

FORSCOM FEDERAL ACQUISITION REGULATION SUPPLEMENT

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**FORSCOM Federal Acquisition Regulation Supplement (FFARS)
1999 EDITION**

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**Issued by the Commanding General, U.S. Army Forces Command as
Head of the Contracting Activity (HCA), Headquarters, U.S. Army
Forces Command, Fort McPherson, Georgia**

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PART 1 - FORSCOM ACQUISITION REGULATION SYSTEM

SUBPART 1.1 - PURPOSE, AUTHORITY, ISSUANCE

1.101 Purpose. The FORSCOM Federal Acquisition Regulation (FFARS) implements the Federal Acquisition Regulation (FAR), the Department of Defense FAR Supplement (DFARS) and implements and supplements the Army FAR Supplement (AFARS). It is not intended to restrict the exercise of good business judgment or to stifle innovation.

SUBPART 1.2 - ADMINISTRATION.

1.290 Contracting channels and mailing addresses.

(a) Unless otherwise specifically prescribed in the FAR, DFARS or AFARS, documents relating to contracting actions or requests that require approval by FORSCOM HCA or higher authority shall be signed by the Installation Commander or Garrison Commander as applicable, and forwarded through contracting channels. The document must contain all the necessary information to make a decision. All documents described in AFARS 1.290(c) shall be submitted through the Principal Assistant Responsible for Contracting (PARC) unless direct transmission is specifically authorized. When authorized for direct submittal, a copy shall be furnished to the PARC concurrent with transmission to higher headquarters. Correspondence to the PARC may be signed by the DOC.

SUBPART 1.3 - AGENCY ACQUISITION REGULATIONS

1.304 Agency control and compliance procedures.

(a)(1) The DOC may publish acquisition instructions prescribing procedures for activities requesting contracting and purchasing support. One copy of each instruction and any revisions shall be furnished to HQ FORSCOM, Attn: AFLG-PR, when published.

(a)(6)(ii) Changes to this regulation will be published in Contracting Information Letters (CILs) with revised pages or instructions for pen and ink changes to existing pages. Changes shall be effective upon receipt unless otherwise specified

SUBPART 1.4 - Deviations from the FAR

1.402 Policy.

(3) Deviation from this regulation requires prior written approval of the PARC. Requests for deviation will be supported with data listed in DFARS 201.201-1(d)(i).

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SUBPART 1.6 - CAREER DEVELOPMENT, CONTRACTING AUTHORITY AND RESPONSIBILITIES

1.601 General.

(S-101) Each DOC shall establish a formal Customer Education Training Program and Schedule and ensure that it is responsive to customer needs. This program should include "passive" activities, such as reminders in post bulletins or newspapers about Standards of Conduct and Unauthorized Commitments and "active" training in the form of classes given to requesting activity personnel.

(S-102) Each DOC shall establish a formal Customer Service Program to aid in providing better and faster support to customers. A Customer Service Project Officer shall be appointed to survey facilities and procedures to determine the areas for improvement and initiate corrective actions; track customer surveys and manage customer service training.

(b) The Garrison Commander is the approval authority for location of Directorate of Contracting personnel in accordance with the Business Center Initiative.

1.602-1 Authority.

1.602-1-90 Departmental review and Secretarial approval.

(S-100) Solicitation Review Board (SRB).

(i) A SRB shall review all solicitations over \$500,000 (to include all options, if applicable); and each solicitation, regardless of dollar value, that may result in a cost reimbursement contract; time and materials contract; multi-year contract; Job Order Contract (JOC); Full Food Service (FFS) contract; labor-hour contract; or Commercial Activities (CA) contract prior to issuance to industry.

(ii) Composition of the SRB shall be tailored to the particular solicitation, and may be formal or informal as determined by the DOC. An informal SRB is made up of individual(s) who review the solicitation without the members convening as a group. The formal SRB will be chaired by the Director or an alternate appointed by the Director.

(iii) SRB shall consist of the following members as a minimum:

(a) Contract Specialist, Contract Administrator, or Procurement Analyst (cannot be the contracting officer or the individual responsible for preparation of the solicitation).

(b) Legal Counsel (SJA).

(c) Technical expert(s) in the requirements area, to include Quality Assurance.

(d) Cost Price Analyst.

(iv) Corrective actions taken will be documented in the contract file.

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(S-101) The following solicitations (plus any amendments and one copy of any drawings) shall be submitted in two (2) copies (unless otherwise noted) to HQ FORSCOM, Attn: AFLG-PR, concurrent with issuance to industry (with the exceptions noted):

(i) Solicitations expected to result in a fixed price contract of \$1,000,000 or more (including options).

(ii) Solicitations, regardless of dollar value, that may result in a cost reimbursement, time and materials, multi-year, labor-hour contract, task order contract, and solicitations utilizing oral presentation procedures;

(iii) Commercial item solicitations exceeding \$500,000 or any solicitation otherwise requested by the PARC.

(iv) Direct conversion solicitations for activities which have received ASA (I&E) conversion approval, except for full food service (FFS).

(S-102) The following solicitations shall be submitted to HQ FORSCOM, Attn: AFLG-PR, for review and approval prior to issuance to industry:

(i) The CA solicitation packages for total BASOPS, Directorate of Logistics (DOL), Directorate of Public Works (DPW), DS/GS maintenance, Family Housing Maintenance, etc. Solicitations shall be submitted in four (4) copies for a single function and five (5) copies for a multi-function package. Headquarters review time for single functions is 20 working days; for multi-functions, 45 working days. Installations shall consider this review time in establishing milestones.

(ii) The FFS and/or Dining Facility Attendants (DFA) solicitations shall be submitted in three (3) copies for review and approval at least 30 days prior to contemplated issue date. During the review period, FORSCOM Supply, Maintenance and Systems Division will execute a functional certification as required by AR 30-1 to ensure the requirements are adequately and accurately stated. The Department of the Army Prototype Performance Work Statement for Full Food Service, Dining Facility Attendant Service and Management & Food Production Service (most current edition) is mandatory for use at the installation level.

(iii) JOC solicitations shall be submitted in three (3) copies for review and approval at least 30 days prior to contemplated issue date.

(iv) Solicitations using formal source selection procedures shall be submitted in three (3) copies for review and approval at least 30 days prior to contemplated issue date.

(S-103) Two (2) copies of the following documents shall be included with the solicitation package submitted for review:

(a) Legal Review.

(b) SRB minutes or solicitation review comments.

(c) Preinvitation Notice, if required.

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(d) Contracting Officer's determination to require performance and payment bonds in other than a construction contract.

(e) Quality Assurance Surveillance Plan (QASP).

(f) Contract Administration Plan (CAP).

(g) Source Selection Evaluation Plan, formal or informal, for all negotiated procurements.

(h) Award Fee Plan, if applicable.

(i) Property Administration Plan.

(j) Fund Cite for construction projects.

(k) Any documents relating to unusual contract provisions.

(l) Market research report.

(S-104) Bid opening or closing shall not be delayed pending receipt of solicitation review and approval by HQ, FORSCOM unless specifically requested by the PARC.

(S-105) Copies of solicitations submitted to HQ FORSCOM for review shall be coded in the upper right corner with the estimated cost range as follows:

<u>CODE</u>	<u>RANGE</u>
A	>\$1,000,000 - \$10,000,000
B	>\$10,000,000

This code should not be included on industry copies.

1.602-2 Responsibilities.

(c) Legal Participation.

(i) Legal reviews of contract actions.

(a) Legal review shall be obtained for any contractual action requiring review/approval by higher headquarters. A copy of the review shall accompany the action.

(b) Actions below the simplified acquisition threshold shall be reviewed by the installation SJA at the discretion of the contracting officer.

(c) Actions above the simplified acquisition threshold shall be reviewed in accordance with written procedures established jointly by the DOC and the installation SJA and approved by the Garrison Commander. A copy of the installation procedures shall be provided to HQ FORSCOM, ATTN: AFLG-PR.

(ii) Business advice. The procedures established pursuant to subparagraph (i)(c) above will, in addition to specifying requirements for legal reviews of contracting actions, address the role of the installation SJA as a member of the commander's business advisory team.

(iii) Contingency contracting. Commanders of FORSCOM installations at which deployable brigade or higher level units are stationed will ensure that a qualified military attorney is available to deploy with a contracting team as the team's legal

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advisor. The determination of whether the legal advisor will deploy will be based on an assessment of the contracting mission requirements, the feasibility of performing legal reviews from home station through use of advanced automation and communications technology, and the availability of other qualified legal advisors in the location to which the unit is deploying.

1.602-2-90 Contracting Officer's Representative (COR).

The contracting officer shall provide written input to the COR's annual performance evaluation. This input is in addition to any other correspondence the contracting officer may provide concerning the COR's performance.

1.602-2-91 Appointment of ordering officers.

(b) Authority to appoint ordering officers is hereby delegated to the DOC without power of redelegation. The individual who is acting "for the Director" has the authority to appoint ordering officers in the Director's absence. The appointment letter shall be signed "by J. Doe for" the DOC or "J. Doe, Acting DOC".

1.602-3 Ratification of unauthorized commitments (UAC).

(b) Policy

(3) Under FORSCOM's designation as a Reinvention Center, the FORSCOM Commanding General (HCA) has delegated the following authority with respect to approval of UACs:

- (A) Between \$25,000 and \$100,000 to the PARC.
- (B) \$25,000 or less to the DOCs.

1.602-3-90 Ratification procedures.

(a) UACs less than \$25,000 shall, as a minimum, include the following:

(1) Documentation. The information required by AFARS 1.602-3-90, paragraphs a(1)-(2) should be addressed when a UAC is identified. Coordination with the individual's immediate and higher level supervisor should occur as part of the chain-of-command review.

(2) Concurrence.

(a) The concurrence official, referred to as the "Commander or Agency Head (or designee)" shall mean the unit commander, director, or activity chief (first 06 or equivalent in the individual's chain of command). UACs committed by individuals in tenant or satellite organizations will likewise require concurrence at the 06 or equivalent level. The concurrence responsibility is nondelegable.

(b) If the concurrence official agrees that the commitment should be ratified, the UAC documentation shall

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include the endorsement required at AFARS 1.602-3-90(b)(1)-(3). The concurrence official shall also describe attempts to resolve the unauthorized commitment prior to requesting ratification (e.g. returning merchandise, individual paying from personal funds, etc.) and special remedial corrective action and/or disciplinary action taken.

(3) Ratification Processing. The UAC documentation should be forwarded to the supporting contracting office of the unit committing the UAC. The ratification process should then follow the guidance at AFARS 1.602-3-90(c)(1)-(2). The Contracting Officer, as a minimum, should further document that the limitations established at FAR 1.602-3 (c)(1)-(7) are satisfied. The Contracting Officer should obtain a legal review of the UAC documentation and the determination of whether the acquisition is ratifiable under FAR and AFARS 1.602.3, whether the matter should be processed under FAR and DOD Far Supplement Part 50 (Public Law 85-804) as a GAO claim, or for other appropriate disposition.

(4) Ratification Payment. Once a UAC is ratified, the Government Purchase Card may be used to pay the contractor as long as the payment is made in the same fiscal year as the occurrence. If prior year funds are used, a purchase order is necessary in lieu of purchase card transaction.

(5) Reporting. DOCs shall submit a quarterly report of UACs below \$25,000 to the concurring officials and the Garrison Commander. The report should include a brief description of each UAC, the dollar value, the unit involved, and final disposition. Concurring officials, as part of UAC prevention, should be encouraged to share information with senior officials within their chain of command on significant trends or individual UACs.

(b) UACs greater than \$25,000 but less than \$100,000 shall be processed using FORSCOM Form 121-R dated 1 Apr 96.

(1) Documentation. The form reflects the requirements of the FAR, AFARS and FFARS (Parts 1.602-3) on ratification of UACs and establishes the minimum requirements for installation level reviews.

(2) Concurrence. The concurrence official, referred to as the "Commander or Agency Head (or designee)" in AFARS 1.602-3-90(a), shall mean the unit commander, director, or activity chief (first O6 or equivalent in the individual's chain of command). UACs committed by individuals in tenant or satellite organizations will likewise require concurrence at the O6 or equivalent level. The concurrence responsibility is nondelegable. Documentation shall be as specified in the FORSCOM Form 121-R.

(3) Ratification Processing. Upon learning that an unauthorized commitment has been made, the Contracting Officer shall forward a memorandum to the unit/activity transmitting FORSCOM Form 121-R for completion. Forward the completed form

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to the supporting contracting office of the unit committing the UAC.

(4) Legal Review. The FORSCOM Form 121-R includes the requirement for a legal review and statement regarding whether the acquisition is ratifiable under FAR and AFARS, or whether the matter should be processed under Public Law 85-804, as a GAO claim, or other appropriate disposition.

(5) Garrison Commander's Review. The DOC shall forward the ratification package to the Garrison Commander (if individual who made the UAC is in the Garrison chain of command) for an approval recommendation prior to forwarding the action for PARC approval.

(6) Ratification Approval. The DOC shall forward two copies of the UAC documentation for PARC approval. Original documents should be retained for the contracting files. The approved actions will be returned to the DOC for final disposition. Forward one copy of the contractual document that completes the ratification to HQ FORSCOM ATTN: AFLG-PR.

