DEPARTMENT OF THE ARMY
HEADQUARTERS UNITED STATES ARMY FORCES COMMAND
1777 HARDEE AVENUE SW
FORT MCPHERSON GEORGIA 30330-1062

REPLY TO
ATTENTION OF

AFLG-PROM

18 June 1997

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Contracting Information Letter (CIL) 97-33

1. This CIL contains information on the following:

a. Impact of Employee Involvement in Commercial Activities on Right-of-First Refusal of Employment,

b. Individual Development Plans (IDPs), and

c. Single Process Initiative and New Contracts.

2. Impact of Employee Involvement in Commercial Activities on Right-of -First Refusal of Employment.

a. Reference memo, AFCG-JA-CL, 27 May 1997, SAB (encl 1).

b. There has been significant confusion for government employees regarding their involvement in commercial activity acquisitions and the impact on their right-of-first refusal with the winning contractor. The legal office has assessed the situation and taken into account the various laws and regulations that affect this process. The enclosed memo will assist you in handling future commercial activity situations. The attached synopsis to the memo also provides a narrative of the various laws and regulations that must be considered and how they impact the government employee.

c. For additional information please contact Gail Burrell at DSN 367-6787.

3. Individual Development Plans (IDPs).

a. Reference memo, SARD-ZAC, 30 December 1996 (encl 2) and CIL 97-26, paragraph 4, 24 March 1997.

b. An IDP is now required for each Army Acquisition Workforce civilian employee, regardless of grade or certification level. In short, the IDP is a five year plan,

updated annually, for each acquisition workforce civilian employee. The IDP will define the needs of the employee in terms of training, education, and experience. It is developed jointly by the supervisor and employee and will supplement the annual performance appraisal. The memo at enclosure 2 implements this change and provides the necessary forms. The DoD 5000-52M, dated November 1995, details the education, experience, and training required for each career path.

c. In future Contracting Management Reviews (CMRs), IDPs will be an area which will be examined by the CMR team.

d. For additional information please contact Clyde Thomas at DSN 367-6372.

4. Single Process Initiative and New Contracts.

a. Reference memo, SARD-PI, 11 June 1997, subject: Single Process Initiative and New Contracts (encl 3).

b. This memo advances the DoD acquisition policy to anticipate the impact of the Single Process Initiative (SPI) on the procurement process and future contracts. The initial policy addressing SPI and new procurements is provided as enclosure 1 to enclosure 3.

3 Encls
as

TONI M. GAINES
Chief, Contracting Division, DCSLR
Principal Assistant Responsible
for Contracting

DEPARTMENT OF THE ARMY
HEADQUARTERS UNITED STATES ARMY FORCES COMMAND
1777 HARDEE AVENUE SW
FORT MCPHERSON GEORGIA 30330-1062

REPLY TO
ATTENTION OF

AFCG-JA-CL

27 May 1997

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Impact of Employee Involvement in Commercial Activities on Right-of-First Refusal of Employment

1. Several questions have surfaced regarding under what circumstances a Government employee's involvement in commercial activities could impact his or her right-of-first refusal of employment with the winning Contractor. Various laws and regulations must be considered in determining when an employee's participation in the commercial activities process is sufficient to jeopardize his or her right-of-first refusal of employment. For example, an employee's right-of-first refusal of employment under FAR 52.207-3 depends on whether the employment will be consistent with post-employment restrictions, such as those found at 41 U.S.C. 423(d) and 18 U.S.C. 207. Further an employee eligible for the right-of-first refusal may, at some point in the procurement process, be considered as having a financial interest in the procurement, triggering prohibitions found in 18 U.S.C. 208.

2. Employees should understand that several different laws and regulations apply to these situations, and that being in compliance with one applicable law or regulation does not necessarily mean that you are in compliance with the other applicable rules. Moreover, a determination of whether an employee's right to be offered employment must often be decided on a case by case basis. Accordingly, it is extremely important that employees concerned about their specific circumstances coordinate with their local contracting and legal staffs.

3. The heart of this complex "rule set" is that it is not right for a single individual to work with divided loyalties, or be perceived as doing that - in other words, to be working on a government action that could or will affect that person's financial interests, present or future, to include the financial interests of a company the individual is negotiating with about future employment. Most problems will be avoided just by applying common sense and your own sense of what is right (most of this stuff really translates into things you "learned in kindergarten"). However, that is NOT totally true - there are some rules that you did NOT "learn in kindergarten" and some that are even counter-intuitive at first blush.

4. Attached is a synopsis of some issues to be considered in ascertaining whether an employee's participation is such that his or her right-of-first refusal for a job will be jeopardized. Be advised, however, there are a host of laws and regulations pertaining to the conduct of current and former Government employees. The issue of focus here is right-of-first refusal.

AFCG-JA-CL
SUBJECT: Impact of Employee Involvement in Commercial Activities on Right-of-First Refusal of Employment

5. Again, for employees having concerns about whether their individual participation in the commercial activities procedures will affect their right-of-first refusal for a job with the winning Contractor, coordination with their contracting and legal staffs in this area is a must.

