From: Sineath CIV John
To: Bergman CIV Alan D; Brunson CIV Janet C; Carroll Maj George T; Cerka CIV Frances C; Corcoran LtCol Eric M; Crawford Civ Dale A; Drury CIV Deborah A; Gaylor CIV Sherry F; Gubitti Civ Cynthia A; Henley CIV June R; Higa CIV Sakura K; Hughes CIV Sandra K; Humphrey CIV Sharon E; Ingle Capt Steven L; Lemmond CIV Barbara G; Long Capt Eric J; Lovett-Black Civ JoAnna; Matthews CIV Layton D; Michael Maj Ronnie D; Mullen CIV Melvin T; Payne CIV Mark H; Pendley CIV Larry F; Pockette CIV Michael D; "Polesnak Maj Stephanie M RC (SW) II MEF FWD G4 OCS Branch Head"; Powell CIV Hollis H; Rabassi Maj Christopher E; Rego CIV Arthur J; Schmid LtCol Steven J; Stahl Maj Scott A; Stroh CIV Linda L; Washington CIV Connie A; Young Capt Wynndee M;
cc: Beckner CIV Linda; Donahue Maj Kimberly A; Faughnan CIV Kevin; Fernandez CIV Kimberly F; Haines CIV John; Harper CIV Twana E; Keys CIV John; Lerma MGySgt Maricela G; Mckellop SSgt Jessycca E; Reier CIV Susan; Robinson LtCol Macon R; Sullivan SES Frances L; Uher CIV Lauren; Romano CIV Mark; Oliver CIV R. Kaye; Daise CIV Stanley C; Shah, Sejal [USA];
Subject: APM 12-04 Interagency Acquisition with Department of Energy
Date: Tuesday, November 01, 2011 9:45:00
Attachments: DoD Policy for Using DoE WFO Program 093011.pdf

All,

BACKGROUND:

In December 2010 the Department of Defense Inspector General (DoDIG) completed an audit of DoD purchases made through the Department of Energy (DOE). As a result of the audit, new policy and procedures were established for all DoD Work for Others (WFO) projects performed at DoE facilities.

POLICY:

a. Contracting Officers shall enter into and administer all DoD WFO projects performed at DoE facilities in accordance with existing statues, regulations, and policy consistent with DoD standards, policies, and procedures, with the exception that such policies and procedures may be amended by the provisions set forth in the procedures section below.

b. In accordance with FAR 17.502, "Interagency Acquisition Under the Economy Act," the Economy Act may not be used by an agency to circumvent conditions and limitations imposed on the use of funds.

PROCEDURES:

The Contracting Officer shall review each requirement in excess of $100K designated for performance by the DoE. The Contracting Officer shall ensure that the supporting documents demonstrate the following:

a. Sufficient market research has been completed and sufficient documentation exists that demonstrates that the specific DoE location/center is capable of performing the required tasks;

b. The description of the supplies and/or services to be provided are specific, definite, and certain.

c. Either an Economy Act Determination and Findings, pursuant to CMPG 1.5.1, has been properly executed for the requirement, or, if the Economy Act is not the authority that DoE will be operating under when executing the requirement then the requirements of DFARS 217.7802(b) have been met and that a "Best Interest Determination" has been executed;

d. An Interagency Agreement Part B, in the general format prescribed by the Office of Federal Procurement Policy (OFPP) (June 2008) as amended, has been prepared and executed for the requirement.

e. An assessment that the proposed cost/price is reasonable has been performed. At a minimum this will included

1. An Independent Government Cost Estimate (IGCE) prepared by DoD;
2. Detailed pricing information (proposal prepared by DoE) that has been reviewed by the cognizant DoD technical project manager/Contracting Officer Representative (COR) to ensure the hours and skill mix proposed are reasonable for the task(s) to be accomplished; and
3. An assessment that the quantity and type of materials proposed are necessary and reasonable.

f. Each Interagency Agreement documents cost/price reasonableness.

g. A qualified DoD technical project manager or COR has been identified to performed COR functions, including monitoring contractor performance, and reviewing contractor invoices.

Please ensure this guidance is provided to all appropriate acquisition personnel.

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