

PROCUREMENT CUSTOMER GUIDE

OBJECTIVE

This guide is intended to provide non procurement personnel with a better understanding of the Federal procurement process. The first section provides an overview of the entire acquisition cycle from cradle to grave. The second section provides guidance for planning your procurement. This section should answer the question “What do I do now, and how do I do it?”

Section One, The Procurement Process

Section Two, User’s Manual, provides a useful listing of steps and resources available to assist in the contracting process.

This understanding allows you, as an acquisition team member, to participate more effectively during the contracting process. Greater understanding among team members contributes to the successful acquisition of supplies and services.

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SECTION ONE – THE PROCUREMENT PROCESS

PART I

FUNDAMENTAL PRINCIPLES

The following are fundamental principles of the procurement process:

1. The technical customer is responsible for identifying and defining the Government's need for a product and service. The technical point of contact and the Contracting Officer, together, are responsible for ensuring that the contract forms an integral part of the program.
2. Funds must be available before the contract is let.
3. Only warranted Contracting Officers have the authority to enter into, change, or terminate contracts.
4. Only the Contracting Officer, or personnel identified in the contract, can give direction under the terms and conditions of the contract.
5. Always read and understand the contract.
6. Do what the contract says. If you don't understand the contract, call Procurement.
7. What the contract says is what you will get.
8. Verify that what you get is what the contract requires.

Basic "Laws" of Contracting
<p>The real contract is the agreement between the parties; it is important that the written contract reflect this agreement!</p> <p>Those who don't read and understand the contract may bear the brunt of a bad bargain!</p>

PART II

ORGANIZATION

This guide discusses the roles and responsibilities of two groups: the “*Technical Group*” and the “*Contracting Group*.” These two groups, together, form the acquisition team.

Technical Group—Requiring Official

This is the person or team responsible for managing the program or project. The Technical Group may include educators, information technology (IT) specialists, a school supply officer, etc. This group is responsible for defining and establishing technical and performance requirements, as well as ensuring that technical problems are addressed and corrected. The Technical Group is responsible for [Justification and Approvals \(J&As\)](#), [Acquisition Plans](#), [Performance Work Statements \(PWS\)](#), and [Quality Assurance Surveillance Plans](#). Responsibilities include monitoring contractor performance to ensure that quality, quantity, and delivery conform to the contract.

Procurement Group—Contracting Officer

Contracting Officers are warranted by their respective agencies to issue legal contracts between the US Government and the contractor. The authority and requirements for the Contracting Officer are issued to the requirements specified in Subpart 1.6 of the Federal Acquisition Regulations. All programmatic, technical, and other contractual requirements established by the Technical Personnel for the contractor (or proposed contractor) must be issued by the Contracting Officer. Any changes that the contractor implements as a result of improper Government direction (e.g., constructive changes) could make the Government liable.

Contracting Officers have the responsibility to:

- Ensure all requirements of law, executive orders, regulations, and all other applicable policies and procedures (including clearances and approvals) have been satisfied

- Ensure sufficient funds are available for obligation

- Ensure contractors receive fair and equitable treatment

- Request and consider the advice of specialists in finance, law, logistics, and other fields as appropriate

- Document that the proposed contract is in the best interest of the Government

- Issue timely contracts and contract changes

PART III

THE CONTRACTING PROCESS

PART III, The Contracting Process, includes information on the following:

Phase 1 – Acquisition Planning

Phase 2 – Contract Formation

Phase 3 – Execution and Administration

Phase 1 -- Acquisition Planning

Introduction

Acquisition Planning is the process of identifying and describing requirements and determining the best method for meeting those requirements. An important step in acquisition planning is identification of the acquisition team members. For a major acquisition, participants normally include the Technical Personnel, Contracting Officer, logisticians, and financial, legal, and other experts. However, this team can be tailored to meet specific program needs.

Acquisition planning focuses on the business and technical management approaches designed to achieve program objectives within specified resource constraints, and the contracting strategies necessary for implementation. Contracting processes and associated focus areas addressed are:

Determination and Analysis of Need

Extent of Competition

Source Selection Planning

Solicitation Terms and Conditions (Planning)

A. Determination and Analysis of Need

Determination and Analysis of Need is the first step in the acquisition planning process. It focuses on the forecasting and planning of the acquisition requirements, as well as developing and updating Acquisition Plans, and Justifications and Approvals, as required.

Note: The Bona Fide Need Rule. One consideration in Determination and Analysis of Need is the Bona Fide Need Rule. In general, the Bona Fide Need Rule means simply that the requirement is necessary in the existing fiscal year, and cannot legitimately be procured in another fiscal year. This is often an issue at the end of a fiscal year when some requiring officials may want to “burn” funds. The Bona Fide Need Rule eliminates unnecessary spending.

A common application of the rule is that an appropriation is not available for the needs of a future year. For example: As the end of a fiscal year approaches, an agency purchases a truckload of pencils when it is clear that, based on current usage, it already has in stock enough pencils to last several years. It appears that the agency is merely trying to use up its appropriation before it expires, and the purchase may violate the Bona Fide Need Rule.

This does not mean that an agency may purchase only those supplies that it will actually use during the fiscal year. Agencies normally maintain inventories of common-use items. The Bona Fide Need Rule does not prevent maintaining a legitimate inventory at reasonable and historical levels, the “need” being to maintain the inventory level so as to avoid disruption of operations. The problem arises when the inventory crosses the line from reasonable to excessive.

The following tables show contracting functions and programmatic functions for these activities:

Forecasting of Requirements
Contract Planning

Purchase Request Packages
 Services Contracts
 Funding
 Market Research/Market Investigation

Forecasting of Requirements	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
<p>Discuss future acquisition requirements with Requiring Officials. Advise the Requiring Officials on policies and long-range strategies for enhancing competition, minimizing costs, reducing lead times, etc. Plan and organize to meet the anticipated, aggregate requirements.</p> <p>Consolidate and forecast requirements that are likely to be incorporated in purchase requests during the next several fiscal years.</p> <p>Discuss economic order quantities and a tentative schedule of purchases.</p>	<p>Prepare program plans, cost estimates, market research, and schedules, and determine priorities. Ask questions such as:</p> <p>How many do I need? How much did I buy in the past? Do I need to perform an inventory? Do I need to coordinate with other Divisions, such as IT? When do I need it? How much time will the contractor need after contract award?</p>

Contract Planning	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
<p>Provide guidance on procurement-related data from program and project planning meetings, including the following:</p> <ul style="list-style-type: none"> Supplies and services to be procured Acquisition histories on needed supplies and services Findings of market research Advice on whether to use presolicitation notices, conferences, etc. Alternative techniques to enhance competition Program baselines (milestones, cost, and performance) 	<p>Identify technical actions required to successfully complete program and procurement milestones.</p> <p>Identify the overall procurement requirements and associated program budget. Describe the program and the constraints placed on the procurement.</p> <p>Describe market research results, including previous procurements, related programs, and historical problems as they affect technical issues.</p> <p>Include any related components of the purchase; for example training, travel, or follow-on items.</p>
<p>Review and provide inputs on elements required for plans, such as sources, competition, source selection procedures,</p>	<p>Work with Procurement to identify sources, budgeting and funding, product descriptions, milestones, and any potential</p>

Contract Planning	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
contracting considerations, budgeting and funding, small business opportunities, product descriptions, and milestones.	challenges.
Obtain concurrence and approvals from: Contracting Officer Competition Advocate Legal, finance, and other supporting offices	Deliverable Quantities/Options: Do we know exact quantities or might they vary? Is the requirement for one year or several years? Prepare the Performance Work Statement (PWS), Acceptance Requirements, and Schedule. Provide input into Contract Line Item structure . Decide how to measure and manage performance. Develop the Quality Assurance Surveillance Plan (QASP) at the same time as the Performance Work Statement.
With Technical: Determine the contract type appropriate for the program requirements such as fixed price, cost reimbursement, incentive, indefinite delivery, time & material/labor hours, basic agreements/basic ordering, and letter. Prepare a plan of action and milestones for significant actions through contract award, including assembly of the solicitation package and status meetings.	With Procurement, determine: Technical approach/requirements Warranty requirements Evaluation factors for the solicitation Contract cost, schedule, and performance reporting requirements Significant actions, including status meetings, through contract award, and a plan for completion
Select technique(s) for testing and improving the customer's description of required supplies and services. If the requirement is new or not well defined, there are several techniques for testing and improving the description. These include: Solicitations for information or planning purpose Presolicitation notices	Provide technical evaluation/response to Contracting Officer regarding offeror comments and pre-award inquiries.

Contract Planning	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Presolicitation conferences	

Purchase Request Packages	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
<p>Review the Purchase Request (PR) for completeness and adequacy.</p> <p>Establish and maintain the contract file.</p> <p>Contract Clauses: Identify Federal Acquisition (FAR)/Defense FAR Supplement (DFARS) clauses that are applicable to the program.</p> <p>Prepare the synopsis for the Federal Business Opportunities.</p>	<p>Prepare PR inputs as applicable, such as:</p> <ul style="list-style-type: none"> Supplies and Services Line Items (CLIN structure) PWS IGCE Market Research Period of Performance or Delivery Instruction to Offerors Evaluation Factors for Award Funding Citation Any applicable justifications and/or waivers

Services Contracts	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
<p>For Services, screen purchase requests for personal services or advisory and assistance services. Determine if there are sufficient justification, approvals, and legal authority to make such acquisitions. Where applicable, request DOL Wage Determinations for incorporation into the solicitation.</p>	<p>Prepare PR inputs, such as:</p> <ul style="list-style-type: none"> PWS Period of performance Deliverables Instructions for offerors and evaluation factors for award QASP IGCE Market Research

Funding	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Determine if sufficient, applicable funds will be committed prior to solicitation release.	Ensure adequate funding to support technical requirements.

Market Research/Market Investigation	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
The acquisition team uses <u>market research</u> to obtain information on products and services available in the marketplace.	The acquisition team uses <u>market research</u> to obtain information on products and services available in the marketplace.
Obtain data from acquisition histories and other sources. Collect and compile additional market information. Determine whether and how to initiate exchange of information with prospective offerors prior to soliciting. Coordinate and participate in early exchanges.	Research and evaluate different alternatives and the associated risks. As part of the research, consider standard commercial practices and trends, availability of sources, and market financing practices.
With technical, identify essential factors such as required technical capabilities, qualifications, and experience.	With procurement, identify essential factors such as required technical capabilities, qualifications, and experience.

B. Extent of Competition

Determining the extent of competition is the second step in the acquisition planning process. It involves checking available sources to determine if their qualifications meet program needs. The following tables show contracting functions and programmatic functions for these activities:

Sources
Competition Requirements

Sources	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Determine availability of qualified sources. Determine if the source can meet the need. Review acquisition histories and prepare lists of identified sources.	Establish criteria for evaluating potential sources. If schedules and technical requirements restrict competition, data must be available to justify the restriction.

Sources	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
	Conduct market research,

Competition Requirements	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Determine if a set-aside, such as small business, is appropriate.	
Determine whether full and open competition can be obtained. If not, determine whether to solicit from a limited number of sources or from a single source.	Review the <u>Authority for a Sole-Source Procurement</u> to determine if an exception to full and open competition applies.
Prepare justification for other than full and open competition.	Prepare supporting justification if recommending other than full and open competition.
Obtain clearances/approvals from Competition Advocate and/or other responsible officials.	Obtain clearances/approvals from Competition Advocate and/or other responsible officials.
Prepare a synopsis.	Provide supporting technical data.

C. Source Selection Planning

Source Selection Planning is the third step in the acquisition planning process. The objective of the Source Selection Planning process is to design an acquisition strategy that best reflects the specific requirement, the results of market research, and the risks associated with the acquisition. The two most common approaches are Tradeoff Analysis and Lowest Price Technically Acceptable. The following tables show contracting functions and programmatic functions for these activities:

- Price-Related Factors
- Non-Price Factors
- Past Performance

Note: .

Cost Factors	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Identify <u>Cost Factors</u> .	Identify <u>Cost Factors</u> .
Per Competition in Contracting Act (CICA) requirements, include price or cost to the Government as an evaluation factor in every source selection.	
In coordination with Technical Personnel, determine the relative importance between cost or price and noncost factors.	In coordination with the Procurement Team, determine the relative importance between cost or price and noncost factors.

Non-Price Factors	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Identify critical <u>Noncost Factors</u> .	Identify critical <u>Noncost Factors</u> .
Select nonprice-related evaluation factors (if any) for award and determine how the Government will apply the factors. Determine whether to award to the lowest priced, technically acceptable proposal or through a tradeoff analysis. Organize and brief the source selection team. The higher the business and technical risk, the greater the emphasis on factors other than price.	Establish technical criteria for nonprice-related factors and their relative importance. Evaluate past performance, personnel qualifications, products proposed by a vendor with characteristics other than price, and technical realism of proposed resources. Perform Technical/nonprice-related factor tradeoff analyses and determine the best value or minimum technical requirements for award.

Past Performance	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Identify factors for <u>Past Performance</u> .	Identify factors for <u>Past Performance</u> .
Establish requirements for prior experience. Consider the length and depth – as well as how recent – the experience.	Establish requirements for prior experience. Consider the length and depth – as well as how recent – the experience.

D. Solicitation Terms and Conditions

Solicitation Terms and Conditions is the fourth and final step in the acquisition planning process. The objective of developing Solicitation Terms and Conditions is to minimize the risk of a solicitation not meeting performance, cost, and schedule requirements. The following tables show contracting functions and programmatic functions for these activities:

Contract Type
 Recurring Requirements
 Method of Payment

Contract Type (Pricing Arrangement)	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
<p>Identify and solicit the type of contractual pricing arrangements (e.g., fixed price award fee, cost plus award fee) that will best mitigate and apportion expected risks.</p> <p>Consider the use of Incentive Contracts that include definitive, measurable incentives. One example is Award Term contracts, which reward good contractors with term extensions of existing contracts based upon their performance.</p>	<p>Provide input on program technical, schedule, and cost risk.</p>

Recurring Requirements	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
<p>Determine the appropriate method to solicit for future requirements. Alternatives include blanket purchase agreements, options, and indefinite delivery types of contracts.</p>	<p>Identify program requirements.</p>

Method of Payment	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
<p>Determine the method of payment (e.g., Government Purchase Card, electronic funds transfer, etc.).</p>	<p>Provide technical support as required. Certify invoices when goods/services are delivered.</p>

Acquisition Planning

Watch Out For . . .

Schedules that do not allow sufficient time to obligate funds. [See Procurement Administrative Lead Times]

Not taking the time to write a thorough PWS.

Not completing initial Acquisition Planning (AP) efforts (and Justification and Authorization [J&A] if needed) prior to development of the solicitation documents.

The improper use of a sole-source justification to expedite contract award.

Use of a standard source selection plan. During acquisition planning, the source selection plan should be developed based on program requirements. Consider the use of options.

Giving insufficient consideration to the use of multiple-year contracts using priced options. Actively seek out, and discuss with Contracting Officers, contracts that are suitable candidates for multiple-year procurement. Use of option years provides for level pricing of requirements – and can save money – since it usually results in purchase of economic order quantities, and reduces the contractor’s risk in purchasing long lead items and committing to expensive up-front setup costs.

Purchase Requests

[See the Purchase Requests section]

Watch Out For . . .

Not including Independent Government Cost Estimates with the Purchase Request (PR). Justifications and/or waivers that are not adequately documented.

Quantities or units not consistent with the requirement.

Unreasonable cost estimates, given the requiring activity’s supporting data.

Descriptions that are vague, ambiguous, overly restrictive or insufficiently restrictive.

Market Research

[See the Market Research section]

Watch Out For . . .

Commercial suppliers with no documentation to support their claims for product performance, reliability, and logistics support.

Product reliability, quality and supportability requirements being traded for cost, schedule and functional performance gains.

Not surveying enough vendors to obtain information on the entire marketplace.

Phase 2 -- Contract Formation

Introduction

The Contract Formation process consists of soliciting and processing offers, selecting a source and issuing the award, and researching/preparing responses to any protests of the award. The Contract Formation phase includes the following steps:

Solicitation of Offers

Source Selection

Contract Award

A. Solicitation of Offers

Solicitation of offers is the first step in the Contract Formation process. The objective of preparing and issuing a solicitation is to ensure that all qualified offerors are afforded the opportunity to compete for the contract award, in accordance with Government requirements. The focus is to prepare the solicitation, publicize the proposed procurement, receive the offers, communicate with offerors, and clarify any misunderstandings.

The following tables show contracting functions and programmatic functions for these activities:

Solicitation Preparation
 Instructions to Offerors/Evaluation Factors
 Publicizing Proposed Procurements
 Prequote/Prebid/Preproposal Conferences
 Amending and Canceling Solicitations

Solicitation Preparation	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Identify, complete and incorporate FAR clauses and provisions into the Request for Quote (RFQ) or Request for Proposal (RFP).	Review the requirement documents that authorize the program and define its basic objectives.
Identify customary commercial terms and conditions and determine which to incorporate.	Use market research to determine whether commercial items are available to meet program requirements.
Assemble the RFQ/RFP. Make the solicitation available to all parties.	Identify all organizations and persons who will participate in preparing the PWS, and determine the participants' areas of responsibility. Prepare the PWS covering all of the elements included in the RFP/contract.

Solicitation Preparation	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
	<p>For each element, identify tasks that define the scope of the work effort to satisfy the minimal needs of the program and identify required data deliverables.</p> <p>Ensure that only those tasks that add value to the product, whether a management system or technical requirement, are included in the PWS.</p>

Instructions to Offerors/Evaluation Factors	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Determine the Evaluation factors; see <u>Selecting Evaluation Factors and Subfactors</u> .	Determine the Evaluation factors; see <u>Selecting Evaluation Factors and Subfactors</u> .
<p>Ensure that standard FAR required provisions advising the offerors of statutory and DoD requirements are included.</p> <p>Ensure that formatting information is provided (organizational requirements, volumes, page limitations, cost instructions, etc.).</p> <p>Ensure consistency with the rest of the RFP, such as tasking established in the PWS and evaluation criteria.</p>	<p>Identify all the evaluation factors and their relative importance. Consider:</p> <ul style="list-style-type: none"> User requirements Acquisition objectives Perceived risks Market research <p>Select only those factors that will help differentiate among offerors and identify the most advantageous offer.</p> <p>Describe the relative weights of the technical performance factors.</p>
Ensure evaluation factors/subfactors are related to the program objectives and reflect the minimum material requirements of the solicitation.	Ensure that the factors/subfactors match the factors/subfactors approved in the Source Selection Plan (SSP).

Publicizing Proposed Procurements	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Solicitations will be published in the <u>Fed Biz Opps</u> (Federal Business Opportunities) website.	Solicitations will be published in the <u>Fed Biz Opps</u> (Federal Business Opportunities) website
Identify and solicit services of technical personnel for proposal evaluation.	Determine the need for amending or canceling the solicitation.
Prepare and publicize in Federal Business Opportunities (FBO) and use any other method of advertising as required.	Provide technical inputs for preparing the FBO or other advertising methods as required.
Prepare a synopsis.	Provide supporting technical data.

Preaward Inquiries	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Answer questions about the solicitation. Process Freedom of Information Act (FOIA) requests.	Forward preaward and FOIA inquiries to the Procurement Division. Provide technical responses, when requested.

Prequote/Prebid/Preproposal Conferences	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Provide offerors with a public forum to review and question the solicitation, and brief the solicitation.	Provide technical support for conferences.

Amending and Canceling Solicitations	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Determine whether to amend or cancel a solicitation. If an amendment is necessary, prepare and issue the amendment; if the decision is to cancel, cancel the solicitation.	Provide technical justification for amendment or cancellation of a solicitation.

B. Source Selection

Source Selection is the second step in the Contract Formation process. Its objective is to competitively select a source that meets program objectives and requirements. The Source Selection Authority (SSA) is the Government official in charge of selecting the source; it is most often the Contracting Officer, but may also be the Program Manager or other government official.

The following tables show contracting functions and programmatic functions for these activities:

- Processing and Accepting Offers
- Proposal Price and Responsiveness
- Technical Proposal Evaluations
- Cost Proposal Evaluation
- Applying Past Performance, Technical, and Non-Cost Factors
- Evaluating Other Terms and Conditions
- Communications/Fact Finding
- Extent of Discussions (Competitive Range)
- Discussions and Negotiations
- Responsibility
- Preparing and Issuing the Award
- Protests

Processing and Accepting Offers	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Receive and control offers submitted in response to the solicitation. Identify the acceptance period for the offer. Make determination and provision for delayed offers and late offers.	Provide technical support as required for contracting functions.

Proposal Price and Responsiveness	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Conduct a price reasonableness analysis.	Provide technical support as required for contracting functions..

Technical Evaluations	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
The <u>Guide for the Evaluation of Technical</u>	The <u>Guide for the Evaluation of Technical</u>

Technical Evaluations	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
<u>Proposals</u> has detailed information.	<u>Proposals</u> has detailed information.
Brief the Source Selection Team prior to receipt of offers on rules and regulations applicable to the conduct of the evaluation process.	Perform the technical evaluation of proposals and produce facts and findings required in the Technical Evaluation Plan and source selection process.
Resolve late offers/quotes. Receive and control proposals/quotes.	The Technical Evaluation Board provides findings and recommendations, including sufficient data to determine the need for fact finding.

Proposal Evaluation	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Provide technical evaluators with complete and correct instructions on evaluating technical proposals.	Present and support negotiation objectives (e.g., areas of discussion).
Determine which proposals are in the competitive range for the purpose of conducting written or oral discussions.	Support the Contracting Officer's determination of the competitive range.
The Cost/Price Team, chaired by the Contracting Officer, evaluates cost/price to determine whether: <ul style="list-style-type: none"> The cost/price is reasonable The offeror has an understanding of the work The offeror has the ability to perform the contract 	Support the Cost/Price Team with an assessment of the proposals relative to their respective technical approach.
When awarding on "best value," ensure that evaluator ratings or scoring of technical proposals are reliable and, in terms of the RFP's evaluation factors, valid. Serve as the official point of contact with all offerors.	
Conduct debriefings of unsuccessful offerors.	Provide constructive information to Contracting Officer regarding the technical

Proposal Evaluation	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
	proposals after award.

Applying Past Performance, Technical, and Non-Cost Factors	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Check latest Performance Information in the Department of Contractor Performance Assessment Reporting System (CPARS).	
Review findings and recommendations of technical personnel to ensure evaluation documentation is adequate to sustain the Government's position on ratings/scoring in a protest forum.	Provide technical evaluations and recommendations on: <ul style="list-style-type: none"> Technical rating and acceptability of each offer/quote Technical deficiencies and need for fact finding or clarifications The relative standing of the offers/quotes – including strengths and weaknesses – with the application of non-cost factors, and quality/reliability histories
<p>Invite contractor comments.</p> <p>Reconcile discrepancies between the contractor version of events and reported past performance information.</p> <p>After receipt of quotes/offers:</p> <ul style="list-style-type: none"> Apply cost-related factors to the solicitations, offers, and/or quotes. Evaluate and compare costs. Determine the reasonableness of the proposed prices and develop cost-related negotiation objectives for discussion with vendors. 	Review an offeror's recent actual performance in relevant areas to assess risk. The offeror's recent and relevant past performance (measured by such indicators as quality, timeliness, cost, schedule, operational effectiveness and suitability) may be considered in assessing the probability of successful accomplishment of the proposed effort in a timely and cost-effective manner.

Evaluating Other Terms and Conditions	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Develop prenegotiation positions on terms	Provide technical assistance as requested by

Evaluating Other Terms and Conditions	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
and conditions other than cost.	contracting functions.

Communications/Fact Finding	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Prior to competitive range determination, identify and collect information from the offeror necessary to complete the Government's analysis of proposal.	Identify technical fact-finding requirements and participate in their collection.

Extent of Discussions (Competitive Range)	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Define the competitive range and notify offerors outside the range.	Provide technical inputs into the competitive range determination. Participate in discussions and adjust the technical ratings, if appropriate.
Determine necessity and extent of clarifications with the offerors.	

Discussions and Negotiations	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Prepare a prenegotiation plan that establishes objectives, priorities, and potential tradeoffs for discussions with the offeror/quoter.	Provide technical inputs to the prenegotiation plan for each offeror, including: Significant weaknesses, deficiencies, and risks Technical approach that could be altered to significantly enhance the proposal award
Conduct the negotiation sessions and document the elements of the negotiated agreement.	Participate in negotiations and debriefs as appropriate.

Discussions and Negotiations	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Determine a “Best Value” decision. Debrief vendors as requested.	

C. Contract Award

The Contract Award is the third and final step in the Contract Formation process. The objective of the contract award step is to prepare and issue the contract. The following tables show contracting functions and programmatic functions for these activities:

- Responsibility
- Preparing and Issuing the Award
- Protests

Responsibility	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Determine if the offeror meets the general standards (and any special standards) of responsibility.	Participate in applicable pre-award surveys.