(c) UACs greater than \$100,000 (HCA Approval) shall be processed using FORSCOM Form 121-R, dated 1 Apr 96. Ratification shall follow the same procedures as established for UACs between \$25,000 and \$100,000, except concurrence of the action shall be required at the Unit Commander, Director or Activity Chief (first O6 or equivalent in chain of command) level as well as one of the following levels as appropriate:

(1) Installation Commander (unauthorized action committed by individual in direct chain of command of Installation Commander).

(2) First General Officer or SES (Unauthorized action committed by individual in tenant activity outside direct chain of command of supporting installation, not including reserve component).

(3) Commander of Direct Reporting Units (DRU) or USARC Deputy Commander (Unauthorized action committed by individual within Reserve Component chain of command)

(d) If the final concurrence official agrees that the commitment should be ratified, the UAC documentation shall include the endorsement required at AFARS 1.602-3-90(b)(1)-(3). The UAC should then be forwarded to the PARC for HCA approval.

(e)(2) The DOCs shall forward an annual summary of all UACs broken out by dollar amount; \$25,000 or less, between \$25,000 and \$100,000 and over \$100,000, number of actions on hand, ratified, disapproved, reasons for the UAC and corrective action. The report is due to HQ FORSCOM, Attn: AFLG-PR and the Installation Garrison Commander not later than 15 October of each year.

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1.603 Selection, appointment, and termination of appointment.

1.603-2 Selection.

(S-100) Requests for individuals to be appointed as Contracting Officers shall be submitted in the format entitled "Contracting Officer Appointment Request" (See Appendix EEE) along with the "U.S. Army Contracting Officer Warrant Worksheet" (See DODI 5000.55).

(S-101) Requests for a contracting officer warrant for the DOC shall be endorsed by the Garrison Commander.

(S-102) The following standards shall be met before simplified acquisition warrants are issued:

(a) Individual must have successfully completed either Contracting Fundamentals (CON 101) or Purchasing Fundamentals (PUR 101) courses. If GS-1102 series, individual must have completed CON 101.

(b) Individual must have two years of technical experience in simplified acquisitions. A baccalaureate degree in business or a business related field may be substituted for one year of technical experience.

(S-103) Four years of contracting experience is required for an unlimited warrant.

1.603-3 Appointment.

(a) The DOC shall maintain a master file of all current contracting officer warrants and necessary documents supporting the appointments.

(b) Contracting Officers shall display their Certificate of Appointment prominently in the contracting office.

1.603-4 Termination.

The DOC shall request in writing the termination of a Contracting Officer's Appointment when necessary. The request shall include the effective date of the termination, the reason for the termination and the original certificate of appointment.

1.690 Procurement management reviews.

(a)(2) On-site management reviews of FORSCOM Directorates of Contracting and Nonappropriated Fund Procurement operations will be conducted approximately every two (2) years. The review will be conducted using FORSCOM Pamphlet 715-9, Contracting Management Review (CMR) Guide and Nonappropriated Fund Pamphlet 215-4. Assistance visits may be requested when needed. Such requests should be in writing to HQ FORSCOM, Attn: AFLG-PR. **The DOCs with sub-installations are responsible for review of those offices. The CMR team will examine the level of oversight and aid given by DOCs to the sub-installations and the relationship with and assistance**

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provided to those subs will be considered in determining the DOCs rating.

SUBPART 1.90 - NONAPPROPRIATED FUNDS (NAF)

1.9001 Policy.

(1) Acquisitions under the micropurchase threshold may be obtained from Morale, Welfare, and Recreation (MWR) activities and other NAFIs if (a) the supply or service is one that the MWR activity is chartered to provide its patrons and does so in its normal daily operation and (b) use of the MWR source is rotated with commercial/private sector sources.

(2) Acquisitions with DOD (MWR NAF) activities which exceed the micropurchase threshold shall be supported with a written statement why the MWR NAF activity is the sole source for the supplies or services.

(3) The DOC shall review and inspect the local MWR NAF Procurement Office in accordance with AR 215-4, para 1-4f, at least annually. A copy of the inspection report shall be furnished to HQ, FORSCOM, Attn: AFLG-PR.

1.9002 Contracting authority.

Designation of appropriated fund contracting officers as nonappropriated fund contracting officers shall be made in writing and state the applicable monetary limit. Such monetary limit may not exceed the dollar limit of the appropriated fund warrant. A copy of each designation shall be furnished to HQ FORSCOM, Attn: AFLG-PR.

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PART 3 - IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

SUBPART 3.1 - SAFEGUARDS

3.101 Standards of conduct.

The DOCs shall publish in their Installation Bulletin or Post Newspaper, at least quarterly, a reminder that only duly appointed contracting officers can obligate the government.

3.104 Procurement integrity.

(S-100) Each installation shall establish Standing Operating Procedures (SOPs) for compliance with the provisions of the Procurement Integrity Act for Procurement Officials.

3.104-6 Restrictions on employment or business opportunity discussion between competing contractors and procurement officials.

See Appendix GGG for "Guidelines for Dealing with Government Contractors and Others Seeking to do Business with FORSCOM".

SUBPART 3.6 - CONTRACTS WITH GOVERNMENT EMPLOYEES OR ORGANIZATIONS OWNED OR CONTROLLED BY THEM

3.602 Exceptions.

When an exception to the policy of FAR 3.601 is required, Contracting Officers shall request approval from HQ FORSCOM, Attn: AFLG-PR. Requests shall:

- (1) Identify requiring activity.
- (2) Describe the nonpersonal service to be purchased, estimated amount, and period of performance.
- (3) Identify firm or individual involved and employment relationship with the government.
- (4) Include justification as to why it is necessary to contract with a Government employee and why the needs of the Government cannot otherwise be satisfied.
- (5) Include a statement from the requiring activity that there will be no conflict of interest and that performance will not conflict with employee's government employment.
- (6) Include a statement by the contracting officer that he considers the proposed contract proper and in compliance with FAR 37.103.
- (7) Include a legal opinion from local Staff Judge Advocate (SJA).

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PART 6 - COMPETITION REQUIREMENTS

SUBPART 6.3 - OTHER THAN FULL AND OPEN COMPETITION

6.303-1 Requirements.

(b)(1) Technical and requirements personnel are required to certify on the Justification and Approval (J&A) document, any data they provide to support their recommendation for other than full and open competition as shown in the matrices below (not applicable to NAF Activities).

<u>\$ Level</u>	<u>Technical Certification</u>	<u>Requirements Certification</u>
\$100,000 to \$499,999	Functional Area Director	Functional Area Director
\$500,000 to \$10,000,000	"	Garrison Commander
over \$10,000,000	"	Installation Commander (CG)

(2) Officials in positions comparable to those in the above approval chain shall provide technical and requirements certifications for tenant activities outside the garrison chain of command. For example, the hospital on post, a comparable approval would be:

<u>\$ Level</u>	<u>Technical Certification</u>	<u>Requirements Certification</u>
\$100,000 to \$499,999	Functional area Chief (e.g., Chief of Logistics)	Same as Technical
\$500,001 to \$10,000,000	Same as above	Hospital Deputy Commander
over \$10,000,000	Same as above	First General Officer in Hospital Command

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(e) When circumstances exist that will not permit approval of the justification prior to award, based on urgency (FAR 6.302-2), the following procedures will apply for contracts over \$500,000.

1) For contracts \$500,000 to \$10,000,000--

(i) The contracting officer shall telephonically notify their designated FORSCOM Procurement Analyst of the urgent requirement. This notification shall provide a complete description of the item/service being procured, estimated dollar value, and detailed justification in terms of impact on readiness, quality of life, or loss to the government.

(ii) The approval to proceed shall be given only by the FORSCOM Special Competition Advocate, Alternate Special Competition Advocate or the PARC. After verbal approval of the J&A is granted, a memorandum of the facts signed by the DOC shall be provided in the interim prior to receipt of the J&A. This memorandum shall be faxed to the FORSCOM Special Competition Advocate within three days of the verbal approval.

(iii) Under extraordinary conditions, such as natural disaster or emergency deployment, the Contracting Officer must attempt to contact the Special Competition Advocate. After duty hours, the Special Competition Advocate may be reached through the FORSCOM Operations Center. If the Contracting Officer cannot contact the Special Competition Advocate, the Contracting Officer may proceed under the authority of FAR 6.302-2(c)(1). However, the Contracting Officer must notify the PARC as soon as possible.

(2) For those actions over \$10,000,000, HCA approval shall be obtained prior to award. It is imperative that the approval process be initiated as soon as the requirement is received to allow time for coordination with the HCA.

6.304 Approval of the justification.

(S-100) In extraordinary cases approving officials may require J&A approval of any subsequent noncompetitive modifications to be approved at the next higher level if conditions are not corrected to allow for full and open competition.

(S-101) The justification package shall be forwarded to HQ FORSCOM, Attn: AFLG-PR, for approval.

SUBPART 6.5 - COMPETITION ADVOCATES

6.501 Requirement.

(100) The DOC is responsible for competition advocacy at the installation. This responsibility is inherent in the nature of the Director's job; therefore, no written appointment will be issued. This responsibility transfers automatically to an Acting Director in the absence of the Director.

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(101) The DOC is also the Task Order Contract and Delivery Order Contract Ombudsman for the installation. This responsibility is inherent in the nature of the Director's job and transfers automatically to an Acting Director in the absence of the Director.

6.502 Duties and responsibilities.

(b) (S-100) Responsibilities of the DOC are:

(i) Recognize those personnel who make special efforts to increase competition.

(a) Army Incentive Award/Certificate of Achievement/Letter of Appreciation/Commendation. Local command procedures will govern the recommendations, approval and presentation of these awards.

(b) FORSCOM Outstanding Contribution to Increased Competition. The DOC may nominate individuals for this award based on their special contributions to the enhancement of competition. Nominations shall be submitted to HQ FORSCOM, Attn: AFLG-PR to arrive not later than 1 December of each year. Nominations shall be based on achievements from 1 October through 30 September of the fiscal year for which nominations are made. Nominations shall be limited to three double-spaced pages and be endorsed by the Garrison Commander.

(ii) Ensure Annual Competition Report is submitted to HQ FORSCOM, Attn: AFLG-PR. The report shall be submitted not later than 15 calendar days after the end of October of each year. The report will address the areas specified in AFARS 6.502(b)(i).

(iii) Ensure competition is included in the job performance standards for personnel involved in the acquisition process.

(iv) Review all justifications and approval (J&A) documents over \$500,000 before submitting to FORSCOM.

(v) An Installation Ombudsman for Task Order and Delivery Order Contracts, review complaints from contractors awarded multiple award contracts asserting they have not been afforded a fair opportunity to be considered for award of a particular task order. If the Ombudsman agrees with the contractor, and if the contracting officer also agrees, then the Ombudsman will require the contracting officer to take corrective action. Should the contracting officer disagree with the position of the Ombudsman and contractor, then the Installation Ombudsman will forward the complaint to the FORSCOM Ombudsman (FORSCOM Special Competition Advocate) for resolution. If the contracting officer and FORSCOM Ombudsman do not agree, the matter will be decided by the FORSCOM PARC.

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PART 7 - ACQUISITION PLANNING

SUBPART 7.1 - ACQUISITION PLANS

7.103 Agency-head responsibilities.

(a) Original and three copies of acquisition plans shall be submitted to HQ FORSCOM, Attn: AFLG-PR, at least 45 calendar days prior to contemplated issuance of synopsis. Acquisition plans for multi-function CA projects, including resolicitations of functions previously converted to contract, must be submitted at least 45 days prior to issuance of the synopsis. Acquisition plans shall be approved IAW AFARS 7.103 prior to issuance of the synopsis.

(k) Waiver. When a waiver is required due to urgency, the request shall be submitted to HQ FORSCOM, Attn: AFLG-PR for those in excess of \$15,000,000 for one year and \$30,000,000 for all years (\$5,000,000/\$15,000,000 for base support services).

7.104 General procedures

(a) A copy of the Installation Advance Acquisition Plan (AAP) shall be submitted to HQ FORSCOM, Attn: AFLG-PR and must arrive NLT 15 September of each year for the following fiscal year.

(S-101) An Installation Acquisition Planning Board (IAPB) shall be composed of knowledgeable representatives from major requisitioning activities, Resource Management, Contracting, installation SJA and other interested installation staff elements. The IAPB shall meet at least quarterly to discuss all planned projects and milestones. Meetings should be held early in the quarter and address the established milestones to assess the effect of any slippage. An information copy of the AAP shall be provided to the Garrison Commander for review and guidance concerning project priority, with an update after each IAPB meeting. The IAPB shall be chaired by a member of the installation command group with the DOC as alternate chairman.

(d) The DOC shall:

(i) Establish and publish contract administrative lead time (CALT) and publish cut-off dates for submission of all recurring and planned acquisitions.

(ii) Establish a suspense system to provide notice to requiring activities when an acquisition package must be submitted and information required to exercise the option to existing contracts. When an existing contract is in its last option year, establish the date a complete acquisition package must be submitted if a follow-on contract is required.