6. POCs are Brian Gerber and Betty Chionuma, (404) 464-2517 and 464-3459, respectively.

Encl

JOSEPH R. BARNES
COL, JA
Staff Judge Advocate

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cc:
AFLG-PR
AFPI-IM

SYNOPSIS: IMPACT OF EMPLOYEE INVOLVEMENT IN COMMERCIAL ACTIVITIES ON RIGHT-OF-FIRST REFUSAL OF EMPLOYMENT

I. RIGHT OF FIRST REFUSAL

A. Right-of-First Refusal of Employment clause (FAR 52.207-3).

1. Requires the winning Contractor give Government employees who have been or will be adversely affected or separated as a result of award of the contract the right of first refusal for employment openings under the contract in positions for which they are qualified, if that employment is consistent with post-Government employment conflict of interest standards.

2. Is included in all solicitations which may result in a conversion from in-house performance to contract performance of work currently being performed by the Government and in contracts that result from the solicitation, whether or not a cost comparison is conducted [per FAR 7.305 (c)].

B. Therefore, an employee's right to be offered employment with the winning Contractor depends on whether that employment is consistent with post-Government employment conflict of interest standards.

II. POST-EMPLOYMENT RESTRICTIONS IN 41 U.S.C. 423(d) - PROCUREMENT INTEGRITY

A. Applicable to any former Government employee for services provided or decisions made on or after 1 January 1997.

B. If you are in one of the following categories:

1. At the time of selection of the contractor or the award of a contract to that contractor, you were the procuring contracting officer, source selection authority, member of the source selection evaluation board, or chief of a financial or technical evaluation team in a procurement in which that contractor was selected for award of a contract in excess of $10,000,000

2. Served as a program manager, deputy program manager, or administrative contracting officer on a contract in excess of $10,000,000 awarded to that contractor

3. Personally made the following:

a. A decision to award a contract, subcontract, modification of a contract or subcontract, or a task order or delivery order of in excess of $10,000,000 to that contractor

b. A decision to establish overhead or other rates applicable to a contract or contracts for that contractor that are valued in excess of $10,000,000

c. A decision to approve issuance of a contract payment or payments in excess of $10,000,000 to that contractor

d. A decision to pay or settle a claim in excess of $10,000,000 with that contractor

C. THEN, you may not accept compensation from the contractor, or party who received the payment, for a period of one year from the date when the action occurred, or the date when you last served as an approval authority. This restriction does not apply to another division or affiliate of a contractor that does not produce the same product or service.

D. EXAMPLE: Installation Outwest identified its logistics operations as a potential commercial activity. The usual cost-comparison procedures are undertaken. Ms. Jones, knowledgeable about property management, was selected for and served as a member on the source selection evaluation board. The Board, having completed its evaluation, disbanded 1 March 1997. Glad, Inc., was selected as the winning contractor and was awarded a $10,000,100 contract on 1 April 1997. As a result of the installation's decision to use a private sector contractor rather than keeping the function in-house, Ms. Jones's job will be abolished. The FAR Right-of First Refusal clause is included in Glad's contract. Glad wishes to give Ms. Jones, whom they consider amply qualified for work on their contract, a right-of-first refusal for a job. Ms. Jones cannot be offered right-of-first refusal of employment because that employment would not be consistent with the procurement integrity laws on post-government employment restrictions. She served on the SSEB and the resulting contract award was over $10,000,000. Ms. Jones cannot work - for compensation - for Glad from one year from 1 March 1997 in the division or affiliate managing this contract. However, she could possibly work for another Glad division or affiliate not involved in this logistics service. Moreover, Ms. Jones' participation on the SSEB could be deemed as personal and substantial participation, which would trigger the requirements of 18 U.S.C. 207, discussed below.

III. POST-EMPLOYMENT CONFLICT OF INTEREST RESTRICTIONS AT 18 U.S.C. 207

A. Applies to all former Federal employees, whether or not retired, but does not apply to enlisted personnel.

B. You are forever prohibited from trying to influence a Federal employee on any particular matter involving non-Federal parties in which you participated personally and substantially as a Federal official.

C. For two years, after the termination of your service or employment with the United States, you are prohibited from trying to influence a Federal employee on a matter involving non-Federal parties that was under your supervision during your last year of active duty (service or employment with the United States).

IV. PERSONAL AND SUBSTANTIAL PARTICIPATION, FOR PURPOSES OF 18 U.S.C. 207

A. What constitutes "personal and substantial participation," for purposes of 18 U.S.C. 207, is often fact specific. However, some guidance is provided in the following regulations.

B. 5 C.F.R. Part 2637 (citing, in part, 18 U.S.C. 207, as authority for the regulation).

1. Personal and substantial participation is that participation exercised through decision, approval, disapproval, recommendations, the rendering of advice, investigation or otherwise.

2. To participate personally means directly, and includes the participation of a subordinate when actually directed by the former Government employee in the matter.

3. Substantially means that the employee's involvement must be of significance to the matter, or form a basis for a reasonable appearance of such significance. It requires more than official responsibility, knowledge, perfunctory involvement, or involvement on an administrative or peripheral issue. A finding of substantiality should be based not only on the effort devoted to a matter, but on the importance of the effort. While a series of peripheral involvements may be insubstantial, the single act of approving or participation in a critical step may be substantial.

4. It is essential that the participation be related to a particular matter involving a specific party.

V. SENIOR EMPLOYEES, 18 U.S.C. 207.

A. Applies too:

1. GOs (active duty commissioned officers of the uniformed services who are serving in a grade or rank for which the pay grade is pay grade 0-7 or above).