Preparing and Issuing the Award	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Verify funding. Make/obtain the final source selection decision. Prepare the contract and document the recommendation for award. Obtain approvals for awarding the contract. Execute the contract. Notify the awardee and other parties, as required.	Review the contract technical package for compliance with requirements.

Protests	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Research and prepare positions on protests of the award. Respond to any protest as provided in the procedures or forums in which the protest has been filed.	Provide technical evaluation of protests in support of Procurement.

Phase 3 -- Execution and Administration

Introduction

The purpose of the Execution and Administration process is to administer the contract. As soon as the contract is awarded, the focus shifts to contract administration. It is important to note that although the contract has been awarded, the technical role has not decreased in importance. This phase, consisting of four parts – each with specific focus areas – is discussed in this section as follows:

Initiation of Work and Modification

Monitoring Performance

Payment and Accounting

Contract Closeout and Termination

A. Initiation of Work and Modification

Initiation of Work and Modification is the first step in the Execution and Administration process. The objective is to plan for proper contract administration, conduct necessary post-award briefings, determine the need to consent to subcontracts, implement the appropriate subcontracting requirements, and properly administer proposed modifications, options, and task/delivery order contracting.

The following tables show contracting functions and programmatic functions for these activities:

Contract Administration Planning
 Post-Award Conferences
 Contract Modifications
 Options
 Task Order and Delivery Order Contracting

Contract Administration Planning	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Review the contract and related acquisition histories. Determine the criticality of the contract. Identify key milestones. Delegate authority to Contracting Officer's Representative (COR)	Identify contractual requirements for: Surveillance of contractor activities Quality assurance activities Government Furnished Property Nomination of COR

Post-Award Conferences	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Conduct post-award conference or “kick-off” meeting; this is a useful tool to confirm that the contractor’s understanding of the requirement matches the Government’s understanding.	Identify issues, such as apparent contractor interpretations of technical requirements, that may affect program risks and expectations for mitigation.

Contract Modifications	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Review proposed modifications against the scope of work and availability of funds.	Assess proposed modifications for technical content.
Determine whether to modify the contract, and implement the modification.	Consult the Contracting Officer on all changes or additions as needed.

Options	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Verify the validity of an option.	
Determine whether to exercise the option.	<p>Provide technical concurrence/non-concurrence for exercise of the option.</p> <p>If you choose not to exercise an option, allow enough Procurement Action Lead Time to resolicit, otherwise:</p> <p>Provide a Purchase Request through Comprizon 60 days before the option expires.</p> <p>Provide written validation that the need for the item or service continues to exist, and that the price is still fair and reasonable.</p>
Notify the contractor.	

Task Order and Delivery Order Contracting	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Check on availability of existing contract vehicles for use. Establish task and delivery order contracts. Issue orders for supplies and services.	Prepare PWS and task order requirements.

B. Monitoring Performance

Monitoring Performance is the second step in the Execution and Administration process. The objective of the appropriate design and production assurance activities is to enable timely corrective action, by monitoring the performance of the contractor against contract requirements.

The following tables show contracting functions and programmatic functions for these activities:

- Monitoring, Inspection, and Acceptance
- Delays
- Stop Work
- Remedies
- Past Performance

Monitoring, Inspection, and Acceptance	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Obtain feedback on contractor performance or deliverables. Verify and document evidence of actual or potential performance problems, constructive changes, or other breaches. Determine potential impact of technical issues on cost, schedule, and delivery, and investigate/resolve rationale for potential or actual delays. Determine whether to ratify constructive changes, modify the contract as required, and invoke appropriate remedies. Investigate and resolve contractual problems reported by the contractor or Government.	Assess performance, quality, and other technical issues; provide technical evaluation to Procurement for adjustment to, modification of, or compliance with the contract. Evaluate the contractor's performance in accordance with the Quality Assurance Surveillance Plan and the contractor's Quality Control Plan. Certify invoices.

Delays	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Determine whether a delay is excusable and negotiate consideration when acquiring commercial and noncommercial items.	For excusable delays, recommend corrective actions, such as additional time to perform or modification of the requirement that caused the delay.
Seek consideration for delays that are not excusable.	Determine if contractor delays are caused by technical factors beyond their control and without fault or negligence by the contractor.

Stop Work	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Determine whether to stop work Prepare and issue the stop work order. If the contract is not terminated, initiate resumption of work and modify the contract as necessary.	Recommend stop work when contractor deficiencies are expected to result in delivery of non-conforming technical products. Evaluate contractor proposals to stop work for technical reasons. Assess the impact of stop work orders on contractor performance of the technical and programmatic requirements.

Remedies	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
	Identify and collect facts regarding specific instances of the contractor's failure to perform or breach of technical requirements. Determine whether the non-conformance has major or minor program impact.
Identify contractual remedies, and determine the appropriate remedy. Apply the remedy.	Participate in determining and preparing remedies (e.g., rejection of supplies, acceptance with considerations, warranty, cure notice, etc.) considering risk to the program.

Past Performance	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Obtain performance information from CPARS for actions over \$1 million.	Report significant contractor technical performance, both positive and negative.
Reconcile discrepancies between the contractor version of events and reported past performance.	
Document the file.	Keep written documentation (email, etc).

C. Payment and Accounting

Payment and Accounting, the third step in the Execution and Administration process, is a joint effort between the Contracting Officer, the Comptroller, and the Requiring Official. The Contracting Officer is responsible for defining and clarifying the payment and accounting terms in the contract, while the Comptroller executes payment, adding/subtracting accounts as required. The Requiring Official verifies that the good or service was received and met the terms of the contract.

The following tables show contracting functions and programmatic functions for these activities:

Invoices
Administering Financial Terms

Invoices	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Determine the payment to which the contractor is entitled under the terms and conditions of the contract.	Provide a receiving report to verify product or service was received and met the contractual requirements.

Administering Financial Terms	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Provide for payment terms to the contractor, such as progress payments.	Provide technical support as required. Certify invoices.

D. Contract Closeout and Termination

Contract Closeout and Termination is the fourth and final step in the Execution and Administration process. Its objective is administering contract closeout and termination with equitable results for both the Government and the Contractor.

The following tables show contracting functions and programmatic functions for these activities:

Claims
Closeout

Claims	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Respond to contractor claim for additional money or contract adjustment, and determine if it constitutes a payable claim.	Prepare the Government position on the claim.

Closeout	
<i>Contracting Functions</i>	<i>Programmatic Functions</i>
Verify that the contract is physically complete.	
Obtain from both the Government activities and Contractor all forms, reports, and clearances required at closeout, and ensure that both the Government and Contractor have met all applicable terms and conditions for closeout.	Assist Procurement in determining the status of technical terms and conditions of the contract.
Settle all outstanding claims, issues or disputes.	Assist Procurement in identifying any outstanding issues, excess funds, etc.
Make final payment and de-obligate funds, if any. Prepare contract completion documentation.	

Performance Work Statement/Performance Requirement Summary/Quality Assurance Surveillance Plan

Watch Out For . . .

Critical requirements of the program that are not tracked from the PWS and through the PRS and QASP.

Long, cumbersome sentences.

Unfamiliar terms that are not defined.

Describing “how” to perform a service rather than “what” is required.

Using passive rather than active terms.

Leaving out tasks.

Competition

Watch Out For. . .

Noncompetitive acquisitions that cannot be justified. Check for suppliers and data that could enable a competitive acquisition. If the item is clearly sole source, justification should be presented from the beginning.

Insufficient research into portions of larger competitive or noncompetitive procurements. Review for potential Small Business Innovative Research, set-asides, or small business competition.

Allowing insufficient lead time to conduct a competition.

The source selection plan not being finalized prior to issuing the Request for Proposal.

Solicitation

[See the Solicitation section]

Watch Out For. . .

Including too many evaluation factors or subfactors.

Evaluation factors and subfactors different from the source selection plan.

A source selection plan that does not address the following:

- An adequate description of all the factors/subfactors to be considered in making the selection

- Minimum requirements that apply to particular evaluation factors/subfactors that must be met

- Cost factors between thresholds and goals

- A clear explanation of how goals or features will be evaluated, and whether or not credit will be given in the evaluation for exceeding such desirables

- A linkage among solicitation requirements, each evaluation factor and subfactor, and the proposal preparation instructions

SECTION TWO

RESOURCES

Section Two includes the following sections, which contain useful resources:

1. Milestones and Approvals
2. Market Research
3. Independent Government Cost Estimate
4. Performance Work Statement
5. Quality Assurance Surveillance Plan
6. Acquisition Plans
7. Planning for Competitive Source Selection
8. Guide for the Evaluation of Technical Proposals
9. Regulations on Procurement Integrity
10. Authority for a Sole-Source Procurement
11. Contracting Officer's Representative
12. Undefinitized Contract Action
13. Curriculum Guide
14. Conference Planning

Milestones and Approval Thresholds

It is important to avoid conducting procurements urgently or with unrealistic delivery or performance schedules. Many of the contracts awarded in DoDEA can easily be acquired competitively if sufficient advance planning occurs. In many cases, contracts can be awarded for multiple year use, thereby saving dollars and reducing the lead-time required to complete purchases. In order to put multiple year contracts into place, requirements must be identified to the Procurement Division well in advance of the actual date that the supplies or services are needed. In order to assist your planning the following charts detail Procurement Administrative Lead Times (PALT) and approval thresholds for various dollar thresholds.

The following milestone charts are provided:

Milestones for Acquisition Cycle between \$100,000 and \$1,000,000

Milestones for Acquisition Cycle between \$1,000,000 - \$5,000,000

Milestones for Acquisition Cycle over \$5,000,000

Milestones for Curriculum Contracts (with/without Delivery Orders)

Review Thresholds for Procurement Actions

MILESTONES BETWEEN \$100,000 AND \$1,000,000

SCHEDULE ACQUISITION MILESTONES

EVENT	RESPONSIBLE AGENCY	PALT	PLAN DATE	ACTUAL	REMARKS
1. CONDUCT MARKET RESEARCH	CUSTOMER	1-10 Days			
2. DEVELOP REQUIREMENTS PACKAGE Includes: Written Market Research, IGCE, SOW/PWS, Suggested Sources or Sole Source J&A, Source Selection Plan, Any Technical Data or Exhibits	CUSTOMER	15-30 DAYS			
3. REQUIREMENTS PACKAGE REVIEW BOARD (All documents must be logged in and received in Procurement by COB Monday for a Wednesday review)	PROCUREMENT	7 DAYS			
4. FINALIZE REQUIREMENT PACKAGE DOCUMENTS (Incorporate Review Board revisions, obtain applicable approval signatures)	CUSTOMER	15 DAYS			
5. SUBMIT COMPRIZON PURCHASE REQUEST (PR) with attached electronic file copies of requirement package documents (#4 above). Documents with original signatures need to be hand carried to Procurement.	CUSTOMER	5 DAYS			
6. COMPLETE PROCUREMENT PACKAGE RECEIVED IN COMPRIZON IN BOX	CUSTOMER PROCUREMENT	3 DAYS			
7. DEVELOP SOLICITATION	PROCUREMENT	20 DAYS			
8. SOLICITATION REVIEW	PROCUREMENT GENERAL COUNSEL	10 DAYS			
9. SOLICITATION REVISIONS	CONTRACT SPECIALIST	10 DAYS			
10. FINAL SOLICITATION APPROVAL	PROCUREMENT GENERAL COUNSEL	5 DAYS			

11. ISSUANCE OF SOLICITATION/FEDBIZOPPS	PROCUREMENT	5 DAYS			
12. RECEIPT OF PROPOSALS	PROCUREMENT	30 DAYS			
13. TECHNICAL EVALUATION	CUSTOMER	10-30 DAYS			
14. PRICE ANALYSIS, PAST PERFORMANCE CHECK, REVIEW OF SUBCONTRACTING PLAN (if over \$500,000)	PROCUREMENT	10 DAYS			
15. BOARD REVIEW OF RATIONALE/CONTRACT AWARD (must be submitted by COB Monday for Wednesday review)	PROCUREMENT GENERAL COUNSEL	10 DAYS			
16. CONTRACTING OFFICER SIGNATURE/CONTRACT AWARD	PROCUREMENT	2 DAYS			
TOTAL PALT		158-202 DAYS			

MILESTONES OVER \$1,000,000

Part of an Acquisition Plan

Milestones for Acquisition Cycle between \$1,000,000 - \$5,000,000

SCHEDULE ACQUISITION MILESTONES

EVENT	RESPONSIBLE AGENCY	PALT	REVISED	ACTUAL	REMARKS
1. CONDUCT MARKET RESEARCH	CUSTOMER	1-10 Days			
2. DEVELOP REQUIREMENTS PACKAGE Includes: Written Market Research, IGCE, SOW/PWS, Suggested Sources or Sole Source J&A, Source Selection Plan, Any Technical Data or Exhibits	CUSTOMER	15 - 30 DAYS			
3. REQUIREMENTS PACKAGE REVIEW BOARD (All documents must be logged in and received in Procurement by COB Monday for a Wednesday review)	PROCUREMENT	7 DAYS			
4. FINALIZE REQUIREMENT PACKAGE DOCUMENTS (Incorporate Review Board revisions, obtain applicable approval signatures)	CUSTOMER	20 DAYS			
5. SUBMIT COMPRIZON PURCHASE REQUEST (PR) with attached electronic file copies of requirement package documents (#4 above). Documents with original signatures need to be hand carried to Procurement.	CUSTOMER	5 DAYS			
6. COMPLETE PROCUREMENT PACKAGE RECEIVED IN COMPRIZON IN BOX	CUSTOMER/ PROCUREMENT	3 DAYS			
7. DEVELOP SOLICITATION	PROCUREMENT	30 DAYS			
8. SOLICITATION REVIEW	PROCUREMENT GENERAL COUNSEL	10 DAYS			

9. SOLICITATION REVISIONS	CONTRACT SPECIALIST	10 DAYS			
10. FINAL SOLICITATION APPROVAL	PROCUREMENT GENERAL COUNSEL	1-10 DAYS			
11. ISSUANCE OF SOLICITATION/FEDBIZOPPS	PROCUREMENT	5 DAYS			
12. RECEIPT OF PROPOSALS	PROCUREMENT	30 - 45 DAYS			
13. TECHNICAL EVALUATION	CUSTOMER	10-30 DAYS			
14. PRICE ANALYSIS, PAST PERFORMANCE CHECK, REVIEW OF SUBCONTRACTING PLAN	PROCUREMENT	10 DAYS			
15. FINAL TECHNICAL EVALUATION	CUSTOMER	30 DAYS			
16. AWARD RECOMMENDATION	PROCUREMENT	20 DAYS			
17. BOARD REVIEW OF RATIONALE/CONTRACT AWARD (must be submitted by COB Monday for Wednesday review)	PROCUREMENT GENERAL COUNSEL	10 DAYS			
18. REVISIONS TO AWARD AND FILE	PROCUREMENT	7 DAYS			
19. CONTRACTING OFFICER SIGNATURE/CONTRACT AWARD	PROCUREMENT	2 DAYS			
TOTAL PALT		206-274 DAYS			

MILESTONES OVER \$5,000,000

Part of an Acquisition Plan

Milestones for Acquisition Cycle over \$5,000,000

SCHEDULE ACQUISITION MILESTONES

EVENT	RESPONSIBLE AGENCY	PALT	REVISED	ACTUAL	REMARKS
1. CONDUCT MARKET RESEARCH	CUSTOMER	1-10 DAYS			
2. DEVELOP REQUIREMENTS PACKAGE Includes: Written Market Research, Acquisition Plan (>\$5M), IGCE, SOW/PWS, Suggested Sources or Sole Source J&A, Source Selection Plan, Any Technical Data or Exhibits	CUSTOMER	30-45 DAYS			
3. REQUIREMENTS PACKAGE REVIEW BOARD (All documents must be logged in and received in Procurement by COB Monday for a Wednesday review) – Acquisition Strategy Panel (Required over \$5M)	PROCUREMENT	7 DAYS			
4. FINALIZE ACQUISITION PLAN AND REQUIREMENT PACKAGE DOCUMENTS (Incorporate Review Board revisions, obtain applicable approval signatures)	CUSTOMER	20 DAYS			
5. SUBMIT COMPRIZON PURCHASE REQUEST (PR) with attached electronic file copies of requirement package documents (#4 above). Documents with original signatures need to be hand carried to Procurement.	CUSTOMER	5 DAYS			
6. COMPLETE PROCUREMENT PACKAGE RECEIVED IN COMPRIZON IN BOX	CUSTOMER PROCUREMENT	3 DAYS			
7. DEVELOP SOLICITATION	PROCUREMENT	30 DAYS			
8. SOLICITATION REVIEW	PROCUREMENT GENERAL COUNSEL	10 DAYS			

9. SOLICITATION REVISIONS	CONTRACT SPECIALIST	10 DAYS			
10. FINAL SOLICITATION APPROVAL	PROCUREMENT GENERAL COUNSEL	10 DAYS			
11. ISSUANCE OF SOLICITATION/FEDBIZOPPS	PROCUREMENT	5 DAYS			
12. RECEIPT OF PROPOSALS	PROCUREMENT	45-90 DAYS			
13. TECHNICAL EVALUATION	CUSTOMER	10-30 DAYS			
14. PRICE ANALYSIS, PAST PERFORMANCE CHECK, REVIEW OF SUBCONTRACTING PLAN	PROCUREMENT	10 DAYS			
15. FINAL TECHNICAL EVALUATION	CUSTOMER	10 DAYS			
16. AWARD RECOMMENDATION/SSA APPROVAL	PROCUREMENT	30 DAYS			
17. BOARD REVIEW OF RATIONALE/CONTRACT AWARD (must be submitted by COB Monday for Wednesday review)	PROCUREMENT GENERAL COUNSEL	10 DAYS			
18. REVISIONS TO AWARD AND FILE	PROCUREMENT	7 DAYS			
19. FINAL REVIEW	PROCUREMENT GENERAL COUNSEL	10 DAYS			
20. CONGRESSIONAL NOTIFICATION (over \$5M)	PROCUREMENT	2 DAYS			
21. CONTRACTING OFFICER SIGNATURE/CONTRACT AWARD	PROCUREMENT	2 DAYS			
TOTAL PALT		257-346 DAYS			

MILESTONES

Curriculum Contracts – All Dollar Values

SCHEDULE ACQUISITION MILESTONES

EVENT	RESPONSIBLE AGENCY	PALT	PLANNED	REVISED	ACTUAL
1. CONDUCT MARKET RESEARCH	CUSTOMER	1-10 DAYS			
2. DEVELOP REQUIREMENTS PACKAGE Includes: Written Market Research, Acquisition Plan (>\$5M), IGCE, SOW, Suggested Sources or Sole Source J&A, Source Selection Plan, Any Technical Data or Exhibits	CUSTOMER	30-45 DAYS			
3. REQUIREMENTS PACKAGE REVIEW BOARD (All documents must be logged in and received in Procurement by COB Monday for a Wednesday review)	PROCUREMENT	7 DAYS			
4. FINALIZE ACQUISITION PLAN AND REQUIREMENT PACKAGE DOCUMENTS (Incorporate Review Board revisions, obtain applicable approval signatures)	CUSTOMER	20 DAYS			
5. IDENTIFY HOTEL/SUBMIT PURCHASE REQUEST		5 DAYS			
6. MEET W/ IT - Discuss IT Requirements at Materials Review		1 DAY			
7. SUBMIT COMPRIZON PURCHASE REQUEST (PR) with attached electronic file copies of requirement package documents (#4 above). Documents with original signatures need to be hand carried to Procurement.	CUSTOMER	5 DAYS			
8. COMPLETE PROCUREMENT PACKAGE RECEIVED IN COMPRIZON IN BOX	CUSTOMER PROCUREMENT	3 DAYS			
9. DEVELOP SOLICITATION	PROCUREMENT	30 DAYS			
10. SOLICITATION REVIEW BOARD	PROCUREMENT	10 DAYS			

	GENERAL COUNSEL				
11. SOLICITATION REVISIONS	CONTRACT SPECIALIST	10 DAYS			
12. FINAL SOLICITATION APPROVAL	PROCUREMENT GENERAL COUNSEL	10 DAYS			
13. ISSUANCE OF SOLICITATION/FEDBIZOPPS	PROCUREMENT	5 DAYS			
14. RECEIPT OF PROPOSALS	PROCUREMENT	90 DAYS			
15. COORDINATE FEDSELECT	PROCUREMENT/ IT/CACI/CUSTOMER	10 DAYS			
16. MATERIALS TO HOTEL, SET UP BY VENDOR, CURSORY REVIEW	CUSTOMER/ PROCUREMENT	5 DAYS			
17. MATERIAL TECHNICAL EVALUATION	CUSTOMER	8 DAYS			
18. PRICE ANALYSIS, PAST PERFORMANCE CHECK, REVIEW OF SUBCONTRACTING PLAN	PROCUREMENT	10 DAYS			
19. FINAL TECHNICAL EVALUATION	CUSTOMER	30 DAYS			
20. AWARD RECOMMENDATION/SSA APPROVAL	PROCUREMENT	30 DAYS			
21. BOARD REVIEW OF RATIONALE/CONTRACT AWARD (must be submitted by COB Monday for Wednesday review)	PROCUREMENT GENERAL COUNSEL	10 DAYS			
22. REVISIONS TO AWARD AND FILE	PROCUREMENT	7 DAYS			
23. FINAL REVIEW	PROCUREMENT/ GENERAL COUNSEL	10 DAYS			
24. CONGRESSIONAL NOTIFICATION (over \$5M)	PROCUREMENT	2 DAYS			
25. CONTRACTING OFFICER SIGNATURE/CONTRACT AWARD	PROCUREMENT	2 DAYS			
TOTAL PALT (without Delivery Order)s		351-375 DAYS			

Delivery Orders

Curriculum contracts are usually delivery order (requirements type) contracts. Exceptions are one time buys (for example, Discrete Math). The second phase of the Curriculum buy, after award of the contract, is the placement of the actual orders. The milestones for phase two follows.

