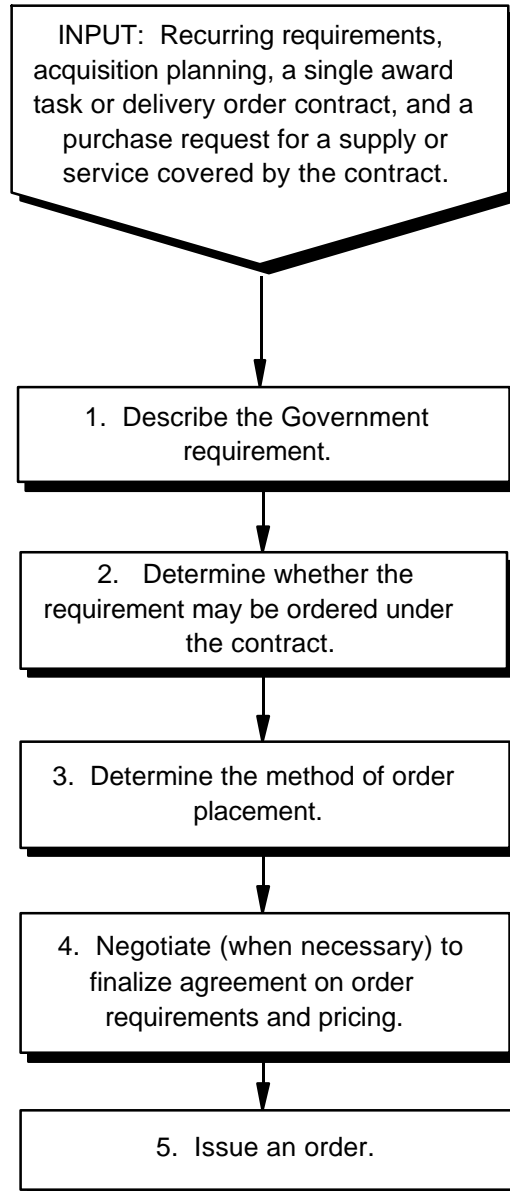
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Tasks	Related Standards
	<ul style="list-style-type: none">- Termination for convenience (FAR 8.405-6); and- Disputes (FAR 8.405-7).• FAR Part 8.605(c) for supplies produced by Federal Prison Industries.• FAR Part 8.7 for Javits-Wagner-O'Day Act (JWOD) orders with respect to:<ul style="list-style-type: none">- Failure to perform (FAR 8.705-4);- Pricing (FAR 8.707);- Shipping (FAR 8.708);- Payment (FAR 8.709);- Quality assurance (FAR 8.710);- Quality complaints (FAR 8.711); and- Specification changes (FAR 8.712).

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Part C: Ordering Using Single Award Task or Delivery Order Contracts

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UNIT 54: TASK AND DELIVERY ORDER CONTRACTING

Part C: Ordering Using Single Award Task or Delivery Order Contracts

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Tasks	Related Standards
1. Describe the Government requirement.	<p>With other members of the Government acquisition team, describe the Government requirement. For supplies or services not completely described in the contract, complete the description, including elements such as:</p> <ul style="list-style-type: none"> • Supply description or service statement of work; • Acceptance procedures; and • Delivery or performance schedule.
2. Determine whether the requirement may be ordered under the contract.	<p>Only order under a contract when:</p> <ul style="list-style-type: none"> • The contracting activity is authorized to order under the contract. • The order will clearly describe all required supplies or services. • The order will be within the contract: <ul style="list-style-type: none"> – Scope; – Period; and – Maximum value. • The order will not be barred by any other limitations (e.g., nonpersonal services restrictions) in the contract or the FAR. • The order will be in line with all restrictions on advisory and assistance contracts.
3. Determine the method of order placement.	<p>An order may be placed using any method authorized under the contract (e.g., oral, written order, facsimile, or electronic commerce).</p> <ul style="list-style-type: none"> • Do not use any method of ordering not authorized in the contract. • Oral orders (when authorized) must conform to established procedures for obligating funds and must be confirmed in writing.