2. Employees in a position for which the basic rate of pay, exclusive of any locality-based pay adjustment (or comparable adjustment pursuant to interim authority of the President), is equal to or greater than the rate of basic pay payable for level 5 of the Senior Executive Service.

3. Persons employed at a rate of pay specified/fixed according to subchapter II of chapter 53 of 5 U.S.C. (Executive Schedule Pay Rates) and persons appointed by either the President or Vice President under certain authorities.

B. During first year of retirement (after terminating your service or employment), you may not attempt to influence <u>any</u> official action in the department (Army) where the last year of active duty (employment) was performed - <u>regardless</u> of whether you or anyone you supervised had any connection with that action.

C. For a period of one year, you may not aid, advise, or represent any foreign entity to help influence any U.S. government entity or employee.

VI. ACTS AFFECTING A PERSONAL FINANCIAL INTEREST, 18 U.S.C. 208

A. Section 208 of 18 U.S.C. provides, in part, that an employee who participates personally and substantially -- through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise -- in, inter alia, a contract in which he, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest is subject to certain penalties UNLESS the employee has advised the Government official appointing him of the circumstances of the matter, makes full disclosure of the financial interest and receives in advance a written determination by such official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government expects from the employee. Other limited exceptions are noted in 18 U.S.C. 208(b).

B. The gist of 18 U.S.C. 208 is a requirement that an employee disqualify himself/herself from participation in any particular matter that will have a direct and predictable effect on the financial interests of a person with whom he/she is negotiating or has an arrangement concerning prospective employment. Also see 5 C.F.R. 2635.601.

C. Negotiating for employment - Any discussion, even if tentative, is negotiating for employment. If you receive an unsolicited offer or initiation of discussion, you are negotiating UNLESS you clearly reject the offer. Just saying "talk to me after I retire" is NOT a rejection - in that situation, you are still "negotiating" for purpose of this law.

D. If there is no conflict with your official duties, then you can negotiate for employment. No special action is required.

E. If negotiating for employment creates a conflict -

1. Disqualification. With approval of supervisor, change duties so that you have no contact with actions affecting that company, or

2. Termination of Discussion. Immediately terminate all discussion and reject the offer. Don't "leave the door open." If you want to leave the door open or ensure that they know you might be interested in renewing the discussions after you retire or separate, then you are negotiating and must disqualify yourself from the government action that results in the conflict - and if your supervisor determines that your position will not allow you to cease working on the government action, then you must at that point either reject the offer and terminate discussions or retire/resign from government service.

VII. COMMERCIAL ACTIVITIES' PROCUREMENTS - SOME ACTIVITIES NOT NOT CONSIDERED "PERSONAL AND SUBSTANTIAL PARTICIPATION"

A. The Office of Federal Procurement Policy Act (Procurement Integrity Act), 41 U.S.C. 423 at (c) requires certain actions (e.g. reporting contacts and rejecting non-Federal employment, or disqualification) of employees who are participating personally and substantially in a procurement for a contract in excess of the simplified acquisition threshold and who contact or are contacted by a bidder or offeror in that procurement regarding possible non-Federal employment.

B. The Procurement Integrity Act does not define "participating personally and substantially." However, the term, used in 41 U.S.C. 423 (c) on contacts, but not in 41 U.S.C. 432(d) on post employment restrictions, is defined in 48 C.F.R. Part 3.104 (FAR provisions on Procurement Integrity). Several examples are given of what does and does not constitute personal and substantial participation. For example, if you are involved in procurements being conducted under the procedures of OMB Circular A-76 (Commercial Activities), GENERALLY, you will not be considered to have participated personally and substantially in a procurement solely by participating in the following activities.

1. Participation in management studies

2. Preparation of "most efficient organization" analyses

3. Furnishing data or technical support to be used by others in the development of performance standards, statements of work or specifications.

C. Arguably, participating in the above activities in the commercial activities area only creates a presumption that your participation is not personal and substantial. A presumption is subject to rebuttal, depending on the circumstances of the employee's involvement.

D. KNOWING ONLY THE BOTTOM LINE: An often asked question is whether only those who know the bottom line (e.g. MEO, etc.) will have their right-of-first refusal for a job jeopardized. There is no simple yes or no to the question. You must look at the totality of the circumstances and the applicable statutes and regulations to determine whether an employee's right-of-first refusal for a job with the winning Contractor will be impacted. Even then, it may boil down to the best judgment call.

VIII. Again, in the commercial activities area, in determining whether an employee's right-of-first refusal of employment will be jeopardized, employees are urged to coordinate with their local contracting and legal staffs.

