

TMA Procedures, Guidance, and Information (PGI)

TMA PGI 211 – DESCRIBING AGENCY NEEDS

(Revised May 24, 2012)

211.1 – Selecting and Developing Requirements Documents

211.106 - Purchase descriptions for service contracts

- (1) TRICARE Acquisition Directive – None
- (2) Overview - Federal Acquisition Regulation (FAR) 11.106 and Defense Federal Acquisition Regulation Supplement (DFARS) 211.106 *Purchase descriptions for service contracts*, state that purchase descriptions include language that require proper identification of contractor personnel who attend meetings, answer Government telephones, or work in situations where their actions could be construed as acts of Government officials unless, in the judgment of the agency, no harm can come from failing to identify themselves. This TMA Procedures, Guidance, and Information implements FAR 11.106(b) and DFARS 211.106 by providing standard language that shall be included in the purchase descriptions, and in all solicitations and contracts with a line item that includes services regardless of the source of funding.
- (3) TMA requiring activities and program offices, working the Contracting Officers, shall include the language at paragraph (5) in the requirements document.
- (4) Contracting Officers shall ensure that purchase descriptions included in solicitations and contracts, for service contracts, contain language, at paragraph (5) that addresses contractor identification issues.
- (5) Insert the following language in requirements documents, solicitations, and contracts at Part I - The Schedule, Section C - Description/specifications/statement of work.

C XX Proper Identification of Contractor Personnel

C.XX.1. Contractors, including subcontractors at all tiers, shall provide for a clear distinction from Government personnel. Contractor employees shall not act, advertise, or presume to be Government employees, agents, or representatives. Contractor employees are required to appropriately identify themselves as contractor employees at all times, including in telephone conversations, formal and informal written correspondence, paper and electronic; and in any other situation where their actions could be construed as acts of Government officials unless, in the judgment of the Government, no harm can come from failing to identify themselves. Contractor employees shall be introduced as contractor personnel and display distinguishing visible identification at all times whether in conversations, meetings, and other forms of communication with Government personnel.

C.XX.2. Contractor personnel, while performing in a contractor capacity, shall refrain from using their retired or reserve component military rank or title in written or verbal communications associated with the contracts for which they provide services.

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C.XX.3. The Contractor shall incorporate the substance of this requirement in all subcontracts awarded under this contract.

(End of requirements language)