UNIT 54: TASK AND DELIVERY ORDER CONTRACTING

Part C: Ordering Using Single Award Task or Delivery Order Contracts

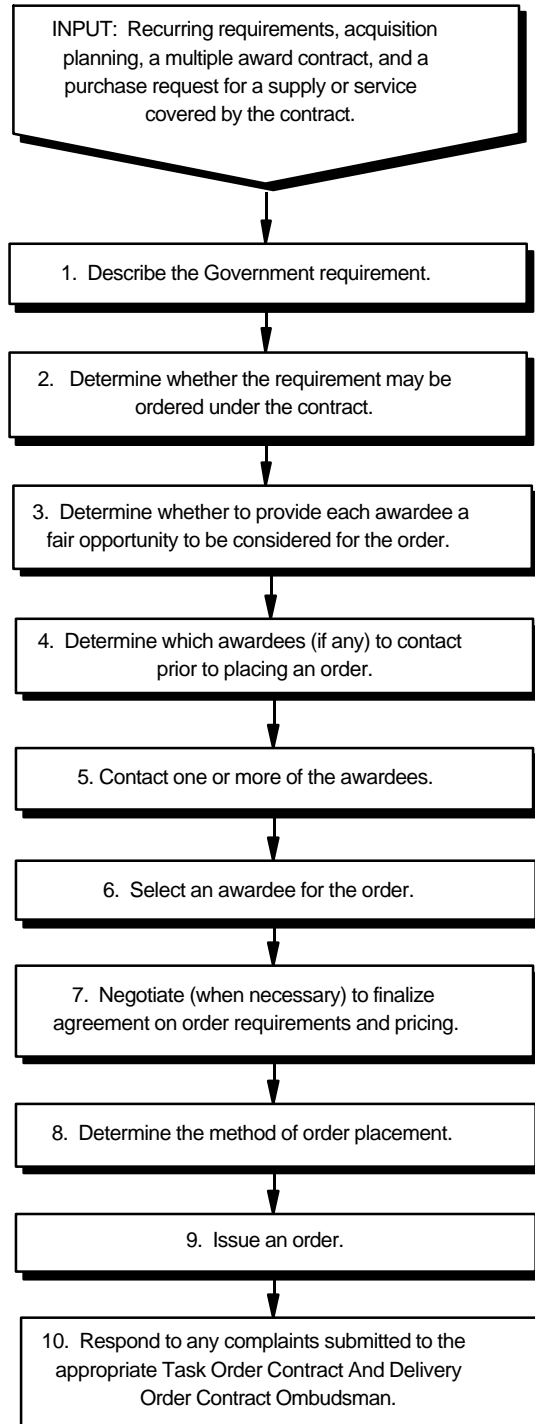
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Tasks	Related Standards
4. Negotiate (when necessary) to finalize agreement on order requirements and pricing.	Assure that there is complete agreement before issuing the order, including elements such as: <ul style="list-style-type: none">• Supply description or service statement of work;• Pricing;• Acceptance procedures; and• Delivery or performance schedule.
5. Issue an order.	Each order must contain the following information: <ul style="list-style-type: none">• Date of order.• Contract number and order number.• For supplies and services, contract item number and description, quantity, and unit price or estimated cost or fee.• Delivery or performance schedule.• Place of delivery or performance (including consignee).• Any packaging, packing, and shipping instructions.• Accounting and appropriation data.• Method of payment and payment office, if not specified in the contract.

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Part D: Ordering Using Multiple Award Task or Delivery Order Contracts

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Part D: Ordering Using Multiple Award Task or Delivery Order Contracts

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Tasks	Related Standards
1. Describe the Government requirement.	<p>With other members of the Government acquisition team, describe the Government requirement. For supplies or services not completely described in the contract, complete the description, including elements such as:</p> <ul style="list-style-type: none"> • Supply description or service statement of work; • Acceptance procedures; and • Delivery or performance schedule.
2. Determine whether the requirement may be ordered under the contract.	<p>Only order under a contract when:</p> <ul style="list-style-type: none"> • The contracting activity is authorized to order under the contract. • The order will clearly describe all required supplies or services. • The order will be within the contract: <ul style="list-style-type: none"> – Scope; – Period; and – Maximum value. • The order will not be barred by any other limitations (e.g., nonpersonal services restrictions) in the contract or the FAR. • The order will be in line with all restrictions on advisory and assistance contracts.
3. Determine whether to provide each awardee a fair opportunity to be considered for the order.	<p>When a solicitation for an indefinite-delivery contract resulted in multiple awards, each awardee must be provided a fair opportunity to be considered for each order exceeding \$2,500 unless:</p> <ul style="list-style-type: none"> • The agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays; • Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized;

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Part D: Ordering Using Multiple Award Task or Delivery Order Contracts