26. PROVIDE COPY OF CONTRACT TO COR	PROCUREMENT	2-5 DAYS			
27. COORDINATE WITH FIELD TO OBTAIN ORDERING QUANTITIES	COR/PROGRAM COORDINATOR	30 DAYS			
28. ENTER INDIVIDUAL PRs INTO AUTOMATED SYSTEM	CUSTOMER	5 DAYS			
29. ISSUE DO	PROCUREMENT	10 DAYS			
30. DISTRIBUTION/SCAN/POST TO EDAP	PROCUREMENT				
TOTAL PALT (with Delivery Order)s	PROCUREMENT	398-425 DAYS			

Acquisition Review and Approval Thresholds Reference Sheet

Headquarters and DDESS

DOCUMENT/ACTION	POC	THRESHOLD	REVIEW/COORDINATION	APPROVAL AUTHORITY
Acquisition Plans Acquisition Plan (FAR 7.105)(DFARS 207.103)	Customer	>\$5M	Full Review Board **	Procurement Div Chief/SSA
Source Selection Plan – Services and Curriculum Contracts 1. Streamlined Plan 2. Formal Plan (<i>See Customer Guide</i>)	Customer Customer	>\$100K≤\$1M >\$1M	Mini Review Board * Full Review Board	Branch Chief Procurement Div Chief/SSA
Solicitations (FAR 12 and 15) (<i>See Customer Guide</i>)	Procurement	>\$100K≤\$1M >\$1M	Mini Review Board Full Review Board	Branch Chief Procurement Div Chief
Commercial Simplified Acquisition Solicitations/Quotes SUPPLIES ONLY	Procurement	>\$100K≤\$1M >\$1M≤\$5M	Mini Review Board Full Review Board	Branch Chief Procurement Div Chief
Award Rationale/Price Negotiation Memorandum	Procurement	>\$100K≤\$1M >\$1M≤\$10M >\$10M	Mini Review Board Full Review Board Full Review Board	Branch Chief Procurement Div Chief and/or SSA HCA/Source Selection Authority

* **Mini Review Board** -- Contract Specialist/CO/Procurement Analyst/General Counsel

** **Full Review Board** -- Contract Specialist/CO/Procurement Analyst/General Counsel/Policy Chief/Division Chief

DOCUMENT/ACTION	POC	THRESHOLD	REVIEW/COORDINATION	APPROVAL AUTHORITY
J&A (FAR 6.304) – Sole Source All Contracts Memo to file required for \$2,500 < \$100K Formal J&A required ≥ \$100K	Customer	>\$2,500 ≤ \$100K >\$100K ≤ \$500K >\$500K ≤ \$10M >\$10M ≤ \$50M >\$50M	Contract Specialist Mini Review Board Mini Review Board Full Review Board Full Review Board/HCA	CO Branch Chief Competition Advocate (HQ Policy Chief) HCA Under Secretary of Defense for Acquisition, Technology, and Logistics
Ratifications <i>(Policy Memo AI-8000.3)</i>	Customer/ Procurement	All	Procurement Analyst/CO/ Fiscal/General Counsel/Branch Chief/HQ Policy	Procurement Div Chief
Unfinitized Contractual Actions	Procurement	All unpriced actions (letter contracts)	Full Review Board	Procurement Chief
D&F 1. Option to Extend Services 2. Lease Vs. Buy (FAR 7.4) 3. Use of Non-DoD Contracts (See AI 8000.7)	Procurement Procurement Procurement /Customer	All All >\$100K ≤ \$1M >\$1M	CO CO Mini Review Board Full Review Board	Branch Chief Branch Chief Branch Chief Procurement Div Chief
Exercising Options	Procurement	>\$100K ≤ \$1M	Contract Specialist	Branch Chief

		>\$1M	Mini Review Board	Procurement Div Chief
<i>Modifications</i>	Procurement	>\$100K≤\$1M	Mini Review Board	Branch Chief
		>\$1M≤\$10M	Full Review Board	Procurement Div Chief
		>\$10M	Full Review Board	HCA
<i>Proceeding with Award in the Face of a Protest</i>	Procurement	All	Full Review Board	Procurement Div Chief
<i>Termination for Cause/Default</i>	Procurement	>\$100K≤\$1M	Mini Review Board	Branch Chief
		>\$1M≤\$10M	Full Review Board	Procurement Div Chief

DOCUMENT/ACTION	THRESHOLD	COMMENTS
Synopsis in FedBizOps (FAR 5.101)	>\$25K	See FAR 5.202 for exceptions
Cost or Pricing Data (Certificate of Current Cost or Pricing Data on contracts other than commercial contracts) (FAR 15.403-4)	>\$550K or threshold specified in the contract	See FAR 15.403-4 for exceptions
Subcontracting Plan (FAR 19.702)	>\$500K (Awarded to large businesses on US contracts) and when there are subcontracting possibilities	Include modifications
EEO Compliance (also applies to 1st tier subcontracts) (FAR 22.805)	> \$10M (on US contracts)	EEO Clearance is required prior to award or modification IAW FAR 22.805 if the estimated amount of the contract, subcontract is \$10 million or more, the contracting officer shall request clearance from the appropriate OFCCP regional office before – (i) Award of any contract, including any indefinite delivery contract or letter contract; or (ii) Modification of an existing contract for new effort that would constitute a contract award.
Public Announcement/ Notice to Congress of Award Awarded to US Firms (funds obligated) (DFARS 205.303)	>\$5M (exclusive of unexercised options – notification required 24 hours prior to award announcement)	Includes mods, UCAs Exception: award to foreign firms performing outside U.S.
Performance Based Service Contracts	> \$100K	Require the use of measurable performance standards (i.e., terms of quality, timeliness, quantity, etc.) and quality assurance surveillance plans (see FAR 37.6, 46.103(a) , and 46.401(a)) All Service Contract Performance Work Statements need to be reviewed by the Safety and Security Office to ensure that Physical security technology and security requirements are incorporated IAW DoD Directive 2000.12, “DoD Antiterrorism/Force Protection Program,” April 13, 1999, DoD Instruction 2000.16, “DoD Antiterrorism Standards,” June 14, 2001

		<p>and DoDEA Regulation 4700.1, “Department of Defense Education Activity Antiterrorism (AT) Program,” Sep 6, 2002 . This includes the application of antiterrorism measures to help ensure that safety and security of DoDEA personnel, facilities, operations, and resources are addressed. Add the following language to the AP and PWS: “Criminal Background Checks: In the event that unsupervised contact with students or unescorted access to facilities are required by contract, a satisfactory Federal and/or State criminal background check must first be performed by DoDEA, through the Office of Personnel Management, on each identified contract employee prior to unsupervised student contact or unescorted facility access being granted. For US Citizens – Unescorted Access – must pass the Childcare National Agency Check with Written Inquires (CNACI). For Non-US Citizens – Unescorted Access – local host nation police background check only. (Re: DODI 1402.5, “Criminal History Background Checks on Individuals In Child Care Services,” 01/19/1993 and DODI 2000.16, , “DoD Antiterrorism Standards,” June 14, 2001)”</p>
<p>Contracts requiring IT software data rights</p>		<p>Addendum to 52.212-4. In accordance with DFAR 227.7202-3, the Government shall have only the rights specified in the license under which the commercial computer software or commercial computer software documentation was obtained. If the Government has a need for rights not conveyed under the license customarily provided to the public, the Government must negotiate with the contractor to determine if there are acceptable terms for transferring such rights. The specific rights granted to the Government shall be enumerated in the contract license agreement or an addendum thereto. If there are any inconsistencies between the terms and conditions of the software license agreement, this Addendum to this contract, and the contract terms and conditions, the contract terms and conditions govern.</p>

Acquisition Review and Approval Threshold Reference Sheet

DoDDS-E and DoDDS-P

DOCUMENT/ACTION	POC	THRESHOLD	REVIEW/COORDINATION	APPROVAL AUTHORITY
Acquisition Plans Acquisition Plan (FAR 7.105) (DFARS 207.103)	Customer	>\$5M	Customer/CO/Proc Analyst/GC/Office Chief/HQ Policy	Procurement Div Chief
Source Selection Plan – Required for Services (FAR 12 and 15) 1. Streamlined Plan 2. Formal Plan (See Customer Guide)	Customer Customer	>\$100K≤\$1M >\$1M	Contract Specialist/Proc Analyst/GC Customer/CO/Proc Analyst/GC/Office Chief/HQ Policy	CO/Office Chief Proc Div Chief /Source Selection Authority (SSA)
Commercial Simplified Acquisition Solicitations/Quotes – SUPPLIES ONLY	Procurement	>\$100K≤\$1M	Contract Specialist/Proc Analyst/GC/CO	Office Chief
Solicitations (FAR 12 and 15) (See Customer Guide)	Procurement	\$0≤\$100K >\$100K≤\$1M >\$1M	Contract Specialist Contract Specialist/CO/ Proc Analyst/GC Contract Specialist/CO/ Procurement Analyst/GC/Office Chief/HQ Policy	CO Office Chief Procurement Div Chief
Award Rationale/Price Negation Memorandum	Procurement	>\$100K≤\$1M >\$1M≤\$10M	Contract Specialist/CO/Proc Analyst/GC Contract Specialist/CO/Proc Analyst/GC/Office Chief/HQ Policy Contract Specialist/CO/Proc	Office Chief Procurement Div Chief and/or SSA

		>\$10M	Analyst/Legal/Office Chief/HQ Policy/Proc Div Chief	HCA/SSA
J&A (FAR 6.304) – Sole Source All Contracts				
Memo to file required for \$2,500 < \$100K	Customer	>\$2,500 ≤ \$100K	Contract Specialist	CO
Formal J&A required ≥ \$100K		>\$100K ≤ \$500K	Contract Specialist/Procurement Analyst/GC	Office Chief
		>\$500K ≤ \$10M	Contract Specialist/CO/Proc Analyst/GC/Office Chief	Competition Advocate (HQ Policy Chief)
		>\$10M ≤ \$50M	CO/Proc Analyst/GC/Office Chief/Competition Advocate/Procurement Div Chief	HCA
DOCUMENT/ACTION	POC	THRESHOLD	REVIEW/COORDINATION	APPROVAL AUTHORITY
		>\$50M	CO/Proc Analyst/GC/Office Chief/Competition Advocate/Procurement Div Chief/HCA	Under Secretary of Defense for Acquisition, Technology, and Logistics
Ratifications <i>(Policy Memo AI-8000.3)</i>	Customer/Procurement	All	Procurement Analyst/CO/Fiscal/GC/Office Chief/HQ Policy	Procurement Div Chief
Undefinitized Contractual Actions	Procurement	All unpriced actions (letter contracts)	Contract Specialist/CO/Proc Analyst/GC/Office Chief/HQ Policy	Procurement Div Chief
Termination for Cause/Default	Procurement	>\$100K ≤ \$1M >\$1M ≤ \$10M	Contract Specialist/CO/Procurement Analyst/GC Contract Specialist/CO/Proc Analyst/GC/Office Chief/HQ Policy	Office Chief Procurement Div Chief
DOCUMENT/ACTION	POC	THRESHOLD	REVIEW/COORDINATION	APPROVAL AUTHORITY
D&F				
1. Option to Extend Services	Procurement	All	CO	Office Chief

2. Lease Vs. Buy (FAR 7.4)				
3. Restriction on Foreign Buses (DFARS 225.7007-1 and 225.7001-2)	Procurement		CO	Office Chief
4. Organizational Conflict of Interest (A-76 Studies) (17.204 (e))	Procurement/ Customer		CO/Proc. Analyst/Office Chief/HQ Policy	Procurement Div Chief
5. Use of Non-DoD Contracts (See AI 8000.7)	Procurement		CO/Proc. Analyst/GC/Office Chief/HQ Policy	Procurement Div Chief
	Procurement/ Customer	>\$100K≤\$1M	CO/Proc. Analyst/GC	Office Chief
		>\$1M	CO/Proc. Analyst/GC/Office Chief/HQ Policy	Procurement Div Chief
Exercising Options Modifications	Procurement	>\$100K≤\$1M	Contract Specialist/Proc Analyst/GC	CO
		>\$1M	Contract Specialist/Proc Analyst/GC/CO	Office Chief
Modifications	Procurement	≤\$100K	Contract Specialist	CO
		>\$100K≤\$1M	Contract Specialist/CO/Proc Analyst/GC	Office Chief
		>\$1M≤\$10M	Contract Specialist/Proc Analyst/GC/Office Ch/HQ Policy	Procurement Div Chief
		>\$10M	Contract Specialist/Proc Analyst/Legal/Office Ch/HQ Policy/ Procurement Div. Chief	HCA
Proceeding with Award in the Face of a Protest	Procurement	All	Contract Specialist/Proc Analyst/Legal/Office Ch/HQ Policy	Procurement Div. Chief

DOCUMENT/ACTION	THRESHOLD	COMMENTS
Synopsis in FedBizOps (FAR 5.101)	>\$25K	See FAR 5.202 for exceptions
Cost or Pricing Data (Certificate of Current Cost or Pricing Data on contracts other than commercial contracts) (FAR 15.403-4)	>\$550K or threshold specified in the contract	See FAR 15.403-4 for exceptions
Subcontracting Plan (FAR 19.702)	>\$500K (Awarded to large businesses on US contracts) and when there are subcontracting possibilities	Include modifications
EEO Compliance (also applies to 1st tier subcontracts) (FAR 22.805)	> \$10M (on US Contracts)	EEO Clearance is required prior to award or modification IAW FAR 22.805 if the estimated amount of the contract, subcontract is \$10 million or more, the contracting officer shall request clearance from the appropriate OFCCP regional office before – (i) Award of any contract, including any indefinite delivery contract or letter contract; or (ii) Modification of an existing contract for new effort that would constitute a contract award.
Public Announcement/ Notice to Congress of Award Awarded to US Firms (funds obligated) (DFARS 205.303)	>\$5M (exclusive of unexercised options – notification required 24 hours prior to award announcement)	Includes mods, UCAs Exception: award to foreign firms performing outside U.S.
Performance Based Service Contracts	> \$100K	Require the use of measurable performance standards (i.e., terms of quality, timeliness, quantity, etc.) and quality assurance surveillance plans (see FAR 37.6, 46.103(a) , and 46.401(a)) All Service Contract Performance Work Statements need to be reviewed by the Safety and Security Office to ensure that Physical security technology and security requirements are incorporated IAW DoD Directive 2000.12, “DoD Antiterrorism/Force Protection Program,” April 13, 1999, DoD Instruction 2000.16, “DoD Antiterrorism Standards,” June 14, 2001 and DoDEA Regulation 4700.1, “Department of Defense Education Activity Antiterrorism (AT) Program,” Sep 6, 2002 . This includes the application of antiterrorism measures to help ensure that safety and security of DoDEA personnel, facilities, operations, and resources are addressed. Add the following language to the AP and PWS: “Criminal Background Checks:

		In the event that unsupervised contact with students or unescorted access to facilities are required by contract, a satisfactory Federal and/or State criminal background check must first be performed by DoDEA, through the Office of Personnel Management, on each identified contract employee prior to unsupervised student contact or unescorted facility access being granted. For US Citizens – Unescorted Access – must pass the Childcare
DOCUMENT/ACTION	THRESHOLD	COMMENTS
		National Agency Check with Written Inquires (CNACI). For Non-US Citizens – Unescorted Access – local host nation police background check only. (Re: DODI 1402.5, “Criminal History Background Checks on Individuals In Child Care Services,” 01/19/1993 and DODI 2000.16, , “DoD Antiterrorism Standards,” June 14, 2001)”
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Market Research

Through market research, the requisitioner recommends to the procurement division the strategy that makes the most sense in terms of the mission and the market, in order to obtain the maximum number of responsible offerors.

Market research includes locating publishers in the industry via textbooks, Internet, and word-of-mouth. Helpful information includes publisher's name, address, telephone number, fax number, email address, pricing, estimated shipping, etc.

More detailed information about market research follows.

Information to Be Obtained

Requirements generation begins with market research. Market research is the ongoing process of collecting and analyzing information about capabilities within the marketplace for meeting agency needs. It identifies prospective sources, and the conditions for doing business in a particular industry. Without market research, the Government may miss out on the products and services of highly qualified contractors, or ask for nonstandard requirements that are either impractical or unduly expensive. The goals of market research are to determine how and what to buy, and which competitive sources can meet Government needs.

While the nature and extent of market research varies with the size and complexity of what is required, market research, properly conducted, should answer the following questions.

What are the Government's basic requirements?

Begin by clearly identifying the Government's needs. By doing so, you will be able to ask the right questions when making inquiries in the marketplace.

Who offers products and services that can meet these basic requirements?

One of the purposes of market research is to foster and promote competition to obtain the best products and services at the lowest cost to the Government. Take care to avoid prematurely concluding that only one vendor can meet the Government's needs, or that the products or services offered by one particular source are the best, and therefore should be procured without further consideration of other possibilities. Either scenario shortchanges requiring activities and agency programs.

What are the important characteristics and features of the products and services offered by each vendor? Under what terms and conditions are these items being offered?

Through market research, requisitioners become aware of significant characteristics and features of products and services that the Government needs—not nice-to-have capabilities, but minimum essential elements in meeting requirements. Market research helps requisitioners establish priorities, and in so doing, refine the Government's requirements.

Market research information can be used to more fully and completely define and document mission and operational needs, performance standards, system and design specifications, support strategies and plans, program milestones, the content of subsequent product descriptions and performance work statement, essential terms and conditions for inclusion in contracts, and evaluation factors for use in the source selection process.

What are the estimated prices of these goods and services?

Establish what you can reasonably expect to pay, to ensure that adequate funding is available.

Are the products and services offered commercial or noncommercial in nature?

The answer to this question affects when the Government's requirements can be delivered, the timing and complexity of the contracting process, and how much the Government must pay. Noncommercial items are generally more expensive, and take longer to acquire. Wherever possible, attempt to procure commercially available products and services.

Research Techniques

Historical Research

Determine whether the agency has previously acquired the particular products or services needed, or similar items. If so, review the contract files, especially performance work statement, as a guide for defining what is currently needed. However, take care to ensure that current requirements are not defined in such a way as to lean toward a particular vendor. Also note who previously was considered for contract award, the techniques used to survey the market, and the agency personnel involved. This information can provide valuable leads for further investigation.

Finding New Contractors

Market research may involve something as simple as looking in the Yellow Pages or conducting a comprehensive Internet search. Consider asking about possible sources from Procurement personnel, industry associations, and your colleagues both within DoDEA and elsewhere. These sources may provide Internet addresses and subject areas for further inquiry. Professional journals, conferences, and the querying of Government and industry databases may also provide insight.

The General Services Administration (GSA) maintains a variety of schedules permitting Government agencies to place orders against existing contracts for various types of supplies and services. As a basis for further inquiry, you may wish to contact the Procurement Division to determine whether your requirement is covered by an existing GSA schedule, and what contractors are listed under it.

The following Internet addresses may prove useful during market research.

Web Search Engines

www.google.com
www.altavista.com
www.dogpile.com
www.infoseek.com
www.lycos.com
www.webcrawler.com
www.yahoo.com

Big Book (Yellow Pages)

www.bigbook.com
www.bigyellow.com

Other References

Where in Federal Contracting? www.wif.com
Thomas Register—Listing of Vendors, Products, and Industries
www.thomasregister.com
Industry Link Homepage: Companies Grouped by Technology
www.industrylink.com
Manufacturer's Information Network www.mfginfo.com
Listings of State Contracts, Purchasing Agreements, Commodities and Services
www.wifcon.com
GSA Schedules e-Library—GSA Federal Supply Service
<http://www.gsalibrary.gsa.gov/elib/eLibrary.jsp>

Where sources may be limited, such as the performance of specialized support services, you may wish to consider issuing a Sources Sought Synopsis or a Request for Information (RFI). These are notices published in the Federal Business Opportunities alerting potential contractors to the Government's needs. A sources sought synopsis describes the Government's requirements and asks for interested vendors. A Request for Information can be used to solicit information on product types, industry practices, new technology, and other useful information. Should you wish to publish a notice in the Federal Business Opportunities, please contact the Headquarters Procurement Branch.

Independent Government Cost Estimate (IGCE)

This process establishes cost estimates; it identifies all costs and provides the rationale for those costs.

An independent government cost estimate (IGCE) is a cost estimate based on the anticipated costs of a proposed requirement. It provides an unbiased, realistic cost estimate, and is therefore prepared without the influence of potential contractors' (marketing) efforts.

Depending on the requirement, the IGCE may be simple or complex. Commercial item cost estimates can often be developed directly from published price lists obtained during the customer's market research. An IGCE for a larger acquisition (such as a curriculum buy, a school bus contract, or school nurse software) is more complex, as it requires a well-defined Performance Work Statement (PWS), extensive pricing data from similar programs, and expert assistance from the Procurement Division.

The technical person is responsible for preparing an IGCE in the planning stage of each proposed requirement. The estimate must be totally independent, and therefore shall not be based on anticipated or exact costs obtained through discussions with or input from a prospective offeror. The customer shall include the completed IGCE as an attachment to each purchase request that is routed through Comprizon.

Purpose

The IGCE provides the customer with the best estimate available to ensure and verify that adequate resources exist to budget, manage, and support the proposed requirement. Therefore, an IGCE not only serves as cost estimate for the particular procurement action, it also serves to aid the customer in determining current and future budget allocation needs. This is significant, as a poorly calculated IGCE can:

- Result in unanticipated budget overruns, which can in turn severely limit funds availability for the customer's other needs/requirements
- Endanger the continuity of the underestimated requirement

The Procurement Office uses the IGCE to determine if an offeror (vendor) understands the anticipated effort, and to establish a negotiation position for obtaining the best contract price for the Government. Therefore, an inaccurate IGCE can hinder the Contracting Officer's ability to obtain the best price – or even the correct price – for the customer. The end result under such circumstances is often unanticipated cost overruns.

Preparation

The following steps should be taken by the customer to prepare an accurate IGCE:

Step 1: Clearly define your requirements

- a. For simple requirements, this may mean a basic product or service description (including Part Number, ISBN, or other identification number) rather than a PWS.
- b. For other requirements, prepare a PWS that fully defines the requirement so that all cost elements can be clearly identified for the IGCE. When option periods are included in the PWS, their respective cost elements must also be captured in the IGCE.

Step 2: Complete your Market Research. Each cost element of an IGCE must be supported by an explainable rationale, which is often obtained directly from the customer's market research. This step may be completed in tandem with Step 1.

Step 3: Identify all anticipated cost elements in the requirement **and determine a cost estimate** for each, based on information gained from market research and recent historical data from similar acquisitions (if available).

- a. For a simple requirement, this may mean matching the supply/service description to a current price catalog or GSA contract price list.
- b. For requirements with a PWS, the process is more involved. The PWS should allow the customer to clearly identify all the cost elements of the requirement. These may include, but are not limited to:

Material Costs. Calculated as the required quantity multiplied by the estimated unit cost for each material element. Material costs may include but are not limited to equipment (such ADP and training aids), software titles and licenses, books, kits, conference rooms, etc.

Labor Costs. Calculated by numbers of hours for each required labor category multiplied by the estimated hourly cost for that category (as determined during market research). For more complex requirements, the IGCE must reflect indirect as well as direct labor costs, and assistance in these calculations should be obtained from the Procurement Office.

Note: Direct Labor is labor that is directly applied to fulfilling the requirement. Indirect labor includes other labor costs incurred by a contractor in order to perform the requirement. For example: Under a student busing requirement, labor categories directly related to performance of services include those for bus drivers, safety attendants, and dispatchers. Indirect labor costs include managers and administrative assistants.

Travel Costs. Calculated in accordance with the Federal Travel Regulations. The IGCE should identify each travel requirement, the to and from locations, the number of personnel required for the travel, the number of travel days, and all other anticipated costs for the travel. Such costs can include but are not limited to those for lodging, meals and incidentals (per diem), rental cars and airfare (or other applicable mode of transportation).

- c. When the requirement contains option periods, identify and calculate all cost elements associated to each performance period as a separate subtotal (i.e. all costs for the base period, all costs for the first option period, all costs for the second option period, etc.). Each performance period is calculated separately because the cost elements for each may vary. For example: In a program development requirement, the base period may contain only costs associated with the research and development of the program, the first option period may contain costs associated with the program's implementation, and the following option periods may contain costs associated with the program's maintenance and support.

Developing the Performance Work Statement

The Performance Work Statement (PWS):

Defines the work: the responsibilities, products, services, and workload in terms of the output.

Establishes measurable performance standards in such areas as: Timeliness, Quality, Quantity, and Effectiveness.

Provides the "how to" for surveillance (Choose only critical areas to monitor).

There are 5 steps to developing a PWS:

- Conduct an Analysis
- Apply the "So What?" test
- Capture the results of the analysis
- Write the Performance Work Statement
- Let the contractor solve the problem

Conduct an Analysis.

Preparing a PWS begins with an *analytical process*, often referred to as a "job analysis." It involves a close examination of the agency's requirements and tends to be a "bottom up" assessment. This analysis is the basis for establishing performance requirements, developing performance standards, writing the performance work statement, and producing the quality assurance plan. Those responsible for the mission or program are essential to the performance of the job analysis.

- Define the desired outcomes: *What must be accomplished to satisfy the requirement?*
- Conduct an outcome analysis: *What tasks must be accomplished to arrive at the desired outcomes?*
- Conduct a performance analysis: *When or how will I know that the outcome has been satisfactorily achieved, and how much deviation from the performance standard will I allow the contractor, if any? What are the Acceptable Quality Levels (AQLs)?*

The AQL establishes the allowable error rate or variation from the standard. OFPP's best practices guide (<http://oamweb.osec.doc.gov/pbsc/home.html>) cites this example: In a requirement for taxi services, the performance standard might be "pickup within five minutes of an agreed upon time." The AQL then might be five percent; i.e., the taxi could be more than five minutes late no more than five percent of the time. Failure to perform within the AQL could result in a contract price reduction or other action.

With regard to performance standards and AQLs, the team should remember that an option is to permit contractors to propose standards of service, along with appropriate price adjustment or other action. This approach fosters a reliance on standard commercial practices. (Remember that all these points -- performance standards, quality levels, and price -- are negotiable.)

Apply the "So What?" test.

There is nothing so useless as doing efficiently that which should not be done at all. (Peter Drucker)

An analysis of requirements is often, by its nature, a close examination of the status quo; that is, it is often an analysis of process and "how" things are done... exactly the type of detail that is not supposed to be in a PWS. The integrated solutions team needs to identify the essential inputs, processes, and outputs during job analysis. Otherwise, the danger is that contractors will bid back the work breakdown structure, and the agency will have failed to solicit innovative and streamlined approaches from the competitors.

One approach is to use the "so what?" test during job analysis. For example, once job analysis identifies outputs, the integrated solutions team should verify the continued need for the output. The team should ask questions like: Who needs the output? Why is the output needed? What is done with it? What occurs as a result? Is it worth the effort and cost? Would a different output be preferable? And so on

Capture the results of the analysis in a matrix.

As the information is developed, the integrated solutions team should begin capturing the information in a performance matrix that addresses the following:

- Desired Outcomes: What do we want to accomplish as the end result of this contract?
- Required Service: What task must be accomplished to give us the desired result? (Note: Be careful this doesn't become a "how" statement.)
- Performance Standard: What should the standards for completeness, reliability, accuracy, timeliness, customer satisfaction, quality and/or cost be?
- Acceptable Quality Level (AQL): How much error will we accept?
- Monitoring Method: How will we determine that success has been achieved?
- Incentives/Disincentives for Meeting or Not Meeting the Performance Standards?
- What carrot or stick will best reward good performance or address poor performance? [This reflects priced and unpriced adjustments based on an established methodology. Reductions can be made for reduced value of performance.]

Take the desired outcomes, performance objectives, performance standards, and acceptable quality levels that have been developed during the analytical process and document them in a

Performance Requirements Summary (PRS). The PRS matrix has five columns: performance objective, performance standard, acceptable quality level, monitoring method, and incentive. The PRS serves as the basis for the performance work statement.