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PART 9 - CONTRACTOR QUALIFICATIONS

SUBPART 9.4 - DEBARMENT, SUSPENSION, AND INELIGIBILITY

9.404 List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

(c)(5) Each DOC shall establish procedures for the effective use of the List of Parties excluded from Federal Procurement and Nonprocurement Programs, including internal distribution thereof, to ensure that offers are not solicited from, contracts awarded to or consent to subcontract with contractors on the List of Parties excluded from Federal Procurement and Nonprocurement Programs.

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PART 10 - MARKET RESEARCH

SUBPART 10.0

10.002 Procedures

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PART 13 - SIMPLIFIED ACQUISITION PROCEDURES

SUBPART 13.3 BLANKET PURCHASE AGREEMENTS (AFARS 13.2)

13.303 Blanket Purchase Agreements (BPA)

13.303-1 General.

(i) DD Form 1155, Order for Supplies or Services/Request for Quotations, shall not be used to consolidate calls against Blanket Purchase Agreements (BPAs).

(j) (1) Specified period of time for the term of the BPA shall not exceed three (3) years IAW FAR 13.303-3(a)(1).

SUBPART 13.90 GOVERNMENT PURCHASE CARDS

13.9001 General.

(a) The purchase card may be used for purchases which will be delivered within 30 days of ordering.

(b) The purchase card is an efficient method of purchase for actions under the simplified acquisition threshold. It is the preferred method of purchase for supplies and services less than \$2,500. Use of the card satisfies customer needs by reducing procurement leadtime; reduces finance and supply workload; frees contract resources for work on more complex actions and satisfies vendor payment needs.

(c) The Billing Official (BO) is an important internal control check and should be in the cardholder's chain of command, preferably the cardholder's supervisor. The BO provides a critical checkpoint by reviewing cardholder's transactions to ensure purchases were for official government purposes only. The BO certifies the billing account statement for payment and has pecuniary liability for payment.

(d) The purchase card shall be used as a payment method for contractual actions wherever practical and in other business areas when cost effective. Use of the card is mandatory for payment for Defense Printing Services and DD Form 1556 training.

13.9002 Agency/command responsibilities.

(a) The DOC is the installation manager of the program and has overall administration and responsibility of the program. A copy of the Installation's internal operating procedures shall be provided to the PARC office.

(b) The Chief of the Nonappropriated Fund (NAF) Procurement Office is the installation manager of the NAF Credit Card Program. The Chief is the appointing official and shall designate approving officials, appoint NAF cardholders and perform administration of the program.

(c) Files shall be maintained in the contracting office for all cardholders appointed. As a minimum, the files shall

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contain a copy of the activity's request for cardholder appointment, the delegation of procurement authority and other relevant documents.

(d) An annual inspection or review of cardholder records shall be performed using random sampling procedures. This is to be a physical inspection of documents and records to ensure proper controls are in place and proper procedures are being followed. Copies of inspection or review findings shall be maintained for a minimum of three years.

(e) Billing officials shall certify and forward billing statements to the Servicing Paying Office NLT 10 calendar days after receipt and shall not delay pending receipt of cardholder statements of accounts. TO avoid prompt payment penalties, statements shall be mechanically date stamped with actual date of receipt.

13.9004 Training Requirements.

(b) Individuals outside the contracting office who are authorized to use the card to pay for purchases over the micropurchase threshold shall receive additional training in small business set-aside procedures, competition, and DD Form 1057 reporting.

(c) Cardholders whose annual purchases exceed \$20,000 shall file an OGE Form 450, Executive Branch Confidential Financial Disclosure Report.

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PART 14 - SEALED BIDS

SUBPART 14.4 OPENING OF BIDS AND AWARD OF CONTRACT

14.407 Mistakes in bid.

14.407-3 Other mistakes disclosed before award.

(e) Under FORSCOM's designation as a Reinvention Center, authority has been delegated to the DOCs/Chief of the Army Atlanta Contracting Center to approve the correction of mistakes in bids where the alleged mistake is less than \$100,000.

(g) Mistakes in bid, before award, shall be processed pursuant to FAR 14.407-3(a)(b) and (d). The contracting officer shall prepare the file with all necessary evidence as detailed in FAR 14.403 (g) and AFARS 14.407-3; coordinate with installation legal who will prepare a legal analysis concerning the merits of the alleged mistake, the relief sought by the bidder and a recommendation. The complete package should be sent to HQ FORSCOM, Attn: AFLG-PR, for processing.

14.407-4 Mistakes after award.

(d) Under FORSCOM's designation as a Reinvention Center, authority has been delegated to the DOCs/Chief of the Army Atlanta Contracting Center to approve the correction of mistakes in bids where the alleged mistake is less than \$100,000.

(e) Mistakes in bid, after award, shall be processed pursuant to FAR 14.407-4. The contracting officer shall prepare the file with all necessary evidence as detailed in FAR 14.407-4(e)(2); coordinate with installation legal who will prepare a legal analysis concerning the merits of the alleged mistake, the relief sought by the bidder and a recommendation. The complete package should be sent to HQ FORSCOM, Attn: AFLG-PR, for processing.

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PART 15 - CONTRACTING BY NEGOTIATION

SUBPART 15.3 - SOURCE SELECTION

15.303 Responsibilities.

(a) Formal source selection procedures shall be used for all competitively negotiated acquisitions where the source selection authority is other than the contracting officer. Any solicitation, regardless of dollar value, that requires formal source selection shall be forwarded in three copies to HQ FORSCOM, Attn: AFLG-PR for review and approval at least 30 days before anticipated issuance to industry.

(100) Formal source selection is appropriate for the following requirements:

(a) Multi-function Commercial Activities (CA).

(b) Technically Complex Requirements.

(c) Base Operations/Operation and Management of Major Service Requirements.

(101) Requests for source selection training, provided by the PARC Office, shall be submitted as soon as the need is identified. Once the decision is made to use formal source selection, the need for a Source Selection Advisory Council (SSAC) and Source Selection training will be discussed with the PARC on a case-by-case basis.

(102) FORSCOM installations are responsible for providing the staffing for formal source selection organizations within their current manpower requirements and allocations. When support or assistance from the Headquarters is needed, follow procedures at (S-103) and (S-104) below.

(103) Requests for assistance should be submitted to HQ FORSCOM, Attn: AFLG-PR for validation at least 60 days before the support is required. Each request shall include the following information:

(a) Name and location of supported function.

(b) Inclusive dates of support and required reporting dates.

(c) Quantity of personnel and equipment.

(d) Necessary special instructions.

(e) Justification.

(104) Installation Commanders have delegated authority to appoint Source Selection Authorities in Formal Source Selection Activities.

(105) For Army Atlanta Contracting Center and supported tenant activities where there is no "Installation Commander", the FORSCOM Commander/HCA shall appoint any Source Selection Authority in the comparative position of "Installation Commander".

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SUBPART 15.4 - CONTRACT PRICING

15.406-1 Prenegotiation objectives memorandum (POM)/15.406-3 Price negotiation memorandum (PNM).

(a) The POM and PNM shall be prepared in accordance with locally established procedures for all actions approved at the DOC level. POM and PNM documents requiring PARC approval shall follow the format prescribed at Appendix FFF. The requirements of FAR/DFARS 15.406-1 and 15.406-3 must be fully satisfied by the POM and PNM regardless of approval level.

(b) The POM/PNM shall be approved at a level higher than that of the individual assigned to the negotiation. You are encouraged to establish review boards composed of senior acquisition management, contracting, legal and contract pricing personnel for the purpose of reviewing your most critical POM/PNM documents. As a minimum, POM/PNM documents requiring PARC approval shall be subject to review by a board consisting of the following members:

(1) Contract Specialist/Procurement Analyst (cannot be the Contracting Officer or the individual responsible for the preparation of the documents under review).

(2) Installation SJA.

(3) Cost/Price Analyst.

(4) Technical Activity.

(c) When no discussions/negotiations are to be conducted, a combined POM/PNM shall be developed to satisfy requirements at FAR and DFARS 15.406-1/15.406-3 to document how the contracting officer determined the offeror's ability to perform at a fair and reasonable price. The POM/PNM shall be approved prior to award.

(d) A POM/PNM is required for the following contract actions. The documentation shall be retained in the contract file.

(1) All negotiated contract actions.

(2) Forward Pricing Rate Agreements (FPRAs) and final indirect cost rates negotiated by Army Contracting Offices.

(3) Small and disadvantaged business set-asides. The contracting officer's determination of the fair market price (FAR 19.202-6) shall be documented in a POM/PNM.

(4) All contract audits requiring resolution and disposition in accordance with DOD Directive 7640.2.

(5) Modifications which would effect an equitable adjustment to the contract.

(6) Advance agreements on particular cost item.

(7) All undefinitized contract actions prior to definitization.

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(e) The PARC shall approve:

(1) All proposed actions, regardless of dollar value, that use formal source selection procedures.

(2) All proposed actions of \$500,000 or more for the following installations: McCoy, and Dix.

(3) All proposed fixed price actions of \$1,000,000 or more; all actions for other than fixed price over \$500,000, to include time and materials and labor-hour contracts, for the following installations: Campbell, Carson, Irwin, Drum, Polk, Riley and Stewart.

(4) All proposed fixed price actions of \$5,000,000 or more; all actions for other than fixed price over \$3,000,000, to include time and materials and labor-hour contracts, for the following installations: Bragg, Hood, Lewis, and Army Atlanta Contracting Center.

(f) Approval Levels.

(1) The dollar value of a POM/PNM for purposes of determining approval level shall be based on the total value of the individual contract action, including priced options; the target price for incentive contracts; and the sum of the cost and base fee for Cost Plus Award Fee (CPAF) contracts.

(2) For contract modifications which effect an equitable adjustment to a contract, the threshold is the value of the equitable adjustment (regardless if increase or decrease) and not the total value of the contract.

(3) In a competitive environment, the approval level will be determined by using the highest proposed cost within the competitive range. If a government objective is developed for each offeror's proposal, the "total value" is the highest government objective. In a sole source environment the "total value" is based on the government objective.

(g) All POM/PNM packages submitted for PARC approval shall include the original plus two complete copies and shall contain review board approval/comments, the Contracting Officer's response/corrective action, and any other necessary support documentation. The POM/PNM shall be accompanied by pertinent sections of the solicitation including Section L, Section M, special clauses or provisions determined necessary to support the POM position, and the source selection evaluation plan (SSEP). The PNM shall be accompanied by the approved POM (without original POM attachments) along with any other necessary supporting documentation.

(h) A minimum of 20 calendar days from the date of mailing shall be allowed for approval of the POM and 10 calendar days for the PNM.

(i) When PARC PNM approval is waived, a copy of the PNM will be forwarded to the PARC office within 15 calendar days after award. A PNM waiver may be granted when the final negotiated agreement is within the limitation prescribed in the POM and there has not been a material change to the terms,

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conditions, or assumptions under which the POM objective was developed.

(j) When a procurement situation will not permit normal process of the POM/PNM to the PARC for approval, the PARC may delegate POM/PNM approval authority to the DOC. The following procedures are applicable:

(1) The DOC will telephonically advise the PARC of the circumstances of the procurement to include the type of supply/service, estimated dollar value, and a brief explanation of urgency.

(2) For actions processed under this exception, the approved POM/PNM will be forwarded to the office of the PARC within 15 working days after date of award.

(k) The POM/PNM may be approved, disapproved, or approved with conditions which must be met prior to award. Offerors shall not be notified either directly or indirectly as to whether their proposal has been determined to be within or outside the competitive range until the POM has been approved.

(l) Format and content for POM/PNM requiring PARC approval is provided at Appendix FFF. Those elements within the format which are not pertinent to a particular contract action should be marked "not applicable". The level of detail contained in the POM/PNM should reflect the complexity and dollar value of the procurement.

SUBPART 15.6 - UNSOLICITED PROPOSALS

15.606 Agency Procedures

(a) Each DOC shall establish procedures for controlling the receipt, evaluation, and timely disposition of unsolicited proposals IAW FAR 15.6.

15.890 Follow-up on contract audit reports. (This subpart of AFARS was erroneously removed per SARDA).

15.890-3 Reporting.

(a) Status Report on Specified Contract Audit Reports (RCS: DD-IG(SA) 1580) shall be submitted to HQ FORSCOM, Attn: AFLG-PR, and must arrive not later than 5 calendar days after the end of March and September of each year.

15.890-4 Overage Audit Review Boards.

(a) Overage Audit Review Board shall review all audits reported on the Status Report on Specified Contract Audit Reports that are unresolved over six (6) months old, or open resolved or unresolved over twelve (12) months old.

(b) The contracting officer shall submit to the Board a plan of action for resolution and disposition of reported audit(s). The plan shall include the auditor's position, the contracting

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officer's position, and any areas of disagreement. A copy of the audit report shall also be submitted.

(S-100) The Board may call the contracting officer to appear in person or by videoteleconference if circumstances warrant.

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PART 16 - TYPES OF CONTRACTS

SUBPART 16.5 - Indefinite-Delivery Contracts

16.500 Scope of Subpart

Maximum practicable and prudent use should be made of existing indefinite delivery (ID) contracts and in the establishing and awarding of any new ID contracts.