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Tasks	Related Standards
	<ul style="list-style-type: none"> • The order must be issued on a sole-source basis in the interest of economy and efficiency as a logical follow-on to an order already issued under the contract, provided that all awardees were given a fair opportunity to be considered for the original order; or • It is necessary to place an order to satisfy a minimum guarantee.
4. Determine which awardees (if any) to contact prior to placing an order.	<p>It is not necessary to contact each of the multiple awardees prior to placing an order if available information ensures that each awardee is provided a fair opportunity to be considered for each order.</p> <p>Do not use any method (e.g., allocation or designation of any preferred awardee) that would not result in fair consideration being given to all awardees prior to placing each order.</p>
5. Contact one or more of the awardees.	<p>Follow any order placement procedures established in the contract. If the contract does not prescribe order placement procedures, the Contracting Officer may exercise broad discretion in developing appropriate order placement procedures.</p> <p>Formal evaluation plans or scoring of quotes or offers are not required. Procedures:</p> <ul style="list-style-type: none"> • Should keep submission requirements to a minimum; • May use streamlined procedures, including oral presentations; • Must be tailored to each acquisition; and • Must provide for considering price or cost as one of the factors in the selection decision. <p>Consider the following when developing procedures:</p>

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Tasks	Related Standards
	<ul style="list-style-type: none"> • Past performance on earlier orders under the contract, including quality, timeliness and cost control; • Potential impact on other orders placed with the contractor; and • Minimum order requirements.
6. Select an awardee for the order.	Properly adhere to selection criteria and evaluation procedures specified in the contract or otherwise established by the Contracting Officer.
7. Negotiate (when necessary) to finalize agreement on order requirements and pricing.	<p>Assure that there is complete agreement before issuing the order, including elements such as:</p> <ul style="list-style-type: none"> • Supply description or service statement of work; • Pricing; • Acceptance procedures; and • Delivery or performance schedule.
8. Determine the method of order placement.	<p>An order may be placed using any method authorized under the contract (e.g., oral, written order, facsimile, or electronic commerce).</p> <ul style="list-style-type: none"> • Do not use any method of ordering not authorized in the contract. • Oral orders (when authorized) must conform to established procedures for obligating funds and must be confirmed in writing.

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Part D: Ordering Using Multiple Award Task or Delivery Order Contracts

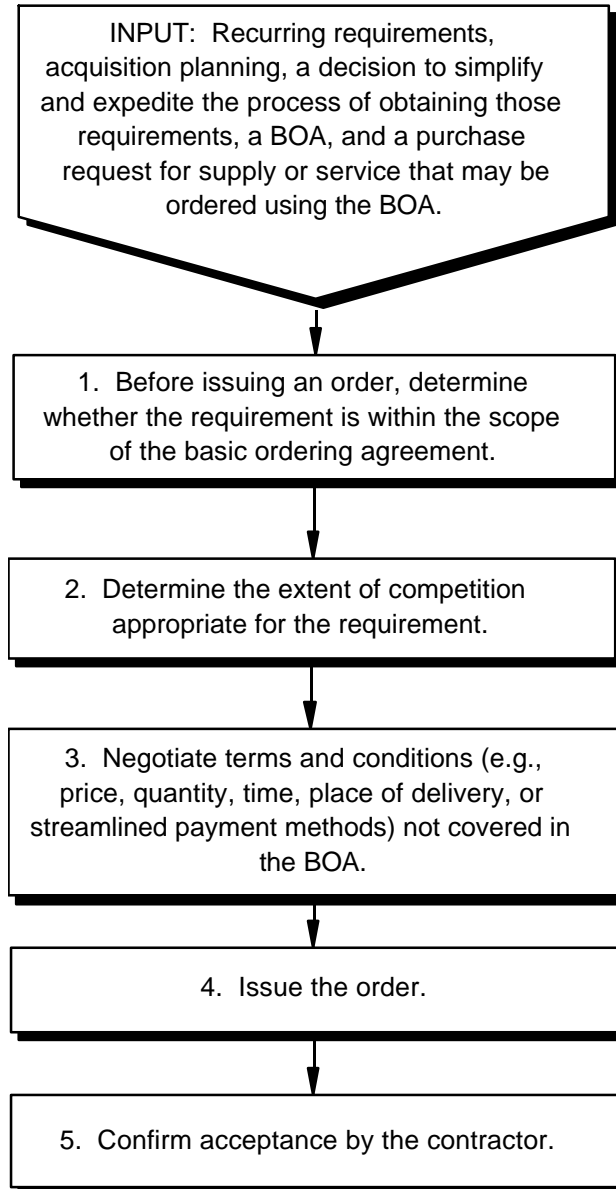
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Tasks	Related Standards
9. Issue an order.	<p>Each order must contain the following information:</p> <ul style="list-style-type: none"> • Date of order. • Contract number and order number. • For supplies and services, contract item number and description, quantity, and unit price or estimated cost or fee. • Delivery or performance schedule. • Place of delivery or performance (including consignee). • Any packaging, packing, and shipping instructions. • Accounting and appropriation data. • Method of payment and payment office, if not specified in the contract.
10. Respond to any complaints submitted to the appropriate Task Order Contract And Delivery Order Contract Ombudsman.	<p>The head of the agency must designate a Task Order Contract And Delivery Order Contract Ombudsman. The Ombudsman must be a senior agency official who is independent of the Contracting Officer and may be the agency's Competition Advocate.</p> <p>The Ombudsman must review complaints from contractors and ensure they are afforded a fair opportunity to be considered, consistent with the procedures in the contract. To fulfill that responsibility, they will typically need information from the contracting activity.</p>