REFERENCES

You may find the following references (available at your servicing SJA office) useful:

41 U.S.C. 423 (Procurement Integrity)

18 U.S.C. 207 (Restrictions on Former Officers, Employees, and Elected Officials of the Executive and Legislative Branches)

5 C.F.R. Part 2637 (Regulations Concerning Post Employment Conflict of Interest)(includes examples)

5 C.F.R. Part 2641 (Post-Employment Conflict of Interest Restrictions)

18 U.S.C. 208 (Acts Affecting a Personal Interest)

5 C.F.R. Part 2635 (Standards of Ethical Conduct for Employees of the Executive Branch)

FAR 52.107-3 AND 7.305 (c)(Right of First Refusal)

48 C.F.R. Part 3.104 (Procurement Integrity)

10 U.S.C. 2397b (Applicable to certain DoD personnel)

DOD Joint Ethics Regulations, 5500.7-R

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
RESEARCH DEVELOPMENT AND ACQUISITION
103 ARMY PENTAGON
WASHINGTON DC 20310-0103

December, 30 1996

REPLY TO
ATTENTION OF

SARD-ZAC

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Acquisition Corps/Workforce (AAC/AAW) Policy Memorandum No. 96-02, Individual Development Plan for the Army Acquisition Workforce

The Department of Defense 5000.52-M, Acquisition Career Development Program, mandates a formal Individual Development Plan (IDP) for each Army acquisition workforce civilian employee until certification at Level III is achieved. Army Acquisition Corps/Workforce (AAC/AAW) Policy Memorandum 96-01, subject: Career Development as a Mission, 1 April 1996, requires a five-year IDP, updated annually, for each acquisition workforce civilian employee, regardless of grade or certification level. The IDP provides a written framework for enhancing performance and preparing the employee for future higher-level assignments. It defines the needs of the employee in terms of the three major components of career development; training, education, and experience. Developed jointly by the supervisor and employee, it supplements the annual performance appraisal.

Enclosed is the IDP implementing guidance, instructions, and form (Enclosure 1) as discussed in AAC/AAW Policy Memorandum No. 96-01.

The Army Acquisition Corps Quality Achievement Factors, page 5 of the instructions, are furnished as a guide to supervisors and employees in for-mulating career plans for the IDP. These factors are a combination of training, education, and experience designed to make individuals competitive in filling top critical positions within the acquisition community at the various grade levels shown. The factors themselves are not mandatory requirements, nor will they be used for rating and ranking or pre-board screening purposes. By using QAFS as a roadmap, the IDP should reflect planned job assignments that build on each other with increasing levels of responsibility supported by management and leadership training. The goal is to develop highly trained and broad-based acquisition professionals ready to take on a variety of challenging key acquisition assignments.

We are piloting this hard-copy form now to familiarize employees and supervisors with the requirement for an IDP and to encourage them to place more emphasis on career planning. Automation efforts are underway to permit employees to complete their IDP on the web. A web database will be created from employee/supervisor IDP input and will be used by this office to collect training data for program planning and budget projections.

Request a copy of this memorandum and enclosures be furnished to each civilian acquisition workforce employee as well as to the civilian and military supervisors of these employees. To facilitate this distribution, instructions for accessing this information electronically are provided in Appendix A, page 4.

A professional corps of highly trained and educated acquisition leaders is the ultimate goal and vision of the Army Acquisition Corps. Carefully formulated career plans, documented on the IDP, are the means to achieve this goal. I solicit your comments and feedback as you implement the guidance in this memorandum within your Army Acquisition Workforce employees. Please provide your comments on any aspect of this initiative to Ms. Diane Schaule, DSN 655-4042, commercial (703) 805-4042, FAX DSN 655-4163; email schauled@aim.belvoir.army.mil.

KEITH CHARLES
Deputy Director
Acquisition Career Management

Enclosures

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Implementing Guidance for
Army Acquisition Workforce (AAW)
Five-Year Individual Development Plan (IDP)

1. References:

a. DOD 5000.52-M, Acquisition Career Development Program, November 1995.

b. DODD 5000.52, Defense Acquisition Education, Training, and Career Development Program.

c. AR 690-950, Career Management.

d. AR 690-400, Chapter 410, Training.

e. SARD-ZAC Memorandum, April 1, 1996, subject: Policy Memorandum 96-01, Career Development as a Mission.

f. ADS-XX-01-CG, Defense Acquisition University Course Catalog, published each fiscal year.

g. Army Acquisition Workforce Civilian Training Opportunities, published each fiscal year by the Army Acquisition Education and Training Office.

h. Assistant Secretary of the Army (Manpower and Reserve Affairs) Catalog of Civilian Training, Education and Professional Development Opportunities.

i. Individual Career Program and Career Field Army Civilian Training, Education, and Development System (ACTEDS) plans.

2. Applicability. This guidance applies to all Army Acquisition Workforce (AAW) employees, grades GS-3 through SES, and military and civilian supervisors of AAW employees, in both the Active and Reserve Components. Interns are exempt from this requirement until they have completed their internship.

3. Purpose. Individual Development Plans (IDPs) are written blueprints used to enhance current performance and prepare the employee for performance at higher levels. They supplement annual career appraisals by recommending training, education, or other developmental activities to prepare an employee for progressively responsible assignments. The IDP addresses the three major components of career development: training, education, and experience (expressed as developmental activities), for both the short- and the long-term. IDPs are progressive, sequential and should address the training, education, and career development activities that will

ultimately result in required certification(s) as well as make the employee highly competitive for career advancement. Preparation and completion of IDPs are mandated by DOD 5000.52-M, Acquisition Career Development Program, November 1995. Army's policy, established in reference 1e above, requires a five-year IDP for each AAW employee.