A sample PRS might look like:

PWS	Required Service	Performance Standard	Acceptable Level of Perf	Surveillance Method	Deduct per day
Para 5.1	School bus driver arrives on time	Plus or minus 3 minutes	100%	Random Sampling	100%
Para 5.2	Driver files incident reports	Reports filed within 24 hours	95%	100% inspection	100%
Para 5.3	Availability of PM	PM available Between 6AM and 7PM	95%	Random Sampling	25%

Write the performance work statement.

PERFORMANCE WORK STATEMENT

TITLE PAGE

The title page should include the name of your project or program, the date prepared, and the preparing organization.

1.0 INTRODUCTION

The introduction section should give the reader just enough information to recognize what you are procuring, normally one to three sentences. Concern yourself more with *clarity* and *content* rather than length.

2.0 BACKGROUND

The background section provides historical information which is necessary to understand how and/or why the current requirement evolved, where it is headed, and current information that helps the reader understand the requirement. Identify research, studies, or other efforts that contribute to the reader's understanding of the requirement, and include only information that is relevant.

3.0 SCOPE

The scope section is an overview of the PWS and should emphasize the most important aspects of the requirements rather than minor details. It should identify the objective or purpose of your requirement and it should help the reader understand the magnitude of the effort to be performed.

The desired result or the product of the effort should be clear and should be consistent with the requirements specified in Technical Requirements. Please keep in mind that the contractor will not be required to provide something that is only referred to or implied.

4.0 APPLICABLE DOCUMENTS

This section lists all documents referenced in Technical Requirements that the contractor will have to comply with in performance of the PWS (e.g., DoDEA Directives, Specifications, and Standards). Do not list nonmandatory documents that are referenced in the technical requirements section for informational or guidance purposes.

If there are no documents cited in the technical requirements section, then type "none" in this section.

5.0 TECHNICAL REQUIREMENTS

The technical requirements section should identify *what* the contractor is required to do and not *how* the contractor should accomplish the effort. All major tasks and sub-tasks need to be defined in adequate detail so that the contractor knows what is required and the government knows when and if the contractor has complied with the requirement(s).

All level one paragraphs (e.g., 5.1, 5.2, 5.3, etc.) in this section should represent a major task.

As you define the major tasks and sub-tasks, keep in mind the following questions:

1. Did you identify the desired result for each task or sub-task, as appropriate?
2. Does the contractor have enough information to determine what is required?
3. How would you know if the contractor complied with this requirement?
4. Are the tasks written so that there is no doubt what is intended?
5. Will the contractor have all the information he needs to price the task?

A complete identification of all data including the title, content, format, frequency and delivery requirements will be necessary. Therefore, you must ensure that each task that generates data has a corresponding data reporting requirement.

6.0 DELIVERABLES

This section contains information on what the contractor is to provide and when it is required. It will help you and the contracting officer to monitor and manage contractor performance. Express the outputs (deliverables) in concise, easily understood, measurable terms.

7.0 SUPPORTING INFORMATION

This part sets forth information that applies to the contract performance but does not fit anywhere else in the PWS format. Typically these considerations are in support of, rather than part of, the work requirement. They may include information related to the place and period of performance, government furnished property or information, contractor qualification considerations, security, or other contractual requirements unique to the specific procurement.

Let the contractor solve the problem, including the labor mix.

First, keep this important "lesson learned" in mind:

Don't specify the requirement so tightly that you get the same solution from each offeror.

Second, performance-based service acquisition requires that the team usually must jettison some traditional approaches to buying services... like specifying labor categories, educational requirements, or number of hours of support required. Those are "how" approaches. Instead, let contractors propose the best people with the best skill sets to meet the need and fit the solution. The government can then evaluate the proposal based both on the quality of the solution and the experience of the proposed personnel. In making the shift to performance-based acquisition, remember this:

The significant problems we face cannot be solved at the same level of thinking we were at when we created them. (Albert Einstein)

Prescribing manpower requirements limits the ability of offerors to propose their best solutions, and it could preclude the use of qualified contractor personnel who may be well suited for performing the requirement but may be lacking -- for example -- a complete college degree or the exact years of specified experience.

For some services, in fact, such practices are prohibited. Congress passed a provision (section 813) in the 2001 Defense Authorization Act, now implemented in the FAR (with government-wide applicability, of course). It prescribes that, when acquiring information technology services, solicitations may *not* describe any minimum experience or educational requirements for

proposed contractor personnel unless the contracting officer determines that needs of the agency either (1) cannot be met without that requirement or (2) require the use of other than a performance-based contract.

Remember that how the performance work statement is written will either empower the private sector to craft innovative solutions... or limit or cripple that ability.

A sample PWS:

Performance Work Statement Sample
Daily School Bus Transportation Services
Department Of Defense
Education Activity (DoDEA)
and
Department Of Defense
Dependent Schools (DoDDS)

Location: _____

STUDENT TRANSPORTATION SERVICES
FOR
(LOCATION)
PERFORMANCE WORK STATEMENT

1.0 Introduction

The Department of Defense Education Activity (DoDEA) is a civilian agency of the U.S. Department of Defense that is headed by a director who oversees all agency functions from DoDEA headquarters in Arlington, Virginia. DoDEA's schools are divided into three areas, each of which is managed by an area director. Within each of these three areas, schools are organized into districts headed by superintendents.

DoDEA's schools serve the children of military personnel and Department of Defense civilian employees throughout the world.

SAFETY of the passengers is of highest priority and is entrusted to the Contractor.

2.0 Background

This contract replaces _____ school transportation contract(s) **XXX and XXX** and which expire on **XX**. There is a continuing need to provide school bus transportation services in the **XXXXX** District.

3.0. Scope

3.1. The Contractor shall provide all personnel, supervision, services and equipment necessary (**use of Type I buses only**) to perform school transportation services for approximately **(number of students)** students in grades **___** through **___** to and from the designated bus stops at **(location)** to **(school name)**, a distance of approximately **___ miles/kilometers** each way, as identified on the route sheets provided by the Government.

3.2. The service to be provided shall be performed in accordance with the school calendar (Exhibit 1). The contractor shall provide transportation of students and other authorized individuals to and from their assigned bus stops on a "one round trip per child per school day" basis. The phrase "other authorized persons" as used within this PWS shall be defined as "U.S. Military Police, the Contracting Officer (CO), the Contracting Officer's Representative (COR), or the **(location) Transportation Officer (TO).**"

3.2.1. The contractor shall provide transportation of students and other authorized individuals to include but not limited to late morning runs for delayed openings, midday runs for school “half days”, and late day runs to accommodate “after school” activities, and shall accommodate school bell times, exam week(s), and late dismissals.

3.3 Contractor performance under this contract shall be in compliance with U.S. Government, Installation, and the (area or location) laws and regulations.

4.0 Government Provided Data

4.1. Route Sheets. The COR will issue the Contract Manager a new route sheet when a change to a service route is made. The COR encourages the Contractor to suggest route changes that may contribute to the safety or efficiency of services.

4.3. School Bus Guidelines. The COR/TO will provide the contractor with information regarding school bus rules and guidelines that are to be followed by the students. (Enclosure XX)

4.4. Government Provided Training (As required) The primary and/or alternate Contract Manager shall attend an annual Government-sponsored Safety and Security Training Session. Sessions normally are held in XXXXX at XXXXXXXXXXXX .

5.0 Contractor Responsibilities

5.1. Contract Manager. The contractor shall provide a contract manager who shall be responsible for the performance of the work. The name of this person, and an alternate(s) who shall act for the contractor when the manager is absent, shall be designated in writing, to the DoDEA Procurement Division Contracting Officer (CO).

5.1.1. The contract manager or alternate(s) shall have full authority to act for the contractor on all matters relating to daily operation of this contract.

5.2. Availability of the Contract Manager. The COR/Hansom TO and the Contracting Officer must be able to contact either the primary or alternate Contract Manager at any time, regarding emergencies, severe weather notification, or other similar urgent non-routine matters.

5.2.1. When requested by the COR/TO or the Contracting Officer, the primary or alternate Contract Manager must be at the scene of an accident or other emergency within 60 minutes of notification.

5.2.2. The contract manager or alternate(s) shall be available during normal duty hours and available within 45 minutes to meet government personnel, designated by the CO, to discuss problem areas. After normal duty hours, the manager or alternate(s) shall be available within 1 hour.

5.3. Insurance. The Contractor shall obtain and maintain the minimum commercial liability insurance coverage required under Federal and (State/Country laws) laws and regulations prior to beginning performance of transportation services under this contract. The contractor shall retain a file record of this insurance coverage and, if requested, provide a copy to the COR/TO.

5.3.1. For accidents / incidents related to driver misconduct, the contractor shall be held responsible for any associated damages and / or penalties.

5.3.2. The contractor will be required to have adequate insurance to cover claims related to any accidents due to inadequate performance of duty by drivers.

5.4. Passenger Safety and Security. Safety and security is of the highest priority entrusted to the Contractor under this contract. The Contractor shall perform all services in a safe, prudent and professional manner accepting full and sole responsibility for the prompt and proper delivery of services.

5.4.1 The contractor shall have within its fleet as number of school buses which are capable of carrying both students who use wheelchairs and non-handicapped students.

5.5. Applicable Laws and Regulations. Contractor performance under this contract shall be in compliance with U.S. Government, Installation and (State of XXXXXX) laws and regulations.

5.6. Criminal History Background Check. The Contractor shall provide Criminal History Background check (including the employee's driving record for transportation

drivers) for each proposed employee working under this contract (this may change according to installation rules). Certify that the requirements specified in DoD Instruction 1402.5 have been satisfied. This document is available on-line @ <http://web7.whs.osd.mil/dodisss/instructions/ins2.html>. The Contractor shall:

5.6.1. For each employee, submit a Standard Form (SF) 85P, "Questionnaire for Public Trust Positions" and a SF 85P-S, Supplemental Questionnaire for Selected Positions to the COR upon award. This form is available on-line at <http://www.opm.gov/forms/html/sf/htm>.

5.6.2. Maintain the most current background checks on file and shall make them available to the COR upon request.

5.7. Language Ability. The Contract Manager and Alternate must be able to speak, read and write English when communicating with the COR, school officials or Contracting Officer.

5.8. Removal of Contractor Personnel. The Contracting Officer reserves the right to request the removal of any driver, or safety attendant or Safety Aide for cause or security purposes.

5.9. Employees. The contractor shall not employ persons for work on this contract if such employee is identified to the contractor by the contracting officer as a potential threat to the health, safety, security, general well being or operational mission of the installation and its population.

5.9.1. Employees must be at least 18 years of age.

5.9.2. Background Check. Drivers, safety attendants, safety aides, and all other personnel that may come in contact with passengers must have clearance for employment under this contract by successfully completing a Background Check as required by the base or installation. A past criminal offense of any nature will be grounds for removal.

5.9.3. First Aid and CPR Certification. Drivers, safety attendants, and safety aides shall be first aid and CPR certified. Certification should be no more than 3 years old. Employees are expected to apply for recertification every 3 years for the duration of employment under this contract.

5.9.4. Personnel Health Requirements. Drivers, safety attendants and safety aides must be free of communicable diseases and physical or mental impairment that would affect the ability to perform duties under this contract.

5.9.5. Appearance of Contractor Personnel. Contractor personnel shall be properly attired and present a neat and clean appearance. Transportation drivers shall wear a nametag or display any identification badge(s) in a visible location in the driver's compartment of the vehicle.

5.9.6. Language Ability. The drivers, safety attendants and safety aides must be able to communicate in the English.

5.10. Conduct of Contractor Employees. The contractor shall ensure that all conduct by employees adheres to the following guidelines. During performance of this contract, to include in and around the contracted vehicles and on school grounds, contractor employees shall NOT:

5.10.1. Use verbal assault, foul language, personal or racial insults, or threats of personal violence;

5.10.2. Engage in any conduct of a sexual nature, verbal or physical;

5.10.3. Engage in physical contact with passengers beyond that necessary for the safety of the passengers;

5.10.4. Use of tobacco products, eating, or drinking; and

5.10.5. Sell to or give to passengers beverages, food, tobacco products, or other merchandise.

5.11. Employee training. The Contractor shall provide all annual employee safety and first aid training to employees. Training shall include: XXX hours of (specify type of training) according to XXXXX standards.

5.12. Driver Responsibilities.

5.12.1. Provide transportation services for students and other authorized individuals to and from their designated school and assigned bus stops. These services shall include:

5.12.1.1. Provide transportations services on a “one round trip per child per school day” basis. Each round trip or “Route” may be composed of a “to-school” (A.M.) Run and a “from-school” (P.M.) Run, or two midday runs or, in the case of staggered bell times, routes may consist of multiple runs (Exhibit 1).

5.12.1.2. Incorporate any variances in scheduling to include, but not be limited to, late morning runs for delayed openings and midday runs for school “half days.”

5.12.1.3. Implement route changes within (1) working day of receipt from the COR/TO.

5.12.2. Student Incidents. The Contractor shall report student incidents in writing to the COR/TO by 1000 the same day if incident occurred or by 1000 the next school day for a mid-day or afternoon run. Incidents include: lost or missing children, accidents, student misconduct, and general mishaps. (Exhibit 2)

5.12.3. Adhere to safe procedures for passenger boarding, use of safety belts (if required), special passenger seating, and safe vehicle operation in according with installation regulations and local laws.

5.13. Bus Schedule or Service.

5.13.1. Ensure students arrive and depart to and from school on time according to the school bus schedules(Exhibit 2).

5.13.1.1. Pick-up and discharge passengers at their designated stop locations.

5.13.1.2. Make all stops on their runs, regardless of delays or reason for delays, unless replaced or another contractor-controlled vehicle has already completed the run.

5.13.2. For security reasons, use the passenger lists provided by the COR/**TO** to verify that students and authorized passenger are boarding their assigned bus.

5.13.2.1. Students not included on passenger lists will allowed to board the vehicle, however, the driver shall report such incidents to the COR/**TO** upon arrival at the school.

5.13.3. Check for lost articles. If there are any articles left behind by passengers, they shall be delivered to the **XXXXX** by the next business day.

5.13.4 Damage. Damage caused by passengers must be reported to the COR/**TO** before the vehicle is used again. A written incident report must be submitted to the COR within one business day.

5.14. Vehicle Safety Requirements. All vehicles used in performance of this contract shall:

5.14.1. Perform Vehicle Safety Inspections. The Contractor shall have a procedure to conduct Vehicle Safety Inspections prior to performing services under this contract. The Contractor's Quality Control Plan shall contain a daily vehicle inspection checklist. This checklist will, as a minimum, ensure compliance with all applicable **Federal and State XXXXX** laws and regulations. The Contractor shall maintain a file of the results of all inspections during the entire life of the contract.

5.14.2. All vehicles shall be clean at the start of the operational day.

5.14.3. Unless prohibited by **XXXXXX** law, all vehicles will have operator visibility such that, while seated in a normal driving position, the driver can see traffic cones, or similar markers, of twelve (12) inches in height placed in front and along the sides of the vehicle with no blind spots that could endanger pedestrians. The traffic cones must be easily visible from the driver's seat, without adjusting the seat, and by turning the head

only. Visibility will be considered acceptable when the driver, seated in a normal driving position, can see in front and along the sides of the vehicles.

5.15. Communication. All drivers shall be equipped with intelligible two-way communication linking the driver and the Contractor's control station.

5.16. Security. In the event of a security threat, the Government may require:

5.16.1. The Contractor to implement alternate routes or schedules.

5.16.2. Increase inspections of buses/vehicles by Government installation security personnel.

5.16.3. (as required) Mandate that Contractor park buses/vehicles on the military installation for security purposes.

5.16.4. Required the Contractor to perform security inspections as directed by the Government.

5.16.5. (as required) The installation of Global Positioning System (GPS) apparatus on contractor vehicles and the presence of a second adult to provide safety and security measures during the performance of contract operations

5.17. Installation Passes. Installation Passes shall only be used in performance of duties under this contract. Contractor personnel who are denied an installation pass shall be removed from performing service(s) under this contract immediately upon Contractor's receipt of such notification from the Government.

5.18. Report Requirements. The Contractor shall submit the following reports to the COR:

5.18.1. Transportation Personnel List and Certification. The Contractor shall provide a list to the COR/TO of all personnel performing the transportation duties under this contract two weeks prior to the beginning of performance and when personnel change.

List of personnel should include name, position title/function, and identify those that require an Installation Decal.

5.18.2. Maintain records on all transportation drivers to include training, licenses, vehicle maintenance, inspections, first aid training certification, annual training requirements, and security background checks.

5.18.3. Student Ridership Counts. The contractor shall complete and report students riding on the buses (**Number**) times during each school year. Counts shall be taken over a consecutive three-day period. The Contractor shall submit the student count to the COR not later than **five business days** after the count is taken.

5.18.4. Student Incident Report/Vehicle Incidents. The Contractor shall report any accident or serious incident involving or impacting students (Exhibit 2).

6.0. QUALITY CONTROL.

6.1 Quality Control Plan. Prior to award of the contract, the Contractor shall submit a complete Quality Control Plan for the transportation services under this contract. The plan may be in any format that is appropriate for the Contractor's operations.

The plan will follow established quality control standards recognized by the transportation industry. The plan shall include a description of the inspection system to cover all services required under this contract.

6.2 Inspections/Surveillance.

6.2.1 The Government reserves the right to perform inspections for compliance with contract terms at any time.

6.2.2 The Government shall use various methods of surveillance to evaluate the Contractor's performance in meeting the PWS. The Government shall make every effort to ensure that the surveillance methods described below are conducted in an

objective, fair, and consistent manner. The contractor will be notified in writing of any discrepancies or customer complaints and will be afforded the opportunity to provide comments.

6.2.2.1. Periodic Surveillance. The Government has the right to inspect the performance of the contract when they observe a deficiency. Examples include evidence from accidents, incidents, complaints, or delay in arrival.

6.2.2.3. Complaint Surveillance. The Government has the right to follow-up on a complaint that is received from a stakeholder (this includes parents, school staff, passengers, or a concerned community member) regarding the school transportation services. The COR will obtain the complaint in writing from the stakeholder and then conduct an investigation to determine its validity. If the complaint is deemed valid, the COR will notify both the Contract Manager and the CO.

6.2.3 Failure by the Contractor to perform critical performance elements in accordance with the PWS requirements are subject to the Schedule of Deductions as detailed in (Exhibit 4).

6.3 Meetings. The Contractor and the Contracting Officer or the COR shall meet as often as necessary to exchange quality control information or to discuss problems.

6.4.1 Attend a Post-award Conference and any necessary transitional meetings.

7.0 Exhibits.

Exhibit 1. School Calendar, and Bus Route Schedule

Exhibit 2. Accident and Incident Reporting Procedures

Exhibit 3. Service Delivery Summary

Exhibit 1 XXXXXX District School Calendar - 2004-2005

September 2004 (21)					February 2005 (15)				
M	T	W	TH	F	M	T	W	TH	F
XX	31	1	2	XX		1	2	3	4
XX	7	8	9	10	7	8	9	10	11
13	14	15	16	17	14	15	16	17	18
20	21	22	23	24	XX	XX	XX	XX	XX
27	28	29	30		28				
October 2004 (19)					March 2005 (22)				
M	T	W	TH	F	M	T	W	TH	F
				1		1	2	3	4
4	5	6	7	XX	7	8	9	10	11
XX	12	13	14	15	14	15	16	17	18
18	19	20	21	22	XX	2	23	24	25
25	26	27	28	29	28	29	30	31	
November 2004 (19)					April 2005 (16)				
M	T	W	TH	F	M	T	W	TH	F
1	2	3	4	5					1
8	9	10	XX	12	4	5	6	7	8
15	16	17	18	19	11	12	13	14	15
22	23	24	XX	XX	XX	XX	XX	XX	XX

School Days

September	21	February	15
October	19	March	22
November	19	April	16
December	17	May	21
January	19	June	11

Total Days = 180

Holidays/Vacations

2004		
Aug	31	First Day of School
Aug-Sep	31 - 9	Kindergarten & Grade 1 Orientation
Sept	3-6	No School Labor Day Weekend
Sept	10	First full day of Kindergarten / Grade 1
Oct	11	Columbus Day (No School)
Nov	11	Veteran's Day (No School)
Nov	24	Schools close (Early Dismissal)
Nov	25,26	Thanksgiving

29	30				25	26	27	28	29
December 2004 (17)					May 2005 (21)				
M	T	W	TH	F	M	T	W	TH	F
		1	2	3	2	3	4	5	6
6	7	8	9	10	9	10	11	12	13
13	14	15	16	17	16	17	18	19	20
20	21	22	23	XX	23	24	25	26	27
XX	XX	XX	XX	XX	XX	31			
January 2005 (19)					June 2005 (11)				
M	T	W	TH	F	M	T	W	TH	F
3	4	5	6	7			1	2	3
10	11	12	13	XX	6	7	8	9	10
XX	18	19	20	21	13	14	15	16	17
24	25	26	27	28	20	21	22	23	24
31					27	28	29	30	
Early Release Workshop Days									
September 15, 2004					March 2 & 25, 2005				
October 6, 2004					April 15, 2005				
November 3, 17 & 24, 2004					May 4, 2005				
December 1, 2004					June 1 & 15, 2005				
February 2, 2005									

		Break
Dec	23	Full Day of School
2005		
Jan	3	Schools Reopen
Jan	17	Martin Luther King Day
Feb	21 - 25	Winter Vacation
March	25	Good Friday (1/2 day Workshop)
April	18 - 22	Spring Vacation
May	30	Memorial Day
June	2	High School Graduation
June	15	Tentative Last Day of School (1/2 day Workshop)

144 days = June 9 (Kindergarten)
149 days = June 17 (Kindergarten/5 snow days)
180 days = June 15 (assuming no snow days)
185 days = June 22 (assuming 5 snow days)

Early Release - Parent Conferences	
November 3, 2004	Davis School
November 17, 2004	Davis, Lane & Middle School
December 1, 2004	Lane, Middle & High School
March 2, 2004	Davis School

XX	Full Day Workshops - No School
#	Early Release Workshop Days
#	Early Release - Parent Conferences

Full Day Workshops	
October 8, 2004	March 21, 2005 (Monday)
January 14, 2005	

Early Dismissal	Thanksgiving	Last Day of School	Start Time	Dismissal Time
High School	11:00 AM	10:00 AM	7:20 AM	2:01 PM
Middle School	11:20 AM	10:20 AM	7:50 AM	2:23 PM
Lane School	11:40 AM	10:40 AM	8:30 AM	2:45 PM
Davis School	12:00 PM	11:00 AM	9:05 AM	3:10 PM

Workshop Day Dismissal Schedule

Middle School	11:20 AM
High School	11:40 AM
Lane School	12:00 PM

Davis School	12:20 PM
--------------	----------

Please note: Early Release Days will be used for Professional Development when parent conferences are not scheduled

BELL TIMES:

a. The following are the standard Bell Times.

SCHOOL	MORNING BELL	DISMISSAL BELL	DEPARTURE OF BUSES
School	7:20 AM	2:01 PM	2:11 PM

(1) AM Routes, Buses shall arrive at their designated school no earlier than 15 minutes, and no later than 5 minutes, prior to the Morning Bell Time.

(2) PM Routes, Buses shall arrive at their designated schools no earlier than 10 minutes, and no later than 5 minutes prior to the Dismissal Bell Time.

ROUTE SCHEDULES Example Only

a. Route 1 (Bus #1)

<u>Location</u>	<u>Time</u>
Patterson Road and Offutt	6:50 am
Patterson Road & ent	
Offutt Road 121	
Offutt Road and Andrews	
Bedford High School	

b. Route 2: (Bus #C6)

<u>Location</u>	<u>Time</u>
Heritage Road and Adams	6:50 am
Heritage Road and Dawes	
Heritage Road and Patrick	
Heritage Road and Liberty	
Bedford High School	

Exhibit 2

ACCIDENT AND INCIDENT PROCEDURES AND REPORT

E2.1. The Contractor shall provide a report on any vehicle that is the cause of an accident or incident. Examples of accidents include but are not limited to:

- Collision with another vehicle, whether moving or stopped.
- Hitting a pedestrian, cyclist, or large animal
- Leaving the roadway and striking any object, overturning.
- Evasive driving or emergency actions that injure any passenger on-board.
- Equipment malfunction or mechanical breakdown that results in injuries to those on-board.

E2.2. Reportable Accident. An accident during service that occurs when a student or rider is present on the vehicle and/or the vehicle is on or off base or at any school serviced under this contract.

E2.3. Incident. Any event that occurs on/around school grounds or during bus transportation services that have an adverse effect on either the performance of this contract or a DoD dependent student, and (location) to include:

- Student misbehavior.
- A health-related emergency requiring professional medical attention (e.g., epileptic seizure).

Security problems, including:

A bus being followed by suspicious vehicles

Strangers approaching students on/around school grounds or bus stops

Strangers questioning the driver or students about routes, schedules or passengers, etc.).

