SUPPLEMENT TO NOTICE TO CONTRACTING OFFICERS, CONTRACTING OFFICER'S TECHNICAL REPRESENTATIVES, AND LINES OF BUSINESS

Subject: Service Contract Guidelines

The purpose of this supplement to my Notice to Contracting Officers, Contracting Officer's Technical Representatives, and Lines of Business dated May 25, 2005 is to provide clarification and implementation instructions with respect to the use of Washington Headquarters' funds by regional and center activities. On the final page of the document, it is stated that, "...when Washington Headquarters' funds are to be used, the requiring office must use a Washington Headquarters' contract to make an obligation, unless authorization is received from the Office of Acquisition Policy and Contracting's appropriate contracts division manager." Some have interpreted this statement as to require the authorization by the appropriate Headquarters' Contracting Division Manager regardless of purpose or method of obligation.

When taken in the context of the subject of the notice, it should be understood that the Headquarters' funds addressed above are those that are provided by Headquarter requirement offices to regional and center activities, for the purpose of contracting for support services. Funding sent to the field in the form of a Project Authorization (PA) to perform site implementation activities or other construction work should not be considered Headquarters' funding subject to the provisions of this Notice.

For the purposes of this Notice, support service contracts are those that are awarded to vendors for the provision of technical, engineering or professional/administrative support by a vendor to a requirements office in the performance of that office's assigned duties. Support service contracts encompass both personal and non-personal services and for the purposes of this notification; do not include services being provided through an Interagency Agreement with another Federal agency.

Accordingly, the following implementations instructions are provided:

1. Upon the identification by a Headquarters requirements office of a need to contract for support services, that office shall immediately contact their assigned representative of the Office of Acquisition Policy and Contracting for assistance in the development of an acquisition plan covering those services. Addressed in the plan shall be a description as to the type service required, the scope of work, potential source(s) of support and the market availability of the type support needed.
2. As part of that process, a determination will be made as to whether the requirement can be filled by the award of a new contract or the modification of an existing Agency contract.
3. If it is determined that either Headquarters resources are not available to service the requirement or that a contract exists at a Center or Regional Office; the decision may be made by the appropriate manager of the servicing contracting division that it is in the Agency's interest to allow for the

contracting to be performed by Center or Regional activities. In making this determination, the Headquarters Division Manager will assess the nature of the requirement as well as the Statement of Work in the existing field contract to ensure that the new work that is to be performed is in conformance with that existing Statement of Work. If the new work that is to be performed is in keeping with the existing Statement of Work, then the Headquarters' Contracting Division Manager will likely make the determination that the work should be performed at the Center or regional level. If the work is new work and would require a substantial modification to the existing Statement of Work to bring the work into scope, strong consideration should be made to require the acquisition to remain at the Headquarters level and performed by the appropriate Headquarters' contracting division.

4. Documentation providing insight into this deliberative process shall be made a permanent part of the file created in support of the contracting requirement. The determination that it is appropriate to assign the Headquarters' requirement to a field activity for award and administration shall be made in writing, signed by the appropriate Headquarters Contracting Division Manager and forwarded with the associated procurement request to the Center or Regional Contracting office for incorporation into the file.

Vice President, Acquisition Business Services, ATO-A

7/15/05
Date

This document was created with Win2PDF available at http://www.daneprairie.com.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.

This document was created with Win2PDF available at http://www.daneprairie.com.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.