

## OMB Circular A-76 (2003) Roles and Responsibilities

Title of Official	Qualifications of Individual	Responsibilities	References
Competitive Sourcing Official (CSO)	<ul style="list-style-type: none"> <li>• Designated by the agency</li> <li>• Assistant Secretary or equivalent level official</li> </ul>	<ul style="list-style-type: none"> <li>• Implement the circular</li> <li>• Delegate, in writing, specified responsibilities to senior-level officials in the agency or agency components except as otherwise provided in this circular</li> <li>• Exempt a commercial activity performed by government personnel from performance by the private sector</li> <li>• Obtain prior written OMB approval before deviating from this Circular (<b>without delegation</b>)</li> <li>• Identify savings resulting from competitions in accordance with OMB Circular No. A-11</li> <li>• Determine if this circular applies to the Department of Defense during times of war or military mobilization (DOD only) (<b>without delegation</b>)</li> <li>• Justify, in writing, any designation of government personnel performing inherently governmental activities</li> <li>• Use reason code A to exempt commercial activities performed by government personnel from private sector performance, providing sufficient written justification for its use</li> <li>• Appoint, in writing, competition officials for each standard competition, and as appropriate, may appoint competition officials for streamlined competitions</li> <li>• Hold competition officials accountable for the timely and proper conduct of streamlined or standard competitions through the use of annual performance evaluations</li> <li>• Approve, in writing, the cancellation of a streamlined or standard competition (<b>without delegation</b>)</li> <li>• Grant time limit waivers, in writing, allowing a specific streamlined competition to exceed the 90 day time limit by no more than 45 calendar days, for a maximum of 135 calendar days from public announcement to performance decision</li> <li>• Grant time limit waivers, before the announcement of each standard competition, allowing a specific standard competition to exceed the 12 month time limit by no more than 6 months, for a maximum of 18 months from public announcement to performance decision (<b>without delegation</b>)</li> <li>• Notify the Deputy Director for Management, OMB, in writing of any agency exceeding the time limits</li> <li>• Obtain prior written approval from OMB to use performance periods that exceed five years (excluding the phase-in period)</li> <li>• Justify and approve, in writing, agency determinations to provide or not to provide government furnished property</li> <li>• Approve requirement for a performance bond from a private sector source</li> <li>• Determine if procedures are in place permitting an agency tender to receive an award</li> </ul>	<p>Circular: 4f; 5b; 5c; 5e; 5h</p> <p><u>Attachment A</u>: B1; C2</p> <p><u>Attachment B</u>: A8; B3a; C2; D1; D3a(7); D3a(8); D3a(10); D3a(12); D4d(2); D5b(3); D5c(3); E5b; E6b</p> <p><u>Attachment C</u>: B4j(2)</p>

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		<ul style="list-style-type: none"> <li>• fee for solicitations with award fees for all prospective providers</li> <li>• Evaluate and retain the CO's documentation, in the event of no satisfactory private sector or public reimbursable source, from consultations with the private sector sources and make and retain a written determination to either revise the solicitation or implement the agency tender</li> <li>• Consult with the Deputy Director for Management, OMB, if revising a solicitation would result in exceeding the established time limit for the standard competition <b>(without delegation)</b></li> <li>• Approve, in writing, the use of the tradeoff source selection process (if used) and forward a copy of the approval to OMB <b>(without delegation)</b></li> <li>• Determine if the ATO is able to resolve deficiencies in the agency tender, and advise the SSA whether to exclude the agency tender from the standard competition</li> <li>• Exercise the option to extend the performance period for a high performing organization <b>(without delegation)</b></li> <li>• Approve terminations of the service provider for failure to perform <b>(without delegation)</b></li> <li>• Determine if an agency source may receive an award fee</li> </ul>	
Inventory Challenge Authorities	<ul style="list-style-type: none"> <li>• Designated by the head of the agency</li> <li>• At the same level as, or a higher level than, the individual who prepared the inventory</li> </ul>	<ul style="list-style-type: none"> <li>• Review and respond to challenges of agency inventory decisions</li> <li>• Receive written inventory challenges</li> <li>• Validate the commercial or inherently governmental categorization or reason code designation of the activity, in a written inventory challenge decision; and transmit the inventory challenge decision, including the rationale for the decision, to the interested party within 28 working days of the receipt of the inventory challenge</li> </ul>	<u>Attachment A:</u> D1; D1a; D2; D3
Inventory Appeal Authorities	<ul style="list-style-type: none"> <li>• Designated by the head of the agency</li> <li>• Independent and at a higher level than the individual who prepared the inventory</li> </ul>	<ul style="list-style-type: none"> <li>• Review and respond to appeals of inventory challenge decisions made by inventory challenge authorities</li> <li>• Receive appeals of inventory challenge decisions</li> <li>• Issue and transmit a written inventory appeal decision to the interested party within 10 working days of the receipt of the appeal</li> </ul>	<u>Attachment A:</u> D1; D1b; D4; D5
Agency Tender Official (ATO)	<ul style="list-style-type: none"> <li>• Inherently governmental agency official with decision-making authority</li> <li>• Independent of the contracting officer (CO), source selection authority (SSA), source selection evaluation board (SSEB), and performance work statement (PWS) team</li> <li>• A directly interested party</li> </ul>	<ul style="list-style-type: none"> <li>• Comply with this circular</li> <li>• Develop, certify, and represent the agency tender</li> <li>• Designate the most efficient organization (MEO) team after public announcement of the standard competition</li> <li>• Provide the necessary resources and training to prepare a competitive agency tender</li> <li>• Appoint an MEO team comprised of technical and functional experts</li> <li>• Make all final management decisions regarding the agency tender</li> <li>• Develop an agency tender that includes: an MEO, an agency cost estimate developed in accordance with Attachment C of this circular and approved by the ATO, the MEO's quality control plan, the MEO's phase-in plan, and copies of any existing, awarded MEO subcontracts</li> <li>• Submit the agency tender in a sealed package to the CO by the solicitation closing date, or notify the CO as early as possible if the agency tender is not expected to be</li> </ul>	<u>Attachment B:</u> A8a; D2b; D4a(1); D4a(2); D4a(3)

