

Department of the Army
Headquarters, United States Army
Training and Doctrine Command
Fort Eustis, Virginia 23604-5730

TRADOC Regulation 5-14

8 January 2012

Management

ACQUISITION MANAGEMENT AND OVERSIGHT

FOR THE COMMANDER:

OFFICIAL:

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History. This publication is a major revision to United States Army Training and Doctrine Command (TRADOC) Regulation 5-14.

Summary. This regulation provides policy on management and oversight of the TRADOC acquisition process. The process is primarily concerned with validating and documenting contract requirements.

Applicability. This regulation applies to all elements of TRADOC. This regulation is effective the date published, with no provisions to grandfather ongoing contract requirements.

Proponent and exception to authority. The proponent of this regulation is Deputy Chief of Staff (DCS), G-8. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations.

Army management control process. This regulation contains management control provisions regarding the review and approval of TRADOC acquisitions, but does not contain checklists for conducting management control reviews.

Supplementation. Supplementation of this regulation is prohibited unless specifically approved by DCS, G-8 (ATRM-MDA) 661 Sheppard Place, Fort Eustis, VA 23604-5730

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to DCS, G-8 (ATRM-MDA), 661 Sheppard Place, Fort Eustis, VA 23604-5730.

Distribution. This regulation is available on the TRADOC homepage at <http://www.tradoc.army.mil/tpubs/>.

* This regulation supersedes TRADOC Regulation 5-14, dated 26 October 2009.

Summary of Change

TRADOC Regulation 5-14
Acquisition Management and Oversight

This is a major revision of regulation, dated 8 January 2012-

- Updates Figure 1-1, Training and Doctrine Command acquisition management and oversight acquisition approval process.
- Updates responsibilities (chap 2).
- Updates threshold for appointing a contracting officer's representative for service contract requirements (para 2-9e).
- Updates the functional review board requirements (chap 3 and para B-5).
- Updates market research requirements (para 4-1 and app B-4).
- Updates contracting officer's representative, alternate contracting officer's representative, and supporting contracting officer's representative training requirements (para 4-2e).
- Updates acquisition management and oversight package requirements and approval thresholds for service and supply/product requirements (chap 5 and chap 6).
- Updates contract modifications policy for service and supply/product requirements (para 7-1).
- Updates government purchase card contract purchases policy (para 7-4).
- Updates mandatory source requirements (para 7-6).
- Updates the executive contract approval board requirements (chap 9).

- Updates reporting requirements (chap 12).
- Updates ethics and in-sourcing/competitive sourcing information (chap 13).
- Updates offload requirements and offload justification memorandum format (para 7-5, para B-11 and app C).
- Updates DD Form 254 requirements (para B-13).
- Adds General Fund Enterprise Business System terminology.
- Updates Training and Doctrine Command Form 5-14-E.
- Makes administrative changes throughout.
- Rescinds provision for “incidental services.”

The original regulation, dated 5 January 2009-

- Establishes a formal acquisition management and oversight program for U.S. Army Training and Doctrine Command.
- Incorporates contract oversight and inventory mandates found in the National Defense Authorization Act for fiscal year 2008, Public Law No. 110-181, and related Department of Defense and Army implementing guidance.
- Discusses the acquisition management and oversight process, to include requirements development, pre-planning, package development, approval processes, contract award, and post-award activities.
- Establishes roles and responsibilities (chap 2).
- Establishes standard processes, procedures, documentation requirements, and policies for the U.S. Army Training and Doctrine Command (throughout the regulation).
- Establishes a functional review board (chap 3).
- Establishes standard approval thresholds and corresponding approval authorities for service and supply/product contracts (chaps 5 through 7).
- Establishes an administrative contract review board (chap 8).
- Establishes an executive contract approval board (chap 9).
- Establishes reporting requirements (chap 12).

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Chapter 1

Introduction

1-1. Purpose

This regulation prescribes policies for the U.S. Army Training and Doctrine Command (TRADOC) Acquisition Management and Oversight (AMO) program. The focus of the management and oversight process described in this regulation is to validate and document TRADOC contract requirements and to enhance management controls over the TRADOC acquisition process. This regulation does not supplement or modify guidance found in the Federal Acquisition Regulation (FAR), Defense Federal Acquisition Regulation Supplement (DFARS), Army Federal Acquisition Regulation Supplement (AFARS), or other Army regulations (ARs). Implement this regulation in conjunction with the FAR and its supplements. In the event of a conflict between this regulation and the FAR, DFARS, AFARS, or higher-level policy, the FAR, its supplements, and higher-level policy will govern. TRADOC commanders and commandants have the prerogative, upon approval by Headquarters (HQ) TRADOC, DCS, G-8, to direct more stringent review and approval procedures than are specified in the FAR, the implementing acquisition supplements, or this regulation. This regulation applies to:

- a. All phases of, and procedures involved in, the acquisition and contracting life cycle.
- b. All service contract requirements.
- c. Supply/product contract requirements.
- d. Contract requirements where TRADOC resources are used to fund the contract.
- e. All contract requirements executed by TRADOC, regardless of funding source.
- f. All contract requirements where TRADOC receives resources from external organizations that are applied to existing TRADOC contracts or used to fund new contract requirements.
- g. TRADOC use of Department of Defense (DOD) and non-DOD contracts, regardless of dollar value, including assisted or direct acquisitions.
- h. All participants in the acquisition management and oversight process.

1-2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

1-4. Responsibilities

Responsibilities are listed in chapter 2.

1-5. TRADOC Acquisition Management and Oversight (AMO) program

The AMO program serves as TRADOC's review and approval process for all contract requirement actions. The AMO program is designed to serve as a leadership tool and a means of enhancing management controls over contract expenditures. By design, the AMO program provides leadership with visibility of all contract requirement actions and allows leadership at all levels to make informed and fiscally responsible decisions on contract requirement actions. The AMO program establishes a standardized set of business rules and processes for the command. At the same time, it meets the acquisition oversight and inventory requirements set forth by the National Defense Authorization Act (NDAA), and related DOD and Army implementing guidance. The AMO review and approval process ensures TRADOC leadership is actively engaged in the acquisition process. This regulation does not provide relief from other existing acquisition policies and regulations, nor does it grant permission to circumvent statutory limitations. All contract requirements, regardless of dollar amount or funding vehicle, are subject to this regulation. No requiring activity (RA) will split or offload requirements to avoid required approval processes or boards. The major features of the AMO program, as outlined in figure 1-1 are:

a. Functional review board (FRB). The FRB is conducted by the RA to review and validate each existing and potential contract requirement. A description of the FRB is located in chapter 3.

b. Market research and planning. Conducting market research helps to define requirements and the most advantageous acquisition strategy, and will be conducted prior to developing new requirement documents. Planning will result in higher quality procurements, provide optimum choice of sources, and at the same time allow for better visibility of inherent opportunities and/or constraints for each procurement. Additional information on market research and acquisition planning is located in chapter 4.

c. AMO package. This package includes documents for certification and approval of contract requirements, and to facilitate action by the contracting activity. A description of the AMO package is located in chapters 5 and 6. Note: The contracting officer may require additional documentation or revisions to AMO documents.

d. Administrative contract review board (ACRB). The ACRB is the staffing mechanism by which contract documents are reviewed to provide an objective analysis of the AMO package and a recommendation to the approving authority. A description of the ACRB is located in chapter 8. Note: The contracting officer has the final authority to ensure the sufficiency of the contract.

e. Certification/approval. As discussed in chapter 5 and appendix B, all service contract requirements must be properly certified. Descriptions of approval thresholds and designated approval authorities for service and supply/product contract requirements are located in chapters 5 and 6.

f. Executive contract approval board (ECAB). A description of the ECAB is located in chapter 9. ECABs are formal boards chaired by the TRADOC deputy commanding generals (DCGs) and serve as the final approval for:

(1) Contract requirements where the aggregate value of the contract (base plus options) is equal to or greater than \$10M.

(2) Existing contract requirements where the sum of the remaining option years, task orders (TOs), and delivery orders (DOs) is equal to or greater than \$10M.

(3) Individual options, TOs, DOs, and military interdepartmental purchase requests (MIPRs) that are equal to or greater than \$10M.

g. Contract formation and award. This phase of the contract process is performed by the contracting office. Additional information on contract formation and award is located in chapter 10.

h. Contract administration. In coordination with the contracting officer, the requiring activity's contracting officer's representative (COR), alternate COR, and supporting COR personnel are the principal participants in ensuring effective contract administration and surveillance. Additional information on contract administration is located in chapter 11.

i. Contract reporting. RAs, directors of resource management (DRMs), contracting officers, CORs, alternate CORs, supporting CORs, and contractors are responsible for mandated reports. Additional information on contract reporting is located in chapter 12.

j. Past performance evaluation and reporting. In coordination with the contracting officer, the RA, COR, alternate COR, and any supporting COR personnel are responsible for ensuring contractor performance is evaluated and reported. Additional information on past performance evaluation and reporting is located in chapter 12.

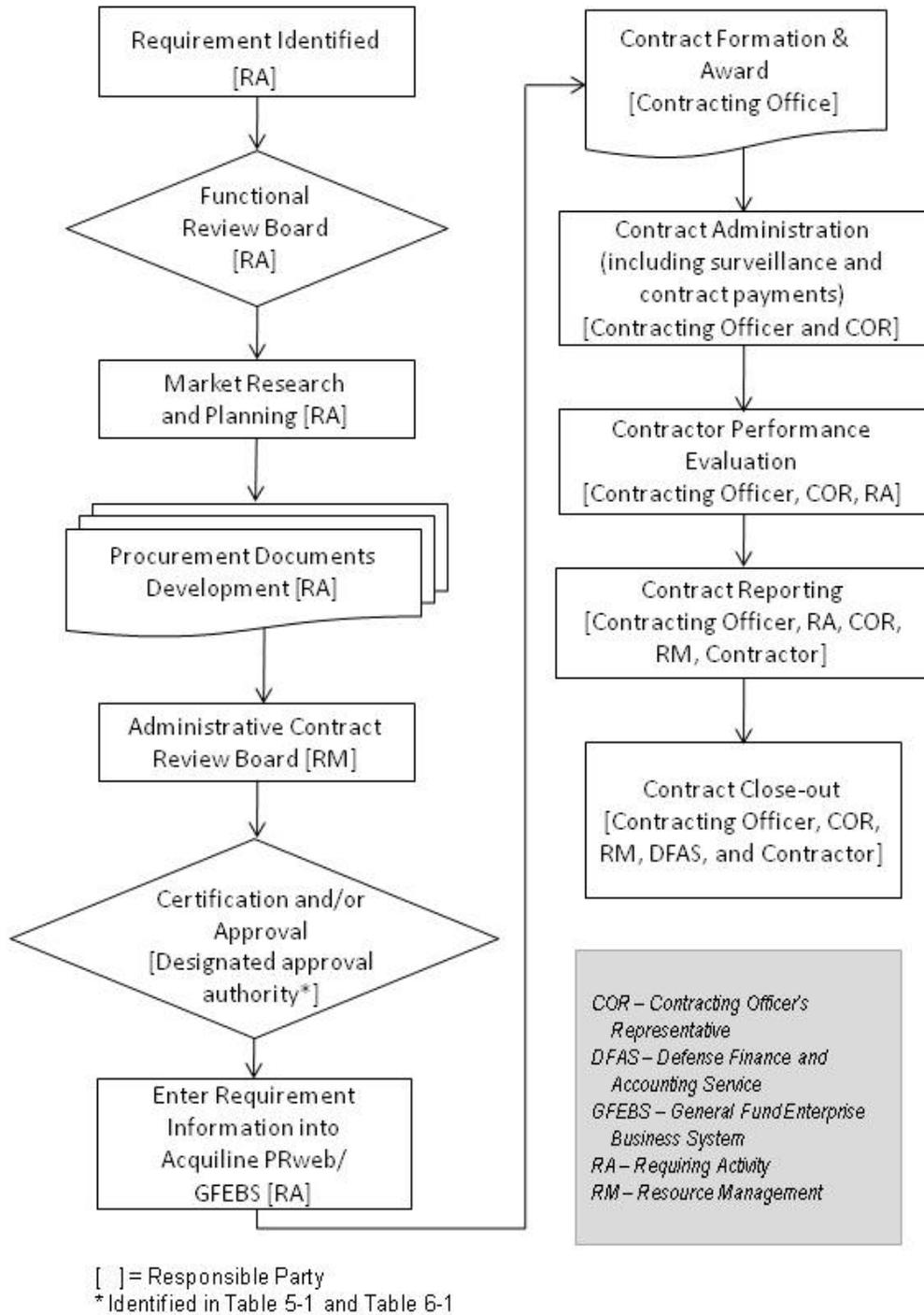


Figure 1-1. Contract approval and execution process

Chapter 2 Responsibilities

2-1. Guiding principles

a. TRADOC personnel will promote fiscal stewardship and ensure the command receives, on a timely basis, the best value to the customer, while maintaining the public's trust and fulfilling public policy objectives. All personnel will exercise ethical conduct and practice sound decision making. Subordinate organizations will issue implementing instructions, as appropriate.

b. All requirements will be validated and coordinated through the RA's chain of command and processed (when applicable) through the FRB, the ACRB, and the ECAB before contract award.

c. All reporting will be accurate and complete with full disclosure.

d. Personnel participating in the acquisition process will have adequate training for all assigned duties.

e. Personnel involved in the acquisition process will have adequate time and resources necessary to perform their duties. Contract-related duties, particularly those of the COR, alternate COR, and supporting CORs, are essential to an effective acquisition process and will not be treated as an "other duty as assigned."

f. A team approach will be used to ensure successful management and oversight of contracts. Cooperation between the designated contracting activity and TRADOC personnel is essential to anticipate upcoming requirements, allow sufficient procurement administration lead times, consider various alternative acquisition methods, and increase the efficiency of the acquisition process. Acquisition and contracting personnel will support RA personnel by performing contracting actions in accordance with applicable laws and regulations. Likewise, RA personnel will support acquisition and contracting personnel by taking an active role in the acquisition process. This coordinated team approach will result in timely delivery of mission essential supplies and services, while protecting against waste, fraud, and abuse.

g. TRADOC utilizes competition and performance-based work statements to ensure the best value for quality services at lower prices by encouraging contractors to find new, innovative, and more efficient methods. The Competition in Contracting Act requires the Government to utilize full and open competition in acquisitions with limited exceptions. Competition offers numerous advantages to the RA:

(1) Receive services or supplies/products at competitive prices and promote fairness and openness in the acquisition process.

(2) Emphasize quality and consider past performance when evaluating each offer.

(3) Provide opportunities to take advantage of the best and most innovative sources available in the private sector.

h. Requirements will not be split in order to avoid required boards, processes, approval or thresholds.

2-2. TRADOC Deputy Commanding General (DCG)/Chief of Staff

TRADOC DCG/Chief of Staff will -

a. Serve as Director for the AMO program.

b. Provide overarching command guidance.

c. Establish a command climate which reflects an awareness of the importance of senior leadership's personal involvement in the stewardship of contract and fiscal resources, integrity of the procurement process, and the AMO program.

d. Serve as approving official for contract requirement actions as prescribed in paragraphs 5-2 and 6-2.

e. Serve as the ECAB chair for HQ TRADOC organizations and those organizations reporting directly to HQ TRADOC.

2-3. TRADOC Deputy Chief of Staff (DCS), G-8

a. TRADOC DCS, G-8 will -

(1) Serve as the AMO Coordinator for the command.

(2) Serve as the ACRB chair for HQ TRADOC organizations.

(3) Establish and promulgate TRADOC AMO policy.

(4) Ensure TRADOC policies and procedures comply with DOD and Headquarters Department of the Army (HQDA) requirements.

(5) Support and facilitate the training of all personnel involved in the AMO process.

(6) Initiate evaluations and internal reviews, as required, to determine the effectiveness of the AMO program.

b. TRADOC DCS, G-8, Resources and Acquisition (RAMD) Director will -

(1) Serve as the primary proponent for the TRADOC AMO program.

(2) Execute AMO policy and procedures.

(3) Collect and analyze contracting data to provide information for leadership decisions and to meet DOD, HQDA, and TRADOC reporting requirements.

(4) Troubleshoot and provide assistance for TRADOC-wide AMO problems and issues.

(5) Conduct the ACRB for HQ TRADOC contract requirements.

(6) Facilitate the ECAB.

c. TRADOC DCS, G-8, Budget Directorate Director will -

(1) Support the AMO program policies and procedures.

(2) Review, analyze, and prepare affordability analyses on AMO actions and other budget-related AMO issues as requested by RAMD.

(3) Confirm AMO approval for HQ TRADOC contract requirement actions has been obtained prior to certification of funds.

(4) Ensure correct element of resource (EOR)/commitment item, management decision execution package (MDEP)/functional area, and Army management structure code (AMSCO)/functional area are used when certifying funds.

(5) Provide support and guidance for the Web-based TRADOC Automated Schedules (WebTAS) contract execution module.

d. TRADOC DCS, G-8, Planning, Analysis, and Evaluation Directorate Director will -

(1) Support the AMO program, policies, and procedures.

(2) Review, analyze, and prepare cost analyses on HQ TRADOC AMO actions and other cost and programming-related AMO issues as requested by RAMD.

e. TRADOC DCS, G-8, Manpower and Force Analysis Directorate Director will -

(1) Support the AMO program, policies, and procedures.

(2) Review, analyze, and prepare manpower analyses on HQ TRADOC contract requirement actions and other manpower-related AMO issues as requested by RAMD.

(3) Document contract manyear equivalents (CMEs) in The Army Authorization and Documentation System (TAADS) and ensure the requirement is not duplicated elsewhere in the organization.

f. TRADOC DCS, G-8, Finance and Accounting Directorate (FAD) Director will -

(1) Support the AMO program, policies, and procedures.

(2) Review, analyze, and prepare FAD's position on disbursement and accounting-related AMO issues as requested by RAMD.

2-4. TRADOC DCS, G-6

TRADOC DCS, G-6 will -

a. Establish and coordinate TRADOC policies and procedures specific to the management and oversight of information technology (IT) acquisitions.

b. Approve all TRADOC IT hardware, software, and services acquisition requirements by the Reporting and Acquisition Decision (RAD) process as defined in TRADOC Regulation 25-1 prior to final AMO approval.

c. Review, analyze, and prepare a DCS, G-6 position on HQ TRADOC IT-related contract requirement actions as requested by DCS, G-8, RAMD.

d. Assist with other AMO-related issues as needed.

2-5. TRADOC Internal Review and Audit Compliance (IRAC)

TRADOC Internal Review and Audit Compliance Director will -

a. Conduct internal reviews as directed by the AMO Director or requested by the AMO Coordinator.

b. Perform periodic reviews of AMO actions as requested by DCS, G-8.

2-6. Mission and Installation Contracting Command (MICC)

A subordinate General Officer (GO) level command of the Army Contracting Command is part of the Army's Generating Force and has over 40 Army contracting support offices at military installations throughout CONUS with the mission to plan, integrate, award, and administer contracts throughout the Army Force Generation (ARFORGEN) cycle. MICC supports the Army Commands (ACOMs), including TRADOC, Direct Reporting Units (DRUs) as well as U.S. Army North (USARNORTH) and other organizations to provide the best value for the mission, Soldiers, and their Families. The MICC Commanding General will -

a. Ensure the MICC serves in the capacity of TRADOC's designated contracting activity.

b. Assign the MICC Contract Support, Plans, and Operations – Contract Support Element (MICC CSPO-CSE) to facilitate communication, assist with requirements generation and coordination, provide continuous interface, and serve as a business advisor on acquisition and contracting concerns for TRADOC. The MICC CSPO-CSE ensures the TRADOC commander and staffs are routinely aware of the full scope of contracting tools and support available to accomplish mission requirements. The MICC CSPO-CSE team provides guidance and assistance on policy and procedure or assists in preparation of documentation as reflected in paragraph 2-6d

below. The MICC CSPO-CSE will serve as a member of Senior Level review boards and ECABs conducted by TRADOC headquarters and upon request for other TRADOC Deputy Commanding Generals. The CSE will validate MICC's ability to meet contract requirements traditionally offloaded to other DOD and non-DOD activities in order to promote efficient and effective management of TRADOC's contract support resources. The MICC CSPO-CSE will serve as the entry point for all TRADOC offload contract requirements to include use of non-DOD and DOD contracts and will coordinate with the MICC Head of Contracting Activity (HCA), principal assistant responsible for contracting (PARC), and respective staff on all items of interest to the TRADOC Headquarters, schools, centers, and activities. The CSE role is advisory and representatives do not have contract execution approval, authority, or responsibility.

c. Ensure that MICC contracting offices and contracting centers will provide contracting support to TRADOC Headquarters, schools, centers, and activities throughout CONUS. MICC will provide enterprise contracting support for TRADOC customers, to include large scale contracts for commodities and services and pre-award contracting planning. The local MICC contracting office also controls the government purchase card (GPC) program for the installation and can provide guidance on GPC use.

d. Ensure MICC CSPO-CSE will provide assistance to TRADOC requiring activities in the following:

- (1) Training and education of personnel involved in the AMO process.
- (2) Acquisition planning.
- (3) Market research.
- (4) Writing/developing the following acquisition documents:
 - (a) Performance work statement (PWS), statement of objectives (SOO), statement of work (SOW), and performance requirements summary (PRS).
 - (b) Independent government estimate (IGE).
 - (c) Quality assurance surveillance plan (QASP).
 - (d) Conducting and documenting market research and cost benefit analysis for consolidated requirements. (FAR Part 2.101(b) and DFAR Part 207.170)
 - (e) Developing an acquisition plan and/or acquisition strategy.
 - (f) Preparing applicable portion of required justification and approval (J&A) documents.
 - (g) Validating offload and non-DOD certifications and justifications.

(h) Advising in regard to the DOD (DD) Form 254 (Department of Defense Contract Security Classification Specification) when contractor employees will require access to classified information.

(i) Developing technical evaluation criteria.

(5) Assist in coordination with the MICC Contracting Office on behalf of the customer to:

(a) Accomplish legal review of contract documents.

(b) Issue solicitations.

(c) Award and administer contracts.

(d) Train and appoint CORs, alternate CORs, and supporting CORs.

2-7. Office of the Staff Judge Advocate (OSJA)

SJAs will provide legal counsel to -

a. Review RA submissions and related funding and acquisition documentation for completeness, coherence, and compliance with applicable acquisition and fiscal law, regulation, and policy.

b. TRADOC leadership and staff elements throughout the acquisition process, to include contract management and oversight.

c. Serve as legal counsel to acquisition/contract review and approval boards, established by this regulation.

d. To enhance the effectiveness of the TRADOC AMO process.

2-8. Major subordinate commands

Major subordinate commands will -

a. Comply with and enforce the guidance and policies established by the AMO Director and/or Coordinator.

b. Adhere to all policy and procedures as prescribed by this regulation.

c. Ensure all personnel involved in the AMO process are trained and aware of their responsibilities.

d. Serve as approving and/or certifying official for acquisition approval requests in accordance with thresholds in paragraphs 5-2 and 6-2.

2-9. TRADOC school/center/activity commanders/commandants/directors/staff principals

TRADOC school/center/activity commanders/commandants/directors/staff principals will -

a. Comply with and enforce the guidance and policies established by the AMO Director and/or the AMO Coordinator.

b. Ensure advance acquisition planning and sufficient procurement lead time is allowed in order to meet mission requirements.

c. Ensure all personnel involved in the AMO process are trained and aware of their responsibilities.

d. Ensure language outlining responsibilities for personnel involved in the AMO process is included in the individuals' support forms or performance objectives/standards.

e. Ensure all service contract requirements, to include TOs and offload requirements, have sufficient TRADOC oversight. The RA must formally nominate a TRADOC employee to serve as the primary COR, alternate COR, or as a supporting COR for all service contract requirements and TOs with a value (including options) greater than \$150,000. A COR, alternate COR, or supporting COR must be appointed for all service contracts, regardless of the dollar value for:

(1) Complex service contracts that have quality or performance standards for which contractual conformance must be established progressively through precise measurements, tests, and controls applied during purchasing, performance, and functional operation either as an individual service or in conjunction with other services;

(2) The contract or action is for critical service in which the failure of the service could injure personnel or jeopardize a vital agency mission and the contracting officer determines it appropriate.

(3) Contract requirements where contractor past performance indicates a need for Government oversight; or,

(4) Contract requirements where the contracting officer otherwise determines a COR is needed.

f. COR, alternate COR, and supporting COR nominations must be accomplished through the Virtual Contracting Enterprise (VCE) tool (<https://arc.army.mil/COR>). In instances where the VCE tool has not been implemented by the servicing contracting activity, it is incumbent on the RA to follow the designated nomination process dictated by the contracting officer. The contracting officer will make all formal appointments for those serving as a COR, alternate COR, or supporting COR. In the event the contracting officer does not formally appoint a TRADOC employee to serve in the capacity of a COR, the RA then bears the responsibility to ensure that a TRADOC employee is assigned, in writing, to surveil the execution of the contract. This surveillance will be done without a formal appointment from the contracting office. Any

deficiencies with contractor performance or deliverables should be reported by the RA to the COR and contracting officer.

g. Serve as approving and/or certifying official for acquisition approval requests in accordance with thresholds in paragraphs 5-2 and 6-2.

2-10. TRADOC school/center/activity director of resource management or

The director of resource management will serve as the primary proponent for the TRADOC AMO program for their school/center/activity. The director of resource management will -

a. Execute guidance, policies, procedures, and directives set by the AMO Director or the AMO Coordinator.

b. Serve as a member of the FRB (when required).

c. Serve as the local ACRB chair.

d. Review ECAB packages and, as required, participate in the ECAB.

e. Troubleshoot and provide assistance with AMO problems and issues.

f. Confirm all required approvals have been obtained prior to certification of funds.

g. Ensure CMEs are correctly documented in TAADS and that the requirement is not duplicated elsewhere in the organization.

h. Ensure correct accounting coding (for example, EOR/commitment item, MDEP and AMSCO/functional area, etc.) is used when certifying funds.

i. Collect and analyze data in order to provide information for leadership decisions and to meet DOD, HQDA, and TRADOC reporting requirements.

j. Adhere to HQDA and TRADOC reporting requirements.

k. Archive all AMO documents to include all documentation included in the approved AMO package, as well as the concurrence/nonconcurrence comments from the board members, in accordance with AR 25-400-2.

2-11. TRADOC requiring activity (RA)

The RA is the Army organization that has a need for goods or services that may potentially be satisfied through a contract requirement. RAs will -

a. Comply with and enforce guidance and policies established by the AMO Director and the AMO Coordinator.

b. Hold a FRB for all proposed contract requirements consistent with chapter 3.

c. Coordinate with the DRM and the designated contracting activity as soon as the requirement is identified and determined to be appropriate for contracting.

d. Coordinate with the MICC CSPO-CSE and/or the servicing MICC center or office to develop all required acquisition planning documentation such as the acquisition plan, the acquisition service strategy, the source selection plan, the business management modernization certification, and a contract administration plan. Required documentation will be dictated by the size and complexity of the requirement. See chapter 10 and appendix E for details.

e. Translate the requirement into an actionable requirement for contract that can be properly managed with measurable outcomes throughout contract performance. Define measurable outcomes in terms of cost, schedule, and performance.

f. Coordinate with other offices as required.

g. Identify and involve the COR, alternate COR, and any supporting CORs in all aspects of the contract process. This includes planning, document development, award, administration, and close out processes.

h. Develop a surveillance plan that details the COR contract management structure for each requirement. The surveillance plan must identify the use and relationship of the COR, alternate COR, and supporting CORs.

i. Formally nominate trained personnel to serve as the COR, alternate COR, and supporting CORs for all service contracts, to include TOs, with a value greater than \$150,000. A COR, alternate COR, or supporting COR must be appointed for all service contracts, regardless of the dollar value for:

(1) Complex service contracts that have quality or performance standards for which contractual conformance must be established progressively through precise measurements, tests, and controls applied during purchasing, performance, and functional operation either as an individual service or in conjunction with other services;

(2) The contract or action is for critical service in which the failure of the service could injure personnel or jeopardize a vital agency mission and the contracting officer determines it appropriate.

(3) Contract requirements where contractor past performance indicates a need for Government oversight; or,

(4) Contract requirements where the contracting officer otherwise determines a COR is needed.

j. Unless authorized in writing by the RA's designated approval authority, an individual may not serve as a COR, alternate COR, or supporting COR for more than two contracts or TOs.

Factors such as complexity, total dollar value, number of TOs, etc., should be considered when nominating a COR for more than two contracts simultaneously.

k. COR, alternate COR, and supporting COR duties will be documented in the individual's support form/performance objectives/standards. The COR's supervisor must obtain feedback from the contracting officer on COR performance to include in the annual performance rating period.

l. Formally nominate trained personnel to serve as supporting CORs to assist the primary COR with oversight of complex contract requirements.

m. Formally nominate trained personnel to serve as supporting CORs for requirements where the primary COR is not a TRADOC employee. In the event the contracting officer does not formally appoint a TRADOC employee to serve in the capacity of a COR, the RA then bears the responsibility to ensure that a TRADOC employee is assigned, in writing, to surveil the execution of the contract. This surveillance will be done without a formal appointment from the contracting office. Any deficiencies with contractor performance or deliverables should be reported by the RA to the COR and contracting officer.

n. Prepare the AMO package.

o. Submit the AMO package, with all required documentation, to the DRM for ACRB review.

p. Prepare and submit ECAB packages, as required, with all required documentation to the DRM for ECAB review.

q. Once the AMO package is approved, the RA is responsible for entering the requirement into Aquiline PRweb or General Fund Enterprise Business System (GFEBS) for appropriate action by the contracting activity.

r. Ensure all RA personnel involved in the acquisition process are properly trained, are aware of their responsibilities, are aware of the importance of their role, and have adequate time to perform their duties.

s. Provide final AMO approval documentation to the servicing DRM for archival.

t. Coordinate with appropriate safety and health officials to ensure that all applicable safety and occupational health requirements have been incorporated into government contracts.

u. Comply with the cost benefit analysis requirements established in TRADOC Circular 11-11-1.

2-12. Contracting officer

The contracting officer is responsible for the overall contract, including terms and conditions, and has ultimate responsibility for ensuring that the contractor satisfies the requirements stated in the contract. The contracting officer performs these duties under the authority of the PARC and the HCA. Operating within warranted authority, the contracting officer will -

- a. Appoint primary, alternate, and supporting COR(s) in writing, with designation of duties and responsibilities, prior to contract award.
- b. Ensure that all CORs, alternate CORs, and supporting CORs fully understand responsibilities and are properly trained. Prior COR experience is not necessarily an acceptable substitute for formal COR training.
- c. Be the only government official that has the authority to:
 - (1) Enter into and administer a contract on behalf of the U.S. Government;
 - (2) Change or terminate an existing contract; and
 - (3) Make determinations and findings relating to the contract.

2-13. Contracting officer's representative (COR) and alternate contracting officer's representative

a. The COR is a government employee nominated by the RA and formally appointed by the contracting officer, in writing, to serve as the authorized representative responsible for technical contract oversight and administration. The duties of the COR will be designated in the appointment letter. The COR is typically the individual who has been the point of contact for the requirement in the planning and processing cycle and performs duties associated with oversight and monitoring of contract performance throughout the contract life cycle. In performance-based services acquisitions, the COR must play a central role in the pre-award phase, assisting the RA and the contracting officer. The COR function may only be performed by government personnel. Under no circumstances will contractor personnel perform the COR function. The COR will –

- (1) Meet the training requirements established in paragraph 4-2e.
- (2) Monitor contract performance and serve as the technical liaison between the contractor and the contracting officer. Note: The COR is not authorized to make any commitments or changes that affect price, quality, quantity, delivery, or any other term or condition of the contract.
- (3) The COR will function as the onsite representative of the contracting officer in the post-award phase by monitoring and documenting the contractor's technical performance. The COR is responsible for technical administration of the contract and will, within the limits of the appointment, represent the government in technical aspects of the work. The COR is responsible for validation of contractor invoices, receiving reports in Wide Area Workflow (WAWF), and Contractor Manpower Reporting Application (CMRA) reporting.

b. The alternate COR is a government employee nominated by the RA and formally appointed, in writing, by the contracting officer. All alternate CORs must meet the training requirements established in paragraph 4-2e. Duties of the alternate COR will be designated in the appointment

letter. The alternate COR will execute the duties of the COR only in the absence of the COR. The alternate COR function may only be performed by government personnel. Under no circumstances will contract personnel perform the alternate COR function.

Note: The alternate COR is not authorized to make any commitments or changes that affect price, quality, quantity, delivery, or any other term or condition of the contract.

2-14. Supporting COR.

The scope and complexity of some contracts may necessitate appointment of one or more supporting CORs to assist the primary COR with the surveillance of the contractor's performance against the contract requirements. Supporting CORs will be formally nominated by the RA to act in support of the COR with limited authority as designated by the appointment letter. Note: Supporting CORs are not authorized to make any commitments or changes that affect price, quality, quantity, delivery, or any other term or condition of the contract.

a. When the primary COR is not a TRADOC employee located in the geographical proximity of the work being performed, a TRADOC supporting COR, located in the geographical proximity of the work being performed, must be formally nominated by the RA. The formal appointment of the supporting COR will be accomplished in coordination with the respective contracting officer and COR. Duties of the supporting COR will be designated in the appointment letter. In the event the contracting officer does not formally appoint a TRADOC employee to serve in the capacity of a COR, the RA then bears the responsibility to ensure that a TRADOC employee is assigned, in writing, to surveil the execution of the contract. This surveillance will be done without a formal appointment from the contracting office. Any deficiencies with contractor performance or deliverables should be reported by the RA to the COR and contracting officer.

b. The supporting COR function may only be performed by government personnel. Under no circumstances will contract personnel perform the supporting COR function.

Chapter 3

Contract Requirement Development and Validation

3-1. Functional review board (FRB)

The RA bears the responsibility to develop each requirement concept and translate it into a clearly defined requirements statement document such as a PWS, SOO, SOW, or product description. The FRB will review and analyze the requirements statement in order to determine the most appropriate course of action. The FRB is conducted by the RA prior to the development of the AMO package for every proposed contract requirement or renewal of an existing contract, regardless of cost, funding source, or contracting vehicle. The FRB may be formally convened or conducted electronically (for example, e-mail staffing). The FRB will:

- a. Analyze each requirement for completeness, coherence, and relationship to the RA's mission.
- b. Determine if the requirement is valid, has leadership support, and if there is reasonable expectation the requirement will be funded.
- c. Use the worksheets in TRADOC Form 5-14-E (Request for Approval of Service and Supply/Product Contract Requirements), section II, parts A through E, as a guide to assist in determining whether the requirement is, or has the potential to contain, personal services, or work that is inherently governmental or closely associated with inherently governmental functions.
- d. Based on the worksheet analysis, determine if contracting is the appropriate means of performance.
- e. Comply with the cost benefit analysis requirements established in TRADOC Circular 11-11-1 for requirements.
- f. State in writing that the FRB has validated the requirement and has determined whether contracting is appropriate. The memorandum will be addressed to the ACRB, signed by the board chair, and included in the AMO package. The memorandum at a minimum will:
 - (1) State the requirement.
 - (2) Identify all participating board members.
 - (3) Indicate the requirement has leadership support.
 - (4) Indicate if there is a reasonable assurance of the requirement being funded.
 - (5) Indicate that the requirement does not contain inherently governmental functions or unauthorized personal services.
 - (6) Address the course of action to be taken to mitigate any risks with services closely associated with inherently governmental functions.

(7) Indicate that no work currently done by Department of the Army civilians (DAC) will be performed by contract (see TRADOC Form 5-14-E, Worksheet E).

3-2. FRB membership

a. A senior member of the RA will serve as the board chair. The board chair is responsible for ensuring the board conducts analysis and develops a course of action for each proposed contract requirement. The board chair will ensure that the board gives full consideration to alternatives to meet the requirement.

b. At the discretion of the board chair, subject matter experts (SMEs) may be utilized during the FRB process to assist the RA with validating the requirement. While involvement of SMEs is not mandatory, RAs are encouraged to leverage SME expertise during the FRB process. Representatives from the following organizations and/or specific SMEs listed below may serve to assist the RA with the FRB process.

- (1) The servicing DRM.
- (2) Office of the SJA.
- (3) The designated contracting activity.
- (4) Other SME(s).
- (5) Office of the G-6 or information management office (IMO).
- (6) Potential COR, alternate COR, or supporting COR candidate(s).

Chapter 4 Market Research and Acquisition Planning

4-1. Market research

Market research is defined as the process used to collect, organize, maintain, analyze, and present data for the purpose of maximizing the capabilities, technology, and competitive forces of the marketplace to meet an organization's needs for products or services. Market research is essential in today's acquisition environment to acquire and maintain better capabilities faster and cheaper. Conducting market research helps to better define requirements and to determine if the requirement is available through one of the mandatory sources or available through existing contracts. The RA should consult the contracting officer to determine if their requirement is available through Federal Prison Industries or AbilityOne. Specifications based on a single product/manufacturer or quote are overly restrictive and may result in limited competition, inappropriate disclosure of proprietary information, higher prices, or protests that may delay the acquisition process. Specifications should set forth only the minimum technical requirements that are necessary to meet the Government's needs and should not be geared toward one particular

vendor. Moreover, the use of market research is mandated by FAR Part 10 and will be conducted prior to developing new requirement documents for an acquisition and before soliciting proposals for contracts estimated to exceed the simplified acquisition threshold (SAT).

a. Market research is the responsibility of the RA; however, the RA must coordinate requirements with the designated contracting activity who, in turn, will provide guidance regarding the extent of the market research required. Market research should be performed as soon as requirements for a new contract are forecast to allow sufficient time to perform thorough market research. Prior to establishing a new contract for supplies or services, the RA should consult the property book office to ensure the requirement cannot be met through normal supply channels. The RA should consult with the contracting office to determine if the requirement is available from one of the sources identified in FAR Part 8 under required sources of supplies and services, or through other existing contract vehicles. The results of market research will be documented in writing and include the following:

(1) Assessment of whether required services or supplies/products are available in the commercial marketplace to support mission needs.

(2) Customary terms and conditions available in the marketplace, such as warranties, buyer financing, etc.

(3) The impact of any environmental, safety, or security considerations.

(4) Extent of competition available to fulfill the requirement, and the size and status of potential sources. This should also include the capabilities of individual firms, their core competencies, pricing information, and any standard terms and conditions.

(5) A description of any current or future market conditions that may have an impact; for example, technology, laws, or changes in supply and demand.

(6) Specific factors of the acquisition (geographic locale, required certifications, government-unique requirements, etc.).

(7) Identify how the item is contracted and priced in the market place.

(8) History of prior government contracts awarded for the same or similar services and/or products.

(9) Any pertinent information gathered within the last 12 months from other sources may add value to the market research documentation.

b. Market research consists not only of the actual collection of information, but also requires an analysis and assessment of that information. The analysis and assessment of information collected on requirements will feed into the formal market research document. Copies of manufacturer's catalog pages or web pages alone are inadequate to meet the market research

requirement. Techniques for collecting market research information may include, but are not limited the following:

(1) Acquire and review information, literature and publications describing manufacturers and suppliers, products, industry trends, product availability, reliability, and prices, which may be found by researching available publications such as trade catalogs, magazines, publications, and consumer organization reports and journals.

(2) Examine business and trade association directories to identify additional sources to solicit and acquire basic information about these sources.

(3) Review vendor brochures, catalogs, and advertisements.

(4) Conduct internet searches and reference local telephone yellow pages.

(5) Review local source files or consult with other RAs that have recent or ongoing acquisitions for the same or similar item or service. Analyze procurement history by examining quality and extent of competition, prices, and performance results. Use this information to revise requirements, specifications, and contracting approach based on lessons learned.

(6) Review the Contractor Performance Assessment Reporting System (CPARS).

(7) Review Federal Business Opportunities (FEDBIZOPPS) (<https://www.fbo.gov>) sources sought announcements on similar requirements.

c. When appropriate, the contract specialist, small business specialist, and RA will work together to issue a sources sought announcement or request for information to be published in FEDBIZOPPS to determine how small businesses may participate in the acquisition. The small business specialist and the RA will informally evaluate the responses and a recommendation on contract approach will be made to the contracting officer.

d. Market research is required to exercise an option and must be included in the AMO package submitted to the ACRB. Market research for options validates the contract and that it is in the best interest of the Government to fulfill the requirement by exercising the option. The contracting officer will also conduct market research to ensure the contract costs are fair and reasonable. The RA must also conduct independent market research to ensure the contract requirement is based on availability of products and services, current industry capability, etc. At a minimum, the market research must:

(1) Demonstrate that exercising an option is still the most advantageous method for fulfilling the government's need.

(2) Demonstrate market conditions have not changed enough to warrant a re-solicitation. Factors such as price and the advancement of technology must be considered.

(3) Consider the contractor's performance.

(4) Weigh the government's need for continuity of operations against the potential costs of disrupted operations while the requirement is resolicited.

e. Market research will not be required for requirements, to include offloads, that use a documented mandatory source. See paragraph 7-6 for specific documentation requirements.

4-2. Advanced acquisition planning

The key to effective use of public funds and the economical accomplishment of program objectives is advanced acquisition planning. Planning by the RA should begin prior to the start of the fiscal year in order to provide improved scheduling of actions, increased control of 4th quarter obligations, and enhanced communication by developing an acquisition schedule early in the procurement process. A preplanned effort will result in higher quality procurements, provide optimum choice of sources, and at the same time allow for better visibility of inherent opportunities and/or constraints for each procurement. Acquisition planning should include:

a. Forecast of contract requirements, which should be developed as yearly budgets are prepared and submitted.

b. Coordination with the appropriate contracting office to include the small business specialist. This allows the contracting office the opportunity to offer advice on various acquisition alternatives, consolidate requirements, offer the most beneficial acquisition strategy, and reduce acquisition lead time.

c. Use of strategic sourcing to acquire services in the most efficient and advantageous manner. Strategic sourcing is the leveraging of an organization's buying power and strategic management of procurement spending in order to obtain services at better terms and conditions over the life cycle of those services. Strategic sourcing should collect, analyze, and document spending in logical categories in order to emphasize various characteristics. Characteristics may include: performance, price, total life cycle management costs, socio-economic goals, and stakeholder collaboration. Utilization of strategic sourcing can identify prospective requirements data in order to aggregate demand for given services in advance of the procurement and develop processes for forecasting demand.

d. Consult with MICC CSPO-CSE before utilizing any other contracting activity. See appendix B, paragraph B-11 for guidance on contract offloads.

e. A properly trained COR, alternate COR, or supporting COR will be appointed for all service contracts, to include TOs, with a value greater than \$150,000 or that meet the criteria set forth in paragraph 2-11i. See DFARS 201.602-2 and DFARS PGI 201.602-2 for discussion of COR responsibilities. Prior COR, alternate COR, or supporting COR experience is not necessarily an acceptable substitute for formal COR training.

(1) All individuals appointed to execute COR, alternate COR, or supporting COR duties are required to take the following mandatory training:

(a) Initial COR training which may be taken through:

- The Army Logistics University (ALU) resident COR course;
- The Defense Acquisition University (DAU) course COR 222 or
- The DAU course CLC 222, Online Training for Contracting Officer's Representative;

(b) DAU course CLC 106, Contracting Officer's Representative with a Mission Focus;

(c) and DAU course CLM 003, Ethics Training for the AT&L Workforce.

(d) Army Contracting Command COR Comprehension Training. This course is required for all service contracts with a period of performance that exceeds 90 days.

(e) Other training required by the contracting officer or RA (e.g., WAWF, CPARS Overview, etc.).

(2) All CORs, alternate CORs, and supporting CORs are required to take the following annual refresher training:

(a) A minimum of 5 hours of training from the DAU COR community of practice.

(b) DAU course CLM 003, Ethics Training for the AT&L Workforce. Note: All CORs, alternate CORs, and supporting CORs are required to complete an Office of Government Ethics (OGE) Form 450 (Confidential Financial Disclosure Report). See paragraph 13-1e for additional details.

(3) All CORs, alternate CORs, and supporting CORs are required to take the following training every 3 years:

(a) Forty (40) hours of initial COR training which may be taken through any one of the following:

- ALU resident COR course;
- DAU course COR 222; or
- DAU course CLC 222;

(b) DAU course CLC 106.

f. The contracting office may, from time-to-time, require or provide other COR-related courses. At the discretion of the contracting officer, individuals appointed as a COR, alternate COR, or supporting COR may be required to take additional training in order to perform COR

duties. Obtain COR training course application requirements, dates, and locations from individual organization training POCs.

Chapter 5

AMO Package Development for Service Contract Requirements

5-1. AMO package requirements for service contract requirements

- a. The RA is responsible for developing an accurate and complete AMO package for each service requirement that results in a formal contract document, regardless of cost or the method of payment (to include GPC), unless there is a specified exception (reference paragraph 5-2e).
- b. Each AMO package must contain all required documentation and certifications as prescribed by this regulation. The RA must use the forms and certification worksheets prescribed by this regulation. No other forms are permissible.
- c. An approved AMO package is required for each service contract requirement regardless of cost or the method of payment. Any service included in a supply/product contract requirement that is a key and essential part of the requirement, known as embedded services (see glossary for definition of embedded services), must adhere to the documentation requirements for service contract requirements as prescribed in this chapter.
- d. An AMO review and approval is required each fiscal year.
- e. The RA is responsible for complying with the cost benefit analysis policies and procedures established in TRADOC Circular 11-11-1.
- f. The AMO package for service contract requirements must include the following:
 - (1) FRB contract requirement validation memorandum.
 - (2) Written market research documentation which includes an analysis and assessment of the facts gathered for each requirement. Market research requirements must align with the requirements set forth in chapter 4 and paragraph 7-6. The level of market research required will be determined by the complexity and dollar value of the requirement. RAs should consult with the servicing contracting office and/or MICC CSPO-CSE for additional guidance.
 - (3) TRADOC Form 5-14-E to include section II, parts A through F.
 - (4) PWS, SOO, or SOW.
 - (5) QASP. The Government-developed QASP will be prepared for all service contract requirements greater than \$150,000 and for service contract requirements that meet the criteria set forth in paragraph 2-11i to ensure the use of systematic quality assurance methods during contract administration. See appendix B, paragraph B-9 for details.

(6) IGE or informal quote. Note: RAs are not authorized to request a formal, binding quote from a vendor.

(7) Training certificates for all COR mandated training. Training certificates should be provided for all personnel serving in the capacity of a COR, alternate COR, and supporting COR. Ensure a TRADOC employee either serves as the COR, alternate COR, or as a supporting COR for all service contract requirements with a value greater than \$150,000 and for service contract requirements that meet the criteria set forth in paragraph 2-11i.

(8) RAD approval (as applicable).

(9) DD Form 254 (as applicable).

(10) Justification and approval (J&A) for other than full and open competition (as applicable).

(11) Offload justification memorandum and the following as applicable (see appendix C):

(a) Certifications for direct and assisted acquisitions.

(b) Determination and findings (D&F) justification.

(c) DD Form 1144 (Support Agreement).

(d) Cost assessment.

g. Detailed guidance on documentation requirements is located in appendix B.

h. Requirements will not be split in order to avoid required approval processes, thresholds, or boards.

i. In the event the actual contract award cost differs from the amount approved in the AMO package:

(1) No additional AMO approval is required if the actual award cost does not exceed the amount approved in the AMO package by more than 10 percent or more than the SAT.

(2) A new AMO approval is required if the actual award amount exceeds the amount approved in the AMO package by more than 10 percent or more than the SAT.

5-2. Approval thresholds and exceptions for service contract requirements

a. Approval thresholds and approval authorities. The approval authority for service contract requirements will be determined by the total contract amount for the proposed contract requirement action and must remain within the RA's chain of command. Table 5-1 establishes the

approval thresholds for service contract requirements. Each threshold has a designated approval authority, and all approval authorities must meet the minimum grade requirements established in table 5-1. This authority may not be delegated further; however, the TRADOC DCGs have the authority to impose more stringent approval thresholds. Schools, centers, activities, and HQ staff without GO/Senior Executive Service (SES)-level leadership must forward actions up to the first GO/SES in the chain of command.

Table 5-1
TRADOC services contract requirement approval thresholds and approval authorities

APPROVAL LEVEL	TOTAL COST OF CONTRACT REQUIREMENT (aggregate value of the contract requirement)	APPROVAL AUTHORITY
Level 1	Below \$100 thousand (K)*	All Commandants regardless of rank. Directorate level – Director or equivalent in the grade of Colonel, General Schedule (GS) (to include GG) 15 or higher. Approval may not be delegated lower than the grade of Colonel, GS-15 (to include GG).
Level 2	\$100K < \$10M	Designated accountable GO/SES. Approval may not be delegated lower than GO/SES.
Level 3	≥ \$10M	TRADOC DCGs. Approval may not be lower than Lieutenant General.
*If offloaded to a non-DOD activity, minimum approval level is GO/SES.		

b. Modifications. A new AMO review and approval is required for modifications that result in exercising an option year or a change of scope, cost, the number of CMEs, or the period of performance (reference paragraphs 7-1 and 7-2). A new AMO approval is not required for routine non-resource-related administrative modifications made by the contracting office or the contracting officer. In the event a modification to a level 1 contract is required, and the cost of the modification pushes the aggregate value of the contract over the level 1 threshold (\$100K), the approval authority must be elevated to either level 2 or level 3, as appropriate.

c. Requirements will not be split in order to avoid required boards, processes, approval or thresholds.

d. Endorsement level. Endorsement authority for TRADOC Form 5-14-E will be determined by the approval authority in each RA.

e. Exceptions. The following types of contract requirements will adhere to the AMO supply/product package documentation requirements and approval thresholds identified in chapter 6.

- (1) Utilities.

(2) Major Construction. Note: Requirements for maintenance, repair, and renovation of facilities will be processed as a service requirement.

(3) Freight and mailing services.

(4) Military courts martial procurements, to include expert witnesses, stenography services, and transcription.

(5) Printing/replication.

(6) Leasing of copiers.

(7) Leasing of equipment.

(8) Leasing of vehicles.

(9) Rental/leasing of rooms or conference space.

(10) Lodging.

(11) Warranty agreements for replacement only if replacement is solely performed by customer (no touch labor by contractor). Warranty agreements that include maintenance or repair services to be performed by a contractor that require touch labor must be processed as a service requirement.

(12) Commercial-off-the-shelf (COTS) supplies/products.

(13) COTS software support/subscription/maintenance agreements that consist solely of software updates such as enhancements or bug fixes, and telephone/email consulting on installation/use or problem resolution (no touch labor is required).

Chapter 6

AMO Package for Supply/Product Contract Requirements

6-1. AMO package requirements for supply/product contract requirements

a. The RA is responsible for developing an accurate, complete AMO package for each supply/product requirement that results in a formal contract document, regardless of the method of payment (to include GPC). An AMO package is required for:

(1) Supply/product requirements with an aggregate value equal to or greater than \$25K that result in a formal contract document, regardless of the method of payment (to include GPC).

(2) All contract requirements for conferences and conference-type events, to include room rental, regardless of cost, funding source, or contracting vehicle must go through the ACRB process.

b. The RA is responsible for developing the AMO package and ensuring that the package is accurate, complete, and contains all required documentation/certifications. The RA must use the forms prescribed by this regulation. No other forms are permissible.

c. An approved AMO package is required for each supply/product contract requirement that meets the criteria established in paragraph 6-1a.

d. An AMO review and approval is required each fiscal year.

e. The RA is responsible for complying with the cost benefit analysis policies and procedures established in TRADOC Circular 11-11-1.

f. The AMO package for supply/product contract requirements must include the following:

(1) FRB contract requirement validation memorandum.

(2) Market research.

(3) TRADOC Form 5-14-E (section II, parts A through E are not required).

(4) Product specifications with salient characteristics.

(5) IGE or informal quote. Note: RAs are not authorized to request a formal, binding quote from a vendor.

(6) Justification and approval (J&A) for other than full and open competition (as applicable).

(7) RAD approval (as applicable).

(8) Offload justification memorandum and the following as applicable (see appendix C):

(a) Certifications for directed and assisted acquisitions.

(b) D&F justification.

(c) DD Form 1144.

(d) Cost assessment.

g. Detailed guidance on contract requirement documents is located in appendix B.

h. Requirements will not be split in order to avoid required approval processes, thresholds, or boards.

6-2. Approval thresholds for supply/product contract requirements

a. Approval authorities and approval thresholds . The approval authority for supply/product contract requirements will be determined by the total dollar amount for the proposed contract action, and must remain within the RA’s chain of command. Table 6-1 establishes the approval thresholds for supply/product contract requirements. Each threshold has a designated approval authority, and all approval authorities must meet the minimum grade requirements established in table 6-1. This authority may not be delegated further; however, the TRADOC DCGs have the authority to impose more stringent approval thresholds. Organizations within schools, centers, activities, and HQ staff without the designated grade level must forward actions up the chain of command.

**Table 6-1
TRADOC supply/product contract requirement approval thresholds and approval authorities**

APPROVAL LEVEL	TOTAL COST OF CONTRACT REQUIREMENT (aggregate value of the contract requirement)	APPROVAL AUTHORITY
Level 0	Below \$25K*	No AMO approval is required. Note: AMO approval is required for conferences and all conference-type events, regardless of cost.
Level 1	\$25K < \$100K*	Directorate level – Director or equivalent. Approval authority will be grade of Lieutenant Colonel, General Schedule (GS)-14 (to include GG), or higher.
Level 2	\$100K < \$5M*	All Commandants regardless of rank. Assistant commandant/commander/deputy commander/chief of staff or HQ staff principal in the grade of Colonel, GS-15 (to include GG), or higher.
Level 3	\$5M < \$10M	Commandant/assistant commandant/commander/deputy commander or HQ staff principal. Approval authority will be a grade of GO/SES.
Level 4	≥ \$10M	TRADOC DCGs. Approval authority will be Lieutenant General or higher.
* If offloaded to a non-DOD agency, minimum approval level is GO/SES.		

b. Endorsement level. Endorsement authority for the TRADOC Form 5-14-E will be determined by the approval authority in each RA.

Chapter 7

Contract Modifications, Options, Military Interdepartmental Purchase Requests (MIPRs)/Funded Programs, GPC Purchases, Offloads, and Mandatory Sources

7-1. Contract modifications

a. Service contracts. A new AMO review and approval is required for modifications that result in exercising an option year; a change of scope, cost, or the number of CMEs; or the period of performance (reference paragraphs 7-1 and 7-2). A new AMO approval is not required for routine non-resource-related administrative modifications made by the contracting office or the contracting officer. The approval authority for modifications will be based on the aggregate value of the requirement and will be consistent with the established approval thresholds reflected in table 5-1 and ECAB approval thresholds reflected in table 9-1. Documentation and approval requirements for adding travel dollars (only) to an existing service contract are reflected in table 7-1. The contracting officer has the authority to require additional documentation and/or certifications.

**Table 7-1
Adding travel dollars to an existing service contract**

SITUATION	NO AMO PACKAGE OR TRADOC FORM 5-14-E	TRADOC FORM 5-14-E ONLY	NEW AMO PACKAGE WITH ALL REQUIRED DOCUMENTATION
Travel cost increase in the existing approved contract is: - Less than \$100K; or, less than 100 percent of the original approved travel funding (whichever is less); <u>and</u> - The total cost of the original AMO approval plus the additional funding for travel remains at the same approval level as the original AMO package.	X		
Travel cost increase in the existing approved contract is: - Equal to or greater than \$100K; or, 100 percent or more of original approved amount; <u>and</u> - Total cost of the original AMO approval plus the additional funding for travel remains at the same approval level as the original AMO package.		X*	
Any increase to travel costs that raises the aggregate value of the requirement to the next approval level.		X*	
Any increase in travel costs that raises the requirement above the ECAB approval threshold, will result in conduct of an ECAB.			X
In addition to travel funding, there is a change in scope, cost, the number of CMEs, or the period of performance.			X
* Note: In the event only the TRADOC Form 5-14-E is required, a full ACRB review will not be required. Instead, the action will only be coordinated with the budget officer, signed by the DRM concurring or nonconcurring with the increase, and then certified and approved by the designated approval authority.			

b. Supply/product contracts. Contract modifications initiated by the RA that increase costs by no more than 10 percent of the original approved AMO cost, or do not exceed the SAT, do not require a new AMO approval. However, contract modifications that increase costs by more than 10 percent of the original approved AMO cost, or that exceed the SAT, require a new AMO review and approval. The approval authority for modifications will be based on the aggregate value of the requirement and will be consistent with the approval thresholds established in table 6-1.

7-2. Exercising options

a. Service contracts. A new AMO approval is required to exercise each option. This must be accomplished prior to the contracting officer issuing a notice of intent to award an option. The established thresholds apply to option requirements. There are no exceptions to this policy.

b. Supply/product contracts. When exercising an option on a supply/product contract, cost increases that are not more than 10 percent of the original approved AMO cost, or do not exceed the SAT, are exempt from obtaining a new AMO approval. However, cost increases to an option that are more than 10 percent of the original approved AMO cost, or that exceed the SAT, require a new AMO review and approval. This must be accomplished prior to the contracting officer issuing a notice of intent to award an option.

**Table 7-2
TRADOC AMO approvals required for contract modifications and options**

CRITERIA	SERVICE CONTRACT MODIFICATION	SUPPLY/PRODUCT CONTRACT MODIFICATION	SERVICE CONTRACT OPTIONS	SUPPLY/PRODUCT CONTRACT OPTIONS
Increase is less than 10 percent of the cost approved in the original AMO package and does not exceed the SAT.	YES	NO	YES	NO
Increase is greater than 10 percent of the cost approved in the original AMO package or exceeds the SAT.	YES	YES	YES	YES
Total cost change is less than 10 percent but greater than the SAT.	YES	YES	YES	YES

7-3. MIPR/Funded Program

a. Funding received from another RA to be applied to a TRADOC contract is considered a MIPR-in/funded program-in. This may include funding of an existing contract, funding of a new contract, TO, delivery order (DO); or a contract modification. RAs are required to adhere to all reporting requirements as outlined in chapter 12.

(1) A MIPR-in/funded program-in that will result in the development of a new TRADOC contract must adhere to all policies prescribed in this regulation. The TRADOC proponent for the contract requirement must complete and obtain AMO approval, as prescribed in chapters 5 and 6. In the event the “sending organization” outside of TRADOC provides the approved TRADOC Form 5-14-E or equivalent form, certification statements, PWS, IGE, etc., it is acceptable to use those documents to complete the AMO package.

(2) Organizations utilizing an existing TRADOC contract via a MIPR-in/funded program-in must obtain all required approvals through their own chain of command. TRADOC organizations will not be required to obtain AMO approvals for incoming MIPRs/funded programs that utilize an existing contract as long as the additional funding does not exceed the original AMO approval amount. When approval documentation is available from the organization requesting use of a TRADOC contract, the documentation will be retained by the TRADOC activity that owns the contract.

b. TRADOC funding sent to another organization, whether it be internal or external to TRADOC, to obtain contract support, is considered a MIPR-out/funded program-out. This may include funding of an existing contract; funding of a new contract, TO, DO; or a contract modification. RAs are required to adhere to all reporting requirements as outlined in chapter 12.

(1) TRADOC organizations that MIPR-out/funded program-out funds to another organization for the purpose of obtaining contract support must obtain AMO approval prior to obligating the funds. MIPRed or funded program funding must not exceed the approved contract requirement cost. Note: Transfer of funds among schools/centers/activities should be accomplished by contacting the TRADOC DCS, G-8 budget analyst to request a funding authorization document/funds distribution rather than transferring via a MIPR/funded program.

(2) RAs are required to obtain all approvals and certifications as outlined in appendix B, paragraph B-11.

c. TRADOC schools/centers/activities/organizations that MIPR or send funds via a funded program to another organization for purposes other than a contract requirement are not required to obtain AMO approvals.

7-4. Government purchase card (GPC)

All GPC purchases, to include conferences, that result in a contractual agreement, and payments made with a GPC for contractual agreements, must adhere to the AMO policies and procedures prescribed in this regulation. GPC purchases that do not result in a contractual agreement are not required to adhere to AMO policies.

a. Detailed procedures for using the purchase card within DOD are available at the DOD Purchase Card Program Office web site <http://dodgpc.us.army.mil/>. The local MICC contracting offices control the GPC program and will provide guidance on GPC use. See FAR 13.301 and DFARS 213.270 for GPC information and procedures. Transactions must comply with current GPC program guidance.

b. Requirements will not be split in order to avoid required approval processes, thresholds, or boards.

c. In the event there are recurring GPC requirements that cannot be satisfied by another acquisition vehicle, such as a blanket purchase agreement (BPA), the RA's approving authority may take a programmatic approach and consolidate purchases during the FY. At the discretion of the RA's approval authority, a consolidated AMO package for the FY may be submitted for

recurring services and/or supply/product purchases that result in a contract(s). The approval authority may approve a consolidated package for only 1 fiscal year. Consolidated AMO packages, where the aggregate cost of the purchases for the FY is greater than \$25K, must obtain AMO approval. RAs that receive approval for GPC purchases containing services must ensure these actions are entered in WebTAS and CMRA.

7-5. Offloads

For the purposes of this regulation, any proposed acquisition with a contracting activity other than MICC, TRADOC's designated contracting activity, is an offload. RAs will not use offloads as a substitute for inadequate acquisition planning, to circumvent conditions and limitations imposed on the use of funds, or to circumvent the review and approval provisions of this regulation. The use of offloads, to include the use of DOD and non-DOD contracts, is an effective way to satisfy TRADOC's needs, but will require additional rationale and documentation. Proper use of non-DOD contracts, requires additional certifications in accordance with DFARS 217.7802. See appendix B, paragraph B-11, and appendix D for detailed guidance on offload requirements and procedures. Offloads often require additional funding for administration fees.

a. The RA will -

(1) Develop an AMO package for each offload requirement in accordance with chapters 5 and 6.

(2) Ensure that each package contains all required documentation, certifications, and approvals/signatures.

(3) Complete an offload justification memorandum for each offload requirement and include the memorandum in the AMO package for proper use of non-DOD contract requirements (reference Appendix D-1). Within the memorandum, provide an assessment of the costs and benefits with sufficient narrative to demonstrate that the offload is in the best interest of TRADOC. The MICC CSPO-CSE will validate the offload request with a concurrence/nonconcurrency as part of the ACRB and/or the ECAB process. A sample offload justification memorandum is located in Appendix C, figure C-1.

(4) Ensure a TRADOC employee is nominated by the RA, and appointed by the contracting officer, to serve as either the primary COR, alternate COR, or as a supporting COR for all contract requirements.

(5) In the event the primary COR is not a TRADOC employee located in the geographical proximity of the work being performed, a TRADOC supporting COR located in the geographical proximity of the work being performed must be formally nominated by the RA. The formal appointment of the supporting COR will be accomplished in coordination with the respective contracting officer and COR. Duties of the supporting COR will be designated in the appointment letter. When contract vehicles owned by organizations outside of TRADOC are used to meet TRADOC requirements, the RA must ensure that provisions for formal appointment by the contracting officer of a TRADOC supporting COR are identified and included in both the support agreement (DD 1144) and/or the MIPR (DD Form 448). All supporting COR appointments will

be accomplished in coordination with the respective contracting officer and COR (reference paragraph 2-14). In the event the contracting officer does not formally appoint a TRADOC employee to serve in the capacity of a COR, the RA then bears the responsibility to ensure that a TRADOC employee is assigned, in writing, to surveil the execution of the contract. This surveillance will be done without a formal appointment from the contracting office. Any deficiencies with contractor performance or deliverables should be reported by the RA to the COR and contracting officer.

(6) Adhere to the approval processes/procedures as outlined in this regulation.

b. Approval authority. The approval authority for offloaded contracts is consistent with the approval authorities prescribed in paragraphs 5-2 and 6-2. The decision to offload is the responsibility of the RA's designated approval authority. Use of a non-DOD contract requires written concurrence and certification by the TRADOC supporting MICC contracting officer. The MICC CSE concurrence is required for all offloads (DOD and non-DOD).

7-6. Mandatory Sources

a. Using a mandatory source to satisfy a requirement does not exempt the requirement from the AMO process. However, in the event that the RA can provide documentation (e.g., regulatory reference, instruction, higher headquarters memorandum, etc.) citing the mandatory source, then no formal market research will be required for the AMO package. The mandatory source must be clearly cited in the AMO package that is submitted to the ACRB.

b. In the event the RA cannot provide documentation supporting the use of a mandatory source, the RA will conduct market research and include the market research documentation in the AMO package submitted to the ACRB.

c. Market research documentation will not be required for offload requirements where the mandatory source is properly cited (reference paragraph 7-6a) in the AMO package. In the event the RA does not properly cite the mandatory source, market research must be conducted and the market research documentation must be included in the AMO package submitted to the ACRB.

d. The servicing contracting office has the authority to require market research for all contract requirements including those where a mandatory source is cited. In the event the contracting officer requests market research, the RA must comply.

Chapter 8 Administrative Contract Review Board (ACRB)

8-1. ACRB

a. The ACRB will serve as the mechanism to review, validate, and provide a recommendation to the designated approval authority for all contract requirements. The RA is responsible for

developing a complete AMO package for each contract requirement as prescribed in chapters 5 and 6 and submitting the endorsed package to the ACRB for review prior to final contract approval/certification.

(1) All service contract requirements, regardless of cost, funding source, or contracting vehicle must go through the ACRB process.

(2) All supply/product contract requirements with a total cost equal to or greater than \$25K must go through the ACRB process.

(3) All contract requirements for conferences and conference-type events, to include room rental, regardless of cost, funding source, or contracting vehicle must go through the ACRB process.

b. The ACRB may be formally convened or conducted electronically (for example, e-mail staffing).

c. The ACRB chair will formally recommend the approval/disapproval of all contract requirements to the RA's approval authority.

8-2. ACRB purpose

The ACRB purpose is to:

a. Validate the cost estimate is reasonable.

b. Validate the funding stream.

c. Validate manpower requirements.

d. Validate that the work is not being performed elsewhere in the organization.

e. Ensure all documents are included, properly completed, and the information accurately describes the contract requirement.

f. Ensure all comments received from legal, MICC CSPO-CSE, or other staff are evaluated and any concerns or issues are resolved.

g. Ensure that all questions in Worksheets A-E are answered. When applicable, explanations will be provided in Section II, part F of TRADOC Form 5-14-E. Explanations provided must clearly articulate what action(s) will be taken to mitigate the risk of contractors performing inherently governmental functions, work closely associated with inherently governmental functions, or unauthorized personal services. Explanations are required for:

(1) All "yes" answers in Section II, Part A, Worksheet A – Inherently Governmental.

(2) All “yes” answers in Section II, Part B, Worksheet B – Closely Associated with Inherently Governmental, questions 1-22. The types of services in questions 1-22 are identified as “closely associated with inherently governmental functions” in FAR Subpart 7.5 and pursuant to 10 U.S.C. § 2463, special consideration must be given to in-sourcing contracts where these functions have been identified.

(3) All “no” answers to Section II, Part B, Worksheet B – Closely Associated with Inherently Governmental, questions 23-25.

(4) All “yes” answers in Section III, Part C, Worksheet C – Personal Services.

(5) Either “yes” or “no” answers provided in Section II, Part D, Worksheet D - In-sourcing Consideration and Reporting, question 1. If the answer is “no,” the explanation must articulate why in-sourcing is not a viable option.

(6) All “no” answers in Section II, Part D, Worksheet D – In-sourcing Consideration and Reporting, questions 2-4.

(7) A “yes” answer to any question in Section II, Part E, Worksheet E, prohibits contracting of the function in accordance with USC § 2461. See paragraph 13-4 for additional details.

8-3. ACRB members and responsibilities

a. The director of resource management will serve as the board chair. As the board chair, the director of resource management is responsible for conducting a resource review/analysis on each AMO package. At a minimum, the board will include representatives from:

- (1) DRM.
- (2) Office of the SJA.
- (3) Designated contracting activity or MICC CSPO-CSE, as applicable.
- (4) G-6, as applicable.
- (5) Security office, as applicable.
- (6) Other SME(s), as applicable.

b. At a minimum the board will -

- (1) Review documentation for completeness, coherence, and compliance with applicable acquisition and fiscal law, regulation, and policy.
- (2) Validate the cost estimate is reasonable.

(3) Ensure CMEs are correctly documented in TAADS and that the requirement is not duplicated elsewhere in the organization.

(4) Conduct a cost analysis on each AMO package.

(5) Examine the requirement to determine if funding complies with the bona fide needs rule.

(6) Ensure the correct appropriation is used to fund the requirement.

(7) Ensure a TRADOC employee either serves as the COR, alternate COR, or as a supporting COR for all service contract requirements with a value greater than \$150,000 and for service contract requirements that meet the criteria set forth in paragraph 2-11i.

(8) Coordinate all AMO packages for offload requirements with MICC CSPO-CSE.

(9) Coordinate with the TRADOC G-6, or activity/organization G-6, or IMO. As required, the TRADOC G-6, or activity G-6 or IMO will serve as the SME for IT-related contract requirements.

(10) Coordinate with SMEs. As required, functional SMEs will field questions related to the requirement, and provide expert knowledge on the requirement. The functional SME(s) will assist the board in resolving technical issues related to the requirement.

(11) Coordinate with the local security office as required.

(12) Confirm in-sourcing has been appropriately considered.

c. Board members will provide a concurrence/nonconcurrence, along with any comments on the AMO package, in writing, to the board chair.

d. The board chair:

(1) Is responsible for analyzing the board members' responses (concurrence/nonconcurrence).

(2) Is responsible for resolving any/all nonconcurrences or other related issues.

(3) Will provide a recommendation in writing to the approving authority on each AMO package. The recommendation memorandum will address the board's recommendation and rationale. All recommendations to insource must be presented in writing to the RA. All recommendations to discontinue offloading must be presented in writing to the RA.

8-4. ACRB Review and Final AMO approval

a. All AMO packages must be endorsed by the RA and sent to the ACRB for review and recommendation prior to the final approval/certification by the designated approving authority. TRADOC approval levels and documentation requirements vary for service and supply/product contract requirements. Approval levels and documentation requirements are identified in chapters 5 and 6.

b. After approval of the AMO package is received and the decision is to contract, the RA will submit a copy of the approved AMO package, including all enclosures and required certifications, to the contracting activity for appropriate action by entering the requirement into Acquiline PRweb or GFEBS.

8-5. WebTAS and CME Documentation

The DRM is responsible for entering contract data into WebTAS, documenting the CMEs on the TDA, and final archival of the AMO package.

Chapter 9

Executive contract approval board (ECAB)

The ECAB is a formal board chaired by a TRADOC DCG that serves as the final approval/disapproval/certification for all contract requirements and contract modifications meeting or exceeding the thresholds established in paragraphs 9-1 and 9-2, regardless of the funding source or the contract vehicle. The ECAB provides an in-depth review of the AMO package, recommendations from the ACRB, and, at the discretion of the board chair, further discussion of the requirement with the RA.

9-1. ECAB approval thresholds

a. The ECAB chair serves as the final approval authority for all:

(1) Contract requirements where the aggregate value of the contract (base plus options) is equal to or greater than \$10M.

(2) Existing contract requirements where the sum of the remaining option years, TOs, or DOs is equal to or greater than \$10M.

(3) Individual options, TOs, DOs, modifications, and MIPRs that are equal to or greater than \$10M.

b. Table 5-1 establishes the approval thresholds for ECAB contract requirements and table 9-1 establishes the approval thresholds for ECAB modifications. Each threshold has a designated approval authority, and all approval authorities must meet the minimum grade requirements established in tables 5-1 and 9-1. The approval authority may not be delegated further. Schools, centers, activities, and HQ staff without GO/SES-level leadership must forward actions up to the first GO/SES in the chain of command.

9-2. ECAB modification thresholds

a. ACRB approval is required for all modifications, as defined in paragraph 5-2b, to contract requirements that have received ECAB approval when the cost of the modification is less than \$10M. The GO/SES in the RA will serve as the approval authority for the modification.

b. ECAB approval is required for all modifications to contract requirements that have previously received ECAB approval when the cost of the modification is equal to or greater than \$10M.

c. ECAB approval is required for all modifications to contract requirements when the new aggregate cost of the requirement (previous approval plus modification) meets or exceeds the ECAB threshold of \$10M.

d. ECAB approval is required for all modifications with a value of \$10M or greater.

**Table 9-1
ECAB modification approval requirements and approval authorities**

CRITERIA	ACRB APPROVAL ONLY	ECAB APPROVAL REQUIRED	APPROVAL AUTHORITY
A modification to a contract requirement that has already received ECAB approval. Modification cost must be ≤ \$100K.	X		All Commandants regardless of rank. Directorate level – Director or equivalent in the grade of Colonel, General Schedule (GS)-15 (to include GG). or higher. Approval may not be delegated lower than the grade of Colonel or GS-15 (to include GG).
A modification to a contract requirement that has already received ECAB approval. Modification cost must be > \$100K and < \$10M.	X		GO/SES. Approval may not be delegated lower than GO/SES.
A modification to a contract requirement that has already received ECAB approval. Modification cost is ≥ \$10M.		X	TRADOC DCG. Approval may not be lower than Lieutenant General.
A modification to a contract requirement where the new <u>aggregate</u> cost of the requirement meets or exceeds the ECAB threshold of \$10M.		X	TRADOC DCG. Approval may not be lower than Lieutenant General.
Any modifications to contract requirements with a value of \$10M or greater must receive ECAB review and approval.		X	TRADOC DCG. Approval may not be lower than Lieutenant General.

9-3. ECAB members

- a. The TRADOC DCGs will serve as the board chair for their subordinate organizations.
- b. Board members will include, at a minimum, representatives from:
 - (1) DRM.
 - (2) Office of the SJA.
 - (3) Designated contracting office or MICC CSPO-CSE.
 - (4) G-6 (as applicable).
 - (5) Other SME(s) (as applicable).

9-4. RA/DRM responsibilities

- a. The RA is responsible for complying with the cost benefit analysis policies and procedures established in TRADOC Circular 11-11-1.
 - b. After approval of the AMO package is received and the decision is to contract, the RA will submit a copy of the approved AMO package, including all enclosures and required certifications, to the contracting activity for appropriate action by entering contract data into Acquiline PRweb or GFEBs. The DRM should not certify/release funds for any requirement to the applicable contracting office until all signatures are obtained on blocks I (service contract requirements only) and J of TRADOC Form 5-14-E.
 - c. The DRM is responsible for entering contract data into WebTAS, documenting CMEs on the TDA, and final archival of the AMO package.
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**Chapter 10
Additional Pre-Award Activities****10-1. Additional acquisition actions**

In addition to preparing the AMO package, the RA will coordinate with the contracting activity on actions such as the following. (See appendix E for additional acquisition planning/execution actions guidance.)

- a. Development of the acquisition plan document.
- b. Development of the acquisition service strategy and participation in the acquisition service strategy panel (ASSP).

- c. Development of the source selection plan (SSP).
- d. Development of the business management modernization certification.
- e. Development of the contract administration plan.

10-2. Contract formation

The contracting officer has overall responsibility for the contract formation process, which consists of three primary groupings of activities: solicitation of offers, source selection, and contract award. Additionally, appointment of the primary COR, alternate COR, and/or supporting COR(s) is accomplished during this period. The contracting officer's responsibilities include:

- a. Synopsizing the requirement.
- b. Preparing and issuing solicitation of offers.

(1) Solicitations are prepared and publicized in order to obtain offers from as many qualified sources as feasible. The objective in preparing and issuing a solicitation is to give all qualified offerors the opportunity to compete for a contract award that best meets the government's needs. Utilization of small businesses will be considered in accordance with FAR guidance.

(2) The contracting officer must use the approved acquisition strategy and documentation in preparing the solicitation. The contracting officer will also ensure the solicitation is thorough and complete.

- c. Conducting source selection.

(1) The objective of source selection is to select the source that offers the best value solution that meets the needs of the government.

(2) The contracting officer is responsible for receiving and maintaining control of all offers submitted in response to the solicitation.

(3) In coordination with the contracting officer, the RA will provide technical personnel to evaluate proposals as required.

(4) The contracting officer is responsible for determining whether the proposed cost/price is reasonable.

- (5) Negotiations will be conducted by the contracting officer as appropriate.

d. Designating the primary COR, alternate COR and/or the supporting COR(s). The contracting officer formally appoints the primary COR, alternate COR, and/or the supporting COR(s) in an appointment letter that designates specific duties. The contracting officer also ensures that the primary COR, alternate COR, and/or the supporting CORs receive training/orientation for the contract and validates CORs' training. The contracting officer will

ensure a signed appointment letter is provided to the supervisors of the COR, alternate COR, and/or the supporting COR(s). In the event the contracting officer does not formally appoint a TRADOC employee to serve in the capacity of a COR, the RA then bears the responsibility to ensure that a TRADOC employee is assigned to surveil the execution of the contract. This surveillance will be done without a formal appointment from the contracting office. Any deficiencies with contractor performance or deliverables should be reported by the RA to the COR and contracting officer. Note: Offloading and/or use of non-DOD contracts does not alleviate the need for the RA to monitor contract performance and take appropriate action when problems arise.

- e. Awarding the contract.
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Chapter 11

Post-Award Activities

11-1. Contract administration

a. A great deal of time and effort goes into actions leading up to contract award. Actions following award are equally important and can promote the success of the contract or lead to failure. Contract administration includes contract oversight throughout the life cycle to include final payment, contract close out, and past performance documentation. The COR, alternate COR, supporting COR(s), and the RA should assist the contracting officer in improving contractor performance and communications. The specific nature and extent of contract administration varies from contract to contract, ranging from the minimum acceptance and payment to extensive involvement by program, audit, and procurement officials throughout the contract term. The nature and complexity of the service and the type of contract determine the degree of contract administration needed.

b. General guidelines. The RA, COR, alternate COR, supporting COR(s) and the contracting officer have a responsibility to:

- (1) Ensure contract performance remains within the scope of the contract unless authorized by the contracting officer.
- (2) Detect and document contract performance problems, and take appropriate corrective action to protect the government's interests.
- (3) Manage non-personal service contracts so as to avoid an "employer-employee relationship" or the perception thereof.
- (4) Avoid the appearance of, or an actual, conflict of interest.

11-2. Post-award conference

a. The post-award or pre-performance conference is a valuable tool. It is the opportunity for both the government and the contractor to meet face-to-face and identify their respective roles to achieve a clear and mutual understanding of contract requirements. This forum can identify and resolve potential problems. The COR should ensure that a DD Form 1484 (Post-Award Conference Record) is prepared. Although a post-award conference is not required for all contracts, some type of post-award orientation should be conducted to establish a strong business relationship at the onset of the contract.

b. The post-award conference should focus on establishing a good working relationship between government and contractor personnel and clarify any questions or issues, such as:

(1) Roles of the government and contractor/subcontractor team members (so as to avoid an improper personal services contract).

(2) The contract type, special contract clauses, options, deliverables, and delivery schedules, overtime, and variation of work hours.

(3) Award fee provisions or other incentive features and procedures, as applicable.

(4) The specifics of the PWS.

(5) Procedures for implementing the QASP.

(6) Contractor's quality control system/procedures.

(7) Contractor reporting requirements, to include information on CMRA reporting.

(8) Inspection and acceptance provisions.

(9) Allowable and non-allowable costs.

(10) Invoicing and billing procedures.

(11) Procedures for processing waivers and deviations.

(12) Environmental, safety, and health requirements.

(13) Insurance requirements.

(14) Government-furnished property or services.

(15) The need for identification of contractor employees (badges, correspondence including e-mail, use of telephones, and attendance at meetings).

(16) Local regulations relating to driving on the installation.

(17) Approval authority for contractor travel.

11-3. Quality assurance

a. COR, alternate COR, and supporting COR duties. Successful performance of contracts depends on effective coordination between the contracting officer, appointed CORs, and the contractor throughout the life of the contract. The COR, alternate COR, and supporting CORs have the responsibility to monitor all aspects of day-to-day performance of a contract in accordance with the QASP. Throughout the period of contract performance, each COR must maintain accurate and complete records while accomplishing the following tasks, as applicable:

(1) Acknowledge, in writing, receipt of the appointment letter.

(2) Carefully read and understand the contract.

(3) Monitor and document the contractor's performance in accordance with the QASP, including the contractor's submission of required reports, deliverables, and other documentation. Ensure prompt review and feedback on all reports and deliverables. Document each assessment activity including the acceptability/unacceptability of deliverables.

(4) Provide technical interpretation of contract requirements and document any technical assistance given to the contractor. Immediately notify the contracting officer in the event the contractor disagrees or refuses to comply with any COR interpretation. Refer any disagreements with the contractor to the contracting officer.

(5) Monitor financial management controls and coordinate with government resource managers on actions relating to funding and changes in the contract. Monitor contract expenditures, such as cost-reimbursable contracts, to ensure that the contractor provides proper notice of incurred cost to the contracting officer. Ensure proper billing of any contractor-acquired property and documentation in property accountability records.

(6) Inform the contracting officer when a contractor is behind schedule or not performing within cost. Provide the contracting officer with an explanation of the problem, and the recommended course of action to correct the problem. If additional resources are required, the RA will submit a new AMO package for approval describing the required changes. See chapters 5, 6, 7 and 9 for approval thresholds and authorities.

(7) Alert the contracting officer of any need to modify the contract, to include PWS changes. Ensure that the contracting officer has executed the contract modification before the contractor proceeds with any changes.

(8) Provide oversight of the contract ensuring adherence to quality assurance procedures, and provide appropriate coordination between the contracting officer and any technical inspectors or quality assurance evaluators/inspectors assigned to the contract.

(9) Perform inspection, providing oversight of contractor quality control procedures. Reject nonconforming supplies or services, and verify correction of deficiencies.

(10) Receive and accept supplies and services, document receipt accordingly, and authorize payment as appropriate. Vendors are required to submit invoices electronically. (See DFARS 252.232-7003, for electronic submission and processing of payment requests and receiving reports.) Defense Finance and Accounting Service (DFAS) accepts electronic invoicing. The RA, contracting office, vendor, and DFAS must work together to determine which method will be used (for example, WAWF is the preferred method). Note: Validation and approval of contractor invoices is a complex area and, depending on the contract type, may involve the Defense Contract Audit Agency. Additionally, following training and implementation of WAWF electronic submission, approval, and payment will be required. In order to minimize confusion over responsibility, the COR should seek guidance from the contracting officer regarding their area of responsibility.

(11) Report any instance of suspected conflict of interest or waste, fraud, and abuse to the contracting officer and to the office of the SJA.

(12) Ensure contractor personnel working on a government facility wear required identification at all times and identify themselves as contractor employees when attending meetings, using the telephone, and in all correspondence (whether written or electronic). Ensure the contractor has current security clearances for all facilities and personnel.

(13) Perform property surveillance and provide oversight and accountability on government-furnished property, except when a property administrator performs this function.

(14) Inform the contracting officer, in writing, of any need to change the QASP.

(15) Verify the contractor inputs all required data into CMRA.

(16) Enter contractor performance data into the CPARS.

(17) Notify the contracting officer in sufficient time to permit timely appointment of a successor COR, alternate COR, or supporting COR.

b. All appointed CORs, to include alternate CORs and supporting CORs, will maintain an official file of all documents and correspondence related to the contract. The COR file is a part of the official contract file and must be maintained in accordance with the contracting officer's instructions. The COR file will be available for audit and review. The COR file will facilitate the transfer of responsibility if the COR is replaced during the contract. It will include such things as:

(1) A complete copy of the contract and all contract modifications.

(2) A signed COR, alternate COR, or supporting COR appointment letter issued by the contracting officer. In the event the contracting officer does not formally appoint a TRADOC employee to serve in the capacity of a COR, the RA then bears the responsibility to ensure that a

TRADOC employee is assigned to surveil the execution of the contract. This surveillance will be done without a formal appointment from the contracting office. Any deficiencies with contractor performance or deliverables should be reported by the RA to the COR and contracting officer.

(3) All required COR training certificates.

(4) Records documenting all telephone calls, e-mails, minutes of any meetings, and other correspondence between the COR, the contractor, the contracting officer, and other personnel relating to contract performance, to include a log of any resulting actions.

(5) QASP.

(6) Contractor's quality control plan.

(7) Surveillance documentation.

11-4. Contracting officer's duties regarding the COR, alternate COR, and supporting COR

a. Only contracting officers have the authority to appoint a COR, alternate COR, or supporting COR. The contracting officer must appoint CORs in writing prior to contract award, stating the scope and limitations of authority and identifying the contract(s) that the representative will administer. The contracting officer may also appoint, in writing, an alternate COR to serve in cases when the COR is on leave, temporary duty, etc. The appointment of the COR, alternate COR, or supporting COR is not official until the individual appointed to execute COR duties reads and signs the appointment letter.

b. Unless authorized in writing by the RA's designated approval authority, an individual may not serve as a COR, alternate COR, or supporting COR for more than two contracts. Such factors as complexity, total dollar value, number of TOs, etc., should be considered when nominating a COR, alternate COR, or supporting COR for more than two contracts simultaneously.

c. The individual that the contracting officer is to appoint as the COR, alternate COR, or supporting COR will be identified and involved in the acquisition planning as soon as the requirement is identified. Once appointed, the COR, alternate COR, or supporting COR duties will be documented in the individual's support form/performance standards.

d. The contracting officer will monitor the primary COR's, alternate COR's, and supporting COR's performance during the contract to ensure that the responsibilities and duties are being carried out. The contracting officer's performance assessment documentation must be maintained in the COR's, alternate COR's, or supporting COR's contract file. The contracting officer may revoke or terminate the COR's, alternate COR's, or supporting COR's appointment at any time. All terminations must be submitted in writing to the COR's, alternate COR's, and supporting COR's supervisor, and the contractor.

(1) A contracting officer may terminate a COR, alternate COR, or supporting COR for cause. Before terminating, the contracting officer will notify the COR, alternate COR, or

supporting COR in writing and consider taking other corrective actions as appropriate. The contracting officer will notify the COR's, alternate COR's, or supporting COR's supervisor or nominating official in conjunction with placing the COR, alternate COR, or supporting COR on notice.

(2) In cases of dereliction of duty or ethics violations, the contracting officer may revoke the COR, alternate CORs, or supporting COR's authority. In such cases, the COR, alternate COR, or supporting COR will identify all contracts which he or she is managing. Upon termination, the contracting officer must notify the supervisor of the COR, alternate COR, or supporting COR of the incident and other actions to protect the government's interests. The supervisor will notify the contracting officer of other contracts the person may be managing.

Chapter 12

Reporting Requirements

A number of reports are necessary to capture the total resources required to execute the mission using contract support. It is critical that information is complete, accurate, and submitted promptly.

12-1. Contract manyear equivalents (CMEs)

For reports that require CME information, a CME is calculated by dividing total direct labor hours by 2,080.

12-2. Web-based TRADOC Automated Schedules (WebTAS)

Contract information for all contracts, including GPC transactions that result in a contract, covered by this regulation will be entered into the Contract Execution Database in WebTAS.

a. Guidance is included in the TRADOC Budget Guidance (TBG), Appropriation TRADOC Budget Guidance (ATBG), and the WebTAS User's Manual. The RA's DCS, G-8 or DRM is responsible for all contract data input.

b. WebTAS information is the starting point for conducting CME affordability analysis in the Program Objective Memorandum (POM) build process, and is subsequently used to document CMEs in TDAs. Therefore, timely and accurate WebTAS contract data input is critical.

c. RAs will coordinate with their respective DRM to ensure accurate and complete input.

12-3. Contractor Manpower Reporting Application (CMRA)

a. All Army organizations acquiring contracted services will report requirements in the secure CMRA database (<https://cmra.army.mil/default.aspx>). This requirement will be included in every PWS and every COR, alternate COR, and supporting COR appointment letter. Reporting will occur each FY during the period of performance. Reporting must be completed not later than 31 October of each year for the previous fiscal year.

b. All Army RAs will:

(1) Ensure that the requirement for CMRA data reporting is included within each solicitation, contract, or contract modification; and provide resources, including funding, associated with the collection and reporting of data;

(2) Provide the parent unit identification code (UIC) of the RA to the contracting officer for inclusion in a contract line item number (CLIN) to allow for pricing for this reporting requirement;

(3) Monitor contractor performance to ensure complete reporting takes place no later than 31 October of each year; and,

(4) Assist the contractor in identifying the fund citation on the contract.

c. The contracting officer is responsible for:

(1) Ensuring the requirement for CMRA data reporting is included in each solicitation and contract;

(2) Ensuring the COR, alternate COR, and supporting COR(s) for each contract action comply with all reporting requirements;

(3) Ensuring the parent UIC for the RA is included as a part of a CLIN of each service contract;

(4) Ensuring data collection costs charged by the contractor are reasonable;

(5) Ensuring the requirement for the CORs, alternate CORs, and supporting CORs to enter their portion of the CMRA data and to monitor the contractor's reporting of required information is included in the COR's, alternate COR's, and supporting COR's appointment letter;

(6) Ensuring contractors are cognizant of their responsibility to report required information to the CMRA system's secure website as defined in the PWS. The COR, alternate COR, and supporting COR(s) are responsible for verifying that the contractor has reported the required information. The Office of the Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA(M&RA)) will compile an annual report and review compliance with this reporting requirement by Army command, which may be further broken out by parent UIC. The metric for compliance will involve comparing total payments (dollars) reported by Army commands/operating agencies/contracting activities/organizations against obligations (dollars) and/or disbursements by Army command operating agencies/contracting activities/organizations, using the relevant financial accounting and procurement systems as sources for comparison. An organization's compliance with this requirement will be a factor in assessing its justification of current resources, or requests for additional resources in departmental decisions.

d. The COR, alternate COR, and supporting COR(s) will:

(1) Follow the CMRA-preferred reporting practices by initiating a contract reporting record for each contract action.

(2) Populate required data fields. CMRA User Guides at <https://cmra.army.mil/default.aspx> provide step-by-step instructions for creating accounts and entering information.

(3) Verify contractors have complied with CMRA reporting requirements no later than 31 October each year.

e. Contractors (vendors) shall:

(1) Populate the CMRA for each contract. The CMRA User Guides provide step-by-step instructions for creating accounts and entering data.

(2) Notify the COR, alternate COR, and supporting COR(s) for clarification on any CMRA questions/issues.

12-4. TRADOC assisted acquisition report

Assisted acquisition actions are defined as any contract, TO, or DO awarded on behalf of the DOD by a non-DOD agency using Army funds. Implementation of the Army policy for proper use of non-DOD contracts established procedures for reviewing and approving the use of non-DOD contracts and mandated data collection for all assisted acquisitions. Additional information can be found on the AMO community on Army Knowledge Online (AKO) at <https://www.us.army.mil/suite/folder/13885519> and in AFARS 5117.780. This reporting requirement applies to all procurements for services or supplies/products, including MIPRs and/or orders for amounts greater than the SAT. Splitting of requirements to stay under the SAT is prohibited.

a. RAs will collect data on their use of assisted acquisitions.

b. DRMs will submit data to the TRADOC DCS, G-8 for analysis and compilation. Reporting format and timelines will be provided by HQ TRADOC. Negative reports are required in the event that no reportable assisted acquisitions were conducted.

12-5. Past performance documentation

Information on past performance regarding a contractor's actions under previously awarded contracts is relevant for future source selection purposes. It includes the contractor's record of conforming to contract requirements; the contractor's record of forecasting and controlling costs; the contractor's adherence to contract schedules, including the administrative aspects of performance; the contractor's history of reasonable and cooperative behavior and commitment to customer satisfaction. The specific elements of past performance should be tailored to each individual acquisition. For instance, in an acquisition that contains government furnished property, assessing how well the contractor accounts for and maintains government-furnished property should be a consideration.

a. DOD policy imposes a mandatory requirement on agencies to prepare an evaluation of contractor performance for each contract or TO for services with a cumulative total of \$1M or greater. This threshold (base plus option years) applies to all contracts, TOs, DOs, orders under General Services Administration schedules, basic ordering agreements, and BPAs.

b. The COR, alternate COR, and/or supporting COR(s) will complete annual performance assessment reports for contracts meeting the threshold discussed in paragraph 12-5a with performance periods exceeding 1 year. Out-of-cycle CPARS assessment reporting may be required in the event there is a significant change in the contractor's performance. These assessments must be completed within 120 days of the end of the performance period (contractors use 30 days of this time for review).

c. The use of draft performance assessment reports provided to the contractor prior to the official government assessment is encouraged. Note: The contracting officer must provide an officer within the contractor's company the opportunity to comment on adverse past performance information.

d. Final assessment reports must be prepared upon contract performance completion. For contracts with performance periods exceeding 1 year, final reports will address only the last period of performance. They must not be used to summarize the contractor's performance under the entire contract. Contractor comments on each of these reports must be maintained as a permanent part of the contract file.

e. The COR, alternate COR, and supporting COR(s) will enter contractor performance data using CPARS. CPARS is a web-based application used to collect, manage, and assess contractors' performance. The contracting officer will advise the COR, alternate COR, and supporting COR(s) when entry is required. Users must register at <http://www.cpars.csd.disa.mil/cparsmain.htm> to gain access to the system. System access is controlled by CAC/PKI Certificate and unique user IDs and passwords. Authorized users may add, modify, and print performance assessment reports as required according to the user's profile and level of authorization. CPARS is the resource used to assess a potential contractor's past performance; therefore, it is extremely important CORs, alternate CORs, and supporting CORs enter contractor performance data into the system.

Chapter 13

Acquisition-Related Topics

13-1. Ethics

Government business will be conducted in a manner that is above reproach, with complete impartiality, and with preferential treatment for none. To protect the Government and its interests, and maintain its reputation for fair dealings, all personnel engaged in government contracting activities, to include the RA, will comply with the ethics standards prescribed by the DOD 5500.7-R Joint Ethics Regulation (http://www.dod.mil/dodgc/defense_ethics/ethics_regulation/).

a. Organizational conflict(s) of interest (OCI). OCI means that because of other activities or relationships, a person is unable, or potentially unable, to render impartial assistance or advice to

the government, or his/her objectivity in performing the work is, or might be otherwise impaired, or create an unfair competitive advantage (FAR 2.101). All members of the acquisition team are responsible for recognizing the potential for an OCI and taking steps to avoid or mitigate any conflict or advantage. All personnel involved in the acquisition process will -

- (1) Avoid the appearance of a conflict or of wrongdoing.
- (2) Ensure the ability to render impartial advice or assistance.
- (3) Obtain objective advice and assistance.
- (4) Take appropriate preventive measures, such as:
 - (a) Make OCI avoidance a contractual requirement.
 - (b) Establish appropriate contractor firewalls.
 - (c) Require non-disclosure agreements.
- (5) Report potential or actual OCIs to the contracting officer at the earliest possible time.

b. Procurement Integrity Act. To determine if the Procurement Integrity Act provisions might apply to a planned or ongoing acquisition, personnel are encouraged to discuss the matter with an ethics counselor in their servicing Office of the SJA. The Act contains four basic provisions:

- (1) Restricts disclosure of procurement information.
- (2) Prohibits obtaining procurement-sensitive information.
- (3) A requirement to report employment contacts by, or with, a competing contractor.
- (4) A 1-year ban for certain personnel on accepting compensation from the contractor.

c. Government employees are prohibited from participating personally and substantially in an official capacity in any particular matter in which the employee has a financial interest. Normally a government contract is considered to be a "particular matter." If such a conflict arises, personnel must advise their supervisors and the contracting officer. The supervisor will review the situation and make a determination whether or not to excuse the employee from working on a specific contract requirement. Even the appearance of such conflict must be avoided.

d. Gifts. While certain items are excluded from the definition of a gift, and other items are considered to be exceptions to the prohibition on accepting gifts from prohibited sources, personnel involved in the procurement process are encouraged to seek the advice of an ethics counselor prior to accepting items of value from a contractor that is doing business with DOD, or would like to do business with DOD (See 5 CFR 2635.201 for additional information about gifts).

e. Ethics laws and regulations require certain government officials/employees to file financial disclosure reports annually (such as, OGE Form 450, Confidential Financial Disclosure Report). Upon designation, all CORs, alternate CORs, and supporting CORs are required to complete an OGE 450 annually. Financial disclosure reporting will be required if the employee's supervisor determines that the employee's duties and responsibilities require them to participate personally and substantially, through decision or exercise of significant judgment, in contracting or procurement actions. Excluded from this filing requirement are individuals who make or approve annual purchases totaling less than \$100K. To determine if a particular employee is required to file an OGE Form 450, supervisors should contact their ethics counselor in their servicing Office of the SJA.

13-2. In-sourcing/competitive sourcing

a. In-sourcing. In-sourcing is the process to convert CMEs to DAC positions.

(1) DOD, HQDA, and TRADOC require organizations to review service contracts for potential in-sourcing. Pursuant to the NDAA FY 08, commanders are to "ensure that consideration is given to using, on a regular basis, DOD civilian employees to perform functions that are performed by contractors and could be performed by DOD civilian employees." Organizations may obtain increases to civilian authorizations by in-sourcing and use the savings generated to fund other TRADOC priorities. The statute has expanded the rationale for in-sourcing from one that was primarily focused on cost savings.

(2) There are seven basic reasons to insource. If any of the three reasons listed below applies, corrective action must be taken immediately. If one of the remaining reasons applies, then the RA should consider in-sourcing the positions. Cost savings bolster the justification to insource, but need not be the primary driver.

(a) Contracted functions contain unauthorized personal services or contracts are improperly executed as personal services.

(b) Contracted functions are inherently governmental.

(c) Work has been performed by a DAC at any time since January 1998.

(d) Contracted functions contain work closely associated with inherently governmental functions.

(e) A contracting officer has determined excessive cost, inferior quality, or work performed poorly, within the last 5 years preceding such a determination.

(f) Contract was awarded on a non-competitive basis.

(g) Cost savings will accrue.

b. Competitive sourcing. Office of Management and Budget (OMB) Circular A-76 (Revised) establishes and governs the federal policy for the competition of recurring services, also referred to as commercial activities, that could be performed by the private sector. A commercial activity is a function that is not so intimately related to the public interest that it must be performed exclusively by government personnel. Detailed information on the competitive sourcing process within TRADOC can be obtained from TRADOC DCS, G-8. The AMO review and analysis process may identify existing or potential contracted functions that are valid candidates for an A-76 competitive sourcing competition.

13-3. Personal services contracts

A personal services contract is a contract that, by its expressed terms or as administered, makes contractor personnel appear, in effect, as Government employees. Contracts for personal services are permissible only by statute. See FAR 37.104 and DFARS 237.104 for authority to acquire personal services.

a. A personal services contract is characterized by the employer-employee relationship it creates between the government and contractor personnel. The government is normally required to obtain its employees by direct hire under competitive appointment or other procedures required by civil service laws. Obtaining personal services by contract, rather than by direct hire, circumvents those laws unless specifically authorized by statute.

b. An employer-employee relationship under a service contract may occur when the contract's terms or the manner of its administration during performance subject contractor personnel to the relatively continuous supervision and control of a government officer or employee. The key question is always: "Will the Government exercise relatively continuous supervision and control over the contractor personnel performing the contract?" See TRADOC Form 5-14-E, section II, part C for personal services questions to assist in determining the potential for unlawful personal services.

13-4. Prohibition on converting certain functions to contract performance.

a. IAW 10 U.S.C. § 2461, DoD is prohibited from converting work currently performed (or designated for performance) by civilian personnel to contract performance without first conducting a public-private competition, unless otherwise authorized by law. This prohibition applies to functions and work assigned to civilians, regardless of whether or not the position is encumbered.

b. When new requirements arise, special consideration must first be provided to using DoD civilian employees – consistent with 10 U.S.C. § 2463 and applicable DoD/Army policies.

13-5. Incremental funding

a. Incremental funding is the partial funding of a contract or an exercised option, with additional funds anticipated to be provided at a later time. Reference DFARS 232.001.

b. Fixed price contracts. Incrementally funded fixed price contracts will be fully funded as soon as funds are available. In accordance with DFARS 232.703-1, a fixed price contract may be incrementally funded only if:

(1) The contract (excluding options) or any exercised option:

(a) Is for severable services;

(b) Does not exceed 1 year in length; and

(c) Is incrementally funded using unexpired funds available as of the date the funds are obligated; or

(2) The contract uses funds available from multiple (2 or more) fiscal years; and

(a) The contract is funded with research and development appropriations; or

(b) Congress has otherwise authorized incremental funding.

c. At the time of award, IDIQ contracts must be funded to meet the stated minimum quantity of supplies or services stated in the contract.

d. The RA should consult with the MICC to identify the contract approach that provides the most flexibility when contracting for services or renewing existing contracts (e.g., see 10 U.S.C. § 2410a for contracting for services or renewing existing contracts).

13-6. Bona fide needs rule considerations

Under fiscal law, a “bona fide need” focuses on the timing of the obligation of funds and whether that obligation is for a current need of the government. Generally speaking, bona fide needs are determined by when the government actually requires (will be able to use or consume) the supplies being acquired or the services being rendered. An agency may not obligate current year funds when it is apparent from the outset that there will be no requirement until the following fiscal year. (See 31 U.S.C. § 1502(a) for additional guidance.). As generally indicated below, determination of the bona fide need under fiscal law is typically fact-specific and requires the exercise of judgment.

a. Severable services. There is a general authority, 10 U.S.C. § 2410a, which permits the contracting officer to enter into a service contract, exercise an option, or place a task order with current year funds for a period that begins in one fiscal year and ends in the next fiscal year if the period of the contract awarded, option exercised, or order placed does not exceed 12 months.

b. Non-severable services. A service is non-severable when it produces a single or unified outcome, product, or report that cannot be subdivided for separate performance in different fiscal years. Non-severable services are fully funded up front with funds current at the time of contract award, even though contract performance may cross fiscal years.

c. A service is identified as severable or non-severable based on the nature of the service itself and what is being bought. The type of contract does not affect the severable versus non-severable distinction.

d. Supply contracts:

(1) Stock-level exception. The bona fide needs rule does not prevent maintaining a legitimate stock level or inventory at reasonable and historical levels, the “need” being to maintain the inventory level so as to avoid disruption of operations. The problem arises when the inventory crosses the line from reasonable to excessive.

(2) Lead time exception. There are legitimate situations in which an obligation may be incurred in one fiscal year with delivery to occur in a subsequent year. Thus, where materials cannot be obtained in the same fiscal year in which they are needed and contracted for, provisions for delivery in the subsequent fiscal year do not violate the bona fide needs rule as long as the time intervening between contracting and delivery is reasonable as determined by the contracting officer and the procurement is not for standard commercial items readily available from other sources. Similarly, an RA may contract in one fiscal year for delivery in a subsequent year if the material contracted for will not be obtainable on the open market at the time needed for use, provided the intervening period is necessary for production or fabrication of the material.

e. Funding contract changes. Contract performance may extend over several years. During the life of the contract, the contract may be modified for a variety of reasons. Price adjustments for an in-scope contract modification are generally funded with funds obligated at the time of contract award. If the modification is out of scope, it is funded with funds current at the time of the modification. New AMO reviews and approvals may be required. The contracting officer is responsible for making all contract scope determinations.

f. If an obligation is proper when made, unforeseen delays beyond the control of the government that cause delivery or performance to extend into the following fiscal year will not invalidate the obligation or violate the bona fide needs rule.

Appendix A References

Section I Required Publications

[Army Federal Acquisition Regulation Supplement \(AFARS\)](#)

(Available at <http://farsite.hill.af.mil/vfafar1.htm>.)

[AR 11-2](#)

Manager's Internal Control Program

(Available at http://www.army.mil/usapa/epubs/pdf/r11_2.pdf.)

[Defense Federal Acquisition Regulation Supplement \(DFARS\)](#)

(Available at <http://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html>.)

[DFAS Regulation 37-1](#)

Finance and Accounting Policy Implementation

(Available at <http://www.asafm.army.mil/secretariat/document/37-1reg/37-1reg.asp>.)

[Department of Defense Instruction 2000.16](#)

DoD Antiterrorism Standards

(Available at http://www.acq.osd.mil/cp/dodi/dodi_2000.16.pdf.)

[Federal Acquisition Regulation \(FAR\)](#)

(Available at <http://acquisition.gov/far/>.)

[Federal Business Opportunities \(FEDBIZOPPS\)](#)

(Available at <https://www.fbo.gov/index?cck=1&au=&cck=>.)

National Defense Authorization Act

[Office of Management and Budget \(OMB\) Circular A-76 \(Revised\), dated 29 May 03](#)

Performance of Commercial Activities

(Available at

http://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a076/a76_incl_tech_correction.pdf.)

[TRADOC Regulation 25-1](#)

Information Resources Management

(Available at <http://www.tradoc.army.mil/tpubs/regs/r25-1.pdf>.)

Section II

Related Publications

[ACC Pamphlet 70-1](#)

Interim Army Contracting Command - Contracting Officer's Representative Policy Guide
(Available at <https://www.us.army.mil/suite/doc/22636654>.)

[AR 11-7](#)

Internal Review Program
(Available at http://www.army.mil/usapa/epubs/pdf/r11_7.pdf.)

[AR 25-400-2](#)

The Army Records Information Management System (ARIMS)
(Available at http://www.army.mil/usapa/epubs/pdf/r25_400_2.pdf.)

[AR 70-13](#)

Management and Oversight of Service Acquisitions
(Available at http://armypubs.army.mil/epubs/pdf/r70_13.pdf.)

[Army Source Selection Manual](#)

(Available at <http://www.aca-nrhq.army.mil/library/Army%20Source%20Selection%20Manual.pdf>.)

[DA Pamphlet 5-20](#)

Competitive Sourcing Implementation Instructions
(Available at http://www.army.mil/usapa/epubs/pdf/p5_20.pdf.)

[Department of Defense Financial Management Regulation 7000.14-R](#)

(Available at <http://www.defenselink.mil/comptroller/fmr/>.)

[Department of Defense Instruction 4000.19](#)

Interservice and Intragovernmental Support
(Available at http://www.dodea.edu/offices/logistics/docs/is_DoD4000_19.pdf.)

[Economy Act](#)

(Available at https://www.acquisition.gov/far/html/Subpart%2017_5.html.)

[Military Handbook 245-D](#)

A Guide for the Preparation of a DD Form 254
(Available at <https://acc.dau.mil/CommunityBrowser.aspx?id=183718>.)

[Procurement Integrity Act](#)

(Available at <http://www.usdoj.gov/jmd/ethics/procurea.htm>.)

[TRADOC Regulation 10-5](#) series

Organization and Functions, U.S. Army Training and Doctrine Command
(Available at <http://www.tradoc.army.mil/tpubs/regs/tr10-5.pdf>.)

[TRADOC Regulation 10-5-1](#)

Organization and Functions, Headquarters, U.S. Army Training and Doctrine Command
(Available at <http://www.tradoc.army.mil/tpubs/regs/r10-5-1.pdf>.)

[TRADOC Regulation 27-4](#)

TRADOC Government Ethics Program
(Available at <http://www.tradoc.army.mil/tpubs/regs/r27-4.pdf>.)

Section III
Prescribed Forms

[TRADOC Form 5-14-E](#)

Request for Approval of Service and Supply/Product Contract Requirements
(Available at <http://www.tradoc.army.mil/tpubs/TRADOCForms/tf5-14-E.pdf>.)

Section IV
Referenced Forms

[DA Form 2028](#)

Recommended Changes to Publications and Blank Forms
(Available at <http://www.apd.army.mil/pub/eforms/pdf/a2028.pdf>.)

[DD Form 250](#)

Material Inspection and Receiving Report
(Available at <http://www.pentagon2000.com/download/dd250.pdf>.)

[DD Form 254](#)

Department of Defense Contract Security Classification Specification
(Available at <http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0254.pdf>.)

[DD Form 448](#)

Military Interdepartmental Purchase Request
(Available at <http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd0448.pdf>.)

[DD Form 1144](#)

Support Agreement
(Available at <http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd1144.pdf>.)

[DD Form 1484](#)

Post-Award Conference Record
(Available at <http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd1484.pdf>.)

[DD Form 2579](#)

TRADOC Regulation 5-14

Small Business Coordination Record

(Available at <http://www.dtic.mil/whs/directives/infomgt/forms/eforms/dd2579.pdf>.)

[OGE Form 450](#)

Confidential Financial Disclosure Report

(Available at http://www.usoge.gov/forms/oge450_pdf/oge450_automated.pdf.)

Appendix B

AMO Package Requirements

B-1. TRADOC Form 5-14-E

Each AMO package, regardless of the type of contract requirement action, will include TRADOC Form 5-14-E. This form summarizes the proposed contract requirement, requires approval/disapproval by leadership for all contract requirements, and contains the certification worksheets and certification statement required for all service contract requirements. The RA bears the responsibility to accurately complete the form for each proposed service or supply/product requirement contract.

B-2. TRADOC Form 5-14-E, section II, Government Worksheets, parts A through E

Section II, parts A through E of TRADOC Form 5-14-E must be completed for each contract requirement containing services. The worksheets will assist the RA with determining whether the requirement contains inherently governmental functions, work closely associated with inherently governmental functions, or unauthorized personal services. The worksheet analysis will assist in facilitating the decision whether to insource or contract the requirement. The RA will -

- a. Ensure the worksheets for each requirement are completed accurately.
- b. Identify corrective action(s) to be taken to eliminate or mitigate the risk on any requirement where the worksheet answers indicate that the requirement contains inherently governmental functions, work closely associated with inherently governmental functions, or unauthorized personal services. Corrective actions include the following:
 - (1) Immediately take steps to bring back in house any work that contains unauthorized personal services or inherently governmental functions.
 - (2) Initiate the in-sourcing process for requirements that are closely associated with inherently governmental functions.
 - (3) Revise the PWS so that unauthorized personal services or inherently governmental functions are eliminated.
 - (4) Ensure that service contracts are not administered in such a manner that they become unauthorized personal services contracts.
 - (5) For existing contracts, if the decision is made to insource, the RA will request AMO approval to continue to contract until the in-sourcing proposal is approved and implemented. This will be coordinated with the contracting officer as appropriate.
 - (6) For new requirements, initiate the appropriate manpower procedures for obtaining civilian requirements and authorizations. New work that contains personal services or inherently governmental functions will not be considered for contracting.

B-3. TRADOC Form 5-14-E, section II, Government Worksheets, part F

Ensure a written explanation is provided for questions in Section II, Government Worksheets, part F for all questions in parts A through E that require additional explanation. Explanations provided must clearly articulate what action(s) will be taken to mitigate the risk of contractors performing inherently governmental functions, work closely associated with inherently governmental functions, or unauthorized personal services. Explanations are required for:

- a. All “yes” answers in Section II, Part A, Worksheet A – Inherently Governmental.
- b. All “yes” answers in Section II, Part B, Worksheet B – Closely Associated with Inherently Governmental, questions 1-22. The types of services in questions 1-22 are defined as “closely associated with inherently governmental functions” in 10 U.S.C. § 2383(b)(3) and pursuant to 10 U.S.C. § 2463, special consideration must be given to in-sourcing contracts where these functions have been identified.
- c. All “no” answers to Section II, Part B, Worksheet B – Closely Associated with Inherently Governmental, questions 23-25.
- d. All “yes” answers in Section III, Part C, Worksheet C – Personal Services.
- e. Either a “yes” or “no” answer provided in Section II, Part D, Worksheet D – In-sourcing Consideration and Reporting, question 1. If the answer is “no,” the explanation must articulate why in-sourcing is not a viable option.
- f. All “no” answers in Section II, Part D, Worksheet D – In-sourcing Consideration and Reporting, questions 2-4.
- g. A “yes” answer to any question in Section II, Part E, Worksheet E, prohibits contracting of the function in accordance with 10 U.S.C § 2461.

B-4. Market research documentation

Market research should be performed as soon as requirements are forecasted for a new contract to allow sufficient time to perform thorough market research. Prior to establishing a new contract for supplies or services, the RA must determine if the service and/or supply/product is available from one of the sources identified in FAR Part 8 under “required sources of supplies and services.” See chapter 4 for additional details.

- a. Market research is required to exercise an option and must be included in the AMO package submitted to the ACRB. See paragraph 4-1d for additional details.
- b. Market research documentation is not required where a mandatory source is used and properly cited in the AMO package. However, the servicing contracting office has the authority to require market research for all requirements, to include the use of a mandatory source. See paragraph 7-6 for additional details.

c. Market research documentation should indicate sources checked and research results. See chapter 4 for additional guidance. RAs may consult with MICC CSPO-CSE for additional information on market research requirements.

B-5. FRB memorandum

The RA is required to conduct an FRB for all potential requirements that may be satisfied by contract. The FRB memorandum serves as the vehicle that validates the requirement and makes the determination whether contracting is the appropriate vehicle to satisfy the requirement. The FRB memorandum submitted as part of the AMO package must address all criteria as outlined in paragraph 3-1e.

B-6. PWS or SOO

a. PWS. The PWS serves as the foundational description for requirements for a service contract and is unique to the specific mission requirement. It concisely describes what is to be accomplished in clear, specific, and objective terms with measurable results, and provides the basis for monitoring and evaluating the progress and accomplishment of the resulting contract.

(1) Preparing the PWS requires a close analysis of the work to be performed and the objectives to be achieved. The PWS should be written as clearly and succinctly as possible. Key PWS processes include conducting a job analysis, defining the elements of the requirement, and identifying quality assurance performance measures/metrics. The PWS should be tailored to the specific mission requirements, describe them in terms of measurable results, and identify any special requirements (for example, government-furnished equipment). The PWS should be written to maximize competition and should not favor a particular source without adequate justification.

(2) The PWS should identify the tasks necessary for successful performance of the contract. A well written PWS will allow for an effective means of contractor surveillance. A PWS should list the required services or performance objectives, minimum standards of performance (metrics), the acceptable levels of quality, and incentives or disincentives, as applicable.

(3) The PWS should incorporate metrics to ensure receipt of quality services, for example, performance, cost, and schedule metrics. Contract work metrics should reflect the highest level of performance that is critical to produce the desired performance outcome(s). In order to motivate the contractor to achieve the desired metrics, appropriate contract incentives might include award fee, award term, and cost sharing, all of which promote and facilitate contractor performance.

(4) Every PWS for services will include the CMRA reporting requirement.

b. SOO. The SOO is a government-prepared document incorporated into the solicitation that states the overall performance objectives. The SOO allows competing contractors to develop their own work statement, performance metrics and measures, and quality assurance surveillance plan. The intent of the SOO is to allow competing contractors maximum flexibility to conceive and propose innovative approaches and solutions to meet the government's requirements. The SOO

reduces the inherent instructions to offerors regarding “how to” accomplish the procured work typically found in a statement of work.

(1) There is no set format for the SOO; however, the document will identify the purpose, scope of the problem, period of performance, place of performance, applicable background information, program objectives, and/or constraints. (See FAR 37.602 for additional information).

(2) When making a proposal against a SOO, the contractor must list necessary tasks to be performed for each outcome. At contract award, the selected contractor’s proposed solution will generally be incorporated into the contract as the PWS.

B-7. Independent Government Estimate (IGE)

The IGE is a cost estimate developed by the RA, based on the requirements of the PWS or SOO. An IGE is required for every AMO package developed for a service contract requirement, and either an IGE or an informal quote is required for all supply/product contract requirements. The purpose of the IGE is to develop an assessment of the probable cost and help determine the reasonableness of an offeror’s proposed costs and understanding of the work. The IGE is also known as a government estimate or independent government cost estimate.

a. The IGE consists of a breakdown of the overall costs by cost element and include a cost breakdown of all cost factors required for contractor performance as defined by the PWS. This should include an estimate of labor categories, hours, and rates; direct material and supplies; subcontracting; consultant services; travel rates; indirect costs, fees, and/or profit; and any assumptions used in the development of the IGE. Prior acquisition history or similar acquisitions should provide the basis for the preparation of an IGE, as well as the data provided by thorough market research.

b. Show CMEs at the bottom of the IGE. Total direct labor hours divided by 2,080 equals the number of CMEs.

c. Obtain assistance in preparing the IGE from the designated contracting activity.

B-8. COR, alternate COR, and supporting COR nomination and training certificate

The RA must formally nominate a TRADOC employee to serve as the primary COR, alternate COR, or a supporting COR for all service contract requirements and TOs with a value greater than \$150,000 and for service contract requirements that meet the criteria set forth in paragraph 2-11i. All COR, alternate COR, and supporting COR nominations must be executed through the Army Contracting Command’s Virtual Contracting Enterprise (VCE). In instances where the VCE tool has not been implemented by the servicing contracting activity, it is incumbent on the RA to follow the designated nomination process dictated by the contracting officer. All COR, alternate COR, and supporting COR nominees must meet the training requirements established in paragraph 4-2e. The contracting officer will make all formal appointments for those serving as a COR, alternate COR, or supporting COR (reference DFARS 201.602-2). Additional CORs, alternate CORs, and/or supporting CORs may be required for the award of a TO under an existing IDIQ contract. The nomination and appointment of supporting CORs may be necessary based on the

size, complexity, and proximity of the requirement. The contracting officer will determine if a new COR, alternate COR, and/or a supporting COR is appropriate, and outline each COR's, alternate COR's, and/or supporting COR's responsibilities in the individual COR appointment letter. The COR's, alternate COR's and/or supporting COR's supervisor must endorse all COR nominations. Supply/product contracts require the identification of an accepting official instead of a COR when sending the Purchase Request & Commitment to the contracting office. The accepting official generally processes the receipt of materials for supply/product contract requirements either in WAWF or with DD Form 250, Material Inspection and Receiving Report.

a. COR, alternate COR, and supporting COR nomination packages should demonstrate through training or relevant experience that the nominee has:

- (1) Knowledge of the government contracting process;
- (2) Understanding of pertinent contract clauses, such as changes, payments, government-furnished property, inspection, acceptance, and termination;
- (3) Familiarity with pertinent concepts, such as contracting authority, contract incentives, contract types, performance delays, options, and TOs/DOs; and
- (4) Ability to analyze, interpret, evaluate, and document factors involved in contract administration.

b. The nomination package should address how the COR, alternate COR, and/or supporting COR will have:

- (1) Sufficient time and resources to accomplish these duties, given the nominee's other workload commitments; and
- (2) Visibility of the contractor's performance.

c. The nomination package must meet all requirements set forth by the servicing contracting activity.

B-9. Quality assurance surveillance plan (QASP)

The Government-developed QASP will be prepared for all service contract actions greater than \$150,000 and for service contract requirements that meet the criteria set forth in paragraph 2-11i(1)-(4) to ensure the use of systematic quality assurance methods during contract administration. The QASP should be prepared in conjunction with the preparation of the PWS. The QASP cites the surveillance methods that will be used to measure contractor performance against the standards contained in the contract and provides a means by which the government monitors and documents contractor performance. The elements of the QASP should define the roles and responsibilities of the participating government officials and define the types of work to be performed and evaluation methods that will be employed. Accordingly, surveillance or quality assurance monitoring forms should be a part of the QASP. The metrics discussed in the PWS will be used to develop the QASP.

a. Monitor contractor performance against cost, schedule, and quality requirements identified in the contract or in the QASP. The assigned COR, alternate COR, or supporting COR within the RA should develop oversight procedures, perform contract inspection/quality assurance duties, and authorize payment as appropriate. The government's role is to determine the effectiveness of a contractor's quality and management procedures. Use basic inspection techniques to ensure the government's interests are protected and are included in the terms of each contract.

b. Contractors often develop and use their own quality control plan to ensure that they deliver quality service. The surveillance methods identified in the QASP together with the contractor's quality control plan will help determine whether the contractor delivers the performance agreed to in the contract.

B-10. Sole source/restricted competition

The Competition in Contracting Act and the FAR mandate full and open competition in government contract actions. Unless permitted by one of the exceptions found in FAR 6.302, restricted competition is not allowed.

a. In cases where an exception to the competitive process is proposed, the RA must document and certify the basis for exception in a J&A. A well-written J&A should ensure the contracting officer can determine that the exception is appropriate. Each justification will contain sufficient facts and rationale to justify limiting competition.

b. The J&A must include market research to justify sole source/limited competition procurements and synopsized requirements as stipulated in FAR 5.201. Mandated approval levels vary based upon the dollar amount of the acquisition and the designated contracting activity's guidance.

B-11. Offload request (mandatory if not using MICC)

a. For the purposes of this regulation, any contract awarded by a contracting office external to the MICC organization, TRADOC's designated contracting activity, is considered an "offload." All offload requests for services or supplies/products will be reviewed and validated by the MICC CSPO-CSE as part of the ACRB review. Regardless of the contracting office that is used to award the contract, the RA is required to identify and nominate a capable and trained TRADOC COR, alternate COR, and/or supporting COR for appointment by the contracting officer. RAs must receive full AMO approval prior to release of funds. In some cases, the use of offloads is an effective way to satisfy TRADOC's needs. Do not use offloads as a substitute for inadequate acquisition planning, to circumvent conditions and limitations imposed on the use of funds, or to circumvent the review and approval provisions of this regulation.

b. Certifications are required for direct and assisted acquisitions for both service and supply/product acquisitions. The RA must obtain all required certifications and signatures prior to submitting the AMO package to the ACRB. Each type of acquisition requires a slightly different certification. It is mandatory that each RA receive AMO approval for all non-DOD contract

requirements prior to initiating an action to acquire services or supplies/products from a non-DOD activities contract. (See AFARS 5117.7802 for additional information).

c. For all offloads, the RA will:

(1) Perform a cost assessment on each offload requirement and include the cost assessment in the AMO package provided to the ACRB. A sample cost assessment is located in the AMO community on AKO at <https://www.us.army.mil/suite/files/18273115>.

(2) Complete the offload memorandum (see appendix C), including all required documentation, certifications, and signatures for the direct and assisted acquisition offload requirements. Table B-1 provides documentation requirements for offloads, which vary based on the type of contract action. Additional information on non-DOD direct and assisted acquisitions and support agreements is located in appendix D.

(3) Submit the offload memorandum and required supporting documentation as part of the AMO package to the servicing RM office for ACRB review. The servicing RM will coordinate all offload requirements with the MICC-CSE during the ACRB process. The MICC-CSE response will indicate whether or not a MICC activity is able to support/execute the requirement. In the event the MICC is unable to execute the requirement, the RA should forward the AMO package to the appropriate contracting activity after receiving final AMO approval. The final decision to offload any requirement lies with the designated approval authority as prescribed in paragraphs 5-2 and 6-2. For a non-DOD offload, the MICC CSPO-CSE will also verify that any applicable unique terms, conditions, and requirements are included for compliance with DOD-unique statutes, regulations, directives, and other requirements.

(4) Complete all required documentation as outlined in table B-1 and include the documentation in the AMO package. Early coordination with the designated contracting activity will ensure that the need for an offload is identified early in the process. In the event the AMO approval has been obtained prior to learning that the requirement will be offloaded, the RA is required to complete the necessary documentation and certifications as outlined in table B-1 and resubmit the approved package and all required documentation/certifications to the DRM in order to obtain a MICC CSPO-CSE review and concurrence/nonconcurrency. Additional documentation is required for both types of non-DOD contracts (see appendix D). The two types are:

(a) Direct acquisitions. A direct acquisition is a TO or DO awarded by a MICC or other DOD contracting officer using a non-DOD agency's contract. Contract award and administration resides with the contracting office that executes the requirement. Because of the potential for additional fees associated with these contracts (for example, administrative/overhead fees), and non-compliance with Army/DOD policies, the use of direct acquisitions for award by non-MICC activities is not recommended and is identified as a contract offload. As indicated above, for direct acquisitions not utilizing MICC, the RA must complete and submit all required documentation as outlined in table B-1 in the AMO package submitted to the ACRB. Upon receiving an ACRB recommendation and final approval by the designated approval authority, the RA may then submit the approved AMO package, with all required documentation and certifications, to the non-MICC contracting activity for support. Note: Regardless of the contracting office, the RA is required to

identify and nominate a capable and trained TRADOC COR, alternate COR, and/or supporting COR for appointment by the contracting officer.

(b) Assisted acquisitions are contracts awarded by non-DOD activities, such as Department of the Interior or General Services Administration on behalf of a DOD organization. Prior to submitting the AMO package to the servicing DRM for ACRB review, the RA must obtain all required approvals and/or certifications. Receipt of all required approvals/certifications signify the non-DOD contract and the RA's PWS are in compliance with all applicable Army/DOD clauses and policies. Certifications are required from the designated MICC contracting officer, SJA, and budget officer. Upon receipt of final AMO approval, the RA will then submit the entire AMO package, all required documentation, and certifications to the non-DOD contracting activity. The non-DOD contracting activity retains authority for contracting and contract administration. RAs have additional reporting requirements for assisted acquisitions as reflected in paragraph 12-5. Note: Regardless of the contracting office, the RA is required to identify and nominate a capable and trained TRADOC COR, alternate COR, and/or supporting COR for appointment by the contracting officer. In the event the contracting officer does not formally appoint a TRADOC employee to serve in the capacity of a COR, the RA then bears the responsibility to ensure that a TRADOC employee is assigned to surveil the execution of the contract. This surveillance will be done without a formal appointment from the contracting office. Any deficiencies with contractor performance or deliverables should be reported by the RA to the COR and contracting officer.

(5) Obtain appropriate certifications.

(a) Written certification for use of non-DOD contracts or orders for amounts greater than the SAT are required. (See DFARS Subpart 217.78 and AFARS 5117.7802 for additional information.) The RA will prepare this certification with the assistance of the contracting officer and the fund authorizing official and will obtain these individuals' written coordination upon certification.

(b) If the interagency acquisition (outside DOD) is both an Economy Act order and a TO or DO issued by a non-DOD federal agency greater than the SAT, then a D&F (required by FAR 17.503) and written certification must be completed. The approval level must be no lower than GO/SES.

(c) Offload certification is required for the contract's base year only. Option years and contract modifications do not require a new certification. However, for every TO and DO an offload certification is required.

(6) As appropriate, include the D&F. FAR Subpart 17.5 and DFARS Subpart 217.5 require a written justification known as a D&F to be completed before placing an Economy Act order outside of DOD (see appendix D). The D&F states the specific rationale for use of an interagency acquisition. The RA will include a copy of the D&F with MIPR/funded program documentation in the AMO package. The D&F must be approved at a level no lower than GO/SES.

(7) Execute support agreement documentation, as appropriate. DOD Instruction 4000.19 prescribes the use of support agreements. Generally, all non-DOD and recurring DOD support that

requires reimbursement will be documented on a DD Form 1144 or similar format that contains all the information required on a DD Form 1144. Support specifically directed or authorized by law (having specific authority) may be accomplished on the basis of an order or requisition without preparing a support agreement. Support agreements are required for offload contracts only. The support agreement must reflect the requirement to formally nominate one or more TRADOC supporting CORs.

(8) When contract vehicles owned by organizations outside of TRADOC are used, the RA must ensure that provisions for the formal nomination of a TRADOC supporting COR by the contracting officer are identified and included in both the support agreement (DD Form 1144) and/or the MIPR (DD Form 448). All COR, alternate COR, and supporting COR appointments will be accomplished in coordination with the respective contracting officer and COR.

Table B-1
Offloads

TYPE OF CONTRACT	OFFLOAD APPROVAL	NON-DOD CERTIFICATION¹	D&F	DD FORM 1144 OR OTHER SUPPORT AGREEMENT
Intraservice (within Army, non-MICC)	X			X ²
Interservice or Intra-agency (non-Army, but DOD)	X		X ³	X ²
Interagency or Intra-Governmental (non-DOD)	X	X ⁴	X	X
Inter-Governmental (outside Government)	X	X	X	X
Notes: 1. Non-DOD certification is required for all procurements above the SAT. 2. Needed for recurring offload contracts only. 3. D&F is not required for DOD-awarded contract if a formal support agreement (DD Form 1144 or other support agreement) has been established. 4. Certification is required only for the base year. Option years and contract modifications do not require a new certification.				

B-12. Reporting and acquisition decision (RAD) approval

Prior to acquiring information management/IT hardware, software, or services, the RA must obtain approval from TRADOC DCS, G-6 in accordance with TRADOC Regulation 25-1. Approval may be obtained for unfinanced requirements in order to position the RA for execution once funds become available. TRADOC RAs will include a copy of the TRADOC DCS, G-6 approval, and the name, phone number, and email address of the activity G-6 or IMO, in the AMO package. TRADOC RAs will also enter the RAD approval number in Section I, block C3 on TRADOC Form 5-14-E. TRADOC approving officials will ensure RAD approval from the TRADOC DCS, G-6, if required, has been received prior to approving contracts that include IM/IT hardware, software, or services.

B-13. DD Form 254

All contracts will include terms and conditions that specify effective measures for the security of personnel, information, cargo, assets, equipment, or services. Any contract that requires or will require access to classified information by the contractor or his or her employees in the performance of the contract is a classified contract (DOD 5220.22-R). A contract may be a classified contract even though the contract document itself is not a classified document.

a. The security requirements for classified contracts will be defined using the DD Form 254, Department of Defense Contract Security Classification Specification. The DD Form 254 specifies the security requirements and classification guidance necessary to perform a classified contract (see FAR Subpart 4.4). This requirement applies to classified information, facilities, materials, and equipment.

b. It is the responsibility of the COR, alternate COR, and/or the supporting COR to discuss potential contract security requirements with the appropriate mission or installation industrial security specialist in order to address the most cost effective security requirements during the development of a contract. Failure to address security concerns may lead to unexpected costs, contract modifications, or inadvertent disclosures of classified information.

c. An original DD Form 254 will be issued with each request for proposal, request for quote, invitation for bid, or other solicitation and upon award of a classified contract or follow-on contract. (C 7.3, DOD 5220.22-R)

d. AFARS 5104.403 requires the appropriate installation or mission security manager to sign the DD Form 254.

e. The appropriate mission or installation industrial security specialist will be on the distribution list for all classified contracts as they are required by AR 380-49 to review classified contracts for any changes to security requirements every two years.

f. In the event a contract is not classified, it is still highly recommended that the COR, alternate COR, and/or the supporting COR discuss security requirements with the appropriate industrial security specialist in order to identify suitability investigation requirements for IT-I, II, or III access, CAC card requirements, or installation access/visit request requirements.

g. Contact information for all mission and installation industrial security specialists can be obtained through the TRADOC DCS, G-2, Command Security Manager's Office.

**Appendix C
Offload Justification**

C-1. Offload justification memorandum

An offload justification memorandum is required for every contract that is planned for award by a contracting activity other than MICC. The offload memorandum will be developed by the RA and included as part of the AMO package submitted to the servicing DRM for ACRB review. All offload requests for services or supplies/products will be reviewed and validated by the MICC CSPO-CSE as part of the ACRB review.

C-2. Offload justification memorandum format

See figure C-1, for a sample offload justification memorandum.

Office Symbol	Date
<p>MEMORANDUM THRU (Servicing RM Office)</p> <p>TO: MICC CSPO CSE</p> <p>SUBJECT: Offload Justification for Use of <u> (Contracting Office) </u> Contract for TRADOC <u>(Mission Requirement)</u></p> <p>1. The <u>(RA)</u> has determined that the use of <u>(proposed contracting approach)</u> is the most effective and efficient contracting approach to provide <u>(detail of mission requirement)</u>.</p> <p style="padding-left: 20px;">a. Contract Amount: The contract amount is approximately \$XXXXXX with X.X percent (\$XXX.XX) being allocated for payment of fees. The duration of the contract is XX months from award. Estimated period of performance is XXXXX to XXXXX (or request date of award for contract supplies/products).</p> <p style="padding-left: 20px;">b. Contract (contract number if using an existing contract or planned approach with specification about the contract approach) can provide (detail how the benefits and/or other advantages will offset the administrative costs for using the above-named contracting office to substantiate and validate how the proposed approach would be in the best interest of the Government).</p> <p>2. Detail how contract management will be conducted to ensure that the contract correctly identifies the services/supplies to be funded by TRADOC.</p> <p style="padding-left: 20px;">a. Identify and provide contact information for the respective contracting office with responsibility for the resultant contract award and contract administration.</p> <p style="padding-left: 20px;">b. Identify and provide contact information and evidence of compliance with training requirements for the TRADOC POC who will act as the Contracting Officer’s Representative (COR), alternate COR, and/or supporting COR for purposes of contract quality assurance performing technical/functional oversight of contractor performance and/or receipt of contract deliverables. Supply/product contracts should identify an accepting official.</p> <p>3. Point of contact for this action is (provide POC and contact info).</p> <p style="text-align: right; margin-top: 20px;">Signature Block for Approving Official</p>	

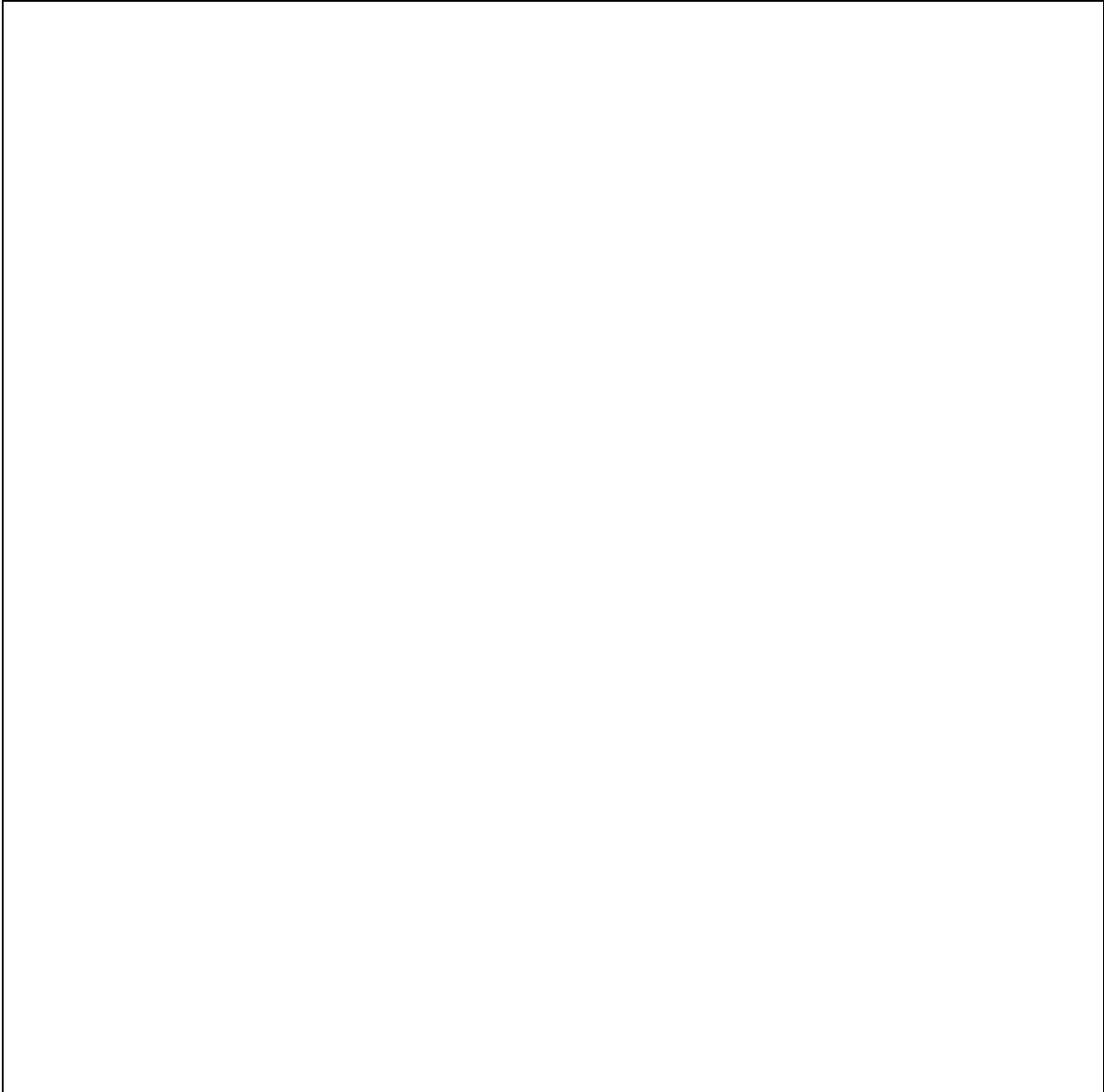


Figure C-1. Offload justification memorandum.

Appendix D
Offload Documentation

D-1. Direct and assisted acquisition

a. Direct acquisition is a TO/DO placed by a DOD official under a contract awarded by a non-DOD agency. The term includes an order placed against the General Services Administration federal supply schedules. For contract actions over the SAT, the head of the RA (Colonel/GS-15 (to include GG) level or higher) must execute a written certification prior to the placement of a direct acquisition order.

b. Assisted acquisition is a contract awarded, or a TO/DO placed, on behalf of DOD by another federal agency. For contract actions over the SAT, the head of the RA (Colonel/GS-15 (to

include GG) level or higher) must execute a written certification prior to the placement of an assisted acquisition order.

D-2. Economy Act

The Economy Act provides authority for federal agencies to order goods and services from other federal agencies, and to pay the actual cost of those goods and services. The Economy Act applies to acquisitions that otherwise lack specific statutory authority. Orders placed under the Economy Act require a written justification known as a D&F. The D&F states the specific rationale and required justification for use of an interagency acquisition. The RA must prepare a D&F addressing the following elements:

- a. Use of an interagency acquisition is in the best interest of the Government; and
- b. The supplies or services cannot be obtained as conveniently or economically by contracting directly with a private source.
- c. If the Economy Act order requires contract action by the servicing agency (to include placing an order against an IDIQ contract), the D&F must also include a statement that at least one of the following circumstances applies:
 - (1) The acquisition will appropriately be made under an existing contract of the servicing agency, entered into before placement of the order, and meet the requirements of the servicing agency for the same or similar supplies or services;
 - (2) The servicing agency has capabilities or expertise to enter into a contract for such supplies or services which are not available within the requesting agency; or
 - (3) The servicing agency is specifically authorized by law or regulation to purchase such supplies or services on behalf of other agencies.

D-3. D&F approval

According to the DFAS Regulation 37-1, chapter 12, the head of the ordering activity may delegate the approval of the D&F only as follows:

- a. If the servicing agency (contracting activity) is covered by the FAR, the D&F will be approved at a level no lower than GO/SES at the RA.
- b. In the event the RA does not have a GO/SES, the first GO/SES in the RA's chain of command will approve the D&F.
- c. If the servicing agency is not covered by the FAR, approval of the D&F will not be delegated below the senior procurement executive of the contracting office supporting the RA.
- d. The DRM will be responsible for ensuring that a documented D&F statement is provided prior to committing and obligating funds on orders placed outside the Army.
- e. The head of the RA or designee is responsible for the contents and or accuracy of the documented D&F statement, and obtaining approval.

D-4. DD Form 1144

A support agreement is required:

- a. When the requirement is an offload and falls under the Economy Act, and no specific statute applies. Requirements that have specific statutory authority are not required to have a DD Form 1144.
 - b. For all assisted acquisitions to include both one-time and recurring requirements. DD Form 1144 is not required for one-time (single item or one-time service) acquisitions within DOD to include direct acquisitions.
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Appendix E

Additional Acquisition Planning/Execution Actions

E-1. Additional actions

As discussed in chapter 10, the RA will execute the following actions as applicable.

E-2. Acquisition plan document

A written acquisition plan document is required in accordance with DFARS 207.103(d)(i) for all requirements that exceed \$25M in any fiscal year or exceed \$50M for all years, including options. The acquisition plan is required to promote and provide for the acquisition of commercial items and full and open competition to the maximum extent practicable. The plan will address all the technical, business, management, and other significant considerations that will control the acquisition. Specific content of each plan will vary, depending on the nature and circumstances of the acquisition. Acquisition plans for service contracts or orders must describe the strategies for implementing performance-based services or must provide rationale for not using those methods. For acquisitions exceeding \$85.5M, senior procurement executive approval is required in accordance with DFARS 237.170-2.

E-3. Acquisition service strategy document and ASSP

The acquisition service strategy document and ASSP process serve as the vehicle to ensure services are properly planned based upon clear, performance-based requirements and are acquired with sound business practices. In accordance with AFARS Subpart 5137.5, all DOD contracts for services must be supported by a documented acquisition strategy, to include requirements that are intended to be issued as contracts or TOs by agencies other than the DOD. The acquisition strategy documentation provides the foundation for the acquisition approach and serves as the roadmap for contract award and execution. The ASSP will be conducted to validate that the approach is sufficiently documented and considers all aspects of the acquisition in order to improve the quality of the services acquired, minimize time and cost for an identified service, and validate the need using good business practices.

a. Acquisition service strategy document. The acquisition strategy defines the requirement and other pertinent information to establish a roadmap for services contract execution and facilitate attainment of acquisition objectives. The format and level of detail should be commensurate with the required approval thresholds set forth in AFARS 5137.590-4. All service acquisitions require a documented acquisition strategy, including offloaded contracts or TOs that are issued by agencies other than DOD. One of the primary goals of the acquisition strategy is to minimize time and cost for satisfying an identified, validated need, consistent with sound business practices. The acquisition strategy will be definitive in describing relationships of the essential elements of the work and reflective of technical, cost, and schedule metrics to evaluate performance goals of the overall acquisition strategy. Specific content for each plan will vary, depending on the nature and circumstances of the acquisition. (Where thresholds warrant, the acquisition strategy document is required in addition to the acquisition plan document.)

(1) It is imperative that the RA partner with the servicing contracting activity early in the requirement(s) development process to form the acquisition team. The RA is responsible for ensuring appropriate documentation for each service acquisition. The level of supporting

documentation may vary based on the acquisition approach (type of contract, complexity, total cost of the service acquisition, etc.). The contracting activity will work with the RA to determine and develop the required documentation for a specific acquisition. The RA alone does not have the expertise or information to complete all the necessary documentation; therefore, the contracting activity plays a critical role in the ASSP documentation development process. See AFARS 5137.590-7 for additional information on the required content for an acquisition strategy document. At a minimum, the acquisition strategy will address the following:

(a) Requirement. The outcomes to be satisfied by the acquisition as reflected in the PWS or SOO.

(b) Risk management. Provide an assessment of current and potential technical, cost, schedule and performance risks, the level of stated risks, and a risk mitigation plan.

(c) Competition. Explain how full and open competition will be provided. Describe the nature and extent of the market research that was conducted and the identification of small business sources capable of performing the services as a prime or subcontractor. If the requirement is for other than full and open competition, provide the specific citation of the statutory authority and an explanation why less than full and open competition is allowed. Plans for competition for any foreseeable follow-on acquisitions should also be addressed.

(d) Implications. How will the new acquisition support the achievement of small business goals/targets? How will the new acquisition support any other socio-economic and applicable directed programs?

- If this is a consolidated or bundled requirement, include a cost benefit analysis.
- Information required to achieve concurrence on DD Form 2579 (Small Business Coordination Record).

(e) Business arrangements. At a minimum, address the following:

- Total estimated dollar value of the procurement, to include all options.
- Whether funding is available and the type of funds that will be used.
- If an award fee contract type is used, related criteria and evaluation process to include how attainment of the metrics will be incorporated in the award fee evaluation.
- The source selection process -- whether it will be formal or informal, the proposed evaluation criteria, and the basis for award.
- Support for any waivers or deviations that will be required.

- Plans for contract management and oversight to include at a minimum: Proper training of the COR, alternate COR, and supporting CORs; involvement of the COR, alternate COR, and supporting COR personnel; and use of the QASP.

(f) Describe the management approach to be used following contract award to include the tracking procedures or processes used to monitor contract performance, such as a quality assurance surveillance plan and written oversight plans and responsibilities.

(g) Include appropriate supporting documentation:

- DD Form 2579 (Small Business Coordination Record).
- PWS.
- Market research report (developed by RA and contracting activity).
- Sole source J&A.
- Award fee plan.
- D&F (as applicable; developed by contracting activity).
- Cost benefit analysis (for consolidated requirements).
- Briefing slides (slides will be developed by Army Contracting Command community).
- Additional support documentation such as the SSP, PRS, and QASP may be required.
- Milestone schedule which contains key points up to date of award.

(h) Metrics. Address the cost, the schedule, and the performance metrics to include the plan for measuring service acquisition outcomes against requirements.

(i) Timeline. The total cost and complexity of the acquisition will determine the documentation requirements and the approval level, which will, in turn, determine the lead-time required to develop and gain approval of the ASSP documentation. The contracting activity will assess the requirement and assist the RA with developing a timeline for the development and approval of the ASSP package. Note: It is possible the process can take more than 1 year; therefore, it is imperative that the RA involve the contracting activity very early in the acquisition process. It is recommended the RA confer with the contracting activity, at a minimum, during the requirements development phase of the AMO process.

b. ASSP. The ASSP is the panel established to review the acquisition strategy and all supporting documents to ensure it comprehensively addresses all pertinent aspects of the procurement. The ASSP is mandated by AFARS 5137.590 and designed to ensure the RA works in close collaboration with the servicing contracting activity to develop a sound and

comprehensive acquisition strategy for acquiring services. The RA will be available to provide assistance to the contracting activity in developing ASSP documents, briefings, and formal documents.

c. References. The required content for an acquisition strategy is explained in AFARS 5137.590-7. For a detailed explanation of ASSP approval thresholds and approval authorities, refer to AFARS 5137.590-4.

d. Thresholds and approval authorities. The approval authority for the ASSP package is determined by the total cost of the acquisition (base plus options).

(1) The approval authorities for ASSP packages are identified in AFARS 5137.590-4. TRADOC schools/centers/activities will adhere to the ASSP requirements and approval authorities established in AFARS 5137.509.

(2) The ASSP approval must be obtained prior to the release of the contract solicitation.

E-4. Source selection plan (SSP)

Vital to any source selection process is the SSP for selecting the contract awardee. This is the guide for conducting an evaluation and analysis of competitive proposals and selection of the source for contract performance. Relative importance of the evaluation factors, standards of performance, adjectival ratings, and steps in the evaluation process will be consistent with AFARS, Appendix AA. Regardless of whether the source selection is formal or informal, provide written documentation on the roles and responsibilities of the participants and the technical evaluation factors. The SSP should specify how the source selection activities will be organized, initiated, and conducted, and must clearly and succinctly identify the government's minimum needs in the form of evaluation factors and assign a relative order of importance. Tailor and structure the plan to reflect the complexity of the acquisition and to provide the best value to the Government.

E-5. Business management modernization certification

Any IT business system modernization that will have a total cost in excess of \$1M must be reviewed by the appropriate Office of the Secretary of Defense Investment Review Board, certified by the designated approval authority, and the certification must be approved by the Defense Business System Management Committee before any funds for modernization can be obligated. Additional information can be found at the DOD web site <http://www.army.mil/ArmyBTKC/gov/osdgov.htm>.

E-6. Plan for contract administration

a. Before work can begin on the contract award, the contracting officer must ensure the COR, alternate COR, supporting CORs, and other members of the acquisition team have been identified and provided the necessary appointments, training, and orientations needed to perform their duties. The contracting office will ensure that the COR, alternate COR, and supporting COR each receive a COR appointment letter, a complete copy of the contract, the contractor's quality control plan, QASP, and other pertinent documents, such as the wage determinations.

b. The contracting officer will work with the COR, alternate COR, supporting CORs, and other government personnel to develop planning milestones and due dates, develop an agenda for a post-award orientation meeting, and establish communication channels and a good working relationship with the contractor. Contract administration planning will define the roles of each supporting organization in performing surveillance of contractor performance, managing government furnished property, and satisfying reporting requirements.

c. Develop a contract administration plan based upon the complexity of the contract. The purpose of the contract administration plan is to delineate the roles and responsibilities of the contracting parties in the various contract administration activities. Successful management and administration of the contract will require the coordinated efforts of the RA and the designated contracting activity. The contract administration plan should include identification of key contract management team members and oversight personnel as designated by the RA, as well as invoice review procedures, inspection and acceptance procedures, contract schedule milestones, and transition or phase-in by the contractor. The contract administration plan may also include schedules of performance meetings, past performance assessments, notification requirements for the exercise of options, and contract close-out procedures.

Glossary

Section I

Abbreviations

ACC	Army Contracting Command
ACOM	Army Command
ACRB	administrative contract review board
AFARS	Army Federal Acquisition Regulation Supplement
AKO	Army Knowledge Online
ALT	acquisition, logistics, technology
ALU	Army Logistics University
AMC	U.S. Army Materiel Command
AMO	acquisition management and oversight
AMSCO	Army management structure code
AR	Army regulation
ARFORGEN	Army Force Generation
ASA	Assistant Secretary of the Army
ASA(M&RA)	Assistant Secretary of the Army (Manpower and Reserve Affairs)
ASSP	acquisition service strategy panel
BPA	blanket purchase agreement
BRAC	base realignment and closure
CLIN	contract line item number
CME	contract manyear equivalent
CMRA	Contractor Manpower Reporting Application
CPARS	Contractor Performance Assessment Reporting System
COR	contracting officer's representative
COTS	commercial off-the-shelf
DA	Department of the Army
DAC	Department of the Army civilian
DASA(P)	Deputy Assistant Secretary of the Army (Procurement)
DCG	deputy commanding general
DCS	deputy chief of staff
DD	Department of Defense
D&F	determination and findings
DFARS	Defense Federal Acquisition Regulation Supplement
DFAS	Defense Finance and Accounting Service
DO	delivery order
DOD	Department of Defense
DODAAC	Department of Defense activity address code
DRM	directorate of resource management
DRU	Direct Reporting Unit
ECAB	executive contract approval board
EOY	end of year
FAD	Finance and Accounting Directorate

FAR	Federal Acquisition Regulation
FRB	functional review board
FSC	Federal supply classification
FY	fiscal year
G-6	Chief Information Officer
G-8	resource management
GFEBBS	General Fund Enterprise Business System
GO	general officer
GG	general schedule excepted service
GPC	government purchase card
GS	general schedule
HCA	Head of Contracting Activity
HQ	headquarters
HQDA	Headquarters, Department of the Army
IDIQ	indefinite delivery indefinite quantity
IGE	independent government estimate
IM	information management
IMO	information management officer
IRAC	Internal Review and Audit Compliance
IT	information technology
J&A	justification and approval
K	thousand
M	million
MDEP	management decision package
MICC	Mission and Installation Contracting Command
MICC CSPO-CSE	MICC Contract Support, Plans, and Operations – Contract Support Element
MIPR	military interdepartmental purchase request
MOD	contract modification
NON-DOD	non-Department of Defense
NDAA	National Defense Authorization Act
OGE	Office of Government Ethics
OCI	organizational conflict(s) of interest
OMB	Office of Management and Budget
PARC	principal assistant responsible for contracting
PRS	performance requirements summary
PWS	performance work statement
QASP	quality assurance surveillance plan
RA	requiring activity
RAD	reporting and acquisition decision
RAMD	Resource and Acquisition Management Directorate
SAT	simplified acquisition threshold
SECARMY	Secretary of the Army
SES	Senior Executive Service
SJA	Staff Judge Advocate
SME	subject matter expert
SOO	statement of objectives

SOW	statement of work
SSP	source selection plan
TAADS	The Army Authorization and Documentation System
TMAS	TRADOC Manpower Accounting System
TO	task order
TRADOC	U.S. Army Training and Doctrine Command
UIC	unit identification code
U.S.C.	United States Code
VCE	Virtual Contracting Enterprise
WAWF	Wide Area Workflow
WebTAS	Web-based TRADOC Automated Schedules

Section II

Terms

A-76

See OMB Circular A-76.

Acquisition

The acquiring by contract with appropriated funds of supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated. Acquisition begins at the point when agency needs are established and includes the description of requirements to satisfy agency needs, solicitation and selection of sources, award of contracts, contract financing, contract performance, contract administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract. (FAR Subpart 2.1, Definitions)

Acquisition management and oversight (AMO) package

Required for all service contract actions, regardless of cost, funding source, or the intended contract vehicle; all supply/product contracts with a total cost greater than or equal to \$25K regardless of funding source or the intended contract vehicle; and all conference and conference-related contract requirements (to include room rental) regardless of cost. