



# Organizational Conflicts of Interest (OCIs)

**Missile Defense Agency**

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# Overview

- Definition
- Types of OCIs
- Contracting Officer Responsibilities
- Proposed DoD Regulations
- Panel Discussion - Questions & Answers

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# Definition

- “Organizational conflict of interest” means that because of other activities or relationships with other persons,
  - a person is unable or potentially unable to render impartial assistance or advice to the Government, or
  - the person’s objectivity in performing the contract work is or might be otherwise impaired, or
  - a person has an unfair competitive advantage.

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# Types of OCIs

- Unequal Access to Non-public Information
- Biased Ground Rules
- Impaired Objectivity

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# Contracting Officer Responsibilities

- Identify and evaluate potential OCIs
- Avoid, neutralize or mitigate significant OCIs before contract award
- Seek advice of legal counsel and technical specialists in
  - Evaluating potential conflicts
  - Developing any provisions and clauses
- Exercise common sense, good judgment and sound discretion



# Proposed DoD Regulations

- Section 207 of the Weapons System Acquisition Reform Act of 2009 (WSARA), requires DoD to
  - Revise DFARS to provide uniform guidance and tighten existing requirements for OCIs in major defense acquisition programs
- Proposed Regulations
  - Incorporate lessons from GAO and COFC decisions
  - Organizes coverage of OCIs under Part 203, along with improper business practices and personal conflicts of interest
  - Provide standard provisions and clauses that can be tailored by contracting officers



# Panel Discussion And Questions