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		<p>delivered by that date</p> <ul style="list-style-type: none"> <li>Propose alternate performance standards, if allowed in the solicitation</li> <li>Make changes, when allowed, to the agency tender following the solicitation closing date</li> </ul>	
Contracting Officer (CO)	<ul style="list-style-type: none"> <li>Inherently governmental agency official</li> <li>Independent of the ATO, human resource adviser (HRA), and MEO team</li> </ul>	<ul style="list-style-type: none"> <li>Comply with both the FAR and this circular</li> <li>Serve as a member of the PWS team</li> <li>Publish a cancellation notice that includes rationale for the cancellation at <i>FedBizOpps.gov</i> for any cancelled competition or solicitation, and perform solicitation cancellations in accordance with the FAR</li> <li>Issue solicitations to determine a private sector or public reimbursable service providers</li> <li>Award private sector performance decision contracts in accordance with the FAR and implement FAR 7.305(c), the right of first refusal</li> <li>Execute public reimbursable performance decision fee-for-service agreements</li> <li>Execute a letter of obligation with an official responsible for performing the commercial activity in agency performance decisions</li> <li>Perform all releases of PWS documents and solicitations, including drafts</li> <li>Determine the acquisition strategy in accordance with FAR part 7</li> <li>Comply with FAR Subpart 22.10 to obtain the applicable wage determinations from the Department of Labor</li> <li>Identify in the solicitation whether acquisition procedures will be sealed bid or negotiated procedures, included the type of source selection process for negotiated procedures</li> <li>Include, if desired, a cross-reference compliance matrix in section L of the solicitation to decrease the complexity of performing source selections</li> <li>Identify common costs in the solicitation</li> <li>Obtain written approval from the CSO if the agency requires a private sector source to include a performance bond, and include a separate CLIN for this cost</li> <li>Require the private sector offeror to propose a target cost and target profit or fee for a solicitation for an incentive fee contract</li> <li>Designate a phase-in period as the first performance period, and include a separate CLIN in the solicitation for this purpose</li> <li>Include in the solicitation a requirement for prospective providers to include a quality control plan in offers and tenders</li> <li>Determine if amending the solicitation close date is in the best interest of the government</li> <li>Document changes to the agency tender occurring after the solicitation close date</li> <li>Consult, in the event of no satisfactory private sector or public reimbursable source, with private sector sources to identify: restrictive, vague, confusing, or misleading portions of the solicitation; the reasons provided by sources fro not submitting responses; and possible revisions to the solicitation to enhance competition. Submit the results of these consultations and a course of action to the CSO</li> </ul>	<p><u>Attachment B</u>: A8b; B3a; B3b; C3d(1); C3d(2); D3a(1); D3a(2); D3a(3); D3a(6); D3a(9); D3a(10); D3a(11); D3a(13); D3a(14); D4a(2); D4a(3); D4d(1); D4d(2); D4d(2)(b); D5a; D5b(1); D5b(2)(a); D5b(2)(b); D5b(3); D5c(1); D5c(3); D5c(4)(a); D5c(4)(b); D5c(4)(c); D5c(4)(d); D6a; D6d; D6f(1)(a); D6f(1)(b); D6f(2); D6f(3); E5a; E6a(1); E6a(2)</p> <p><u>Attachment C</u>: A3; B3a; C1</p>