4. Responsibilities.

a. Supervisors of AAW civilian employees should be familiar with their career development and career management responsibilities contained in AR 690-950, Career Management, reference 1c; and AR 690-400, Chapter 410, Training, reference 1d. Supervisors and employees both have a responsibility for completion of IDP objectives. The relationship between performance appraisals and completion of the IDP objectives was explained in reference 1e and is reiterated here:

(1). Civilian supervisors of civilian AAW members will include IDP development and support to the member in accomplishing planned activities under the overall objective of Organizational Management and Leadership in the Senior System, and Supervision and Leadership Responsibility in the Base System. Their accomplishments in this area will be assessed and the results reflected on their Total Army Performance Evaluation System (TAPES) evaluation report. Likewise, non-supervisory civilian AAW members will be rated on accomplishment of their professional development objectives.

(2). Military supervisors who manage AAW members will have, as part of their Officer Evaluation Report Support Form, a major performance objective for members' career development.

b. Employees should continue to broaden the scope of their knowledges and abilities through training and self-development. They are expected to participate fully in the training, education, and career development activities outlined in their IDPs.

c. Preparation of the IDP is a joint venture, with input from both employee and supervisor. Advice and assistance may also be obtained from the following sources: the acquisition personnel proponents in the Acquisition Career Management Office at HQDA; activity career program managers; the employee's mentor; acquisition workforce support specialists in the Customer/Field Support Office; or the civilian personnel advisory center. Documentation of the IDP follows a discussion between employee and supervisor to assess previous training, education, and experience, and to evaluate realistic future career goals.

5. Procedures.

a. Five-year IDPs will be prepared for each civilian member of the Army Acquisition Workforce. An IDP may be less than five years for workforce members eligible for retirement. Individuals currently on developmental assignments of a specified duration are required to complete an IDP in coordination with their parent organization. The IDP Form and instructions provided at Appendix A will be used to develop IDPs.

b. Ideally, preparation of the initial IDP would coincide with the beginning of a new TAPES appraisal rating period. However, the IDP should be prepared as soon as this form and instructions are received. Thereafter, once the initial IDP form is completed, it may be reviewed to coincide with the TAPES system review process. The IDP should be jointly assessed at least semi-annually (to coincide with the mid-point TAPES review) and adjusted, as needed, based on adequacy and practicality of the plan. The plan may also need to be modified, if necessary, to accommodate changes in mission, or to accommodate any legislative changes that may impact the acquisition workforce.

c. Completed IDPs will remain in the possession of the supervisor and employee. As automation support for the IDP process is developed, appropriate guidance will be issued.

APPENDIX A
INSTRUCTIONS FOR COMPLETING IDP FORM

1. ***NAME:*** Employee's name.

2. ***SSN:*** Employee's Social Security Number.

3. ***POSITION TITLE:*** Employee's position title.

4. ***PAY PLAN:*** Employee's pay plan, i.e., GS/GM/ES.

5. ***SERIES:*** Employee's occupational series.

6. ***GRADE:*** Employee's current grade.

7. ***MACOM:*** Indicate two character command or organization code from the following:

AE	USA Acquisition Executive Spt Agency
AS	USA Intelligence & Security Command
AU	USA Audit Agency
CB	USA Criminal Investigation Command
CE	USA Corps of Engineers
CS	Office of the Chief of Staff, Army
E1	USA Europe & Seventh Army
FC	USA Forces Command
GB	USA National Guard Bureau
HR	USA Reserve Command
JA	USA Joint Activities
MA	US Military Academy
MC	USA Medical Command
MP	USA Total Personnel Command
MT	USA Military Traffic Management Cmd
MW	USA Military District of Washington
PC	USA Military Entrance Processing Command
P1	USA Pacific
P8	USA Eighth Army
RC	USA Recruiting Command
SA	Office, Secretary of the Army
SB	FOAs of Office, Secretary of the Army
SC	USA Space & Strategic Defense Command
SE	FOAs of the Army Staff (OA22)
SF	FOAs of the Army Staff
SP	USA Special Operations Command
SS	SSAs of the Chief of Staff HQDA
SE	USA Southern Command
TC	USA Training & Doctrine Command
X1	USA Materiel Command (includes MSCs)

8. ***POI:*** Personnel Office Identifier. Provide the four-digit identifying code of your servicing civilian personnel office or operations center.

9. ***ORGANIZATION:*** Employee's organization name.

10. ***PRIMARY ACQUISITION CAREER FIELD (ACF):*** Employee's primary acquisition career field from among the following:

A	Program Management
C	Contracting
D	Industrial Property Management
E	Purchasing & Proc Asst
G	Manufacturing & Production
H	Quality Assurance
K	Business, Cost Estimating & Financial Mgmt
L	Acquisition Logistics
R	Communications, Computer Systems
S	Systems Planning, RD&E
T	Test & Evaluation Engineering
U	Auditing

APPENDIX A
(CONTINUED)

11. CERTIFICATION LEVEL: Provide the certification level achieved in the primary acquisition career field.

12. SECONDARY ACQUISITION CAREER FIELD (ACF): Employee's secondary acquisition career field (if applicable).

13. CERTIFICATION LEVEL: Provide the certification level achieved in the secondary acquisition career field (if applicable).

14. INITIAL/UPDATE: Indicate I for Initial or U for Update.

15. PERIOD COVERED: Developmental period covered by the IDP, to include month, day, and year (i.e., 10-01-96 - 09-30-01.)