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Part E: Orders Under A Basic Ordering Agreement

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UNIT 54: TASK AND DELIVERY ORDER CONTRACTING

Part E: Orders Under A Basic Ordering Agreement

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Tasks	Related Standards
1. Before issuing an order, determine whether the requirement is within the scope of the basic ordering agreement.	<p>Make certain that:</p> <ul style="list-style-type: none"> • The Government activity placing the order is listed in the basic ordering agreement (BOA); and • The BOA terms and conditions (including any modifications) are adequate for the current requirement, considering: <ul style="list-style-type: none"> – Dollar amount of individual requirement; and – The required supplies or services.
2. Determine the extent of competition appropriate for the requirement.	<p>Competition is required unless:</p> <ul style="list-style-type: none"> • For requirements not exceeding the simplified acquisition threshold, the Contracting Officer determines that the circumstances of the contract action deem only one source reasonably available (e.g., urgency, exclusive licensing agreements, or industrial mobilization). • For requirements exceeding the simplified acquisition threshold, one of the statutory authorities for other than full and open competition applies. (FAR 6.3)
3. Negotiate terms and conditions (e.g., price, quantity, time, place of delivery, or streamlined payment methods) not covered in the BOA.	<p>Identify all terms and conditions left open under the BOA.</p> <p>If prices were not fixed in the original BOA:</p> <ul style="list-style-type: none"> • Obtain price proposal. • Analyze market conditions and pricing information to develop and support the Government's prenegotiation position on price. • Conduct negotiations and obtain agreement, including agreement on price. <p>Do not make any final commitment or authorize the contractor to begin work on an order under a BOA until prices have been established, unless:</p>

UNIT 54: TASK AND DELIVERY ORDER CONTRACTING

Part E: Orders Under A Basic Ordering Agreement

September 2004

Tasks	Related Standards
	<ul style="list-style-type: none"> • The order establishes a ceiling price limiting the Government's obligation; and • Either: <ul style="list-style-type: none"> – The basic ordering agreement provides adequate procedures for timely pricing of the order early in its performance period; or – The need for the supplies or services is compelling and unusually urgent (i.e., when the Government would be seriously injured, financially or otherwise, if the requirement is not met sooner than would be possible if prices were established before the work began). Proceed with pricing as soon as practical. Never price an entire order retroactively.
4. Issue the order.	<p>Before issuing the order, obtain any justifications and approvals or determinations and findings, required for the order (e.g., to justify less than full and open competition) – as though the order were a contract awarded independently of the BOA.</p> <p>The Contracting Officer must:</p> <ul style="list-style-type: none"> • Prepare the order using the appropriate contractual instrument; • Incorporate by reference the provisions of the BOA; • If applicable, cite the authority under FAR 6.302 in each order; and • Comply with the requirements of FAR 5.203 when FAR 5.201 requires a synopsis.
5. Confirm acceptance by the contractor.	<p>The BOA must specify the point at which each order becomes a binding contract (e.g., issuance of the order, acceptance of the order in a specified manner, or failure to reject the order within a specified number of days).</p>

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Tasks	Related Standards
	Comply with procedural formats in the agreement for acceptance or rejection, if any were established by the BOA.