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		<ul style="list-style-type: none"> <li>• Return the agency tender to the ATO before revising the solicitation, and revise the solicitation if necessary</li> <li>• Evaluate, in the case of no satisfactory private sector or public reimbursable source, the agency tender; sign the standard competition form, make the standard competition form available to the public, and notify the ATO of the decision</li> <li>• Perform sealed bid acquisitions by opening all public and private submissions, entering the lowest priced bid or tender on the standard competition form, and certifying the form</li> <li>• Perform lowest price technically acceptable source selections by opening and evaluating all offers and tenders to determine technical acceptability, conduct price analysis and cost realism, enter the lowest contract price or public reimbursable cost in the standard competition form, and certify the standard competition form</li> <li>• Perform the phased evaluation source selection process by opening and evaluating all public and private technical proposals for technical acceptability, perform price analysis and cost realism on all cost proposals determined to be technically acceptable, enter the lowest cost provider on the standard competition form, and sign the form</li> <li>• Perform the tradeoff source selection process by conducting price analysis and cost realism, conducting exchanges and tradeoffs, documenting tradeoffs, and entering the price for each technically acceptable offer and tender on the standard competition form</li> <li>• Evaluate all offers together, not excepting the agency tender</li> <li>• Conduct exchanges in accordance with FAR 15.306</li> <li>• Ensure that an offer or tender receives a deficiency notice in the event of a deficiency which specifies the time limit to address the deficiency</li> <li>• Perform price analysis and cost realism on all proposals and cost estimates</li> <li>• Ensure that agency and public reimbursable cost estimates are calculated in accordance with Attachment C, are based on the standard cost factors in effect on the performance decision date, and use the version of the COMPARE costing software that is in effect on the performance decision date</li> <li>• Include the conversion differential in all standard competitions</li> <li>• Ensure that the standard competition form has been prepared in accordance with Attachment C and that the required signatures and certifications are on the standard competition form</li> <li>• Sign the standard competition form to certify the decision in a standard competition</li> <li>• Offer a debriefing to all private sector offerors, public reimbursable sources, the ATO, and directly affected government personnel (and their representatives), in accordance with FAR 15.503</li> <li>• Award a private sector source contract in accordance with the FAR</li> <li>• Develop a fee-for-service agreement with the public reimbursable source</li> <li>• Establish an MEO letter of obligation with an official responsible for performance of the MEO for a performance decision favoring the agency</li> <li>• Make option year exercise determinations in accordance with FAR 17.207</li> </ul>	