16. LAST UPDATED: Indicate month, day, and year the change is made.

17. DEVELOPMENTAL OBJECTIVES: An objective is based on the knowledge, skills and experiences necessary to enhance your performance and grow in your career field. Developmental objectives, or career goals, should be thought of as the building blocks of career progression. Objectives may be achieved through either training, education, experience, or a combination of one or more of these, and should be arrived at by both employee and supervisor. The Acquisition Corps Quality Achievement Factors (QAFs) shown on page 5 reflect a combination of education, training, and experience designed to make individuals competitive in filling top critical positions within the acquisition community at the various grade levels shown. The factors themselves are not mandatory requirements, nor will they be used for rating and ranking or pre-board screening purposes. By using QAFs as a roadmap, the IDP should reflect planned job assignments that build on each other with increasing levels of responsibility supported by management and leadership training.

17a. Short-term objectives. Identify objectives that can be realistically achieved during the next one to two years. For example: to improve supervisory or communication skills; to become chief/assistant chief of an organization; or to achieve the next certification level.

17b. Long-term objectives. Identify objectives that can be realistically achieved during the next three to five years. For example: to achieve certification in other acquisition functional areas; to become a program/project/product manager; to move to positions at other organizational levels; to complete a baccalaureate or master's degree; to complete long-term training or a developmental assignment.

APPENDIX A
(CONTINUED)

18. TRAINING: Training focuses on acquiring job-related skills, knowledges or abilities needed to meet organizational and career development goals. It is usually of short duration. All categories of training should be shown here. Training consists of:

a. Mandatory acquisition training required for certification in primary or secondary acquisition career fields.

b. Assignment-specific mandatory acquisition training (training that is not required for certification, but is required by the duties of the position).

c. Leader development training considered to be mandatory as defined in individual career program or career field Army Civilian Training, Education and Development System (ACTEDS) plans.

d. Functional training which is included in career program or career field ACTEDS plans.

e. Continuing Education required to maintain currency in an acquisition career field or provide ongoing professional development.

f. Non-mandatory training such as management, leadership, or technical seminars.

Include also certified equivalent courses that are acceptable in lieu of mandatory requirements (see current fiscal year Defense Acquisition University (DAU) catalog). Any other training which is not mandatory is considered desirable. Training information is contained in DOD 5000.52-M, Acquisition Career Development Program, November 1995, or in individual career program ACTEDS plans. Please provide the course identifying number in column 18a, i.e., ACQ 101, CON 222, and the course title in I8b for the DAU mandatory training courses.

19. EDUCATION: Education, unlike training, is generally long-term and focuses on acquiring a body of knowledge. This aspect of career development is encouraged throughout an individual's professional life. DOD 5000.52-M, Acquisition Career Development Program, November 1995, contains mandatory and desired education requirements for certification at various levels. Other educational opportunities are announced annually in the Army Acquisition Education and Training Catalog, which is available in servicing civilian personnel offices or advisory centers. The annual Catalog of Civilian Training, Education and Professional Development Opportunities, published

by the Assistant Secretary of the Army (Manpower and Reserve Affairs) is another source of information on educational opportunities. Educational activities planned for the individual's self-development should also be included in this block. If the program confers a degree, please provide the specific level in column 19a as shown below. 19b through 19e are self-explanatory.

10	Associate Degree
13	Bachelor's Degree
17	Master's Degree
21	Doctorate Degree

20. DEVELOPMENTAL ACTIVITIES: This block includes activities, other than education and training, that will help employees reach their objectives. These activities enable participants to stay current in their occupational fields, learn new skills, and develop or improve abilities needed for current and future assignments. They may consist of such activities as rotational/developmental assignments within the same function or organization; or rotational/developmental assignments outside of the organization. Details regarding the type of activity, location, and dates should be provided in this section.

21. and 22. SIGNATURES: Both the supervisor and employee should sign and date the IDP form in blocks 21 and 22, respectively.

NOTE: To access the IDP Form and Instructions (MS Word Version 6.0 format) electronically, do the following:

- At URL: http://dacm.sarda.army.mil/

  Click on Training

  Click on Individual Development Plan

  Click on Download IDP Form

INDIVIDUAL DEVELOPMENT PLAN (IDP) FOR CIVILIAN ARMY ACQUISITION WORKFORCE (AAW) MEMBERS

PRIVACY ACT STATEMENT

Section 4103 of Title 5 to U.S. Code authorizes collection of this information. This information will be used by supervisors, employees, and civilian personnel officials to plan and/or schedule training, education, or other career developmental activities. Collection of your Social Security Number is authorized by EO 9397. Furnishing the information on this form, including your Social Security Number, is voluntary. If your activity uses the information furnished on this form for purposes other than those indicated above, they will provide you with additional statements reflecting those purposes.

1. NAME	2. SSN	3. POSITION TITLE	4. PAY PLAN	5. SERIES	6. GRADE

7. MACOM	8. POI	9. ORGANIZATION

10. PRIMARY ACF	11. CERT LEVEL	12. SECONDARY ACF	13. CERT LEVEL

14. INITIAL/UPDATE	15. PERIOD COVERED	16. LAST UPDATED

17. DEVELOPMENTAL OBJECTIVES

17a. SHORT-TERM OBJECTIVES: (1 - 2 YEARS)	17b. LONG-TERM OBJECTIVES: (3 - 5 YEARS)

18. TRAINING

18a. COURSE ID	18b. COURSE TITLE	18c. PROVIDER	18d. DATE SCHEDULED or PROPOSED	18e. DATE COMPLETED

19. EDUCATION

19a. DEGREE	19b. NAME OF PROGRAM	19c. PROVIDER	19d. DATE SCHEDULED or PROPOSED	19e. DATE COMPLETED

INDIVIDUAL DEVELOPMENT PLAN (IDP) FOR CIVILIAN ARMY ACQUISITION WORKFORCE (AAW) MEMBERS

NAME	SSN	POSITION TITLE/PAY PLAN/SERIES/GRADE

20. DEVELOPMENTAL ACTIVITIES

20a. PLANNED ACTIVITY/ LOCATION	20b. DATE SCHEDULED or PROPOSED	20c. DATE COMPLETED

21. I certify that I will support the training, education, and development as agreed upon by the employee and myself as outlined in this IDP.

Supervisor Signature, Title, and Date

22. I have been counseled regarding my career goals and training, education, and developmental activities needed to achieve these goals. Only goals I can realistically be expected to achieve during the developmental period are included.

Employee Signature and Date

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
RESEARCH DEVELOPMENT AND ACQUISITION
103 ARMY PENTAGON
WASHINGTON DC 20310-0103

REPLY TO
ATTENTION OF

SARD-PI

11 JUN 1997

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Single Process Initiative and New Contracts

References:

a. Principal Deputy Under Secretary of Defense (Acquisition and Technology) memorandum, dated April 30, 1997, subject as above (Enclosure 1).

b. Under Secretary of Defense (Acquisition and Technology) memorandum, dated May 01, 1997, subject: Review and Approval of Single Process Initiative (SPI) Proposals (Enclosure 2).

c. Under Secretary of Defense (Acquisition and Technology) memorandum, dated May 16, 1997, subject: Subcontractor of Single Process Initiative (SPI) (Enclosure 3).

Reference (a) provided initial policy addressing SPI and new procurements. The purpose of this memorandum is to advance DOD acquisition policy to anticipate the impact of the SPI on the procurement process and future contracts.

Our Heads of Contracting Activities/Program Executive Offices (HCAs/PEOs) have a critical role for the success of this initiative. Implementation of single processes at contractor facilities has been successful. In order to continue this success, it is imperative that contracting officials do not consider contractors nonresponsive when they subsititute an accepted single process for a new solicitation specification.

When contractors propose Management Council-accepted single processes as substitutes for solicitation specifications, those single processes shall be accepted. Exception to this policy must be approved at the HCA/PEO level without authority of redelegation. I direct all Army

ENCL 3

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source selection officials to take action to assure this occurs. In addition to this guidance, the Director, Defense Procurement will promulgate a DFARS provision to provide for contractor identification of previously accepted substitute processes in response to solicitations and the normal presumption of Government agreement to the substitution.

Reference (b) stated that the DOD Inspector General has raised a concern that Administrative Contracting Officers (ACOs) are inhibited from obtaining necessary technical or cost data from contractors by rigid interpretation of the 120-day goal from implementing SPI concepts. I ask that you ensure ACOs understand the 120-day goal is achievable and that they should adhere to it except where technical or cost benefits assessments cannot be adequately performed within that time frame. Contractors have a responsibility to provide appropriate supporting data, and our ACOs have the responsibliity to ensure that technical and cost assessments supporting SPI actions are completed even if the time goal is exceeded.

Reference (c) provided a framework for processing subcontractor SPI concept papers. In order to assure our personnel are receptive to subcontractor SPI proposals, and to make the process a simple one to implement, the following procedures apply. To the extent that any prime contract processes, that are flowed down or imposed on subcontractors, are inconsistent with SPI processes accepted by the Government for use at the subcontractor's facility, prime contractors may substitute the accepted subcontractor equivalent process. Management Councils at prime and subcontractor facilities should facilitate and enable substitution of accepted subcontractor SPI processes.

Additional concept papers ordinarily are not required from the prime or subcontractor because the performance of the end item remains unchanged. In some instances, modifications to prime contracts may be necessary. Only prime contractors may change subcontracts. Prime contractors are still responsible for meeting the contract requirements.

Please notify Ms. Chandra Evans, DSN 761-7561, commercial (703) 681-7561, if there are any questions.

Edward G. Elgart
Acting Deputy Assistant Secretary of the
Army (Procurement)

Enclosures

DISTRIBUTION:

Assistant Deputy Chief of Staff for RDA - Acquisition, Contracting and Production Management, HQ, U.S. Army Materiel Command, ATTN: MCRDA-A, 5001 Eisenhower Avenue, Alexandria, VA 22333-0001

Principal Assistant Responsible for Contracting, HQ, U.S. Army Materiel Command, ATTN: AMCRDA-AC (PARC), 5001 Eisenhower Avenue, Alexandria, VA 22333-0001

Executive Director, Acquisition Center, U.S. Army Aviation and Troop Command, ATTN: AMSAT-A-Z, 4300 Goodfellow Boulevard, St. Louis, MO 63120-1798

Principal Assistant Responsible for Contracting, U.S. Army Chemical and Biological Defense Command, ATTN: AMSCB-PO, Building E4455, Aberdeen Proving Ground, MD 21010-5423

Director, CECOM Acquisition Center, U.S. Army Communications-Electronics Command, ATTN: AMSEL-AC, Fort Monmouth, NJ 07703-5000

Deputy Chief of Staff for Acquisition, U.S. Army Industrial Operations Command, ATTN: AMSIO-AC, Rock Island, IL 61299-6000

Director of Acquisition Center, U.S. Army Missile Command, ATTN: AMSMI-AC, Redstone Arsenal, AL 35898-5280

Director of Acquisition Center, U.S. Army Tank-automotive and Armaments Command, ATTN: AMSTA-AQ, Warren, MI 48397-5000

Principal Assistant Responsible for Contracting, U.S. Army Test and Evaluation Command, ATTN: AMSTE-PR, Aberdeen Proving Ground, MD 21005-5055

Director of Procurement, U.S. Army Research Laboratory, ATTN: AMSRL-CS-PR, 2800 Powder Mill Road, Adelphi, MD 20783-1197

THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-3010

ACQUISITION AND TECHNOLOGY

APR 30 1997

DDPEDS
DSPS

MEMORANDUM FOR SERVICE ACQUISITION EXECUTIVES
COMMANDER IN CHIEF, SPECIAL OPERATIONS COMMAND
DIRECTORS OF DEFENSE AGENCIES
DIRECTOR, DEFENSE PROCUREMENT

SUBJECT: Single Process Initiative and New Contracts

Implementation of single processes at contractor facilities has been successful. We have accepted 408 initiatives at 160 contractor facilities and dozens more are under consideration. Companies that have implemented the initiative indicate, however, that some DoD issued solicitations include military or federal specifications for which the government has agreed to accept alternative single processes. In a few instances, companies have been considered nonresponsive when they requested to substitute an accepted single process for a solicitation specification.

The Department of Defense accepts contractor single processes in lieu of specific military or federal specifications, following the decision of a Management Council made up of representatives from the Defense Contract Management Command, Defense Contract Audit Agency, and the Military Departments. When contractors propose Management Council accepted single processes as substitutes for solicitation specifications, those single processes shall be accepted. Exceptions to this policy must be approved at the Head of Contracting Activity/Program Executive Officer (HCA/PEO) level without authority of redelegation. I direct all DoD source selection officials take action to assure this occurs. In addition, the Director, Defense Procurement will promulgate a DFARS provision to provide for contractor identification of previously accepted substitute processes in response to solicitations and the normal presumption of government agreement to the substitution.

R. Noel Longuemare
Principal Deputy

TOTAL P.E

ACQUISITION AND
TECHNOLOGY

THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, D.C., 203OI -3010

MAY 01 1997

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
ATTENTION: SERVICE ACQUISITION EXECUTIVES
DIRECTORS OF THE DEFENSE AGENCIES
COMMANDER, DEFENSE CONTRACT MANAGEMENT COMMAND

SUBJECT: Review and Approval of Single Process initiative Proposals

My memorandum of December 8, 1995, provides guidance for making block changes to existing contracts including timelines expected in this streamlined process. The DoD Inspector General has raised a concern that administrative contracting officers (ACOs) are inhibited from obtaining necessary technical or cost data from contractors by rigid interpretation of the 120-day goal for implementing Single Process Initiative (SPI) concepts. Please ensure that your ACOs understand the 120-day goal is achievable and they should adhere to it except where technical or cost benefits assessments cannot be adequately performed within that time frame. Contractors have a responsibility to provide appropriate supporting data, and our ACOs have- the responsibility to ensure that technical and cost assessments supporting SPI actions are completed even if the time goal is exceeded.

-Signed-
Paul G. Kaminski

THE UNDER SECRETARY OF DEFENSE
3010 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-3010

ACQUISITION AND TECHNOLOGY

MAY 16 1997

MEMORANDUM FOR SERVICE ACQUISITION EXECUTIVES
COMMANDER IN CHIEF, SPECIAL. OPERATIONS COMMAND
DIRECTORS OF DEFENSE AGENCIES

SUBJECT: Subcontractor Single Process Initiative (SPI)

My memorandum of September 3, 1996, provided a framework for processing subcontractor SPI concept papers. Recently I sent a letter to the Presidents of the industry associations in the Council of Defense and Space Industry Associations (CODSIA) asking them to encourage prime contractors to permit their subcontractors to substitute Government accepted Single Process Initiatives (SPI) for equivalent DoD prime contract specified processes.

In order to assure our personnel are receptive to subcontractor SPI proposals, and to make the process a simple one to implement, the following procedures apply. To the extent that any prime contract processes, that are flowed down or imposed on subcontractors, are inconsistent with SPI processes accepted by the Government for use at the subcontractor's facility, prime contractors may substitute the accepted subcontractor equivalent process. Management Councils at prime and subcontractor facilities should facilitate and enable substitution of accepted subcontractor SPI processes.

Additional concept papers ordinarily are not required from the prime or subcontractor because the performance of the end item remains unchanged. In some instances, modifications to prime contracts may be necessary. Only prime contractors may change subcontracts. Prime contractors are still responsible for meeting the contract performance requirements.

-SIGNED-
Paul G. Kaminski