16.501-2 GENERAL

Criteria to develop and award a new ID contract: (1) there are no existing ID contracts that will satisfy a recurring requirement; or (2) an Army acquisition organization has a particular expertise in acquiring certain items or services; or (3) there are Army-unique requirements that are unlikely to be available on other agency ID contracts.

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PART 17 - SPECIAL CONTRACTING METHODS

SUBPART 17.2 - OPTIONS

17.204 Contracts.

(e) PARC approval is required **prior to award** of a service contract exceeding five years. The request to exceed the five year limitation shall be approved prior to solicitation of the requirement. The request should specify: (1) why a period longer than five years is needed or appropriate; (2) cost/price and performance risks associated with the longer period, and (3) how the contract will be structured to mitigate the identified risks to the contractor and the government. PARC approval is not required for use of FAR 52.217-8, "Option to Extend Services", allowing for extensions up to six months. If the phase-in period is outside the basic twelve month performance period, the phase-in will not be applicable to the five (5) years.

SUBPART 17.5 - Interagency Acquisitions Under the Economy Act

17.502 General.

Contract offload decisions shall be documented and tracked through the installation Acquisition Planning Process or locally developed procedures that provide command involvement, management and oversight.

SUBPART 17.90 - JOB ORDER CONTRACTS (JOC)

17.9004-3 Ordering.

(e) The contract has a maximum task order limitation of the installation commanders Real Property Maintenance Activity (RPMA) authority (which can be up to \$2 million if delegated to the installation by the MACOM and/or HQDA). The installation commander may waive the \$300,000 limit up to the delegated RPMA authority. No further waiver can be granted.

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PART 19 - SMALL BUSINESS PROGRAMS

SUBPART 19.4 - Cooperation with the Small Business Administration

19.402 Small Business Administration Procurement Center Representatives.

(c) Early coordination with SBA is encouraged for all new or substantially reconfigured negotiated acquisitions involving first time CA studies (exceeding 100 full time equivalents); regional and master contracts; small business set-asides and commercial items requirements expected to exceed \$1 million (including all options). Encourage/invite local SBA Procurement Center Representatives to participate in the acquisition strategy planning.

SUBPART 19.5 - Set-asides for Small Business.

19.505 Rejecting Small Business Administration Recommendations

(d) The DOC shall submit the case files to process appeals in an original and two copies to HQ FORSCOM, Attn: AFLG-PR.

SUBPART 19.6 - Certificates of Competency and Determinations of Eligibility

19.602-3 Resolving differences between the agency and the Small Business Administration.

(c)(i)(B) The DOC shall submit the appeal file in an original and two copies to HQ FORSCOM, Attn: AFLG-PR within two working days after the request for appeal.

SUBPART 19.7 - SUBCONTRACTING WITH SMALL BUSINESS, SMALL DISADVANTAGED AND WOMAN-OWNED BUSINESS CONCERNS

19.706 Responsibilities of the cognizant administrative contracting officer.

(100) One copy of each SF 294, Subcontracting Report for Individual Contracts, and SF 295, Summary Subcontracting Report, submitted by a prime contractor shall be sent to HQ FORSCOM, ATTN: AFCS-SB, within 10 working days of the due date of the report.

(101) Contracting Officers shall, on contracts with significant subcontracting to small, women-owned or small disadvantaged business, require contractors to obtain DUNS numbers when submitting subcontracting reports. Contractors shall be instructed to submit the original of their SF 295s

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for each reporting period to the HQDA SADBUs Office, 106 Army Pentagon, Washington, DC 20310-0106, with appropriate copies to the contracting office.

SUBPART 19.8 - Contracting with the Small Business Administration (The 8(a) Program)

19.803 Selecting acquisitions for the 8(a) program.

(a) The authority to identify specific contract opportunities to the Small Business Administration (SBA) which are considered susceptible of being accomplished by 8(a) firms is delegated to the installation Small and Disadvantaged Business Utilization (SADBU) specialist. The magnitude of this task can be greatly reduced by furnishing the SBA with a copy of the installation Advance Acquisition Plan in September of each year. A cover letter should tell the SBA to contact the installation SADBU specialist if they are interested in reserving any of the requirements in the plan for contracting under the Section 8(a) program and should also set a suspense date by which the SBA must notify the installation SADBU specialist of their interest in a particular requirement. For a requirement that is not included in the advance acquisition plan, the SADBU specialist may initially notify the SBA telephonically of the requirement. If the SBA expresses an interest in a requirement that they were notified of telephonically, the installation SADBU specialist should confirm the notification in writing, setting a suspense date for the SBA's response. Unless precluded by the urgency of the requirement, the SBA should normally be given 15 working days to request that the installation reserve the requirement for negotiation of an 8(a) contract with a designated 8(a) firm and to provide the installation SADBU specialist with the information required by FAR 19.803(b). In no event will a requirement be reserved for negotiation of a Section 8(a) contract before the SBA identifies its proposed subcontractor and the contracting officer completes the evaluation required by FAR 19.804-1.

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22.1403 Waivers.

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PART 22 - APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

SUBPART 22.103 - OVERTIME.

22.103-4 Approvals.

All requests for overtime approvals shall be submitted to HQ FORSCOM, Attn: AFLG-PR.

22.103-5 Contract Clauses

(a) The contracting officer shall insert the clause at FAR 52.222-1, Notice to the Government of Labor Disputes, in all commercial activities solicitations.

SUBPART 22.4 - LABOR STANDARDS FOR CONTRACTS INVOLVING CONSTRUCTION.

22.406-13 Semiannual enforcement reports.

(a) Reports shall be sent to HQ FORSCOM, ATTN: AFLG-PR, and must arrive not later than five calendar days after the end of March and September. (RCS: 1482-DOL-SA)

SUBPART 22.6 - WALSH-HEALEY PUBLIC CONTRACTS ACT

22.604-2 Regulatory Exemptions.

(c) Submit all applications for exemptions thru HQ FORSCOM, Attn: AFLG-PR, to the DA Labor Advisor.

SUBPART 22.13 - SPECIAL DISABLED AND VIETNAM ERA VETERANS

22.1303 Waivers.

(c) Submit all requests for waivers thru HQ FORSCOM, Attn: AFLG-PR, to the DA Labor Advisor.

SUBPART 22.14 - EMPLOYMENT OF THE HANDICAPPED

22.1403 Waivers.

(c) Submit all requests for waivers thru HQ FORSCOM, Attn: AFLG-PR, to the DA Labor Advisor.

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PART 24 - PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

24.202 Policy.

(100) Requests for denial of contracting information shall be sent to the Initial Denial Authority (IDA) at HQ FORSCOM, Attn: AFLG-PR, IAW the instructions in AR 25-55.

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PART 32 - CONTRACT FINANCING

32.1006 Agency approvals.

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PART 33 - PROTESTS, DISPUTES AND APPEALS

SUBPART 33.1 Protests.

33.103 Protest to the agency.

(d)(4)(iii) When an interested party requests an independent review at a level above the contracting officer, the DOC or the Chief, AACC, shall provide an independent review of the protest. Upon receipt of the request, the requestor shall be promptly provided the name of the reviewing official, telephone number, mailing address and relationship to the contracting officer under whose auspices the protest was filed.

33.191 After Action Reporting of Protests and Quarterly/Annual Analysis and Summary.

(S-100) The installation legal advisor shall submit reports directly to Office of the Chief Trial Attorney.

SUBPART 33.2 DISPUTES AND APPEALS.

33.204 Policy.

Contracting officers are encouraged to partner with industry to the maximum extent possible as a means of Alternate Dispute Resolution (ADR). A partnering provision shall be included in all solicitations when resulting contracts will benefit from a partnering arrangement (see CIL 99-01 for a sample provision).

33.212 Contracting officer's duties upon appeal.

33.212-90-4 Review of appeal.

(a) The DOC is required to review and approve all appeal files prior to forwarding to the designated reviewing official.

(b) The installation legal advisor is designated the reviewing official for all appeal files.

33.213 Obligation to continue performance.

(a) Submit determination and findings to use the clause 52.233-1, Disputes, with its Alternate I, to HQ FORSCOM, Attn: AFLG-PR, in an original and one copy.

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PART 36 - CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

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36.213 Special Procedures for Sealed Bidding in Construction Contracts.

36.213-2 Presolicitation Notices

SUBPART 36.5 - CONTRACT CLAUSES

36.505 Material and workmanship.

36.515 Schedules for construction contracts.

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PART 36 CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

SUBPART 36.2 - SPECIAL ASPECTS OF CONTRACTING FOR CONSTRUCTION 36.213 - SPECIAL PROCEDURES FOR SEALED BIDDING IN CONSTRUCTION CONTRACTS

36.213-2 Presolicitation Notices.

The requirement to issue presolicitation notices for construction requirements is waived by the FORSCOM PARC. Contracting officers are advised to use discretion in applying this waiver and should continue to issue Notices, when in their judgment the Notice would significantly enhance competition among eligible construction contractors.

SUBPART 36.5 - CONTRACT CLAUSES

36.505 Material and workmanship.

(100) ENG Form 4025-R, Transmittal of Shop drawings, Equipment Data, Material Samples, or Manufacturer's Certifications, shall be used in satisfying the material approval requirement of FAR 52.236-5. ENG Form 4288-R, Submittal Register may be used as a log to track multiple submittals received for a single contract.

36.515 Schedules for construction contracts.

(100) Construction contractors may use FORSCOM Form 59-R or locally developed form in satisfying the progress schedule submission requirements of FAR 36.515.

(101) The contracting officer and the engineer shall review and approve the proposed progress schedule. The original approved progress schedule shall be retained by the contracting officer and a signed copy provided to both the contractor and the Directorate of Public Works (DPW).

(102) If the contract is modified by the contracting officer and the original progress schedule changes, the contractor shall submit a revised progress schedule to the contracting officer for approval.

(103) FORSCOM Form 59-1-R or locally developed form shall be given to the contractor to report actual progress at such intervals (usually weekly) as the contracting officer may direct. Separate progress reports covering the same period shall be submitted by the contractor and the DPW to the contracting officer. After the contracting officer reconciles any variances between the percentage of work reported as complete by the contractor and the DPW, the progress reports shall be used as a basis for approving progress payments.

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PART 37 - SERVICE CONTRACTING

SUBPART 37.1 - SERVICE CONTRACTING - GENERAL

37.106 Funding and term of service contracts.

Class Deviation 98-DEV-1 authorizes contracting officers to enter into contracts for periods that cross fiscal years when the contract period does not exceed one year (without regard to any option to extend the period of the contract).

SUBPART 37.2 - ADVISORY AND ASSISTANCE SERVICES

37.205 General.

(S-100) See FORSCOM Supplement to AR 5-14 for additional guidance.

SUBPART 37.72 - EDUCATIONAL SERVICE AGREEMENTS

37.7204 Format and clauses for educational service agreements.

(100) The clause at 52.237-5001, Medical Malpractice, shall be included in all Educational Service Agreements (ESA) for fully funded Long Term Civilian Training (LTCT) students involved in direct patient care as part of their curriculum/training.

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PART 39 ACQUISITION OF INFORMATION TECHNOLOGY

SUBPART 39.1 - General

39.106 Year 2000 compliance.

In accordance with FAR 39.106, all procurements for construction, supplies, or services and all information technology (IT) contained therein shall be Year 2000 Compliant.

(a) For new contracts, the contractor shall:

(1) Perform, maintain, and provide an inventory of all major components to include structures, equipment, items, parts and furnishings under this contract and each task/delivery order, which may be affected by the Year 2000 compliance requirement.

(2) Indicate whether each component is currently Year 2000 compliant or requires an upgrade for compliance prior to government acceptance.

(b) For Year 2000 contract compliance for new or commercial off-the-shelf IT supply and/or services product or systems consisting of hardware, software, firmware, middleware, or a combination thereof, the contracting officer shall include the following language in the performance work statement (PWS) and/or descriptions of tasks under task order contracts:

(1) The contractor shall ensure products provided under this contract, to include hardware, software, firmware, middleware, whether acting alone or combined as a system, are Year 2000 compliant as defined in FAR Part 39.

(c) For existing IT supply and maintenance contract, the contracting officer, when modifying an existing supply or maintenance contract for hardware, software, firmware, middleware or combinations thereof which will continue in use beyond December 31, 1999, should use the following language as appropriate:

(1) The contractor shall accomplish and document modifications necessary to ensure products previously provided, or products to be provided or maintained in the future under this contract, to include hardware, software, firmware, and middleware, whether acting alone or combined as a system, shall be Year 2000 compliant as defined in FAR Part 39.