Weapons/Prohibited Items

Arson, attempted arson, or Bomb Threat

Criminal Assault or Battery

E2.4. Procedures in the event of an Accident or Incident. The contractor shall ensure that contractor personnel remain at the scene of the incident or accident and accomplish the following:

E2.4.1. Check for injuries, if necessary, provide first aid and/or call for immediate medical assistance. Contact the Contract Manager when first aid relief has arrived.

E2.4.2. In the event of injury during performance of transportation services, provide verbal interim reports to the Contract Manager at least every thirty (30) minutes until the accident scene is clear and service starts again.

E2.4.3. Misconduct. Misconduct such as vandalism, assault, battery, fighting etc. shall be reported by the Contractor to the COR. The procedures shall include:

E2.4.3.1. At the soonest practicable time and opportunity, stop the vehicle where legal and reasonably safe and radio the Contract Manager who shall notify the COR and school principal of the incident.

E2.4.3.2. Immediately return the bus, with students on board, to the appropriate school or a destination as designated by the COR or School Principal.

E2.4.3.3. In cases of minor misconduct, such as passengers making excessive noise or standing while the bus is in motion, stop the vehicle where it is reasonably safe until order is restored. Notify the Contract Manager before continuing route.

Exhibit 2

BUS DISCIPLINE REPORT

Student's Name	Student's Grade Le	Date of Incident
Bus Driver's Name/Bus Monitor's Name	Bus Route #	Time of Incident

Parents: Our schools are proud of its record of bus safety. Because of this record, parents send their children to school every day without worry about their safe arrival and return. The report was submitted by your child's bus driver and describes behavior that creates disorder and threatens the safety of everyone on the bus. Please help us by talking with your child, supporting the school and reinforcing the necessity of safe, appropriate and cooperative bus behavior. You are urged to both appreciate the action taken by the driver and to cooperate with the corrective action initiated today by the School Principal.

Bus Driver's Report

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> Improper Boarding/Departing Procedures | <input type="checkbox"/> Failure to remain seated | <input type="checkbox"/> Smoking / Lighting Matches | <input type="checkbox"/> Rude, Discourteous and Annoying Conduct |
| <input type="checkbox"/> Bringing Articles Aboard Bus of injurious/objectionable nature | <input type="checkbox"/> Refusing to obey driver / monitor | <input type="checkbox"/> Spitting/Littering | <input type="checkbox"/> Gestures/Yelling to pedestrians from bus |
| <input type="checkbox"/> Fighting/Pushing/Tripping | <input type="checkbox"/> Destruction of Property | <input type="checkbox"/> Hanging out of window | |
| | <input type="checkbox"/> Tampering w/bus equipment | <input type="checkbox"/> Unnecessary Noise | <input type="checkbox"/> Throwing objects in/out of bus |

- Other behavior relating to Safety, Well-Being and Respect for others
- Specific details for problem(s) or infraction(s) checked: _____

- 1st Report 2nd Report 3rd Report

PRELIMINARY ACTION BY SCHOOL PRINCIPAL:

- Review student's discipline folder
- Conference held with student
- Received student statement of behavior
- Sent copy of report home to parent
- Other:

PRESENT ACTION AND RECOMMENDATIONS:

- Letter of first warning sent to parents
- Student denied bus riding privilege until _____, letter sent to parent
- Student suspended from riding the bus until further notice
- Case referred to _____
- Other:

Bus Driver's Signature: _____ Date _____ Principal's Signature: _____ Date _____

cf: Parent, Bus Company, COR, Principal

Exhibit 2

DoDEA SERIOUS INCIDENT REPORT						
1. District/School Name:						
2. Date of Incident:			3. Time Of Incident:			
<u>*Incident Location:</u> <input type="checkbox"/> On School Grounds <input type="checkbox"/> Off School Grounds - while at any DoDEA Sponsored Activity Includes Bus transportation			<u>Type of Incident:</u> <input type="checkbox"/> Vehicular Accident <input type="checkbox"/> Arson or Attempted Arson <input type="checkbox"/> Criminal Assault and Battery <input type="checkbox"/> Bomb Threat <input type="checkbox"/> Weapon/Prohibited Item <input type="checkbox"/> Other (ref. DS Reg. 4700.2)			
4. Participant Name	5. Enrollment Code	6. Race/Ethnic Code	7. Gender	8. Age	9. Grade	10. Status (SU/VIC /WIT)
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
11. Police Notified By: _____			12. Date/Time: _____			
Police Responded? <input type="checkbox"/> Yes <input type="checkbox"/> No			Investigated Initiated? <input type="checkbox"/> Yes <input type="checkbox"/> No			

13. District Notified By: _____ Date/Time: _____

Region Notified By: _____ Date/Time: _____

14. Describe in detail what occurred. State Who, What, When, Where and How. List the Extent of Any Monetary Loss and Fully Describe any Weapon/Prohibited Item, if applicable (continue on reverse if more space needed)

15.

Police Report Attached No Further Reporting Anticipated for this Incident

Police/Final Report Pending No Police Involvement

The Contractor shall complete blocks 2, 3, 4, 11, 12, and 14 as thoroughly as possible and deliver form with any additional attachments to the COR as direct at paragraph TE.7.c.3 above.

SERVICE DELIVERY SUMMARY

E4.1 Notification of Service Deficiency (NSD) The Contractor is subject to deductions for incomplete or unsatisfactory bus transportation services. For unsatisfactory or incomplete services, an NSD will be issued by the COR or CO.

E4.1.1. The NSD will explain the circumstances and findings concerning the incomplete or unsatisfactory service, and will state the amount of deduction from the invoice(s), if any. A sample NSD form is attached.

E4.1.2. The Government shall use any completed NSD as part of an overall evaluation of Contractor performance when determining present or future contractual actions. Deductions can be taken in addition to any other actions taken by the Contracting Officer.

E4.2 Deduction Calculation. Deductions shall be made on a per run basis using the unit price specified in the contract Schedule. Should a deficiency be recorded against all runs of one route, the total deduction incurred shall not exceed 100% of the value of the affected Route.

Example: Assume that a deficiency occurs on Route 2 during the Base Year and the total cost of Route 2 (CLIN 0001AB) is \$36,000.

$$\$36,000 / 180 \text{ service days} = \$200.00 \text{ per service day} / 2 \text{ Runs} = \$100.00 \text{ per daily Run}$$

E4.3. Schedule of Deductions Table

Number	Description	Percentage of Deduction
1.	Failure to perform a Run (AM or PM)	100% of a Run
2.	Vehicles departing bus stops or school loading zones prior to the designated time on the schedule.	20% of a Run
3.	Failure to discharge students at an authorized bus stop.	25% of a Run
4.	Failure to make all stops on a Run	25% of a Run
5.	Driver fails to ensure no passengers remain in the bus during the last stop.	25% of a Run
6.	Failure to report an accident/major incident.	100% of a Run

7.	Operating the vehicle in an illegal or unsafe manner.	100% of a Run
8.	Contractor employees being rude, using foul language	50% of a Run
9.	Drivers eating, drinking, smoking or, providing Food or drinks to students.	20% of a Run

NOTIFICATION OF SERVICE DEFICIENCY (NSD)

(Reference PWS)

Contract Number: HE _____ Contractor: _____

Date of Deficiency: _____ NSD Issued By: _____ Report Date: _____

Contract CLIN	Route No.		SD/ Deficiency	SD Deduction Rate

CONTRACTOR RESPONSE

Describe Cause of Deficiency and Action Taken to Correct Deficiency:

Signature _____ Title: _____ Date: _____

GOVERNMENT ACTION

Government Finding:

SD Rate Applied to Contract CLIN ____ NO ____ Yes - Dollar Deduction \$

Deduction Applied to Current Invoice No.: _____ or _____ Next Immediate Invoice Submission

Government Signature _____ Title

_____ Date _____

Quality Assurance Surveillance Plan

Introduction

The Quality Assurance Surveillance Plan (QASP) is a document designed to provide the Contracting Officer's Representative (COR) with an effective and systematic surveillance method for evaluating contractor performance. The PWS and QASP should be developed simultaneously.

The QASP is the written instruction by which the COR ensures that the government is getting what is contractually required. The QASP consists of written instructions for the COR and a checklist containing items of contract performance, which have been extracted from the Performance Work Statement.

QASP Development

The QASP is critical to the total acquisition process. Each QASP must be tailored to a particular contract and PWS. At times, a PWS may be extremely comprehensive, but without accurate and supportive ways to measure a contractor's performance, time and effort may be wasted.

The QASP is an in-house document that is not released with the solicitation. However, contractors should be aware of surveillance requirements and responsibilities. A post-award conference is a good time to brief the contractor on the government's quality expectations.

How is the QASP developed?

The acquiring official develops the QASP. He or she is familiar with the required services and can best use that knowledge in writing the QASP.

The QASP is based on the performance requirement summary (PRS) and the workload contained in the Performance Work Statement. The PRS is key to developing the QASP, since it lists the required services, the standards that must be met, the Acceptable Performance Levels (APL), the planned method of surveillance, and, if appropriate, the contract deduction percentage. All of this information is required by the COR to complete surveillance forms and compile reports about the contractor.

The content of the PRS normally lists:

- Required Service
- Performance Standard
- Acceptable Level of Performance
- Surveillance Method
- Deductions, if any

Required content

Although a QASP must be tailored to meet the specific PWS requirements and operating conditions, the following areas must be addressed:

1. Introduction
 - a. Purpose
 - b. Functions surveyed
2. How to use the plan
 - a. Scheduling
 - b. Sampling procedures
 - c. Inspection procedures
 - d. Documentation/reporting procedures

A sample QASP can be found in the sample PWS provided above.

Acquisition Plans

For any acquisition over \$1,000,000, whether sole source or competitive, the Requiring Official will need to prepare an Acquisition Plan (AP). The purpose of the plan is to address all significant aspects of an acquisition. An AP can cover more than one related procurement. For example, the same AP would cover the multiple awards as part of a curriculum buy, such as the multiple grade levels, the conference facility for the technical evaluation, and the removal of the materials.

Acquisition Planning integrates the efforts of all individuals responsible for significant aspects of an acquisition. When preparing Acquisition Plans in the below listed format, the requisitioner's point of contact, in consultation with the Contracting Officer, should (1) identify milestones at which decisions are necessary (see paragraph B.11., below); (2) address all technical, business, and management considerations impacting on the acquisition; and (3) follow the instructions in Paragraphs A and B, below. The specific content of individual plans will vary depending on the nature, value, and complexity of the acquisition, and the program's current status.

SAMPLE ACQUISITION PLAN

Control Number: (Insert number)

Initiating Office:

Project Title:

Requiring Activity:

Estimated Value:

Contract Type:

APPROVALS

In accordance with FAR Subpart 7.105 and DFARS Subpart 207.105, subject Acquisition Plan is approved.

(Requiring Official)

(Requiring Official's Supv, if needed)

Date: _____

Date: _____

(Insert name), Contracting Officer

(Insert name), Chief, Procurement Office

Date: _____

Date: _____

Lorraine Allison, Chief, Procurement
Division

(Insert name), Legal Counsel

Date: _____

Date: _____

A. ACQUISITION BACKGROUND AND OBJECTIVES

1. Statement of Need

Introduce the plan by a brief statement of need. Summarize the technical and contractual history of the acquisition.

2. Costs

Projected expenditure for the proposed acquisition, Independent Government Cost Estimate (IGCE):

Base Year Total	\$0.00
1 st Option Year Total	\$0.00
2 nd Option Year Total	\$0.00
3 rd Option Year Total	\$0.00
4 th Option Year Total	<u>\$0.00</u>
Grand Total	= \$0.00

Performance periods for anticipated services are:

Base Year	MM/DD/YYYY through MM/DD/YYYY
Option I	MM/DD/YYYY through MM/DD/YYYY
Option II	MM/DD/YYYY through MM/DD/YYYY
Option III	MM/DD/YYYY through MM/DD/YYYY
Option IV	MM/DD/YYYY through MM/DD/YYYY

3. Capability or performance

Specify the required capabilities or performance characteristics of the supplies or services being acquired and state how they are related to the need.

4. Delivery or performance-period requirements.

Describe the basis for establishing delivery or performance-period requirements. Explain and provide reasons for any urgency if it results in concurrency of development and production or constitutes justification for not providing for full and open competition.

5. Risks.

Identify risk analysis associated with this acquisition:

(i) Technical:

(ii) Cost:

(iii) Schedule:

B. PLAN OF ACTION

1. Product or Service Description.

Explain the choice of product or service description types (including performance-based contracting descriptions) to be used in the acquisition.

2. Sources

a. Prospective Offerors: Prospective offerors will be identified using ...

b. Small Business: In accordance with FAR Part 19.000 (b), the Small Business Act **does/does not** apply to this acquisition.

c. Market Research: Pursuant to policy set forth at FAR Part 10.001, Market Research was conducted by ...

3. Competition

The proposed acquisition will be solicited as a **competitive/noncompetitive**.

4. Source Selection Procedures

For a "best value" procurement, adapt the following paragraph to the particular purchase.

Proposals will be evaluated pursuant to FAR Part 12 and 15.101-1, "Best Value" Source Selection Process, with emphasis placed on past performance, management capabilities and personnel qualifications, price and on the contractors quality control plan as a risk factors in determining overall technical acceptability. Past performance data and management capabilities and personnel qualifications and the contractors quality control plan will be evaluated in accordance with FAR 15.305. A team of qualified government personnel will evaluate technical proposals in accordance with the requisite source selection plan, and the solicitation. Price proposals will be evaluated by DoDEA Contracting Office independent of technical evaluations. Award will be made to the technically acceptable offeror (s) whose proposal, being responsive to

all solicitation requirements, offers the best value to the government. Award will further be contingent upon determinations of contractor responsibility and price reasonableness.

5. Contracting Considerations

a. Contract Type: For example, Firm, Fixed-Price; or Requirements Contract

b. Options:

(If use options)

Resultant contract(s) will contain FAR Clause 52.217-8 “Option To Extend Services” and 52.217-9 “Option To Extend the Term of the Contract” as unilateral authority to extend services based upon continued need and funds availability.

If do not use options, provide a brief explanation.

c. Special Contract Clauses/Provisions/Deviations: For example, if there is GFP include FAR Clause 52.245-2 “Government Property (Fixed Price Contracts) (Dec 1989).

d. Contracting Method:

If you are using negotiated procedures:

In accordance with FAR 6.401(b)(2), it has been determined that use of negotiated procedures for the proposed acquisition is most conducive to the government’s needs. The flexibility to hold discussions with potential offerors significantly enhances the government’s ability to maximize competition and obtain quality services at fair and reasonable pricing.

e. Contract Administration: Will Dodds-E, Dodds-P, or HQ administer the contract?

6. Budgeting and Funding

a. Derivation of Budgeting Estimates: The IGCE (Reference Paragraph A.2 above), was derived from ...

b. Funding Availability: Subject to Availability of Funds OR FYXX funds are available.

c. Currency Used:

7. Management Information Requirements

Discuss, as appropriate, what management system will be used by the Government to monitor the contractor’s effort. For example, a Quality Assurance Surveillance Plan, a Management Plan, a Work Plan (construction), or a QA Plan.

8. Logistics considerations.

Describe the distribution of commercial items; The reliability, maintainability, and quality assurance requirements, including any planned use of warranties; The requirements for contractor data (including repurchase data) and data rights, their estimated cost, and the use to be made of the data; and Standardization concepts, including the necessity to designate, in accordance with agency procedures, technical equipment as “standard” so that future purchases of the equipment can be made from the same manufacturing source.

9. Government-Furnished Equipment

Indicate any property to be furnished to contractors, including material and facilities, and discuss any associated considerations, such as its availability or the schedule for its acquisition. For example, facilities, computers, buses

10. Government-Furnished Information

Discuss any Government information, such as maps, drawings, and school bus routes to be provided to prospective offerors and contractors.

11. Safety and Security Considerations

Discuss how adequate security will be established, maintained, and monitored. This might include requiring the contractor to obtain installation passes. For acquisitions dealing with services where the contractors may have direct contact with the schools and the children, the following paragraphs should also be included in the Performance Work Statement.

On short term contracts: Contractor personnel shall not have unsupervised contact with PK-12 students or unescorted access to DoDEA facilities. All contractor personnel shall be under direct supervision by a DoDEA employee who has a favorable background investigation on file.

On long term contracts: A satisfactory Federal and/or State criminal background check must first be performed by DoDEA or base security personnel, on each identified contract employee prior to unsupervised contact or unescorted facility access being granted to contractor employees.

12. Milestones for Acquisition Cycle.

Insert the appropriate [Milestone](#) chart.

Planning for Competitive Source Selection

This section provides information on the following activities in the Source Selection Planning process:

- Designing an Acquisition Strategy
- Determining the Source Selection Approach
- Conducting a Presolicitation Dialogue with Industry
- Creating a Source Selection Plan
- Selecting Evaluation Factors and Subfactors
- Developing Evaluation Standards
- Establishing a Rating Method
- Defining the Source Selection Evaluation Board
- Protecting Source Selection Information
- Completing Evaluation Procedures

Designing an Acquisition Strategy

As soon as possible after a need to acquire products or services has been identified, the requisitioner should notify the Procurement Division. A Contract Specialist is assigned and he or she meets with the acquiring official to begin preliminary planning. This meeting should include the person responsible for managing the program or project, procurement representatives, potential evaluation team members, and others as needed.

The planning meeting should be used to determine the acquisition approach, including the source selection process and techniques that are most appropriate. The group should use the meeting to discuss the results of market research, potential evaluation factors, information that may be needed from offerors to support those factors, and other appropriate planning issues such as the timetables for the acquisition and appropriate members of the evaluation team. The group should design a strategy that best reflects the specific requirement, the results of market research, and the risks associated with the acquisition. The information obtained in the planning meeting will be used as a basis for developing the source selection plan.

Forming a Team

Source selection should be a multi-disciplined team effort from the earliest planning stages. The size and composition of the team should be tailored specifically to the acquisition. In complex source selections, the team may be formally structured. In streamlined source selections, however, there may be no formal organizational structure; the team may consist of one or more technical evaluators and the contracting officer, who is also the source selection authority. Whether the team is large or small, it should be established to ensure continuity and active ongoing involvement of appropriate contracting, technical, logistics, legal, user, and other experts to ensure a comprehensive evaluation of each offer.

Members of the Source Selection Team

The Source Selection Team consists of the Source Selection Authority and the Source Selection Evaluation Board.

Source Selection Authority

The Source Selection Authority (SSA) is the Government Official in charge of selecting the source. This is usually the Contracting Officer, but can also be the Program Manager or other government official.

Source Selection Evaluation Board

The Source Selection Evaluation Board (SSEB) consists of the members of the evaluation team. The SSEB consists of two teams, the Technical Evaluation Team and the Contract Review Team. The Technical Evaluation Team (TET) is responsible for the review and evaluation of the technical proposals. The Contract Review Team is responsible for the evaluation of Price Proposals and past performance questionnaires received in response to the Request for Proposals.

Researching the Market

Market research is the first step in any acquisition, and is an essential part of designing every acquisition strategy. The acquisition team uses market research to obtain information on products and services available in the commercial marketplace. Market research is key in determining whether a need can be met by a commercial item, and in identifying commercial practices associated with such items or services. It also has a key impact on the choice of appropriate evaluation factors, contracting method, and the amount and type of information to be included in proposals.

Thorough research of the market should be done as soon as needs are forecast, and as part of acquisition planning. Research might be a one-person effort or a team effort. A variety of techniques may be used to conduct market research and may include:

- Contacting knowledgeable individuals regarding market capabilities
- Reviewing the results of recent market research
- Querying government or commercial databases
- Participating in interactive, online communication
- Reviewing catalogs and product literature

Determining the Source Selection Approach

One of the first steps in designing an acquisition strategy is to determine the source selection approach, or combination of approaches, that you will use. Among the most common are the tradeoff process and the lowest price technically acceptable process.

The source selection processes or techniques must be appropriate to the acquisition; therefore other source selection processes can be designed to fit particular circumstances. The team might tailor the process to combine elements of these two approaches, or use oral presentations as part of the proposal submission.

The Tradeoff Process

Cost or price is always an evaluation factor in any source selection. However, many times you may have other factors that you also want to consider. You may need technical capabilities, qualifications, or experience which a low cost/price offeror may not possess. These factors may or may not be more important than cost/price, but they do have a strong bearing on the source selection decision. The source selection authority needs flexibility to select the best value which may not be the lowest price offer. The decision will involve a comparison of the combination of non-cost strengths, weaknesses, and risks, and cost/price offered in each proposal and judgment as to which provides the best combination. The source selection authority will have to document the decision and why the selected source represents the best value to the government. This is the essence of the tradeoff process.

When to Use the Tradeoff Process: Strengths and Potential Pitfalls

Use the tradeoff process when it is essential to evaluate and compare factors in addition to cost or price, in order to select the most advantageous offer and obtain the best value.

The tradeoff process is particularly appropriate if:

- The Government's requirements are difficult to define, complex, or historically troublesome

- You expect measurable differences in design, performance, quality, reliability, or supportability

- Services are not clearly defined or highly skilled personnel are required

- You are willing to pay extra for capability, skills, reduced risk, or other non-cost factors, if the added benefits are worth the premium.

Always consider the strengths and potential pitfalls of using a tradeoff process, to ensure that it is consistent with your overall acquisition strategy.

Strengths

Some advantages of the Tradeoff Process are the following:

- Allows greater flexibility to subjectively compare technical and cost factors to determine the value of the relative strengths, weaknesses, and risks of the offers.

- Enables selection of the best approach among a range of solutions, and increases the likelihood of selecting suppliers who are most likely to provide quality products and services on time and at reasonable cost/price.

Takes advantage of the experience and independent judgment of the source selection official.

Potential Pitfalls

Some problems with the Tradeoff Process may be the following:

Using evaluation factors and subfactors that are not derived from the market place and do not accurately reflect the Government's requirements. This may result in award to an offeror that may not be most advantageous to the Government.

Using too many evaluation factors and subfactors. A large number of factors and subfactors dilutes consideration of those that are truly important.

Failure to make the appropriate investment in resources needed for a competent and defensible value analysis.

An inherently subjective process, and which is difficult to evaluate and document.

Major Steps in the Tradeoff Process

The tradeoff process generally consists of the following steps:

1. Designing a strategy that best reflects the results of market research and the specific circumstances of the acquisition.
2. Establishing and documenting a source selection plan. This plan includes the acquisition goals and objectives, identification and relative importance of evaluation factors and subfactors, evaluation standards, and selection process.
3. Structuring the solicitation to effectively communicate the Government's requirements, mission objectives, the factors and subfactors and their relative importance, the information offerors must submit for evaluation against the stated factors and subfactors, and the methodology for evaluating the proposals.
4. Evaluating the offers on the basis of the source selection plan and the evaluation factors and subfactors in the solicitation, and having discussions as needed.
5. Comparing the strengths, weaknesses, risks, and cost/price or most probable costs of the offers; deciding which combination, in accordance with the solicitation factors and subfactors, represents the best value.
6. Documenting the source selection decision, including the tradeoffs and rationale used.
7. Awarding the contract, notifying offerors, and debriefing them upon their request.
8. Documenting the lessons learned that may benefit future source selections.

The Lowest Price Technically Acceptable Process

In some situations, simply comparing the cost or price of proposals meeting or exceeding the solicitation's requirements for acceptability can be expected to result in the best value. In such cases, cost/price is the overriding consideration. While there may be a need for discussions, there is no need to make tradeoffs.

The lowest price technically acceptable process is similar to a sealed-bid approach, in that award is made to the acceptable offeror with the lowest evaluated cost or price. The major difference is that discussions can be held with offerors prior to source selection, to ensure that offerors understand the requirements and to determine acceptability. Tradeoffs are not permitted and no additional credit is given for exceeding acceptability. However, proposals are evaluated to determine whether they meet the acceptability levels established in the solicitation for each evaluation factor and subfactor.

The lowest price technically acceptable process may be appropriate where the requirement is not complex and the technical and performance risks are minimal, such as acquisitions where service, supply, or equipment requirements are well defined but where discussions may be necessary.

The lowest price technically acceptable process generally consists of the following steps:

1. Designing a strategy that best reflects the results of market research and the specific circumstances of the acquisition.
2. Establishing and documenting a source selection plan. This plan includes the acquisition goals and objectives, identification of acceptability requirements for each non- cost evaluation factor and subfactor, and procedures for evaluating proposals and making award.
3. Structuring the solicitation to effectively communicate the Government's requirements, the factors and subfactors with associated requirements for acceptability, the information offerors must submit for evaluation of acceptability against the stated factors and subfactors, and the methodology for evaluating proposals.
4. Evaluating and rating proposals against the acceptability requirements in the solicitation, including past performance, unless the contracting officer has determined that such an evaluation is not appropriate. If past performance is included as a factor or subfactor under this approach, the acceptability standards should not include traditional responsibility factors such as financial resources. Instead, you should assess the performance risk associated with competing proposals, in addition to separately determining responsibility. Ratings are done on an acceptable/not acceptable basis against the acceptability requirements in the solicitation.
5. Conducting discussions as needed.
6. Comparing the cost or prices of acceptable offers and awarding the contract to the offeror with the lowest evaluated price meeting the acceptability requirements.