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		<ul style="list-style-type: none"> <li>• Notify a service provider of poor performance</li> <li>• Issue notices of termination, when necessary, in accordance with FAR part 49</li> <li>• Determine cost adjustments to be included on the standard competition form, line 8 and line 12, and ensure no information is entered on lines 9, 10, 11, and 14</li> <li>• Include instructions for the material and supply costs in the solicitation</li> <li>• Perform various costing entries and decisions as indicated throughout this circular, Attachment C</li> </ul>	
Performance Work Statement (PWS) Team Leader	<ul style="list-style-type: none"> <li>• Inherently governmental agency official</li> <li>• Independent of the ATO, human resource adviser (HRA), and MEO team</li> </ul>	<ul style="list-style-type: none"> <li>• Comply with both the FAR and this circular</li> <li>• Develop the PWS and quality assurance surveillance plan</li> <li>• Determine government-furnished property</li> <li>• Assist the CO in developing the solicitation</li> <li>• Assist in implementing the performance decision</li> <li>• Appoint a PWS team comprised of technical and functional experts</li> <li>• Make all final management decisions regarding the PWS, GFP, and the quality assurance surveillance plan</li> </ul>	<u>Attachment B</u> : A8c; D2a
Human Resource Advisor (HRA)	<ul style="list-style-type: none"> <li>• Inherently governmental agency official and a human resource expert</li> <li>• Independent of the CO, SSA, PWS team, and SSEB</li> </ul>	<ul style="list-style-type: none"> <li>• Comply with this circular</li> <li>• Participate on the MEO team</li> <li>• Interface with directly affected employees (and their representatives) from the date of public announcement until full implementation of the performance decision</li> <li>• Identify adversely affected employees</li> <li>• Accomplish employee placement entitlements in accordance with 5 C.F.R. Part 351 (reduction-in-force procedures)</li> <li>• Provide post-employment restrictions to employees</li> <li>• Determine agency priority considerations for vacant positions and establish a reemployment priority list(s) in accordance with 5 C.F.R. Part 330</li> <li>• Provide the CO with a list of the agency's adversely affected employees, as required by this attachment and FAR 7.305(c) regarding the right of first refusal for a private sector performance decision</li> <li>• Assist the ATO and MEO team in developing the agency tender</li> <li>• Schedule sufficient time in competition milestones to accomplish potential human resource actions in accordance with 5 C.F.R. Part 351</li> <li>• Advise the ATO and MEO team on position classification restrictions</li> <li>• Classify position descriptions, including exemptions based on the Fair Labor Standards Act</li> <li>• Perform labor market analysis to determine the availability of sufficient labor to staff the MEO and implement the phase-in plan</li> <li>• Assist in the development of the agency cost estimate by providing annual salaries, wages, night differentials, and premium pay</li> <li>• Assist in the development of the timing for the phase-in plan based on MEO requirements</li> <li>• Develop an employee transition plan for the incumbent agency organization early in the standard competition process</li> </ul>	<u>Attachment B</u> : A8d; A8d(1); A8d(2); B3a; B3b; D4d(2)(b)

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		<ul style="list-style-type: none"> <li>• Notify directly affected employees and their representatives of the cancellation of a competition or solicitation</li> <li>• Notify directly affected employees of the decision to implement the agency tender</li> </ul>	
Source Selection Authority (SSA)	<ul style="list-style-type: none"> <li>• Inherently governmental agency official appointed in accordance with FAR Part 15.303</li> <li>• Independent of the ATO, HRA and MEO team</li> </ul>	<ul style="list-style-type: none"> <li>• Comply with both the FAR and this circular when performing a streamlined and standard competition</li> <li>• Appoint an SSEB after public announcement</li> <li>• Sign, in the event of no satisfactory private sector or public reimbursable source and the decision to implement the agency tender, the standard competition form and indicate the reason for the CSO's decision to implement the agency tender</li> <li>• Certify the standard competition form in a phased evaluation source selection process</li> <li>• Certify the standard competition form in a tradeoff source selection process and documenting, in the case of award to other than the lowest cost provider, the tradeoffs used and justification for the tradeoffs</li> <li>• Remove offers or tenders that are unable to resolve deficiencies</li> <li>• Sign the standard competition form to certify the decision in a standard competition</li> <li>• Ensure that the CO offers a debriefing to all private sector offerors, public reimbursable sources, the ATO, and directly affected government personnel (and their representatives), in accordance with FAR 15.503</li> </ul>	<u>Attachment B</u> : A8e; D2c; D4d(2)(b); D5b(2)(b); D5b(3)(a); D5b(3)(b); D5c(3); D6a; D6d
Performance Work Statement (PWS) Team	<ul style="list-style-type: none"> <li>• Technical and functional experts</li> <li>• Not members of the MEO team</li> </ul>	<ul style="list-style-type: none"> <li>• Comply with the FAR and this circular</li> <li>• Develop the PWS including supporting workload data, performance standards, and any information relating to the activity being competed</li> <li>• Determine government furnished property</li> <li>• Assist in the CO's development of the solicitation</li> <li>• Develop a quality assurance surveillance plan and, as required, updating this plan based on the performance decision</li> <li>• Implement the performance decision</li> </ul>	<u>Attachment B</u> : D2a; D3a(8); D3b;
Most Efficient Organization (MEO) Team	<ul style="list-style-type: none"> <li>• Technical and functional experts</li> <li>• Not members of the PWS team</li> </ul>	<ul style="list-style-type: none"> <li>• Comply with this circular</li> <li>• Develop the agency tender</li> </ul>	<u>Attachment B</u> : D2b
Source Selection Evaluation Board (SSEB)	<ul style="list-style-type: none"> <li>• May be PWS team members who are not directly affected employees</li> <li>• May not be directly affected government personnel or individuals with knowledge of agency tender</li> </ul>	<ul style="list-style-type: none"> <li>• Comply with the source selection requirements of the FAR and this attachment</li> <li>• Serve as evaluation team</li> </ul>	<u>Attachment B</u> : D2c