(f) Information technology systems, equipment, and device categories to consider include:

(1) Communications

(i) Switches

(ii) Controllers

(2) Non IT infrastructure support

(i) Base operations infrastructure devices with embedded microprocessors

(ii) Automated systems

(iii) Manufacturing and process controls

(iv) Centralized security systems

(v) Time keys for secure communications systems

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(vi) Centralized HVAC systems

(vii) Traffic light/control systems

(3) Non IT systems, equipment and device categories to consider include:

(i) Office systems and mobile equipment—telephones, faxes, still and video cameras

(ii) Building systems—lighting system, backup lighting and generators, fire control systems, HVAC, elevators, escalators lifts, security systems, security cameras, closed circuit TV systems, access control systems, safes/vaults door locks, and landscaping systems (sprinkler/irrigation);

(iii) Manufacturing and process control - manufacturing plants, water and sewage treatment systems, power stations/power grid systems, oil storage facilities, simulators, test equipment used to program, monitor and test control systems, shelf-life calculations, ordering systems to include acceptance/distribution;

(iv) Transportation - airplanes, trains, buses, marine craft, automobiles, trucks, traffic control systems, radar systems, ticketing systems, command and control systems, emergency equipment, and photo surveillance systems;

(v) Banking, finance and commercial - automated teller machines, credit card systems, point of sales systems, payroll/retirement, and vending machines;

(vi) Miscellaneous monitoring systems - energy metering (electricity and natural gas), environmental monitoring equipment, training recertification (historical databases reliant on time), chemical exposure, equipment calibration, and air/water quality.

(e) Purchases of IT and non-IT items made with the Government-wide Commercial Purchase Card.

(1) All cardholders and approving officials must ensure that equipment and software purchases are Year 2000 compliant. When making a purchase, if the item has a date function, the cardholder is required to obtain confirmation from the vendor that the item is Year 2000 compliant and/or that free upgrades will be provided to ensure Year 2000 compliance on infrastructure devices.

(2) Items, which may require Year 2000 compliance, include, but is not limited to, personal computers, facsimile machines, digital cameras, thermostats, security systems. The cardholder shall obtain written certification from the vendor/merchant that the item is Year 2000 compliant IAW FAR 39. In the event the product packaging (box, label, insert, etc.) indicates Year 2000 compliance, the packaging should be retained for documentation as evidence of the Year 2000 compliance certification. While working with vendors, it is important to create a paper trail for future reference by documenting your interaction with the vendor.

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(3) DOCs/Chiefs of Contracting Offices shall ensure Purchase Card training classes contain information on Year 2000 compliance and that all cardholders and approving officials are made aware of this requirement.

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PART 41 - ACQUISITION OF UTILITY SERVICES

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PART 41 - ACQUISITION OF UTILITY SERVICES

SUBPART 41.2 - Acquiring Utility Services

41.202 Procedures.

(100) Contracts for purchase of utilities are not binding until approved IAW AR 420-41.

(101) The original and two copies of all contracts and modifications shall be sent to U.S. Army Center for Public Works, Attn: Director of Army Power Procurement, Alexandria, VA 22315-3862.

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PART 42 - CONTRACT ADMINISTRATION

SUBPART 42.3 - CONTRACT ADMINISTRATION OFFICE FUNCTIONS

42.301 General.

A Contract Administration Plan shall be prepared for every contract in excess of \$100,000 (See Appendix BBB).

SUBPART 42.15 - Contractor Performance Information (AL 98-1, Change 2, 15 Sep 98)

42.1502-90 Policy.

(a) Performance Assessment Reports (PARs) shall be prepared for all formal contracts, regardless of dollar amount. PARs for contracts and purchase orders meeting the thresholds in AFARS 42.1502-90(a) must be entered and maintained in the Army PPIMS. PARs below these thresholds may be prepared either manually or in the PPIMS; however, use of PPIMS is preferred.

Manual PARs must address the criteria set forth in AFARS 42.1502-90(h)(2) and use the rating system at 42.1502-90(I). All PARs, whether completed manually or electronically, must follow the procedures at 42.1503-90, e.g., contractors must be given an opportunity to review and comment on the PAR.

Subpart 42.1503-90 Procedures.

(c)(2) PAR review shall be performed by a designee(s) at a level above the assessing contracting officer(s), e.g., Team Leader, Branch Chief, Division Chief.

(e) The resolution authority will be the DOC or Deputy DOC. (S-101) Under certain isolated circumstances, the DOC may request the FORSCOM PARC to serve as the resolution authority. Examples include situations where the DOC's ability to maintain fairness and/or impartiality are at issue; where the PAR is controversial; and where the usual nature or scope of the PAR makes it advisable to place its review at the PARC level. The request shall be submitted in writing, and shall include rationale for the request.

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PART 45 GOVERNMENT PROPERTY

SUBPART 45.1- General

45.104 Review and correction of contractor's property control systems.

(a) A property administrator shall be appointed for each contract where government property is furnished to a contractor. The appointment shall be on a full time basis where required, or as a part time additional duty. When the appointment is on a part time basis and the person being appointed is also to be appointed as a contracting officers representative, a single letter of appointment for both duties will suffice. When a single letter of appointment is made, responsibilities of both duties shall be outlined. Such appointments shall be made by the Chief of the Contract Administration Division.

(S-100) The contract file shall include a copy of the letter appointing the property administrator.

SUBPART 45.5 - MANAGEMENT OF GOVERNMENT PROPERTY IN THE POSSESSION OF CONTRACTORS

45.505-14 Reports of Government property.

(a) An information copy of each Report of DOD Property in the Custody of Contractors (DD Form 1662) shall be furnished to HQ FORSCOM, Attn: AFLG-PR no later than 5 November of each year. A report is required annually as of 30 September for each contract with government furnished property. A zero balance report is also required at any time a contract is completed or terminated, and property is reduced to zero.

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PART 46 - QUALITY ASSURANCE

SUBPART 46.1 - GENERAL

46.102 Policy.

(c) (S-100) ENG Form 2538-1-R, Quality Assurance Report Daily Log of construction - Military, may be used by the construction inspector for daily log book entries. (Notes: The acronym "OCR" is defined as "Official Contractor Record." Contracting officers shall inform inspectors the block entitled "Verbal Instruction Given to Contractor" does not authorize the inspector to take any action requiring contracting officer authority.)

(S-101) All Directors of Contracting and contracting officers shall:

(a) Ensure the technical activity provides specifications necessary for inspection, testing and other quality requirements essential to development of appropriate quality assurance surveillance plans and activities, prepared by the functional proponent.

(b) Ensure that specifications for performance oriented contracts identify performance standards and contract outputs that can be evaluated in a consistent and systematic manner. A Performance Requirements Summary (PRS) is one method for achieving this.

46.103 Contracting Officer responsibilities.

The contracting officer, with the assistance of functional area representatives, shall receive and evaluate quality control plans in the evaluation phase of negotiated contracting.

SUBPART 46.2 - CONTRACT QUALITY REQUIREMENTS

46.201 General.

(100) Responsibilities.

(a) The functional activity, with the assistance of contracting personnel, shall prepare a formal plan or written procedures for evaluation of contractor performance for all contracts.

(b) The contracting officer, with the assistance of functional area representatives, shall receive and evaluate quality control plans in the evaluation phase of negotiated contracting. After contract award, contractor quality control plans shall be received, reviewed and accepted in writing by the contracting officer.

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(101) Quality Assurance Surveillance Plan (QASP). The contracting officer, in coordination with the functional area chief (FAC), shall develop a procedure for evaluating contractor quality control in every contract.

(a) For complex solicitations for services, supplies or construction, regardless of dollar threshold, the contracting officer shall ensure that a QASP is prepared. The QASP may be used on such contracts with or without the Performance Requirements Summary (PRS).

SUBPART 46.7 - WARRANTIES

46.703 Criteria for use of warranties.

(c) Procedures shall be established with supported activities to insure the government's warranty rights are enforced. Appropriate warranty coverage shall be included in the installation contracting regulations and Standing Operating Procedures.

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PART 49 - TERMINATION OF CONTRACTS

SUBPART 49.402-3 - PROCEDURE FOR DEFAULT

(e)(4) Submit an original and two copies of proposed notice of termination of any contract with a small business firm to whom a Certificate of Competency was issued, or to whom loans were made with SBA's participation to HQ FORSCOM, Attn: AFLG-PR, for approval prior to termination for default.

SUBPART 49.7001 - CONGRESSIONAL NOTIFICATION ON SIGNIFICANT CONTRACT TERMINATIONS.

(c) Submit an original and one copy of clearance request thru HQ FORSCOM, Attn: AFLG-PR, to the address at AFARS 49.7001.

SUBPART 49.7002 - NOTIFICATION AND REPORTING OF SUBSTANTIAL IMPACT ON EMPLOYMENT.

(b) Submit an original and one copy of notification thru HQ FORSCOM, Attn: AFLG-PR, to the address at AFARS 49.7002.

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PART 50 - EXTRAORDINARY CONTRACTUAL ACTIONS

SUBPART 50.305 - PROCESSING CASES.

50.305-70 Record of request.

An information copy of the preliminary record of a request for contract adjustment should be submitted to HQ FORSCOM, Attn: AFLG-PR, concurrent with submission to the Army Contract Adjustment Board.

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PART 52 - SOLICITATION PROVISIONS AND CONTRACT CLAUSES

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- 52.237-5002 Mobilization and other Contingency Planning and Support.

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PART 52 - SOLICITATION PROVISIONS AND CONTRACT CLAUSES

SUBPART 52.2 TEXTS OF PROVISIONS AND CLAUSES

52.237-5001 Medical Malpractice. Insert the following clause in Educational Service Agreements (ESA) in accordance with 37.7301(100):

MEDICAL MALPRACTICE

(a) While assigned to the training institution and performing services pursuant to this agreement, the military member will at all times, regardless of physical location within the United States, be deemed an employee of the United States. Consequently, the provisions of the Federal Tort Claims Act (28 U.S.C. 2671-2680), including its defenses and immunities, will apply to allegations of negligence or wrongful acts or omissions by the military member, committed while acting within the scope of his or her duties performed pursuant to this agreement.

(b) The training institution and the United States agree to notify each other of potential or actual claims involving the military members' training pursuant to this agreement. Notice to the United States of any such claim should be provided to the U.S. Army Claims Service, Fort Meade, Maryland 20755-5360 (telephone (301) 677-7804). The training institution and the United States further agree to cooperate fully with each other in the investigation of any such claim by making available all relevant slides, notes, tissues and test results; potential witnesses, witness statements and the names of all other defendants. The training institution will notify the United States of the extent and nature of any applicable malpractice insurance and whether such insurance is applicable to the military member.

52.237-5002 Mobilization and other Contingency Planning and Support. Insert the following clause in all service contracts other than those using FAR Part 12:

MOBILIZATION AND OTHER CONTINGENCY PLANNING AND SUPPORT

(a) The attention of the contractor is invited to the clause in the general provisions entitled "CHANGES". This clause permits the Contracting Officer to make changes within the general scope of the contract to include the definition of services, and place and time of performance.

(b) Among the circumstances in which the provisions of this clause may be invoked are general or limited mobilization, requirements or any quick response support requirements which impact on contract performance. Should any of these eventualities occur, the contractor shall take whatever

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measures are needed to meet the demands. The start and completion times of these actions shall be determined by the Contracting Officer.

(c) To ensure that government operations which depend upon the services provided hereunder can proceed with no or only minimal disruption, the contractor shall, during the life of this contract, anticipate the possibility of these support requirements and the steps it will need to take to rapidly expand the contract capabilities to meet the exigency.

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APPENDIX AAA

DELEGATIONS OF AUTHORITY

(This listing of delegations should be reviewed for applicability involving actions being taken)

The following re-delegations of authority have been made:

(1) Decide Appeals on Rejections of Small Business Set-Aside Recommendations to the PARC IAW FAR 19.505(b).

(2) Deny Requests for Contractual Adjustments, to Approve Requests in Mistake and Informal Commitment Cases not in Excess of \$50,000 and to Refer Requests to the Army Contract Adjustment Board to the PARC.

(3) Lease Personal Property to the PARC.

(4) Ratify Unauthorized Commitments in the Amount of \$25,000 or less to FORSCOM Directors of Contracting and the Chief, Army Atlanta Contracting Center.

(5) Ratify Unauthorized Commitments in the Amount of \$100,000 or less to the PARC.

(6) Permit Correction of Mistakes in Proposals Prior to Award to the PARC.

(7) Initial Denial Authority (IDA) under the Freedom of Information Act (FOIA) to the PARC.

(8) Approve the Publication of Advertisements, Notices or Proposals to the PARC and Garrison/Activity Commanders.

(9) Approve Requests for Second or Subsequent Best and Final Offers to the PARC.

(10) Appoint Source Selection Authorities (SSA) in Formal Source Selection Activities to the installation commanders.

(11) Appoint Government Flight Representatives to the PARC.

(12) Approve Award of Construction Contract to Architect-Engineer Firm to the PARC.

(13) Allow Nonprocurement personnel to use the International Merchant Purchase Authorization Card (IMPAC) up to \$5,000 to the Directors of Contracting.

(14) Task Order Contract and Delivery Order Contract Ombudsman to the FORSCOM Special Competition Advocate.

(15) Award Protest Costs to the PARC.

(16) Approve Substitution of New Surety Bonds to PARC.

(17) Release Long-Range Acquisition Estimates to DOCs/Chief, AACC.

(18) Approve Contract Awards and Contracts for Expert, Consultants, and Stenographic Reporting Services to PARC, DOCs and Installation Commanders.