Conducting a Presolicitation Dialogue with Industry

Foster a presolicitation dialogue with industry to:

- Ensure a mutual understanding of the Government's need and industry's capabilities
- Minimize inclusion of non-value-added requirements
- Promote a more effective source selection

An effective dialogue with industry before a solicitation is written or released can pay dividends during later phases of the process. Keeping up to date on the market and new technology, and ensuring the market knows what the requirements are, creates a smoother process for both parties. The growing trend is to provide more information, not less, to potential offerors. With more information, offerors can make informed decisions about whether to compete, and they can offer better proposals. The evaluation and selection process will be quicker and smoother, and there is less chance of miscommunication and a protest. Mechanisms for maintaining contact with potential offerors including the following:

- Advanced Planning Briefings for Industry to provide a forecast of future direction and requirements

- Market research to stay abreast of innovations, advances, and capabilities

- Requests for Information and Draft Requests for Proposals to obtain information from industry on such things as price, availability, and comments on the proposed solicitation

- Meetings and conferences, including one-on-one meetings with potential offerors and Presolicitation Conferences

In conducting a presolicitation dialogue with industry, always make sure to do the following:

- Release information to all potential offerors on a fair and equitable basis, consistent with regulatory and legal restrictions.

- Work with the Small Business Specialist in the Procurement Division to establish clear ground rules for the conduct, timing, and documentation of any one-on-one meetings; this ensures that potential offerors are given equal access to information needed to prepare proposals. Protect any proprietary information that you are given access to during this process.

- Request contracting and legal counsel advice if any questions arise about presolicitation exchanges.

Creating a Source Selection

A thorough plan for selecting a contract source is vital to any source selection process. In all source selections, the plan is tailored to reflect the complexity of the acquisition. In formally structured source selections, this plan is called the Source Selection Plan, and should be prepared for the source selection authority's approval.

The plan is developed prior to or concurrently with preparation of the solicitation. It states intentions for organizing and conducting the evaluation and analysis of proposals and the source selection. It contains acquisition-sensitive information, and is not released outside the contracting activity's source selection team

Source Selection Plan Purpose

The source selection plan serves several purposes, including:

- Defining a specific approach for soliciting and evaluating proposals

- Describing the evaluation factors and subfactors, their relative importance, and the methodology used to evaluate proposals

- Providing essential guidance to the solicitation developers, especially for putting together the solicitation sections dealing with proposal preparation and evaluation

- Serving as a charter and guide for the source selection team on the roles of the members and the conduct of the entire source selection from proposal evaluation, through the cost/price/technical tradeoff, award decision, and debriefing

Source Selection Plan Content

Although there is not a specific format for the source selection plan, its size and detail should reflect the complexity of the acquisition. Include, at a minimum, a discussion of the following:

- A description of what you are buying. This description should be stated in functional terms to the maximum extent possible, and should use a minimum of technical language.

- A description of the evaluation organization structure. It may be helpful to include:

 - An organization chart, showing the evaluation team's structure, or a brief description of how the team is organized

 - The duties and responsibilities of each element of the source selection team

 - The evaluation team's agenda and schedule

 - Information on the need for preparation and training of the evaluation team

 - Security procedures to be used by the evaluation team to protect classified, proprietary, or source selection information

- Plans for presolicitation activities, such as issuing a draft solicitation and holding a presolicitation and/or preproposal conference or Advance Planning Briefing for Industry.

- An acquisition strategy summary that includes an explanation of the contract type to be used (e.g., firm fixed price).

- The proposed evaluation factors and subfactors, their relative importance, and associated evaluation standards.

- A description of the evaluation process used (i.e., lowest price technically acceptable or tradeoff) and any innovative techniques – such as multiple phases or oral presentations – or tailoring. Include a description of the rating system you are using.

- A schedule of significant milestones that should cover, at a minimum, the period beginning with the designation of the source selection authority and continuing through

the period from receipt of proposals through the signing of the contract (during which evaluation, negotiation, and selection take place).

Selecting Evaluation Factors and Subfactors

You must clearly state in the solicitation and source selection plan all the evaluation factors and subfactors you will consider in making the source selection, as well as their relative importance. These factors and subfactors inform offerors of all the significant considerations in selecting the best value source and the relative importance the Government attaches to each of these considerations. Offerors should understand the basis on which their proposals will be evaluated, and how they can best prepare their proposals.

Structure evaluation factors and subfactors and their relative order of importance to clearly reflect the Government's need, and to facilitate preparation of proposals that best satisfy that need.

A multi-disciplined team chooses the evaluation factors and subfactors based on user requirements, acquisition objectives, perceived risks, and thorough market research. Thorough research of the market helps the team identify the capabilities of different industry sectors and where those capabilities are most likely to differ among potential offerors. The team then selects only those factors that will help differentiate among offerors and determine the most advantageous offer.

Limit evaluation factors and subfactors to those areas that reveal substantive differences or risk levels among competing offers.

Cost Factors

The Competition in Contracting Act (CICA), as implemented in the FAR, requires that price or cost to the Government be included as an evaluation factor in every source selection.

The relative importance between cost or price and non-cost factors must also be reflected in both the solicitation and the weights or priority statements in the source selection plan. However, cost/price is not numerically scored in the evaluation of proposals, because of possible distortions that can result when arbitrary methods are used to convert cost/price into scores.

Cost-related factors and considerations vary depending on the type of contract. Regardless of contract type, reasonableness must always be a consideration, as the FAR requires that contracts be awarded only at prices or costs that are fair and reasonable. Cost realism plays an important role in many source selections. A cost realism analysis is an independent review of each offeror's cost proposal, to determine if specific estimated proposed cost elements are realistic for the work to be performed, reflect a clear understanding of the requirements, and are consistent with the unique methods of performance and materials in the offeror's technical proposal.

Cost realism must be considered when a cost reimbursement contract is anticipated. Under a cost type contract, the proposed cost estimates may not be valid indicators of final actual costs that

the Government will be obligated to pay. For this type of contract, a cost realism analysis is performed and used to determine the probable cost of performance for each offeror. Selection decisions should be based on these probable cost estimates. Significant differences between proposed and most probable costs may signal increased performance risks.

Cost realism may also be considered for fixed price incentive contracts or, in exceptional cases, for other fixed price type contracts – especially when there are concerns that offerors may try to “buy in” or where other complexities of the acquisition could result in misunderstanding the requirements. In such cases, a cost realism analysis may be useful for determining if there is a significant risk of future performance because of unrealistically high or low prices. However, proposed fixed prices are not adjusted for cost realism during the evaluation.

The solicitation must clearly state what costs will be evaluated. These costs may include costs for the basic effort only, basic plus all options, or costs incurred as a result of acquiring or owning an item (e.g., transportation, life cycle costs). The solicitation should also clearly indicate to offerors how the cost factor will be evaluated.

Non-Cost Factors

Non-cost evaluation factors address the proposal’s technical and performance efficiency. These factors may include such considerations as technical approach and capabilities, management approach and capabilities, past performance, and personnel qualifications. Technical factors must be developed specifically for each acquisition, taking into consideration the particular objectives and requirements of the acquisition. These factors should be those discriminators that are determined, after thorough market research, as most likely to reveal substantive differences in technical approaches or risk levels among competing offers.

The source selection team has broad discretion in determining the technical evaluation factors and subfactors, their relative importance, and the way in which they will be applied.

Too many factors and subfactors can lead to a leveling of ratings, in which the final result may be a number of closely rated offers with little discrimination among competitors. It is not the number of non-cost factors that is critical, but having the right factors.

Basic requirements for non-cost evaluation factors are:

- A reasonable expectation of variance among offers in that area
- A variance that you can measure either quantitatively or qualitatively
- The factor must be a true discriminator

An evaluation factor should be chosen only if your requirements warrant a comparative evaluation of that area. The simplest way to assess a potential evaluation factor is to ask: “Will superiority in this factor provide value to the Government, and is the Government willing to pay more for that superiority?”

Past Performance

The caliber of a contractor's performance on previous contracts shall be included as an evaluation factor in competitively negotiated acquisitions, unless the contracting officer documents why it would not be appropriate for the specific circumstances of the acquisition. A thorough evaluation of past performance, to include information that is outside of the offerors' proposals, serves to ensure that awards are made to good performers rather than to just good proposal writers.

Best Practices

Selecting the right evaluation factors is one of the most important decisions in designing the evaluation process. Obstacles include the triple problems of less time, less funds, and fewer available personnel to devote to source selections. Focusing on what is important in selecting the best value offeror avoids such problems as

Large evaluation teams wasting time and effort looking at issues that do not differentiate between offerors

Weak evaluations that do not provide the information needed to make a good selection

Certain factors must be considered in any competitive source selection. Price/cost is an automatic factor, as is past performance (unless the contracting officer documents why it is not appropriate for the specific circumstances of the acquisition). Also consider additional factors and subfactors that are important to deciding which is the most advantageous offer – not everything the offeror does under the contract is a discriminator that helps determine the best value. Consider what you are buying and what will really discriminate between offers.

In selecting the additional factors/subfactors, consider the following:

1. Research the market for what you are buying and your probable pool of offerors.
2. Brainstorm critical factors and subfactors.
3. Select only those factors and subfactors likely to determine the most advantageous offers.
4. Define key discriminators and prioritize the list.
5. Get source selection authority approval of the list of factors/subfactors.
6. Clearly and concisely tell offerors in the solicitation what the factors/subfactors are, and their relative importance.
7. Listen carefully to industry feedback from presolicitation exchanges to see if your choices are right. If necessary, change the factors/subfactors before solicitation.

Weighting the Factors and Subfactors

After determining the evaluation factors and subfactors, their relative importance to each other must be established. The relative importance of factors and subfactors must be consistent with the stated solicitation requirements. If their relative importance does not accurately reflect the Government's requirements and objectives, the source selection authority may later award to an

offeror whose proposal may not be most advantageous to the Government. As a general rule, the higher the technical or performance risk, the greater the emphasis on non-cost factors. The relative importance between all non-cost factors combined and cost or price must also be described, using the terms “significantly more important,” “approximately equal,” or “significantly less important.” This relative ranking must be reflected in both the solicitation and the weights or priority statements in the source selection plan.

The relative importance of evaluation factors and subfactors is usually established by priority or tradeoff statements, numerical weighting, or a combination of these.

Priority or tradeoff statements relate one factor to others. For example, in a priority statement, the cost/price factor may be slightly more important than a non-cost factor called “performance risk,” but slightly less important than a non-cost factor called “technical merit.” This method allows the source selection authority more flexibility for tradeoff decisions between the non-cost factors and the evaluated cost/price.

Numerical weighting involves assigning relative importance to the factors and subfactors, using points or percentages for each factor and subfactor.

Although numerical weights may be used in making the tradeoff analysis and decision, the weights themselves may – but need not be – disclosed in the solicitation. If the numerical weights themselves are not disclosed in the solicitation, they must be described in terms of priority or tradeoff statements.

Cost/price as an evaluation factor is never scored or rated as part of the evaluation. But, just like all the other factors and subfactors, cost/price must be weighted to indicate its importance relative to the other evaluation factors and subfactors and the overall evaluation. The weight given to cost/price reflects its relative importance in selecting the best proposal for award. The circumstances of a particular acquisition indicate how important cost/price is in satisfying a requirement.

Developing Evaluation Standards

Evaluators must be able to determine the relative merit of each proposal with respect to the evaluation factors. Evaluation standards provide guides to help evaluators measure how well a proposal addresses each factor and subfactor identified in the solicitation.

Standards permit the evaluation of proposals against a uniform objective baseline, rather than against each other. The use of evaluation standards minimizes bias that can result from an initial direct comparison of offers. Standards also promote consistency in the evaluation by ensuring that the evaluators compare each proposal to the same baseline. In developing standards for each evaluation factor and subfactor, consider the following:

1. While developing evaluation factors, concurrently draft a standard for each factor and subfactor.

2. Define the standard by a narrative description that specifies a target level the proposal must achieve, in order to meet the standard for the factor or subfactor consistent with the requirements of the solicitation.
3. Describe guidelines for higher or lower ratings compared to the standard “target.” Overly general standards should be avoided because they make consensus among evaluators more difficult to obtain, and may obscure the differences between proposals. A standard should be worded so that mere inclusion of a topic in an offeror’s proposal will not result in a determination that the proposal meets the standard. While it is sometimes easier to develop quantitative standards because of their definitive nature, qualitative standards are commonly used in source selections. Standards, as part of the source selection methodology, should be included in the source selection plan.

Establishing a Rating Method

A rating system uses a scale of words, numbers, or other indicators to denote the degree to which proposals meet the standards for the non-cost evaluation factors. Thus, assessments of each proposal are made with respect to the evaluation factors and subfactors in the solicitation, using a rating system. Commonly used rating systems are adjectival and numerical.

A narrative definition must accompany each rating in the system, so that evaluators have a common understanding of how to apply the rating. For example, a rating of exceptional (90 – 100) could be defined as an outstanding approach to specified performance, with a high probability of satisfying the requirement. What is key in using a rating system in proposal evaluations is not the method or combination of methods used, but rather the consistency with which the selected method is applied to all competing proposals, as well as the adequacy of the narrative used to support the rating.

Adjectival Rating System

Rating systems that use adjectives are usually the most successful because they allow maximum flexibility in making tradeoffs among the evaluation factors. Adjectives (such as exceptional, good, satisfactory, marginal, and unsatisfactory) are used to indicate the degree to which the offeror’s proposal has met the standard for each factor evaluated. Adjectival systems may be employed independently or in connection with other rating systems.

Numerical Rating System

This system assigns point scores (such as 0 – 10 or 0 – 100) to rate proposals. This rating system generally allows more rating levels, and thus may appear to give more precise distinctions of merit. However, numerical systems can have drawbacks as their apparent precision may obscure the strengths, weaknesses, and risks that support the numbers.

Narrative Definition Accompanying Ratings

Narrative is used in conjunction with a rating system to indicate a proposal’s strengths, weaknesses, and risks. Adjectival and numerical ratings must be supported with narrative

statements. Narrative statements can describe the proposals' relative strengths, weaknesses, and risks to the source selection authority in a way that adjectives and numbers alone cannot. A narrative is required when evaluation standards are being applied, when a comparison of proposals is being made, and when a cost/technical tradeoff is conducted. The narrative provides a reasonable and rational basis for the selection decision.

Defining the Source Selection Evaluation Board

The makeup of the Source Selection Evaluation Board (SSEB) is determined by the complexity of the procurement. For a simple acquisition, the team may consist of a contract specialist and the contracting officer's representative. Complex acquisitions, such as curriculum buys, might include more team members.

The following team members are described below:

Technical Evaluation Team Chairperson

Technical Evaluation Teams

Contract Review Team

Technical Evaluation Team Chairperson

The TET Chairperson provides leadership and administrative services, as requested by the Contracting Officer; and is responsible for the activities necessary to conduct and document the evaluation process. The Chairperson is in charge of the overall conduct of the Technical Evaluation Team. The Chairperson will:

Ensure that evaluators are familiar with the purchase description and specifications as set forth in the solicitation.

Provide instructions on how to evaluate proposals, resolve any questions, seek the advice of the Contracting Officer as necessary; specify the sequence of proposals to be evaluated; and ensure that evaluation criteria are followed by individual evaluators.

In conjunction with the Contracting Officer, verify that no one on the evaluation team has any relationship with – or financial interest in – any of the offerors, or other potential conflicts of interest, and seek the advice of the General Counsel as necessary. (Even the appearance of a conflict of interest may result in an offeror challenging the award decision.)

Ensure proper conduct and completion of the evaluation proceedings without exercising any undue influence on individual team members' technical reviews, and hold informal conferences as necessary to discuss areas such as widely divergent scores.

Assist other panel members, as appropriate, and periodically monitor the progress of evaluators to ensure that evaluations are completed in a timely manner.

Verify that all members of the Technical Review Teams have strictly adhered to the evaluation criteria set forth in the Request for Proposals (RFP), and ensure the accuracy of all score sheets.

Based on collective evaluation reports, consolidate all scores of all groups within each program into an overall composite rating summary for each program, for submission to the Contracting Officer. To support the overall ratings assigned, the TET Chairperson prepares an integrated written narrative summary of all groups' proposal evaluations, identifying the strengths and weaknesses of each program with specific references – and if deemed necessary, prepare a list of issues to be discussed with offerors.

Prepare a memorandum to the Contracting Officer summarizing the results of both written and numerical evaluations for each program.

Safeguard materials and ensure that all information pertaining to the evaluation is marked "SOURCE SELECTION SENSITIVE." To insure the confidentiality of this process, the TET Chairperson shall take the following steps:

Instruct evaluators that they may not discuss ratings with anyone outside of the evaluation group. If anyone else, including one of the offerors, attempts to obtain information from the TET Chairperson, he or she shall report it to the Contracting Officer.

Insure that during the day the proposals shall be in an area with restricted access.

Insure that only TET members shall have access to proposals and working papers. At all times when not in use, proposals and evaluation documents shall be safeguarded from unauthorized disclosure.

Instruct team members that they may not contact or visit an offeror regarding a proposal under source selection evaluation or any other Government matter (until such time as the contract is awarded) without the prior approval of the Contracting Officer. If an employee of an offeror contacts a member of the evaluation team before award of the contracts, the team member must terminate the conversation and immediately report the contact to the Contracting Officer.

Technical Evaluation Team

A Technical Evaluation Team is established for the evaluation of technical proposals. The primary responsibilities of each member of the Technical Review Team are as follows:

Understand the written evaluation plan that was developed prior to release of the solicitation, and make sure that proposals are evaluated in accordance with the evaluation method. If an uncertainty exists, the evaluator shall immediately discuss it with the Chairperson to ensure that any questions are resolved prior to the evaluation.

Thoroughly examine each proposal and make notes on the individual score sheet about its observed technical merit.

Conduct a thorough evaluation of each technical submission and determine a rating for each evaluation factor and sub-factor, if any, for every proposal being evaluated. Support

the rating by noting specific strengths, weaknesses, or comments in the space provided on the rating sheets.

Identify all errors, omissions, and deficiencies, along with any issues requiring clarification.

Sign each evaluation and submit it to the Chairperson for data collection and compilation.

Maintain the highest possible level of confidentiality, not discussing the evaluation with anyone outside the TET. Members of the TET may not divulge any information relating to the acquisition. For example, names of vendors submitting proposals, number of proposals received, and specific content of any proposal may not be disclosed with anyone outside the panel. In doubtful situations, evaluators shall immediately contact the TET Chairperson. Evaluators shall not contact any of the offerors or otherwise engage in conversation with any representative of the offeror. If contact with an offeror is unavoidable, or in case of any uncertainty, the evaluator shall immediately bring the matter to the attention of the TET Chairperson for resolution. Mention of any such instances and their resolution are also included in the technical report.

Contract Review Team

This review team consists of the Contract Specialist, Contracting Officer, Cost/Price Analyst, and Procurement Analyst.

The contract specialist examines the offeror's signed copy of the solicitation document, and verify that all representations and certifications have been properly completed and signed, and that all required documents in the correct number of copies have been submitted. The contract specialist verifies that no offeror has taken exception to any of the terms and conditions of the solicitation, and documents all areas of inconsistency or noncompliance for use in conducting negotiations. The contract specialist performs a preliminary evaluation of all price proposals submitted against this solicitation.

The Contract Review Team conducts a past performance evaluation that reviews an offeror's relevant present and past performance record against defined past performance evaluation factors, in order to determine the offeror's ability to perform as proposed. The past performance evaluation considers the number and severity of the weaknesses and/or problems, the effectiveness of any corrective actions taken, and the offeror's overall performance record. Offerors within the competitive range are given the opportunity to comment on negative past performance information not previously available for their comment.

The contract specialist forwards all price proposals and supporting documentation to a cost/price analyst, if deemed necessary. Once the Contracting Officer has determined a competitive range of offerors who have a reasonable probability of being awarded a contract, the cost/price analyst analyzes the cost/price proposals of those offerors. In evaluating offerors' cost/price proposals, the Government evaluates all offers by adding the total price for all options to the total price for the basic requirement. Evaluation of options, however, does not obligate the Government to exercise these options.

The contract specialist coordinates the review and evaluation of the offeror's Small Business/Small Disadvantaged Business Subcontracting Plans with the Procurement Division's Small and Small Disadvantaged Business Utilization Specialist; initiates pre-award surveys; requests EEO clearances as appropriate for offerors determined to be in the competitive range; and documents results accordingly.

Protecting Source Selection Information

The effectiveness and integrity of the source selection process requires that all data and information be handled with the utmost discretion, to avoid compromise. All sensitive data and information received or developed during the source selection process shall be marked Source Selection Information (See FAR 3.104) and handled as stated below:

During source selection and after contract award, disclosure of source selection data is the exclusive responsibility of the Contracting Officer.

Access to source selection sensitive information shall be strictly controlled at all organizational levels. The right to source selection information does not extend to the organizational chain of command of individual TET members, advisors, or other members involved in the source selection process, except as approved by the Contracting Officer. For example, a TET member or advisor may not and will not solicit assistance from his/her parent organizational staff during review, or provide comments on source selection material.

Access is defined as disclosure by permitting a copy of a source selection document contained in the source selection record to be viewed, but not physically retained by the requester.

Release is defined as disclosure by permitting a copy of a source selection document to be physically retained by the requester.

A need to know must be clearly established and approved by the Contracting Officer before any individual or activity is afforded access to or release of source selection data while the source selection is in process.

After the contract(s) is awarded, authority to disclose source selection information is vested in the Contracting Officer having acquisition responsibility for the contract involved. Evaluators are prohibited from disclosing the contents of source selection sensitive or proprietary information.

Even though source selection data may fall within the categories of materials that may be withheld from public disclosure (for example, a TET evaluation report), each document or portion thereof must have an independent basis for exemption. Any questions regarding public disclosure of information should be considered on a case-by-case basis, and should be referred to the appropriate Freedom of Information Act (FOIA) advisors.

Controlled access and release of source selection information extends beyond the immediate period of the source selection action. Authority for access and release must be

obtained in writing from the Contracting Officer until the official contract file is destroyed.

Under no circumstances may any advisor or member of the TET discuss the proceedings with any individual not a member of the TET, except as authorized.

During source selection, personnel responsible for the review of price proposals and subsequent negotiation of a contract(s) must comply with all requirements for protection of source selection data.

Any unauthorized disclosure or release of source selection information will be investigated and, as appropriate, treated under disciplinary procedures authorized by law or administrative procedures.

Completing Evaluation Procedures

This section provides planning guidance and the scope of the substantive tasks to be performed, to assist TET members in understanding the complexity and significance of the evaluation process.

Technical Review Team Objectives

The technical review team's objective is to evaluate each offeror's technical proposal against the evaluation criteria established in this plan and as set forth in the RFP, to determine the suitability of the offeror's materials for the program intended; the technical quality of materials offered, and the ability of such materials to promote student understanding and achievement.

Technical Evaluation Process

The technical evaluation process is an analysis of each offeror's proposal with respect to the standards and criteria established in the sources selection plan, and as set forth in the RFP. Technical evaluations are conducted independently of price proposals. It is the responsibility of the Chairperson of the TET to ensure that the technical evaluation is a coordinated effort of all the technical evaluators, and that all technical evaluation reports on all proposals are consistent and rational.

Each evaluator independently scores each technical proposal and indicates its worth in relation to the stated factors and sub-factors. As part of this process, evaluators use the rating sheet to identify – for each proposal – strengths, weaknesses, and deficiencies. After each member of the group has individually scored each proposal, the evaluation is signed and submitted to the course/grade strand facilitator for data collection and tabulation. The facilitator reviews each evaluator's submission for completeness, and submits it to the TET Chair for data collection.

Panel members' narrative comments in their evaluations assist the TET Chairperson and the Contracting Officer in determining a competitive range, i.e., those offerors with the best likelihood of receiving a contract award. As such, clarity and precision are the keys to successfully prepared narratives. Evaluators should indicate in their narratives, as a minimum:

What is offered

Strengths, weaknesses, and comments that support the numerical scores given by technical reviewers

Based on the individual panel members' evaluations, the Chairperson and designated assistants consolidate the numerical scores into an overall composite numerical rating summary for the TET. To support the TET composite numerical ratings assigned each offeror's proposal, the Chairperson prepares for the TET an integrated narrative evaluation report for each program adoption; this report ranks competitors and describes the respective strengths, weaknesses, and risks of their proposals, as well as their significance. The integrated narrative evaluation report excludes Marginally Acceptable and Unacceptable proposals. Upon completion of the TET's composite technical evaluation report, the Chairperson submits it to the Contracting Officer. The TET report ensures that the Contracting Officer has full and complete information on which to base decisions as to the competitive range, and to conduct discussions with offerors. Based on the TET report, the Contracting Officer removes from the competitive range offerors that do not have a reasonable chance for award, and notifies them accordingly per Federal Acquisition Regulation (FAR) 15.503(a).

Discussions/Negotiations

Discussions/negotiations with offerors relating to their proposals are conducted by the Contracting Officer, as needed; and offerors are informed of any areas requiring clarification or correction. At the conclusion of these discussions/negotiations, all offerors are given an opportunity to submit a final proposal revision. The Contracting Officer reviews and analyzes the final proposal revisions to determine which proposal(s) represents the best value to the Government. The Contracting Officer prepares a Source Selection Decision Document outlining the reasons for the selection of a particular proposal, and briefs the SSA on the results of the source selection process.

Source Selection Briefing

The purpose of the source selection briefing is to provide the SSA with sufficient information to make an informed decision for contract award selection. Based on the TET's final evaluation report and the Contracting Officer's evaluation of the final proposal revision (including past performance information and price/cost) the source selection briefing summarizes the strengths and weaknesses of the various proposals, provides an award recommendation, and gives the reasons for that recommendation. If the SSA concurs with the Contracting Officer's recommendation for award, the SSA signs the Source Selection Decision Document, and a contract is awarded accordingly.

Guide for the Evaluation of Technical Proposals

General Guidelines

As a member of the Technical Evaluation Team, the procedures set forth below must be followed when evaluating technical proposals.

1. Proposals should be reviewed and evaluated by at least three people, including a Chairperson. This group is the Technical Evaluation Team (TET). The TET should consist of Subject Matter Experts who have the time and the expertise to evaluate the technical proposals.
2. Evaluators must be familiar with the Request for Proposal (RFP) and Source Selection Plan (SSP) prior to evaluating the contractor's proposal.
3. Copies of each technical proposal will be furnished to the Technical Evaluation Team Chairperson. Once the proposals have been received and it is clear which companies are involved, each member of the team must sign a "Non-Conflict of Interest" form. Documents received as part of an RFP contain company confidential information and should be protected from public view. Before the evaluation begins, the TET Chairperson should identify a secure storage facility.

Individual Scoring

Evaluation team members are provided with copies of the proposals to begin their individual review. Information concerning specific offerors or number of proposals received, or technical information within the proposal, are considered source selection sensitive and can only be shared with the Technical Evaluation Team and the Contract Specialist.

Step One: Review all proposals. In the initial evaluation, read the material completely for content. Take notes, make comments, or prepare comments for discussion with other members of the TET. Do not score at this point. Do not write on any proposals. Proposals may be returned to the vendor if requested.

Step Two: Score proposals. Score proposals based on the criteria established in the RFP, noting the strengths and weaknesses of each offer. Proposals must be evaluated solely on the stated criteria listed in the RFP and not against other offerors' proposals. Only material presented within the written proposals and oral presentations (if any) can be considered in the evaluation. Prior experience with the product and/or offeror cannot be considered in scoring the proposals. A scoring sheet, prepared by members of the Source Selection Evaluation Board, is provided to assist you in the process of awarding and totaling points. For each rating, write on the evaluation form the specific reasons for each rating. First impressions or ideas that have not been carefully thought through should not be part of the evaluation record.

Evaluation Team Meetings

Once the proposals have been evaluated and scored by individual team members, the entire team meets to discuss the proposals and arrive at a final scoring.

Step One: Discuss Proposals. The full evaluation team should discuss all aspects of proposals so there is a unified understanding of the criteria and corresponding responses. Individual scores may be adjusted at this point, based on discussion – in doing so, the panel members must discuss each of the proposals. If extremely divergent opinions exist, and it is clear that none of the evaluators have misinterpreted any aspects of the proposals, the Contracting Officer must be given a report containing both a written majority and a written minority opinion.

Narratives cannot include generalities; they must explicitly set forth strengths and weaknesses of each proposal, with specific page numbers and paragraphs cited if possible. The Chairperson may tally the final point assignments by the following methods:

Consensus score

A total of all the points given by individual committee members

An average of the individual scores

Any method or combination the above is acceptable. The Chairperson is responsible for preparing a memo to the CO, consolidating the findings and recommendations of the TET.

Step Two: Oral proposals/presentations. This step is optional. Prior to release of the RFP, the SSEB decides whether or not to have oral presentations as part of the evaluation process. If an oral presentation is pursued as an option, it must be in the RFP and scored according to the stated criteria. An oral presentation provides an opportunity for a vendor to explain and elaborate on the proposal, face to face. Discussions are not held with vendors during this process.

Step Three: Clarifications. If the team is unsure of certain items or issues included in an RFP response, it may request further clarification from the offeror via the Contract Specialist. The TET Chairperson provides written requests for clarification to the Contract Specialist, who contacts the offeror. Responses are returned to the Contract Specialist and submitted to the evaluation team. The TET never contacts the offeror directly.

Step Four: Determinations. The Contract Specialist, with the assistance of the TET Chairperson, determines competitive range and best value, and holds discussions with vendors as warranted. Members of the TET are asked to provide written support for negotiations, if any.

Step Five: Technical Evaluation Team Report. If discussions with vendors are held, the TET Chairperson provides a final report to the Contract Specialist, noting any change in scoring based on the revised proposals.

Step Six: Recommendation. The Technical Evaluation Team Chairperson meets with the Contract Specialist to evaluate the technical, past performance, and cost information. The

Contract Specialist drafts a written recommendation for award. This written recommendation should contain scores, justification, and rationale for the decision.

Step Seven: Review and Award. The Source Selection Authority (generally the Contracting Officer) reviews the scoring and justification. If in agreement with the decision, the Source Selection Authority (SSA) signs the award rationale. The contract specialist issues a purchase order or contract, and notifies the unsuccessful offerors.

Regulations on Procurement Integrity

Employees participating in a procurement process may not disclose source selection information, seek employment with a competing contractor, or accept anything of more than a \$20 value from a competing contractor. Restrictions also apply to working with competing contractors after retirement.

3. Disclosing and Obtaining Contractor Bid or Proposal Information or Source Selection Information

- a. A present or former employee of, or person acting on behalf of or advising the U.S. on a procurement, who has or had access to such information shall not disclose it before the award of the contract to which the information relates. (48 CFR 3.104-4(a))
- b. No person shall knowingly obtain such information before the award of the contract to which the information relates. (48 CFR 3.104-4(b))

4. Offers of Non-Federal Employment

An official participating personally and substantially in a procurement for a contract in excess of the **simplified acquisition threshold** (\$100,000) who is contacted by a bidder regarding non-federal employment during the conduct of the procurement shall:

- a. Report the contact to his supervisor and the Office of Counsel in writing; and
- b. Reject the offer; or
- c. Disqualify himself in writing to the Head of the Contracting Activity in accordance with 18 U.S.C. § 208 until authorized to resume on grounds that:
 - i) The offeror is no longer a bidder; or
 - ii) All discussions have terminated without an agreement for employment. (48 CFR 3.104-4(c))
- d. This requirement does not apply after the award of the contract or after the procurement has been canceled, although 18 U.S.C. § 208 still requires disqualification on the part of an employee who is administering a contract.

5. Accepting Compensation from a Contractor

- a. A former official may not accept compensation from a contractor within a year after he served as the procuring contracting officer, the source selection authority, a member of the source selection evaluation board, or the chief of a financial or technical evaluation team for a procurement for a contract in excess of \$10 million awarded to that contractor.
- b. The above restriction also applies to a former official who served as program manager, deputy program manager, or administrative contracting officer for a contract over \$10 million.
- c. The above restriction applies to a former official who made a decision to:

- i) Award a contract, modification, subcontract, task order or delivery order, in excess of \$10 million;
 - ii) Establish overhead or other rates applicable to a contract in excess of \$10 million; or
 - iii) Approve issuance of a contract payment or payments in excess of \$10 million, or pay or settle a claim in excess of \$10 million. (48 CFR 3.104-4(d))
- d. Note that the above restriction may apply to decisions, made after the award of the contract, that need not be competitively awarded. The restriction does not apply to accepting compensation from a division or affiliate of the contractor that does not produce the same or similar product or service.
- e. The one-year prohibition on accepting compensation begins:
- i) On the date of selection of the contractor for a former official who served in a position listed in paragraph a at that time, but not on the date of the award of the contract;
 - ii) On the date of the award of the contract for an official who served in a position listed in paragraph a at that time, whether or not he was serving at the time of selection;
 - iii) On the last date an official served in a position listed in paragraph b; or
 - iv) On the date a decision listed in paragraph c was made.

6. Definitions

- a. Contractor bid or proposal information means information not made available to the public and includes:
- i) Cost or pricing data;
 - ii) Indirect costs and direct labor rates;
 - iii) Proprietary information about manufacturing processes, operations, or techniques; and
 - iv) Information marked by the contractor as “contractor bid or proposal information.”
- b. Source selection information means information not made available to the public and includes:
- i) Bid prices;
 - ii) Proposed costs or prices from bidders;
 - iii) Source selection and technical evaluation plans;
 - iv) Technical evaluations, cost or price evaluations, competitive range determinations, rankings of bids, reports of source selection panels; and
 - v) Other information marked as “source selection” based on a determination that its disclosure would jeopardize the procurement.

7. Application

- a. Prohibitions on disclosing and obtaining procurement information, and on handling offers of non-federal employment, apply on January 1, 1997 with respect to every federal agency procurement using competitive procedures.
- b. Post-employment restrictions apply to any former official whose federal employment ended on or after January 1, 1997. Those whose employment ended before January 1, 1997 are subject to prior restrictions. However, an official who made key **pre-award** decisions on a contract before January 1, 1997, but who did not leave government until after January 1, 1997 is not covered by either the old or the new restrictions (although the provisions of 18 U.S.C. § 207(a) apply).

Note: An official who serves in a post-award position or makes post-award decisions after January 1, 1997 is subject to the one-year bar, even on a contract that was awarded before January 1, 1997.

Authority for a Sole-Source Procurement

This section describes conditions and procedures for sole-source procurements.

Statutory and Regulatory Authorities: Other Than Competitive Procurement

The following statutory and regulatory authorities embodied in the Competition in Contracting Act (41 U.S.C. 2304) and the Federal Acquisition Regulation (FAR) permit contracting for requirements over \$100,000 without providing for Full and Open Competition. However, a written Justification and Approval for Other Than Full and Open Competition (J&A) must be prepared citing one of these statutory authorities as the basis for the J&A, along with a clear, logical explanation of the reason for the authority cited. For further information, see the section below on Justification and Approval for Other than Full and Open Competition, or contact the Procuring Activity Competition Advocate at DoDEA Headquarters.

1. Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements (41 U.S.C. 2304(c)(1); FAR 6.302-1)

This exception should be used when there is only one source for the supplies or services required by the agency, and no other type of supplies or services will satisfy agency needs; or when a specific make or model of product or service is required and no other alternative will meet the agency's needs. Generally, procurements of this type may be authorized in the following instances:

- a. The agency's minimum needs can be met only by supplies or services that are unique. Unique means that such supplies or services have necessary characteristics essential to meeting the Government's needs that are only available from a single source. This is not to be confused with a situation where requisitioners consider the products or services offered by a particular vendor, or under a given brand name, to be superior to those from other sources. Rationales based on product superiority do not support a finding of uniqueness.
- b. A sole-source award is required to ensure compatibility or interchangeability between the procured item and existing hardware, software, equipment, or other resources. In such instances, award to other than the proposed sole-source contractor would pose unacceptable technical risks and/or a duplication of previously incurred costs not otherwise recoverable from savings attributable to competition.
- c. Property or services are to be acquired on the basis of an unsolicited research proposal that demonstrates a unique and innovative concept, or a unique capability of the source to provide the particular research services proposed; offers a concept or services not otherwise available to the Government; and does not resemble the substance of a pending competitive acquisition.
- d. The existence of limited rights in data, patent rights, copyrights, or secret processes, the control of basic raw materials, or similar circumstances limit the availability of supplies or services to only one source.

2. Unusual and Compelling Urgency (10 U.S.C. 2304(c)(2); FAR 6.302-2)

An unusual and compelling urgency occurs when an agency's need for supplies or services is of such an unforeseen and unforeseeable nature, and the failure to obtain them on an expedited basis so crucial to an agency, that the Government would be seriously impaired unless it was permitted to limit the number of sources from which it solicited bids or proposals. This authority applies to those situations where any delay in awarding a contract would result in serious injury to the Government, whether financial or otherwise.

The facts that will support an other than competitive procurement based on unusual and compelling urgency must be researched and supported in the same manner as a justification required for procurement from a single source, and should be based on a reasonable investigation and evaluation of the evidence available at the time.

All the facts supporting an other than competitive procurement must be subject to documentation so that the agency can show that it took all reasonable steps under the circumstances to maximize competition. The following are examples of the kinds of situations giving rise to unusual and compelling urgency:

- a. Unexpected bad weather destroys an emergency generator, and the Government solicits offers only from known responsible sources in the surrounding area who can deliver a replacement immediately.
- b. Litigation or other unforeseen events has delayed the procurement of vital replacement parts and the Government solicits offers only from those known responsible sources capable of delivering them immediately.
- c. Time is of the essence and only one known source can meet the agency's needs within the required time frame. "Time is of the essence" means that the Government will suffer severe injury either financially, or to the national security, or to the accomplishment of an agency's mission, if the products or services required are not purchased within a specified and limited time.

However, lack of advanced planning or expiring funds are never acceptable reasons for a noncompetitive procurement, in general or on the basis of unusual and compelling urgency.

3. Industrial Mobilization, or Engineering, Developmental or Research Capability (10 U.S.C. 2304(c)(3); FAR 6.202-3)

This exception should be used when it is necessary to award a contract to a particular source to keep vital facilities in business, create or maintain required domestic capacity for production of critical supplies, or provide for sufficient contractors to maintain an adequate industrial mobilization base.

4. International Agreement (10 U.S.C. 2304(c)(4); FAR 6.302-4)

This exception should be used when the terms of an international agreement or treaty between the United States and a foreign government or international organization require a specified source, or when a foreign government that reimburses a Federal agency for the cost of supplies or services issues written directions requiring a specified source.

5. Authorized or Required By Statute (10 U.S.C. 2304(c)(5); FAR 6.302-5)

Use this exception if a statute specifically requires a supply or service to be purchased from a particular source. Examples are items that must be purchased from the Federal Prison Industries, Qualified Nonprofit Agencies for the Blind, or Government printing and binding.

6. National Security (10 U.S.C. 2304(c)(6); FAR 6.302-6)

This exception applies to situations where disclosure of an agency's needs would compromise national security unless the agency limits the sources from which it solicits offers.

7. Public Interest (10 U.S.C. 2304(c)(7); FAR 6.302-7)

Full and open competition need not be provided when the head of the agency determines that for the particular acquisition concerned, it is not in the public interest to do so. To use this authority the Secretary of Defense must make a written determination to that effect and Congress must be notified in writing of such a determination not less than 30 days prior to contract award.

Justification and Approval for Other than Full and Open Competition

Following are items included in the Justification and Approval for Other than Full and Open Competition (Over \$100K):

1. Contracting Agency: Specify the DoDEA component responsible for this action and the address of the agency, for example, "Department of Defense Education Activity, Education Directorate, 4040 North Fairfax Drive, Arlington, VA 22203."
2. Authority Cited: Identify the appropriate statutory authority for other than full and open competition (for example: 10 U.S.C. 2304(c) (1); FAR 6.302-1 "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements;" or, 10 U.S.C 2304(c)(2); FAR 6.302-2, "Unusual and Compelling Urgency").
3. Description of Supplies and Services: Describe the supplies or services to be acquired, identifying characteristics or capabilities necessary for meeting the agency's minimum essential requirements. The description of agency requirements in this section will often serve as the foundation for supporting the Reason for Authority Cited in paragraph e, below.
4. Description of Action: Indicate the nature of the contractual action, contract type, estimated total value of the procurement (including options), and type of funds used. For example, "An FY 03 firm fixed price contract is planned for approximately \$_____ in Operating and Maintenance (O&M) funds. The base period of performance under this contract is for one year from the date of contract award, with options for four additional years."
5. Reason for Authority Cited: Explain how and why this action supports the use of the authority cited in paragraph b, above.
6. Effort to Obtain Competition: Describe the steps the requiring activity has already taken to make the procurement as competitive as possible.

7. Action to Increase Competition: Explain the steps the requisitioner intends to take in the future to increase competition before any subsequent purchase of this kind.
8. Market Research: Describe the efforts taken to determine whether other qualified sources capable of meeting the Government's needs exist, e.g., the results of market research. Methods for conducting market research include but are not limited to written telephone contacts with knowledgeable Federal and non-Federal experts about similar or duplicate requirements; searches of source lists, catalogs, and GSA Federal Supply Schedules; requests for information from potential sources; or Commerce Business Daily announcements of sources sought.
9. Interested Sources: List any sources that have expressed an interest in the requirement. If there are none, indicate that. Also indicate whether this requirement will be synopsisized in Federal Business Opportunities. If the requirement is not synopsisized, appropriate authority under the Federal Acquisition Regulation (FAR) must be cited as a basis for a waiver of the FAR's synopsis requirements. For further information on synopsis waivers, please contact the Headquarters Procurement Branch.
10. Other Factors: As applicable, discuss any other factors that may have an impact on the issues previously addressed (e.g., any history of prior procurements of similar requirements, and whether such acquisitions were on a competitive or non-competitive basis). If there are none, do not include this paragraph in the Justification.
11. Technical Certification: I certify that the supporting data under my cognizance that are included in this Justification and Approval are accurate and complete to the best of my knowledge and belief.

Signature: _____ Date: _____

Typed Name/Title: _____ Division: _____

12. Requirements Certification: I certify that the supporting data under my cognizance that are included in this Justification and Approval are accurate and complete to the best of my knowledge and belief.

Signature: _____ Date: _____

Typed Name/Title: _____ Division: _____

13. Legal Review: Based on the foregoing, the justification is legally sufficient.

Signature: _____ Date: _____

Typed Name/Title: _____ Division: _____

14. Contracting Officer Certification: I certify that the facts and representations included in this Justification and Approval are accurate and complete to the best of my knowledge and belief. I further certify that the anticipated cost of this procurement will be fair and reasonable based upon **(describe the techniques to be used to determine fair and reasonable price, e.g., cost analysis, price analysis, audit)**.

Signature: _____, Contracting Officer Date: _____

Typed Name/Title: _____ Procurement Branch: _____

15. Competition Advocate: Based on the foregoing justification, I hereby approve the procurement of [**describe the requirement**] on an other than full and open competition basis, pursuant to the authority of [**include citation from paragraph b above**], subject to the availability of funds, and provided that the services and/or supplies described above have otherwise been authorized for acquisition.

Signature: _____ Date: _____

Typed Name/Title: _____ Division: _____

Note: For procurements more than \$100,000 but not exceeding \$10,000,000, DoDEA's Competition Advocate will approve the Justification and Approval. The Director of DoDEA, as head of the procurement activity, will approve Justifications and Approvals for actions over \$10,000,000 but not exceeding \$50,000,000.

Following are items included in the Justification and Approval for Other than Full and Open Competition (Under \$100K):

JUSTIFICATION AND APPROVAL UNDER \$100K

FOR

1. Contracting Agency: Specify the DoDEA component responsible for this action.
2. Authority Cited: 10 U.S.C. 2304(c)(1)) "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements".
3. Description of Supplies and Services: Describe the supplies or services to be acquired.

4. Description of Action: Indicate the nature of the contractual action, contract type, estimated total value of the procurement (including options), and type of funds used.
5. Reason for Authority Cited: Explain how and why this action supports the use of a sole source justification.
6. Action to Increase Competition: This requirement will be advertised in FedBizOpps. If there are any vendors capable of providing this requirement, it will be competed.
7. Market Research: Describe the efforts taken to determine whether other qualified sources capable of meeting the Government's needs exist (market research).
8. Interested Sources: List any sources that have expressed an interest in the requirement. If none, so state.
9. Other Factors: None.
10. Technical Certification: I certify that the supporting data under my cognizance that are included in this Justification and approval are accurate and complete to the best of my knowledge and belief.

Signature: _____ Date: _____

Typed Name/Title: _____ Division: _____

11. Contracting Officer Certification: I certify that the facts and representations included in this Justification and Approval are accurate and complete to the best of my knowledge and belief. I further certify that the anticipated cost of this procurement will be fair and reasonable based upon **(describe the techniques to be used to determine fair and reasonable price, e.g., cost analysis, price analysis, audit)**.

Signature: _____, Contracting Officer Date: _____

Typed Name/Title: _____ Branch: _____

SOLE SOURCE JUSTIFICATION

BRAND NAME (FAR 6.302-1(c))

FOR

1. Contracting Agency: Specify the DoDEA component responsible for this action.
2. Authority Cited: 10 U.S.C. 2304(c)(1)) “Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements”.

3. Description of Supplies and Services: Describe the supplies or services to be acquired.
4. Description of Action: Indicate the nature of the contractual action, contract type, estimated total value of the procurement (including options), and type of funds used.
5. Reason for Authority Cited: Explain how and why this action supports the use of a brand name. Provide information that addresses why a particular manufacturer's product is essential to the Government's requirements thereby precluding consideration of a product manufactured by another company. Cost may be one factor when equipment/software is involved.
6. Effort to Obtain Competition: Describe the *steps the requiring activity has already taken* to make the procurement as competitive as possible.
7. Action to Increase Competition: Explain the *steps the requisitioner intends to take in the future* to increase competition *before any subsequent purchase* of this kind.
8. Market Research: Describe the efforts taken to determine whether other qualified sources capable of meeting the Government's needs exist (market research). Methods for doing so include, but are not limited to, written telephone contacts with knowledgeable Federal and non-Federal experts about similar or duplicate requirements, searches of source lists, catalogs, and GSA Federal Supply Schedules, requests for information from potential sources, or Commerce Business Daily announcements of sources sought.
9. Interested Sources: List any sources that have expressed an interest in the requirement. If none, so state. Also indicate whether this requirement will be synopsisized in the Commerce Business Daily; if not, provide appropriate authority under FAR for waiving a synopsis.
10. Other Factors: As applicable, discuss any other factors that may have an impact on the issues previously addressed (e.g., any history of prior procurements of similar requirements, and whether such acquisitions were on a competitive or non-competitive basis).
11. Technical Certification: I certify that the supporting data under my cognizance that are included in this Justification and approval are accurate and complete to the best of my knowledge and belief.

Signature: _____ Date: _____

Typed Name/Title: _____ Division: _____

12. Requirements Certification: I certify that the supporting data under my cognizance that are included in this Justification and approval are accurate and complete to the best of my knowledge and belief.

Signature: _____ Date: _____

Typed Name/Title: _____ Division: _____

13. Legal Review: (If over \$100K) Based on the foregoing justification, I hereby determine this Justification Other than Full and Open Competition is legally sufficient.

Signature: _____ Date: _____

Typed Name/Title: _____ Division: _____

14. Contracting Officer Certification: I certify that the facts and representations included in this Justification and Approval are accurate and complete to the best of my knowledge and belief. I further certify that the anticipated cost of this procurement will be fair and reasonable based upon **(describe the techniques to be used to determine fair and reasonable price, e.g., cost analysis, price analysis, audit)**.

Signature: _____, Contracting Officer Date: _____

Typed Name/Title: _____ Branch: _____

14. Competition Advocate Approval: (If over \$500K) Based on the foregoing justification, I hereby approve the procurement of **(describe the requirement)** on an other than full and open competition basis, pursuant to the authority of **(include citation from paragraph 2 above)**, subject to the availability of funds, and provided that the services and/or supplies described above have otherwise been authorized for acquisition.

Signature: _____ Date: _____

Typed Name/Title: _____ Division: _____

Nomination and Certification of a Contracting Officer's Representative (COR)

The Contracting Officer's Representative (COR) is responsible for training, delegation, receiving reports and invoices, and providing technical advice.

What is a COR?

A COR is an individual designated in writing by the Contracting Officer (CO) to perform specific technical or administrative functions under a particular contract.

A COR provides technical guidance, monitors contractor performance, inspects and accepts supplies or services, and prepares past performance evaluations.

The Contracting Officer appoints the COR via an Appointment Letter, which outlines his or her specific duties and responsibilities. A COR has no authority to change any terms of the contract or authorize any work outside of the scope of the performance work statement (PWS).

The COR designation shall remain in effect for the life of the contract unless terminated by the CO in writing.

Who is eligible?

For all contractual actions exceeding \$100,000, the requiring activity shall nominate a COR. A sample Nominating Letter is provided below. All nominations shall be made by an official of the requiring activity who is at least one level above the nominee.

To be eligible for appointment, the nominated COR must be a US Government employee who possesses the technical background and qualifications to monitor the contractor's performance (for example, a subject specialist from the Education Division or a Transportation Officer).

The individual must have successfully completed a performance based contracting office training course prior to being nominated / re-nominated as a COR on any DoDEA contracting effort. Possible sources for COR training include online courses, commercial training companies, and courses offered by the Procurement Division. Check with the Procurement Division for up-to-date information on training programs.

All CORs are required to attend a refresher training every two years.

COR responsibilities

The nominee is officially designated a COR through an Appointment Letter issued by the CO, which outlines his or her technical and administrative duties for the life of the contract. COR duties may include:

- Conducting market research for possible vendor sources
- Responding to contractor technical inquiries
- Assisting the CO with issues such as the use of Government Furnished Property
- Reviewing invoices and signing receiving reports
- Documenting performance problems (late shipments, etc)
- Writing past performance evaluations

The CO forwards a copy of the COR Appointment Letter to the contractor.

If the COR has *any* doubt about guidance he or she is asked to provide (such as whether something is in the scope of the contract) or a task to perform, the COR should contact the Contract Specialist or Contracting Officer.

In the event that a designated COR is unable to continue his or her performance of duties, the COR shall provide advance written notification (email is acceptable) requesting the change and identifying the successor COR, who will be nominated and appointed following the above procedures.

COR appointments may be revoked by the Contracting Officer for failure to perform their required duties. This notification of revocation shall be in writing and shall

document the basis for the action. Copies will be provided to the COR's supervisor and kept in the official contract file.

The following pages contain examples of a nominating letter and an appointment letter.

Sample Nominating Letter

(LETTERHEAD)

(DATE)

MEMORANDUM FOR HQ PROCUREMENT BRANCH

SUBJECT: Contracting Officer's Representative Nomination Letter

(Nominees name) is hereby nominated as the Contracting Officer's Representative (COR) on any contract awarded from requisition number: _____.

This individual has successfully completed a COR initial training or refresher course in the last two years and is technically qualified for this position.

This training was completed on _____.

Nominating Official's Signature

Date

Title and telephone number

Nominee's Signature

Date

Title and telephone number

Sample Appointment Letter

(LETTERHEAD)
(Procurement Division)

(DATE)

MEMORANDUM FOR (COR's Name)

SUBJECT: Designation of Contracting Officer's Representative (COR) Under Contract No. (Number) with Contractor (Company's Name).

You are hereby designated as the Contracting Officer's Representative (COR) with respect to technical matters within the scope of contract referenced above. Please note that this delegation does not include the right to:

- a. Modify or alter the contract or any of its terms and conditions
- b. Waive the Government's rights with regard to the Contractor's compliance with the specifications, price, delivery, or any other terms or conditions
- c. Approve any actions that would result in additional charges to the Government. All such actions must be made in writing to the Contracting Officer

During the period of contract performance, you will ensure that the Contractor is in compliance with all technical aspects of the contract and submits required reports in a timely manner, as specified in the contract. If Contractor performance is not satisfactory or deliverable items are not delivered as required by the contract, immediately advise the Contracting Officer of the facts in writing.

You are authorized to take action necessary to:

- a. Coordinate with the contractor on all technical matters that may arise in the administration of this contract
- b. Provide procedural clarification as to the meaning of the specification including inspection, testing, and acceptance procedures
- c. Monitor the contractor's progress and performance to ensure compliance with the technical requirement of the contract, in accordance with the stated contract terms and conditions; monitor the expenditure of resources relating to the contract

- d. Perform, or cause to be performed, inspections necessary in connection with subparagraph c., above, and require the Contractor to correct all deficiencies
- e. Receive and inspect deliverables (supplies, services, and/or reports) on behalf of the Government. Inspection by the COR must be accomplished prior to acceptance
- f. Provide receiving reports to the appropriate offices (Fiscal, Logistics, and Procurement) within DoDEA; approve and forward invoices for payment to the Contract Specialist identified in the contract
- g. Maintain liaison and direct communications with both the Contractor and the Contracting Officer. Written communication and documents will be signed as “Contracting Officer’s Representative” with a copy of correspondence to the Contractor furnished to the Contracting Officer. Inform the Contracting Officer, in writing, of any performance or schedule failure by the Contractor and of any needed changes in the Performance Work Statement.

Limitations: Remember you may be personally liable for unauthorized acts. You are not empowered to award, agree to, or sign any contract (including delivery or purchase orders) or modification thereto, or in any way to obligate the payment of money by the Government. You are not authorized to direct the contractor to undertake any activity that will change the:

- a. Total price or estimated cost
- b. Products or deliverables
- c. Performance Work Statement
- d. Delivery dates
- e. Total period of performance
- f. Administrative procedures of the contract

This designation as a Contracting Officer’s Representative shall remain in effect through the life of the contract unless sooner revoked in writing by the Contracting Officer. If your designation is revoked for any reason before completion of this contract, you will turn your records over to the successor Contracting Officer’s Representative or obtain disposal instructions for the Contracting Officer. You may not redelegate your COR authority.

You are required to maintain adequate records to describe sufficiently the background and status of the acquisition and the performance of your duties as Contracting Officer’s Representative, and to transfer such records as required. As a minimum, a Contracting Officer’s Representative file shall contain copies of:

- a. COR designation letter
- b. Contract and modifications thereto
- c. Correspondence between COR and the Contractor
- d. Records of COR inspections
- e. Receiving reports and invoices

Within thirty (30) days of completion of the contract, receipt of notification of a personnel action that would preclude your continuing effectively as the COR, or termination of your designation by the Contracting Officer, you shall submit to the Contracting Officer an evaluation discussing the timeliness and quality of performance; the Contractor's compliance with the Performance Work Statement and terms of the contract, and the resolution of those problems; and a statement describing the use made of the services or products obtained under this contract and their value to the Government.

The addressee and Contractor shall acknowledge receipt of this delegation on the attached copy, and return the acknowledgement to the undersigned Contracting Officer.

Name
Contracting Officer

Contracting Officer's Representative (COR) Acknowledgement of Receipt:

I have read and understand this letter of designation and the attached Guide for Contracting Officer's Representatives (CORs).

Signature

Date

Undefinitized Contract Actions

In certain urgent situations, contracts can be awarded without fully agreed upon terms, specifications, or price. For example, a school bus contractor defaults on a contract, and a new contract for school bus services must be let overnight. It is DoD policy that these contracts be used only when:

1. The negotiation of a definitive contract action is not possible in sufficient time to meet the Government's requirements; and
2. The Government's interest demands that the contractor be given a binding commitment so that contract performance can begin immediately.

The contracting officer shall obtain approval from the head of the contracting activity (Dr. Tafoya) before:

1. Entering into a UCA. The request for approval must fully explain the need to begin performance, including the adverse impact on agency requirements resulting from delays in beginning performance.
2. Including requirements for non-urgent spare parts and support equipment in a UCA. The request should show that inclusion of the non-urgent items is consistent with good business practices, and is in the best interest of the United States.
3. Modifying the scope of a UCA when performance has already begun. The request should show that the modification is consistent with good business practices, and is in the best interests of the United States. If a situation arises where you need to award a UCA, contact the Procurement Division immediately.

Curriculum Guide

This section contains information on the following topics:

Acquisition Strategy Panel

Milestones and Approvals

Source Selection Evaluation Plan

Performance Work Statements

Independent Government Cost Estimate (IGCE)

Purchase Requisitions

Nomination and Certification of a Contracting Officer's Representative (COR)

Communication with Schools

Solicitation

Advance Read Welcome Package

Source Selection Technical Proposal Evaluation (Materials)

The Contract

Transportation and Storage

Acquisition Strategy Panel

Acquisition Strategy Panel (ASP) establishes Acquisition Strategy Panel members, and creates an Acquisition Plan consisting of the following:

Curriculum materials

A conference facility

Pickup, delivery, and storage of curriculum materials on the last day of evaluation

Procurement Administrative Lead Time (PALT)

Procurement Administrative Lead Times (PALTs) are the lead times required for various types of procurements. The PALTs are stated as the number of calendar days from receipt and acceptance of a complete procurement package by the Procurement Branch until the date of contract award.

Note: The regular PALTs do not apply to **curriculum adoptions**. Due to the period of time required for the materials review and the integrated technical assessment by numerous evaluators, these acquisitions may take up to one year. Information about PALTs can be found at the Milestones and Approvals section of this guide.

Source Selection Evaluation Plan

This process establishes a Source Selection Evaluation Plan and the source selection panel. The following are described in the Planning for Source Selection section:

Technical Evaluation Team Chairperson Responsibilities

Technical Evaluation Team Responsibilities

Contract Review Team Responsibilities

Performance Work Statements

The requiring activity prepares and submits (through Comprizon) the following Performance Work Statements:

PWS for evaluation of curriculum materials

PWS for conference facilities

PWS for pickup, delivery, and storage of curriculum materials at the end of the technical evaluation process.

Purchase Requisitions

The requiring activity prepares and submits (through Comprizon) the following funding documents:

Requisition for evaluation of curriculum materials

Requisition for the conference facilities

Requisition for pickup, delivery, and storage of curriculum materials at the end of the technical evaluation process

Purchase Descriptions should clearly state minimum requirements, and should include such specifics as the following:

Common name of the item (Full catalog/manufacturer's description)

ISBN (textbooks, guides, kits, packages, CD-ROM) and Manufacturer's Part Number (CD-ROM)

Principles of operation, or operation to be performed for support (hotline, technical, etc)

Principal characteristics (high grade, chemically pure, etc.)

Restrictive or significant environmental conditions (temperature limitations, safety, etc.)

Education or the requesting office is responsible for ensuring that the curriculum standards are posted to the DoDEA website prior to issuing the Purchase Request.

Communication with Schools

The purpose of this process is to notify school coordinators and supply technicians of upcoming materials shipments.

Requisitioners must coordinate with the Logistics Division to notify school coordinators and supply technicians of upcoming materials shipments. Schools **must** receipt materials through the electronic receipt process using Internet Explorer at http://www.odedodea.edu/procure/sch_curriculum/

Solicitation

Solicitation / Request for Proposal/Quotation (Standard Form 1449)

Requisitioners should read the entire solicitation to ensure that there are no errors and that all of the information is correct. If an amendment is required, please notify the contract specialist immediately with specific details. After the solicitation is issued, requisitioners should have no further contact with potential contractors, unless requested by the contract specialist/contract officer.

Requisitioners should pay special attention to the Solicitation number (Block 5), issue date (Block 6), and offer due date (Block 8). Occasionally, requisitioners may be asked to assist with responses to email/letters/faxes received from potential contractors in response to the solicitation. Responses to potential contractors' inquiries must be submitted in a timely manner.

Advance Read Welcome Package

Requisitioners should provide an Advance Read Welcome Package to all Source Selection Team members who will participate during the evaluation process. This package should be sent to all members prior to the actual day of evaluation, to allow ample time for members to become knowledgeable about the following:

- The Source Selective Evaluation process
- Roles of the Source Selection Evaluators
- Standards of Conduct
- The importance of handling Source Selection Sensitive information
- Source Selection Sensitive documents (Solicitation, Performance Work Statement, Adjectival Rating)
- Guide for the Evaluation of Technical Proposals
- Curriculum Subject Matter Standards (e.g., ELA specific standards. Standards must be concise and not generalized)
- Timelines of Acquisition Process

Evaluators must also understand that this process is to evaluate source selection sensitive proposals, and is not a process for evaluators to select materials they want to purchase for their

schools. Evaluators must understand the integrity of this process and that they have an ethical responsibility; they are encouraged never to disclose any information discussed or evaluated.

Source Selection Technical Proposal Evaluation (Materials)

This section covers the following topics:

- Identification

- Security

- Procurement Overview

- Evaluation of Technical proposals (materials)

- Technical Report - submission of report to Procurement after Technical Review

Identification & Security: All participants (including Education and Procurement) should wear name badges during the evaluation process, which are issued by the requesting activity's office (source selection panel chairperson, Education). Only designated panel members and the immediate team shall be in the room during the review process. All proceedings are Source Selection Sensitive and the facility must be properly secured. Anyone without a direct role in the process must not enter the evaluation room; this includes DoDEA director, management division, education division, communications, fiscal division, logistics division, area offices, superintendents and contractors/potential contractors)

Procurement Overview: Procurement presents an overview the first day of the evaluation process. During this time there will be a brief discussion on the purpose of the Source Selection Evaluation Process, collection of the Standards of Conduct from the Advance Read Welcome Package, a brief review of the Roles of Order for each participant, and a review of the Adjectival Ratings, etc).

Evaluation of Technical Proposals (materials): Participants shall evaluate materials (source selection sensitive) without discussion with anyone except the contract specialist, contracting officer, and/or source selection team authorized chairperson.

Technical Report: At the end of the evaluation process, the source selection team chairperson submits a Technical Report to the Procurement Division. The Technical Report is an overall evaluation of the materials submitted by each potential contractor. The Report also includes and supports a recommendation for award (contract), and must be signed by the chairperson and the Source Selection Authority (SSA).

Transportation and Storage

Prior to the contract review, the requisitioner needs to make arrangements for transportation and storage of the review materials after the review is completed. The movers should evaluate the quantity of materials ahead of time; they will pack and move them on the last day of the review. A representative from Education should be with the movers when they arrive at the location where the materials will be stored.

Transportation costs are under \$2500 and can be purchased via the customer's IMPAC check/card.

A purchase request must be submitted via Comprizon to the Procurement Division for the storage of materials.

Conference Planning

1. In accordance with DoDEA Policy Memorandum, "Fiscal Responsibility in Containing Conference Costs" the requisitioner need to provide:

- a written determination that the proposed conference is necessary for the effective accomplishment of the DoDEA mission,
- an evaluation of the cost differences of prospective sites,
- assurance that the number of attendees will be limited to the minimum required,
- verification that expenses for the chosen location will not exceed normal per diem rates.

2. Select a date that will allow you enough time to plan the conference and notify the attendees. For availability and economical reasons, the best months are April, May, September, October, and November.

3. Submit your purchase request and any necessary approvals to the procurement division in accordance with Procurement Acquisition Lead Times.

Considerations When Choosing a Site - Is the facility:

<p>Costs effective, e.g., are Government rates honored? Safe, e.g., FEMA-approved? Is there an on-site security personnel? Easily reached from an airport or by car? Clean?</p>	<p>Laid out in a functional way? Large enough to supply the number of sleeping rooms required? Setup to provide necessary conference registration equipment? Handicapped accessible? Well run, e.g., does the staff seem to be competent and responsive?</p>
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Parking:

<p>Is it adequate? How close to the facility is it?</p>	<p>Is it secure and safe? Is the cost separate?</p>
--	--

Sleeping rooms:

<p>Will the facility make the reservations, or are you responsible for making the reservations for participants?</p>	<p>What are the facility's registration rules? What are departure rules?</p>
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Functionality of meeting rooms:

<p>Is appropriate space available? What costs are involved? Is needed equipment available (i.e., for conference registration, faxes, phones, computers, copiers)? Are rooms designated for agency use for the duration of the conference? Are there columns that can block views? Are ceilings high enough for audio-video equipment? Are rooms suitable for both classroom and/or theatre setups? Are there windows? Shades? Are there manually controlled thermostats?</p>	<p>Are rooms handicapped accessible? Where are electrical outlets? Can the rooms be darkened? Would it be more economical to bring audio-visual equipment? Does the facility want meeting schedules and room layouts in advance? If necessary, can the rooms be entered the evening before for an early setup? Will the facility arrange for room setup if given a layout? What set-up costs are included? What are departure rules?</p>
<p>Sleeping rooms and on-site food services. It is generally best to estimate on the low side for the number of sleeping rooms and meals to be prepared. Facilities, unless there is only limited available space, are usually prepared to increase the number of sleeping rooms and meals; however, they discourage - and in some cases penalize you if the sleeping room and meal guarantees are not met.</p>	<p>Meeting rooms. Exhibit facilities. Audio-visual equipment and support services. Miscellaneous support services. Sleeping rooms, with amenities, e.g., Internet access, data ports, conference call, and voice mail.</p>

Conference Site Selection - Minimize total costs, all factors considered.

Geographic Location - In determining where to locate the conference, consider:

<p>Targeted audience.</p>	<p>Whether recreational activities are necessary.</p>
<p>Total costs, including per diem,</p>	<p>The expense of desired facility (significant</p>

transportation, and other. Accessibility by car or air.	savings can be achieved in off-season periods)
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Types of Facilities:

<p>Federal Government. Use Government-owned or Government-provided conference facilities to the maximum extent possible.</p> <p>Convention centers. Excellent for very large meetings, trade shows and exhibits; usually located near a large number of hotels.</p> <p>Colleges and universities. Many have good meeting facilities and can offer sleeping accommodations when school is not in session. *Good deals in the summertime*</p>	<p>Conference centers. Dedicated meeting facilities; good for smaller meetings when numerous breakout sessions are planned.</p> <p>Hotels. Commercial facilities that may be used to meet all conference needs or just the room night needs.</p>
--	--

Determine costs:

<p>Procurement. Bring Contracting Officer into the process early. All agreements and decisions should be written and agreed to by the Agency-Contracting Officer before being sent to the facility.</p> <p>Government Per Diem Rates. The government per diem rate applies to Federal attendees. Application of it to non-Federal attendees is at the discretion of the property and conference negotiator.</p>	<p>Registration fee. Generally, the registration fee covers all direct expenditures of agency funds for planning and organization of a conference, e.g., meeting room accommodations, meals, light refreshments (if appropriate), speaker fees, publications, and materials. Anything directly relating to the conference, except liquor, can be included in the fee. To estimate the registration fee, divide the proposed budget by the estimated number of attendees.</p>
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Budgeting - Decide how the conference expenses (other than sleeping room accommodations and individual meals) will be paid, i.e., by the attendee from a training or registration fee, or directly by the agency.

Food and Drink - Meals

<p>You can not generally use appropriated funds to pay for meals for employees at their official duty stations.</p> <p>Employees on TDY travel may be served meals but cannot be reimbursed for those provided at government expenses.</p> <p>You should clarify in advance the appropriate per diem reduction(s) of meal(s) allowance(s) for TDY travel.</p> <p>You may pay, or reimburse an employee for meals as necessary expenses incident to an authorized training program (under the Government Employees Training Act (GETA) at 5 U.S.C. 4101 (4)), if a determination has been made that essential training will be conducted during the meal.</p>	<p>Work closely with the hotel to plan quality menus that fit within authorized per diem rates.</p> <p>Clarify and agree in advance to the number of meals guaranteed.</p> <p>Ensure that gratuities and service charges are added to the cost of each meal, and determine the method of billing to be used (e.g. signed guarantee, collected meal tickets, or actual quantities consumed).</p> <p>Confirm menus.</p>
<p>You should clarify and agree in advance that coffee and pastries, if appropriate, are purchased by the gallon and dozen.</p> <p>Try to avoid a per person charge.</p>	<p><i>Negotiate the cost into the contract.</i></p> <p>Be conservative in your estimates. There are seldom 100 percent of the conference participants attending any one function.</p> <p>If coffee, soft drinks, and water are not included in the fee, are they available "at cost" to the attendee?</p>

Account Reconciliation - It is important to request that the hotel bill be prepared in a logical and chronological sequence, and that backup data accompany the bill. Generally, the hotel will complete its accounting of the conference within two weeks of the conclusion.

Frequently Asked Questions:

What must we do to determine which conference expenditures result in the greatest advantage to the Government?

YOU MUST:

- √ Assure there is appropriate management oversight of the conference planning process;

- √ Always do cost comparisons of the size, scope, and location of the proposed conference;
- √ Determine if a Government facility is available at a cheaper rate than a commercial facility;
- √ Consider alternatives to a conference, e.g., teleconferencing; and
- √ Maintain written documentation of the alternatives considered and the selection rationale used.

May we provide light refreshments at an official conference?

YES. Agencies sponsoring a conference may provide light refreshments to agency employees attending an official conference. Light refreshments for morning, afternoon or evening breaks are defined to include, but not be limited to, coffee, tea, milk, juice, soft drinks, donuts, bagels, fruit, pretzels, cookies, chips, or muffins.

Note: You must not use your "travel card" to pay for light refreshments. Payment can be made by either purchase order or IMPAC Purchase Card.

What policies must we follow in planning a conference?

You must establish policies that reduce the overall cost of conference attendance. The policies and procedures must:

- Limit your agency's representation to the minimum number of attendees determined by a senior official necessary to accomplish your agency's mission; and
- Provide for the consideration of travel expenses when selecting attendees.

What is the applicable M&IE rate when meals or light refreshment are furnished at nominal or no cost by the Government or are included in the registration fee?

- If meals are furnished, the appropriate deduction from the M&IE rate must be made.
- If light refreshments are furnished, no deduction of the M&IE is allowance required.

What can we do if we cannot find an appropriate conference facility at the chosen locality per diem rate?

While it is always desirable to obtain lodging facilities within the established lodging portion of the per diem rate for the chosen locality, it may not always be possible. In negotiating lodging rates with the properties in the chosen location, you may exceed the established lodging portion of the per diem rate by up to 25 percent under FTR 301-74.8 and FTR 301-74.9, if necessary. This will provide flexibility in selecting an appropriate property at the most advantageous

location. It will also permit agencies to reimburse their employees' subsistence expenses by using the conference lodging allowance method as prescribed in FTR 301-74.8 for a Government sponsored conference and in FTR 301-74.9 for non-Government sponsored conferences, rather than the actual expense method prescribed in FTR 301-11, subpart D.

What costs should be considered when planning a conference?

All direct and indirect conference costs paid by the Government, whether paid directly by agencies or those reimbursed. Some examples of such costs are:

Authorized travel and per diem expenses.

Light refreshments. (Note: The majority attendees must be on travel status (e.g., 20 out of 40 attendees)

Printing. (Consider in-house printing prior to the conference, and ship to the facility. The IMPAC Purchase Card can be used for payment if you don't have an agency shipping account).

Registration fees.

Ground transportation (e.g. from the airport to the conference facility).

Employees' time at the conference and on en route travel.

What is the conference lodging allowance?

The conference lodging allowance is a pre-determined maximum allowance of up to 25 percent greater than the applicable locality lodging of the per diem rate. Under this reimbursement method, employees will be reimbursed the actual amount incurred for lodging up to the conference lodging allowance.

May the conference lodging allowance ever exceed 25 percent above the lodging per diem rate?

No, the conference lodging allowance may not exceed 25 percent above the applicable locality lodging per diem rate.

May we use both the conference lodging allowance method and the actual expense Method of reimbursement concurrently?

No. You must only use one reimbursement method per day in accordance with Joint Travel Regulations (Volume 2).

May we include conference administrative costs in employee's per diem allowance payment for attendance at a conference?

No. Per diem is intended only to reimburse the attendee's subsistence expenses. You must pay conference registration fees separately, either directly or by reimbursing employees who pay such expenses and submit travel claims.

What records must we maintain to document the selection of a conference site?

For each conference you sponsor or fund, in whole or in part for 30 or more attendees, you must maintain a record of the cost each alternative conference site considered. You must consider at least three sites. You must make these records available for inspection by your Office of the Inspector General or other interested parties.

Is the conference lodging allowance an actual expense reimbursement?

No. The conference lodging allowance is a separate method for reimbursement for lodging expenses.

May we provide Mementos?

No. Appropriations are not available to purchase memento items for distribution to conference attendees as a remembrance of an event. Two notable exceptions to the memento or gift prohibition are under training and awards. Work closely with appropriate agency officials to make final determinations.

Option Checklist

1. Contract No.:
2. Contract Awarded To:
3. Initial Period/Option Period:
4. Compliance with FAR 17.207 “Exercise of Options” and Clause 52.217-9 “Option to Extend the Term of the Contract”.
 - a. Funds are available. The requisition will be entered into the Comprizon system on _____ with complete current year funding.
 - b. The requirement covered by this option fulfills an existing Government need.
5. Market research was conducted to determine whether the option price was better than prices available in the present market. Comparison of the market to existing contract helped us to determine that the exercise of option year ____ for the _____ with the incumbent contractor, _____ is the most advantageous method for fulfilling the Government’s need in price and other factors. *(Attach a table to demonstrate the Market Research comparison.)*
6. Contractor Performance Evaluation *(required on all contracts priced over \$100K)* is attachment.

Additional Resources:

WHERE TO LOOK....	TO FIND....
http://www.policyworks.gov/ftr	Federal Travel Regulation
http://www.gsa.gov	General Services Administration
http://pub.fss.gsa.gov/services/gsa-smartpay	GSA Travel, Fleet, Purchase Cards, Integrated Payment Systems
http://www.gsbca.gsa.gov	General Services Administration Board of Contract Appeals
http://www.access.gpo.gov/su_docs	Government Printing Office (Federal Register Documents)
http://www.policyworks.gov	Joint Financial Management Improvement Project (JFMIP)
http://www.policyworks.gov/perdiem	CONUS Per Diem Rates
http://www.dtic.mil/perdiem	Non-CONUS Per Diem Rates and Joint Travel Regulations (JTR), Volume II Department of Defense (DOD) Civilian Personnel
http://www.state.gov	Foreign Per Diem Rates and Department of State Regulations
http://www.irs.ustreas.gov	Internal Revenue Service
http://www.usfa.fema.gov/hotel/index.htm http://www.usfa.fema.gov/hotel/contact.htm	Federal Emergency Management Agency
http://fss.gsa.gov/services/citypairs/	City-Pair Fares
http://policyworks.gov/travel	General Service Administration Travel Homepage