(19) Correction of Alleged Mistakes in Bids Less Than \$100,000 to the DOCs and Chief, AACC.

(20) PARC

(21) Acting PARC

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APPENDIX BBB

Part I Contract Administration at the Installation

BBB-100 Contract Administration Planning.

(a) Contract administration planning is an inherent part of every acquisition. Decisions regarding the level of administrative effort and resources required to properly monitor contract performance, process contract documents, and orchestrate the successful completion of the contract must be made early in the planning stages of each acquisition. Planning will encompass internal control procedures; identification and definition of duties and responsibilities of contract administration team (CAT) members; and any necessary training of contract administration and technical support personnel. Team members shall be Government personnel responsible for the preparation, management, oversight, processing and/or surveillance of contract actions.

(b) Responsibilities. It is the responsibility of the DOC to ensure contract administration planning is performed. Assignment of responsibility for required actions to either the PCO or ACO is a matter of local determination and procedures.

BBB-101 Contract Administration Plan (CAP).

(a) PURPOSE. The purpose of the CAP is to describe the procedures to be used by government CAT to perform contract administration tasks, including file documentation and quality assurance functions. Implementation of the CAP will establish a quality audit trail of contract performance with respect to the specifications, cost, delivery requirements, and applicable laws, regulations and contract provisions.

(b) A CAP will be prepared for every contract in excess of \$100,000 and may be either simple or formal.

(c) Simple CAP.

(1) A simple plan shall be used for contracts requiring: (i) minimal surveillance, using standard inspection and acceptance methods; (ii) limited or no technical expertise and/or resources required to monitor, inspect and accept deliverables; (iii) a performance period of less than one year; and (iv) no performance requirement summary (PRS).

(2) A simple CAP shall include as a minimum: (i) basic contract statistics, to include contract number, date, amount, description, name and address of contractor; (ii) identification and location of key CAT members, e.g., contract administrator and COR; (iii) checklists, tracking or suspense system for monitoring receipt of supplies or services; (iv) any necessary supplemental guidelines or procedures; (v) established standing operation procedures for administration, incorporated by reference; and (vi) a file memorandum signed by the PCO and ACO agreeing to the selection of a simple CAP as

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the most effective means of administering the contract, and the prescribed guidelines and procedures set forth in the CAP.

(d) Formal CAP.

(1) A formal CAP shall be prepared for all contracts: (i) that require extensive coordination and surveillance measures beyond routine, non-technical, administrative procedures; (ii) for performance of complex or unusual requirements; (iii) for performance at multiple locations; (iv) for performance of multiple functions; or (v) which contain a PRS.

(2) Preparation of a formal plan requires joint participation, coordination and approval by the PCO, ACO and functional activity chief (FAC). Signature coordination must be a page of the accepted plan. Revisions to accepted plans which impact the resource level or surveillance responsibilities necessary to monitor contract performance will require ACO/FAC coordination.

(3) Formal CAPs may be developed for any contract (including construction) if deemed appropriate by the PCO/ACO/FAC. Formal CAPs are required for all negotiated, cost-type contracts which exceed \$250,000, and for the following requirements regardless of contract type or dollar amount:

- (i) Full Food Service and Dining Facility Attendants
- (ii) Base Operations and Maintenance Functions
- (iii) Job Order Contracts (JOC)
- (iv) Operation and Maintenance of Multi-Purpose

Ranges

- (v) Hospital Maintenance
- (vi) Family Housing Maintenance
- (vii) Battle or Flight Simulation
- (viii) Meals and Lodging for Military Entrance

Processing Stations (MEPS)

- (ix) Custodial Services (Installation)
- (x) Grounds Maintenance (Installation)
- (xi) Commercial Activities

(4) In addition to the statistics, checklists and guidelines required for the simple plan, the formal CAP shall (i) establish and define the make up, roles, responsibilities and lines of communication, coordination and interface for all personnel and components of the CAP; (ii) include all applicable plans required for administration of the contract, e.g., quality assurance surveillance plan, award fee plan, property administration plan; partnering agreement; (iii) include appropriate contract administration and surveillance SOPs, which may be included by reference; and (iv) contain a formal coordination page signed by the PCO/ACO/FAC.

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BBB-102 Formal CAPs shall be forwarded for review along with the solicitation in accordance with paragraph 1.602-1-90, "Approval of Solicitation".

Part 2 Quality Assurance

BBB- 200 Policy. Directors of Contracting and contracting officers shall:

(a) Include in all government contracts, other than those accomplished using simplified acquisition procedures, quality assurance and inspection provisions and procedures to support contractor compliance with stated quality standards and specifications.

(b) Ensure receipt from the technical activity of specifications necessary for inspection, testing and other quality requirements essential to development of appropriate quality assurance surveillance plans and activities, prepared by the functional proponent.

(c) Ensure that specifications for performance oriented contracts identify performance standards and contract outputs that can be evaluated in a consistent and systematic manner. A Performance Requirements Summary (PRS) is one method for achieving this and may be used consistent with the following guidelines:

(1) A PRS may be included in contracts containing requirements for repetitive and/or multiple, discrete tasks which are measurable and for which quality standards have been established in the contract schedule.

(2) A PRS may be included in all contracts described at BBB-100)(d)(3). A PRS may also be included in cost-type contracts as a benchmark for assessment of contractor performance. However, the suitability of the PRS as a contractual tool is the responsibility of the PCO.

(3) The PRS should be included as a technical exhibit, not an attachment, in the solicitation.

(4) The PRS shall be developed by the functional activity with the assistance of contracting and legal personnel, concurrent with the preparation of the performance work statement. However, the suitability of the PRS as a contractual tool is the responsibility of the PCO.

(5) If deductions are prescribed in the PRS, they are to be used in conjunction with other rights and remedies in the contract, e.g., Inspection and Liquidated Damages clauses. Deductions contained in the PRS do not apply to cost-type contracts.

(6) Where the acceptable quality level (AQL) of a performance element is zero (i.e., perfect performance is justifiably required concerning matters of health, safety or security), thereby requiring 100% inspection, these should not be included in the PRS. Instead performance should be policed under the Inspection clause.

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(d) Variation from these guidelines must be based on the contracting officers decision that use of another method(s) will provide a more efficient and/or effective means of administering the contract while maintaining the necessary level of quality.

BBB-201 Responsibilities.

(a) The functional activity, with the assistance of contracting personnel, shall prepare a formal plan or written procedures for evaluation of contractor performance for all contracts.

(b) The contracting officer, with the assistance of functional area representatives, shall receive and evaluate quality control plans in the evaluation phase of negotiated contracting. After contract award, contractor quality control plans shall be received, reviewed and accepted in writing by the contracting officer.

(c) The Contract Administration Team, which shall include the Contracting Officer, Contract Administrator, COR, Property Administrator and all surveillance personnel, will monitor the contractor's quality control plan in accordance with the minimum acceptable standards of the contract.

(d) The Contracting Officer, Contract Administrator and Quality Assurance Specialist will train and brief CORs and other support personnel on the contractor's quality control plan as well as the government's quality assurance procedures.

(101) Quality Assurance Surveillance Plan (QASP). The contracting officer, in coordination with the functional area chief (FAC), shall make a determination of the need to develop either a formal QASP or a less formal documented procedure for evaluating contractor quality control in every contract.

(a) For complex solicitations for services, supplies or construction, regardless of dollar value, the contracting officer shall ensure that a QASP is prepared.

(b) QASPs shall be prepared before issuance of the solicitation. The QASP will not be incorporated as part of the contract; it may be attached to the solicitation with a notice stating:

"This plan is provided for information purposes only. The Quality Assurance Surveillance Plan is not a part of the solicitation, nor shall it be made part of any resulting contract. The Government has the right to change or modify inspection methods at its discretion."

(102) Format and content of QASPs and memorandums will, as a minimum, include the following:

(a) For simple requirements, which do not require an extensive degree of inspection and surveillance, a memorandum

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shall be included which describes the inspection procedures and standards.

(b) For complex requirements which require a formal QASP (may be developed IAW AFARS Appendix BB-405) the following information shall also be included as a minimum:

(1) General Section. Includes introduction, procedures and instructions.

(i) Surveillance Methods. This could be by random sampling, planned sampling of critical or weak areas, 100 percent inspection, validated customer complaints, or unscheduled inspections.

(ii) Method of payment and deduction analysis. Provide this if a PRS is used and a determination of the acceptable quality levels has been established. If the PRS is not used, the contracting officer may choose a variety of remedy schemes which have been tailored for the specific requirement. Such remedies must comply with the applicable inspection of services clause and any other applicable or special provisions of the contract.

(iii) Interpretation of results. This is the method of analyzing results from the surveillance methods, and procedures detailing actions to be taken in cases of inadequate performance or nonperformance. It includes any changes in method of surveillance. For example, a deficiency found during random sampling may require a shift to planned sampling or 100 percent inspection.

(iv) Supporting documentation. This is the sampling data to be used, performance summaries, sample customer complaint record forms and processing procedures (if applicable), and sample discrepancy reports.

(2) Specific appendices.

(i) Performance requirements summary tables (if applicable).

(ii) Sampling guides. This indicates how samples are to be determined (if applicable).

(iii) Inventory of services, delivery tracking sheets or construction worksheets. This is a list in numerical sequence, of services, deliverables or phases of construction to be monitored.

(iv) Inspection checklists. This is a Tally sheet or checklist developed for each service, deliverable or construction requirement inspected. The COR or government inspection personnel complete this document.

(v) Evaluation schedules. This is merely a listing stating which requirement is to be evaluated and which method of surveillance is to be used on a given day.

(3) Formal QASPs shall be forwarded for review along with the solicitation in accordance with paragraph 1.602-1-90, Approval of Solicitation.

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(c) All QASPs shall contain a section which addresses the use of QA results for preparing Performance Assessment Reports in the Army Past Performance Information Management System (PPIMS). This section will identify the aspects of contract performance that will be evaluated in the PAR (e.g., Quality, Timeliness, Cost Control), the method of surveillance, the documentation requirements, and the responsibilities of parties for preparing the PAR.

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APPENDIX CCC

List of FORSCOM Pamphlets and Handbooks

FORSCOM PAMPHLETS

- 715-1 Directorate of Engineering and Housing (DEH) Real Property Maintenance and Repair Commercial Activities Solicitation, Feb 87
- 715-2 Directorate of Logistics Maintenance and Supply (DOL) Commercial Activities Solicitation, May 87
- 715-3 Multipurpose Range Complex Operation and Maintenance (MPRC) Commercial Activities Solicitation, Jun 87
- 715-4 RESCINDED
- 715-5 NOT USED
- 715-6 Property Administration at Installations, Mar 96
- 715-7 Job Order Contract (JOC) Execution Guide, Feb 94
- 715-8 RESCINDED
- 715-9 Contracting Management Review Guide, Jan 99
- 715-10 Cost and Price Analysis: Guidance, Methodologies and Techniques, Nov 91
- 215-4 Nonappropriated Fund Contracting Management Review Guide, Oct 90

FORSCOM HANDBOOKS

Independent Government Estimate Workshop (FY 91)
Customer Education Manual (FY 90)
Contract Administration Handbook (Jul 84)
Negotiation Workshop (FY 90)
Handbook for CPAF Contracts (Apr 85) with 2 changes
Handbook for Surveillance of Service Contracts (Jul 83)
Contract Administration Workshop (FY 91)
Reference Manual For Pricing Contractor Furnished Equipment in Service Contracts, FY 93
FORSCOM Customer Service Handbook, Sep 93
Source Selection Handbook, Apr 86
Cost Evaluation Reference Manual, FY 93

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APPENDIX DDD

FORSCOM BENCHMARK PROGRAM

CAN YOU BUILD A BETTER MOUSE TRAP? OR WOULD YOU RATHER REINVENT THE WHEEL?

FORSCOM DIRECTORATES OF CONTRACTING SHARE DAILY SUCCESSES USING THE FOLLOWING CRITERIA:

- 1. Identify the idea, initiative, or current process.**
- 2. Identify the place of origination (where or from who you got the idea).**
- 3. Explain how; you expanded and enhanced the idea.**
- 4. Describe benefits/values derived from your efforts.**

IT'S THAT SIMPLE! SHARE WHAT YOU'VE IMPROVED UPON AND LET OTHERS DO THE SAME. LET'S TEAM FOR SUCCESS IN FORSCOM. "THE TEAM APPROACH WORKS!"

Ideas/Initiatives and other good news articles are posted on the FORSCOM Contracting homepage
(www.forscom.army.mil/contract/Benchmarks.html)

Quarterly submission due dates:

31 October
31 January
30 April
31 July

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APPENDIX EEE

CONTRACTING OFFICER APPOINTMENT REQUEST FORMAT

AUTHORITY: Sections 1104, 3321, 4305 and 5405 of 5 USC & EO 12107

PURPOSE: These records are maintained to ensure that all appropriate information based on an employee's education, training and experience are available to agency officials having a need to know to support actions based on these records.

DISCLOSURE: Voluntary. Failure to provide the information; however, may result in failure to receive a warrant.

NAME:

SSN:

POSITION/GRADE/RANK:

INSTALLATION:

U.S. CITIZEN:

YES

NO

PART I - PROPOSED DUTIES AS A CONTRACTING OFFICER

1. BRIEF DESCRIPTION OF PROPOSED TYPES OF CONTRACTUAL ACTIONS

2. RECOMMENDED LIMITATIONS ON CONTRACTING AUTHORITY

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PART II - CONTRACTING EXPERIENCE

1. DATES	POSITION/GRADE/LOCATION	DUTIES
----------	-------------------------	--------

2. PREVIOUS CONTRACTING OFFICER EXPERIENCE AND LIMITATION IMPOSED

PART III - EDUCATION (NON-GOVERNMENT)

1. HIGH SCHOOL GRADUATE OR EQUIV	2. NO. OF YEARS COLLEGE COMPLETED	3. COLLEGE GRADUATE	4. TYPE DEGREE
YES NO	0 1 2 3 4	YES NO	
5. MAJOR	6. MINOR	7. GRADUATE WORK	

PART IV - GOVERNMENT TRAINING

<u>COURSE TITLE</u>	<u>DATE COMPLETED</u>
---------------------	-----------------------

Designee Signature

The above designated individual possesses the experience, training, education, business acumen, has demonstrated mature judgment, and has sound character and reputation necessary to be appointed as a Contracting Officer.

DOC

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APPENDIX FFF

PRENEGOTIATION OBJECTIVE MEMORANDUM

(FFARS 15.4)

Contracting Activity _____ Date _____
Competitive: Non-Competitive:

Pre-Negotiation Total: \$ _____

Offeror(s): Address:

Description of Contract Line Items:

Description	Quantity	Unit Price	Total
-------------	----------	------------	-------

Pricing Structure:

Cost (Excl Com)	\$ _____
Cost of Money	_____
Total Cost	_____
Fee/Profit (%)	_____
Base Fee (%)	_____
Award Fee (%)	_____
Total	_____

Preparer
(Signature) _____ Date: _____

Reviewer
(Signature) _____ Date: _____

Approved
(Signature) _____ Date: _____

Approved
(Signature) _____ Date: _____

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SECTION II. Prenegotiation Compliances:.

No.	Description	Yes	No	N/A	Notes
1.	Acquisition Plan Number: dated Approval date: Approved by:				
2.	<u>Exemptions to Full and Open Competition (F&OC)</u>				
2.a	D&F to exclude a source (FAR 6.202, 1.7) Number: Approval date: Approved by:				
2.b	D&F for the Public Interest circumstances permitting OF&OC (FAR 6.302-7, 1.7) Number: Approval date: Approved by:				
2.c	Justification for OF&OC (FAR 6.303) Number: Approved date: Approved by:				
3.	This acquisition was synopsized in the CBD.				
4.	<u>Personal Services Determinations</u>				
4.a	Proposed services were determined to be non-personal (FAR 37.103(a)). If no, complete 4.b. and provide explanation.				
4.b	D&F to contract out for personal services Approved by: Approved date:				
5.	<u>Applicable to Large Business (& SB with \$10M or more annual Government business)</u>				
5.a	<u>Pre-Award Disclosure Statement - Cost Accounting Practices & Certification: (FAR 30.202)</u> Execution date: DCAA Approval date: DCMC Approval date:				
5.b	Estimating System Disclosure Statement (DFARS 215.407-5): Provided to ACO on (date): ACO determined adequacy on (date): Explain any deficiencies in Notes section.				

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- 5.c Contractor Purchasing System approval (FAR 44.305):
ACO determination date:
6. Cost and Pricing Data Requirements
- 6.a Certified cost or pricing data was required. If yes, give explanation in the Notes section(FAR 15.406-2)
- 6.b Assist audits were requested or received for all major subcontractors.
- 6.c Pre-contract costs were approved.
7. Equal Employment Opportunity (EEO) compliance was requested or received.
8. Prospective contractor was determined to be responsible IAW FAR Subpart 9.1 and is financially stable. If no, provide explanation in Notes section.
9. Progress payments were authorized. (FAR 32.5)
10. Exception to Buy America Act applicable. If applicable, give approval source and date in Notes section.
11. Contractor submitted Certification of Independent Price Determination (Fixed Price only). If applicable and not submitted, give explanation in Notes section. (FAR 3.103-1)
12. The contracting officer reviewed the proposed procurement for Small and Disadvantaged Business and Labor Surplus Area consideration. If no, provide explanation in Notes section. (FAR 19.501)
13. Contracting Officer checked the List of Parties Excluded from Federal Procurement or Nonprocurement Programs. If no, provide explanation in Notes section (FAR 9.404 and 9.405).
14. DISC4 Approval/Authorization for ADP Acquisitions was approved on (date): If required and not obtained, give explanation in Notes section.

Note To Prenegotiation Compliances:

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SECTION III. Summary of Key Documents. Identify by reference and date each key document.

1. Solicitation
2. Contractor Proposal(s)
3. DCAA Report(s)
4. ACO Report(s)
5. Technical Report(s)
6. Pre-Award Survey
7. Others:

SECTION IV. POM Introduction.

For sole source negotiated contract actions, the POM shows the contractor's methodology and how he developed his proposal position (to the extent it can be determined from the contractor's proposal and fact finding efforts), how the price/technical/audit reviewers developed their recommendations and how the negotiator developed the prenegotiation objective. An understanding of the development of each position is essential to adequately prepare for negotiations.

For competitive negotiated acquisitions, the POM shall include the source selection plan, as well as sections "L" and "M" of the solicitation. It shall discuss the evaluation criteria and the basis for award contained in the solicitation; set forth a summary schedule of offeror's prices; and the technical and cost evaluations with specific reference to the applicable key documents appended to the POM. It shall also include a determination and supporting discussion of offerors determined to be within and outside the competitive range and a summary of the technical and cost deficiencies to be discussed with offerors selected to participate in the discussions.

A POM for a competitive acquisition is largely a review of the basis for source selection to ensure that full documentation and support exist to withstand any subsequent protest or allegation that the price was not fair and reasonable. The use of competitive source selection may preclude detailed cost analysis or negotiations. In such cases, Section V of the POM should be omitted. However, Section VII should be used to document the determination that the price offered is reasonable as required by FAR 15.406-3.

1. Exhibits/Attachments. List in order as they appear in body of the POM. The following must be included if applicable:

- DCAA/Field Pricing Report(s)
- Evaluation Report(s)
- Independent Government Estimate
- Internal Pricing Report(s)

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- Written Letters of Deficiencies and Clarifications (if not included in POM narrative)
- Record of Weighted Guidelines Application - DD Form 1547.
- Special provisions affecting price.
- Source Selection Plan (if provided with solicitation for review, do not send unless we do not have the final)
- "Evaluation for Award" section of the solicitation if competitive
- Competitive Range Determination (must be included in POM narrative)

2. Background.

- a. Procurement history.
- b. Negotiation environment (definitizing a letter contract, disposition of defective pricing findings, etc.).

3. Type of Contract.

- a. Discuss technical, schedule and cost risk involved.
- b. Rationale for contract type used.

4. Source Selection.

- a. Discuss rationale for selection of source(s).
- b. Extent competition solicited and secured. Discuss the impact on adequate competition. If adequate competition was not achieved, discuss:
 - (1) possible reasons why, and
 - (2) steps taken to enhance future competitiveness. Is data for competitive reprocurement being purchased? Discuss cost, delivery and whether or not we are getting unlimited rights.

SECTION V. POM Cost Analysis. Provide a summary comparison in columnar format of (i) the contractor's proposal, (ii) the audit recommendations, (identify areas of nonconcurrence with the audit report), (iii) the price/technical recommendations and, (iv) the prenegotiation position by using the elements of cost and FAR Table 15-2. Generally, this summary should resemble the following:

	<u>Contractor</u>	<u>DCAA</u>	<u>Price/Technical</u>	<u>Objective</u>
Material				
Direct Labor				
Indirect Costs				
Other Costs				
Royalties				
Total Cost				
FCCOM				
Profit/Fee				
Total				

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Parts 1 through 5 of the cost analysis section identify the factors under major cost elements summarized above which should be discussed in detail, to show how the pre-position was developed. ("Profit/Fee," which is also included in the summary above, should be discussed in Section VI.) Additional parts may be included, as necessary, to provide further detail for clarity. Before commencing the written analysis in each part, summarize the respective contractor, audit, price/Technical and POM positions at the appropriate level to which this element of cost was analyzed, i.e., "material" in the above chart would usually be analyzed and summarized in Part 1 - "Material" at the Raw Material, Purchased Parts and Subcontracted Items level. Generally, this summary would resemble the following:

	<u>Contractor</u>	<u>DCAA</u>	<u>Price/Technical</u>	<u>Objective</u>
Raw Material				
Purchased Parts				
Subcontracts				
Total Material				

When each subcategory is discussed, any subdivision used in the proposal or analysis should again be summarized in columnar format and should track back to the summary which opened that part of the POM. At all times, the bottom line summary of each Part should track to the major elements of the cost summary chart which began Section 5 - "Cost Analysis." Use of the detailed hour and rate analysis, summary charts, graphs and computer printouts are encouraged. They should be included as attachments to the POM.

1. Material. Summary of sources and the contractor's estimates - firm Purchase Orders, quotes, competition, catalog items, estimates, prior history with escalation.
2. Direct Labor.
 - a. Summary of contractor/s approach and basis or estimate by individual labor category.
 - b. Provide historical actual hours per each labor category.
 - c. Provide manloading charts, if applicable.
 - d. Summary of negotiator's approach to develop POM objective. Identify any conversion factors to get from a staffing level (head count) to hours. Compare these conversion factors with the factors used by the contractor to develop overhead rates.

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3. Labor and Overhead Rates.

a. Summary of the contractor's proposed rates per year and basis for development. If an FPRA exists, identify period covered by the agreement. Discuss the agreement if it does not appear adequate and current. Discuss the effect of any union agreement, if applicable, on forward pricing rates established. Identify when Cost of Living Adjustments (COLAs) are scheduled. If no FPRA exists, discuss the DCAA and price analyst recommended rates by year and reasons for variance from contractor proposed rates.

b. Discuss wage determinations as applicable.

c. Identify and discuss wage escalation included in FLSA exempt labor rates.

d. Discuss the stability of the contractor's business base and any potential for changes that would affect overhead rates. What are the cost drivers in the rates (e.g., headcount, salaries, fringe benefits, depreciation, taxes, insurance, etc.) and what is the potential for change.

e. Summary of the negotiator's analysis for determining rates used to develop the POM position. Identify the basis to which rates apply. Show the build-up of the prenegotiation dollar objective through application of the rates to their respective bases.

(i) Labor costs. Identify the labor hours to which the rates apply from the discussion in part 2 above. Show the build-up of the POM direct labor dollar position by the application of the labor rates to the labor hours in Part 2 above. The total direct labor cost should track to the "Direct Labor" cost in the summary comparison which opens the POM Cost Analysis - Section V.

(ii) Overhead Rates. Show the build-up of the applicable prenegotiation overhead cost position by the application of the overhead rates to their respective bases. For clarity, Material Overhead and General and Administrative Overhead may be shown at the point of the analysis where they would be applied. That is, Material Overhead in Part 1 - "Material," and General and Administrative Overhead after Part 4 "Other Costs." However, total overhead dollars should track to the "Indirect Costs" in the summary comparison which opens the POM Cost Analysis - Section V.

4. Other Costs.

a. Summary of the contractor's proposed expenses and basis for estimate.

b. Summary of audit/price/technical recommendations.

c. Negotiator's analysis supported by actuals and historical data.

d. Summary of Other Costs should track to summary comparison which opens the POM Cost Analysis - Section V.

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SECTION VI. POM Profit/Fee Analysis. (Attention is directed to DFARS 215.4.)

1. Discuss the contractor's proposed profit/fee rate.
2. Complete DD Form 1547, which is attached as an exhibit. If an alternate structured approach is used (DFARS 215.404-73), discuss the rationale utilized in developing the alternate structured approach.
3. Discuss the analyses and conditions which resulted in the assigned values. Discussion should include, as a minimum:
 - a. Performance Risk. The contractor's performance risk in the proposed contractual action is evaluated using three criteria: Technical risk, Management effort and Cost Control effort. The rationale utilized in assigning the weight and the profit values for each of the criteria should be documented.
 - b. Contract Type Risk. Document those aspects of the proposed contractual action which would justify a contract type risk value that is either above or below the norm. Discussion shall include the reduced contractor risk for costs incurred prior to definitization of an undefinitized contract action. For those actions which meet the criteria for a working capital adjustment (DFARS 215.404-71-3)), the calculation should be briefly described. This should include the value of the major subcontract effort excluded from Contract Costs, the percentage used to calculate the Portion Financed by the Contractor, the number of months used to establish the Contract Length Factor, and the current Interest Rate.
 - c. Facilities Capital Employed. Include the contracting officer's assessment of the usefulness of the facilities capital and the allocation of the facilities capital to the contract action.
4. Discuss award fee structure, identify the members of the performance evaluation board and the fee determining official. Attach a copy of the clause.
5. Discuss the Incentive Fee-Structure, if applicable.

SECTION VII. POM Price Analysis.

1. In accordance with FAR 215.406, the contracting officer is required to perform a price analysis to determine that the price offered is fair and reasonable. Additionally, any price arrived at through cost analysis should be corroborated through price analysis techniques ASPM Volume 1, Chapter 2 and ASPM Volume 2 discuss price analysis techniques which may be utilized.

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2. Include a comparison and reconciliation of the POM position to historical unit prices if these are available and scope of work is sufficiently similar for valid comparison.
3. If converting an unpriced contractual instrument, give the cost incurred information and discuss how it was used in the analysis.

SECTION VIII. Special Provisions.

Discuss any special provision which may affect source selection or price and attach a copy of each provision. Examples of clauses which must be discussed in this section are:

1. Economic Price Adjustment (EPA).
2. Government Furnished Material/Equipment/Property (GFM/GFE/GFP). The amount and type of GFM/GFE/GFP should be detailed, together with a discussion of how such GFM/GFE/GFP affected the source selection or price of a proposed contractual action. This should include a discussion of the contractor's approach to using such property and the relative benefits derived from the contractor's approach.
3. Unusual contract financing clauses, i.e., milestone billings, advance payments.
4. Small Business Incentives.
5. Deviations from FAR, DFARS, AFARS, or other Departmental Regulations.
6. Warranty provisions.

SECTION IX. POM Other Information. Address other information pertinent to the POM that is not included in the sections above, such as:

1. If applicable, discuss the requirements of FAR 45.306 and FAR 45.307 with regard to the acquisition of Special Test Equipment and/or Special Tooling.
2. Safety/Surety issues.
3. Discuss the extent of DCAA auditor participation in prenegotiation fact-finding and plans for DCAA auditor attendance at negotiations, if any.

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PRICE NEGOTIATION MEMORANDUM

(FFARS 15.4)

Contracting Activity _____

Date _____:

Competitive: Non-Competitive:

Proposed Contract Total: \$ _____

Awardee(s): Address:

Description of Goods or Services being contracted for:

Final Pricing Structure:

Cost (Excl Com)	\$ _____
Cost of Money	_____
Total Cost	_____
Fee/Profit (%)	_____
Base Fee (%)	_____
Award Fee (%)	_____
Total	_____

Preparer
(Signature) _____ Date: _____

Reviewer
(Signature) _____ Date: _____

Approved
(Signature) _____ Date: _____

Approved
(Signature) _____ Date: _____

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SECTION X. PNM Compliances

1. Compliances: (If applicable).

a. The Contractor has submitted a "Certificate of Current Cost or Pricing Data" dated _____. (FAR 15.406-2). N/A

b. Type of Contract Determination & Findings has been approved by the Contracting Officer. Yes_____ No_____ N/A_____. (FAR 16.102(d))

c. Notification of Equal Employment Opportunity Compliance has been approved and will be included in the definitive contract. Yes_____ No_____ N/A_____. (FAR 16.102(d))

d. Funds are available to cover the contract requirements. Yes _____ No _____. If no, explain.

e. For other actions requiring submission of a sub-contracting plan in accordance with FAR 19.702, a statement concerning the review and adequacy of the plan shall be included in the PNM. (FAR/AFARS 19.705-4).

2. Negotiations:

Negotiations were conducted with the contractor from through _____. The following individuals participated in negotiations:

SECTION XII. PNM Summary.

1. References and Exhibits/Attachments. The following must be attached if applicable:

- Certificate of Current Cost and Pricing as required by FAR 15.406-2
- DD Form 1547.
- Evaluation Report(s) of BAFOs (final proposal revisions).
- Internal Price Analyses of BAFOs (final proposal revisions).
- Source Selection Statement.

2. Background.

a. Update events since the POM was approved.

b. Discuss any conditions attached to the POM approval, how these conditions were resolved and where in the PNM these conditions are discussed.

3. Results of Negotiation.

a. Provide in columnar format a summary comparison of the contractor's proposal, any updated proposal, the POM objective, and the tentative PNM settlement, using FAR Table 15-2 elements of cost. (The "Proposed" and "POM Objective" columns should be identical to the related columns in the POM

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summary in Section V.) Generally, this summary should resemble the following:

	<u>Contractor Proposed</u>	<u>Updated Proposal</u>	<u>POM Objective</u>	<u>PNM Settlement</u>
Material				
Direct Labor				
Fringe Benefits				
Other Direct Costs				
Indirect Costs				
Total Cost				
Profit/Fee				
Total				

b. Discuss rationale for differences in POM and PNM positions.

c. For sole source actions:

(1) Include any supplemental cost data obtained, or a summary thereof, such as written documents or oral presentations of actual cost data (material prices, labor hours, labor rates, overhead rates, etc.).

(2) Include an evaluation of the supplemental data, its effect upon cost trends, and the degree to which it supports or justifies the prices negotiated with the contractor.

(3) Discuss the extent to which the certified cost and pricing data was relied on, or recognized to be noncurrent, inaccurate or incomplete as required by FAR 15.406.

d. For competitive negotiated acquisitions, the PNM documents the events leading to the request and receipt of the best and final offers, the technical and cost/price evaluation thereof, the rationale supporting the source selection decision and the determination that the award price is fair and reasonable. The documentation supporting the selection decision should be fairly detailed in the description of the factors and considerations which lead to the "best value" determination where trade-off analysis was employed. While scoring and adjectival rating may be used in describing the relative merit of each proposal, the source selection statement should primarily focus on the specific strengths and weaknesses that were found and the government's assessment of these findings. The source selection statement should address cost/price as well as quality factors (i.e., technical approach, management, past performance, etc.) in documenting the trade-off analysis applied in making the best value decision.

e. Address rationale for changes in special provisions or new special provisions added during negotiations. Attach clauses.

4. Other information. Other information pertinent to the clearance not previously addressed.

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APPENDIX GGG

MAY 10 1997

AFLG-PR

MEMORANDUM FOR Chiefs, Primary and Special Staff Agencies

SUBJECT: Guidelines for Dealing with Government Contractors and Others Seeking to do Business with FORSCOM

1. Periodically, HQ FORSCOM employees seek the advice of their Ethics Counselor because a former officer or employee now working in the private sector has contacted them and is seeking information or other assistance. Many times, this contact comes from a former senior Army official who may even have been the employee's commander or supervisor before he or she left government service. As a result, the employee feels somewhat compelled or even pressured to respond as if that senior official were still in government service.
2. The DCSLR and SJA recently established guidelines for the DCSLR staff. A copy is enclosed. You may wish to provide this memorandum to employees on your staff to remind them of the limitations and restrictions imposed by law on the release or disclosure of procurement information, and urge them to use reasonable care in their daily contact with contractor personnel.
3. For additional information, contact the FORSCOM Ethics Counselor at DSN 367-3054.

FOR THE COMMANDER:

Encl

signed
GEORGE A. FISHER, JR.
Lieutenant General, USA
Chief of Staff

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"GUIDELINES FOR DEALING WITH GOVERNMENT CONTRACTORS AND OTHERS SEEKING TO DO BUSINESS WITH FORSCOM"

1. References:

a. Federal Procurement Integrity, Section 27 Office of Federal Procurement Policy Act (41 U.S.C. 423, as last amended 1996 by PL 104-106, FY 96 National Defense Authorization Act)

b. Federal Implementing Regulations, 61 Federal Register 226-233, 2 Jan 97

c. Federal Acquisition Regulation Part 3 - Improper Business Practices & Personal Conflicts of Interest; Subpart 3.104 -Procurement Integrity

2. All government employees and officials, military and civilian, are reminded of the limitations and restrictions imposed by law on the release or disclosure of procurement information and urged to use reasonable care in their daily contact with contractor personnel.

3. The term "procurement information", although typically associated with bid pricing, proposed costing, technical evaluation plans, and competitive evaluation of contractor offers, may also include "inside information" from customer organizations on the FORSCOM staff. This kind of "inside information" usually deals with aspects of present and future FORSCOM plans for the acquisition of products and services, and, as such, is of significant interest to a host of potential competitors. It is NOT to be disclosed outside of the respective staff element and/or responsible Army Contracting Activity developing the solicitation. Knowing and intentional violation of these disclosure rules carries the possibility of criminal, civil, and administrative action against those responsible - against both offending government employees and private contractors.

4. Generally, FORSCOM officials and associated contractor employees are reasonably informed and well-intentioned with respect to the prevention of prohibited procurement-related disclosures. And typically, authorized access to and permissible use of procurement information involving FORSCOM

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acquisition requirements is limited to those contacting and requirements personnel who are participating, "personally and substantially", in the conduct of the particular acquisition.

5. However, since improper inquiries from firms seeking Army business can target anyone in FORSCOM, and, in fact, are often directed toward the potential user of the product or service being offered to the Army, ALL OF US, regardless of position or rank, are reminded of our obligation to ensure that the business of Army procurement is done fairly, according to law, and on a "level playing field." Do not assume that because you received the inquiry on your e-mail system that it must have come from some other Government employee - dozens of FORSCOM contract employees have legitimate use of our e-mail and send messages on it EVERYDAY. Before you just release sensitive Procurement information, KNOW TO WHOM YOU ARE SENDING IT!

6. Accordingly, you are reminded that draft "statements of work" and related technical information surrounding pending and proposed FORSCOM procurements typically represent protected "procurement information, and are thereby intended to remain within the command until properly released for competition by authorized sources. Proper disclosure of such requirements will be made available to industry by authorized Contracting officials through periodic release of approved solicitations and related publications - not by government employees through inappropriate discussion with contractors or other private parties seeking to do business with FORSCOM.

7. If queried by potential contractors, including former FORSCOM personnel (military and civilian) now working in the private sector, on matters related to potential procurements, ALL OF US must not disclose "inside information." This could jeopardize current planning and impair the integrity of the procurement process. Use common sense and promptly report any such incidents, together with any related questions, to your superiors. Supervisors should then report these matters to both the FORSCOM Ethics Counselor (464-3054) and to the Director, Army Atlanta Contracting Center (464-3435 or 2752) for appropriate action.

FORSCOM FEDERAL ACQUISITION REGULATION SUPPLEMENT

APPENDIX HHH -- GLOSSARY

AACC	Army Atlanta Contracting Center
AAP	Advanced Acquisition Plan
ACO	Administrative Contracting Officer
ADR	Alternate Disputes Resolution
AFARS	Army Federal Acquisition Regulation Supplement
AQL	Acceptable Quality Level
ASA(I&E)	Assistant Secretary of the Army (Installations and Environment)
BPA	Blanket Purchase Agreement
BO	Billing Official
CA	Commercial Activities
CAP	Contract Administration Plan
CAT	Contract Administration Team
CBD	Commerce Business Daily
CIL	Contracting Information Letter
CMR	Contract Management Review
COLA	Cost of Living Adjustment
COR	Contracting Officer's Representative
CPAF	Cost Plus Award Fee
D&F	Determination and Findings
DAPPO	Deputy Army Power Procurement Officer
DCAA	Defense Contract Audit Agency
DCMC	Defense Contract Management Command
DFA	Dining Facility Attendants
DFARS	Defense Federal Acquisition Regulation Supplement
DOC	Director of Contracting
DOL	Directorate of Logistics
DPW	Directorate of Public Works
DRU	Direct Reporting Units
ESA	Educational Service Agreements
FAC	Functional Area Chief
FAR	Federal Acquisition Regulation
FLSA	Fair Labor Standards Act
FOIA	Freedom of Information Act
FORSCOM	Forces Command
FPRA	Forward Pricing Rate Agreement
FSS	Federal Supply Schedule
FTE	Full Time Equivalent
GFE	Government Furnished Equipment

FORSCOM FEDERAL ACQUISITION REGULATION SUPPLEMENT

GFM	Government Furnished Material
GFP	Government Furnished Property
HCA	Head of Contracting Activity
HQ	Headquarters
HQDA	Headquarters, Department of the Army
IAPB	Installation Advanced Planning Board
ID	Indefinite Delivery
IDA	Initial Denial Authority
IMPAC	International Merchant Purchase Authorization Card
IT	Information Technology
J&A	Justification and Approval
JOC	Job Order Contract
LTCT	Long Term Civilian Training
MACOM	Major Command
MWR	Morale, Welfare and Recreation
NAF	Nonappropriated Fund
OCR	Official Contractor Record
OF&OC	Other than Full and Open Competition
PAR	Performance Assessment Reports
PARC	Principal Assistant Responsible for Contracting
PNM	Price Negotiation Memorandum
POM	Prenegotiation Objective Memorandum
PRS	Performance Requirement Summary
PWS	Performance Work Statement
QASP	Quality Assurance Surveillance Plan
RPMA	Real Property Maintenance Activity
SADBU	Small and Disadvantaged Business Utilization
SBA	Small Business Administration
SBA PCR	SBA Procurement Center Representative
SES	Senior Executive Service
SJA	Staff Judge Advocate
SOP	Standing Operating Procedures
SRB	Solicitation Review Board
SSA	Source Selection Authority
SSAC	Source Selection Advisory Council

FORSCOM FEDERAL ACQUISITION REGULATION SUPPLEMENT

UAC **Unauthorized Commitment**

Y2K **Year 2000**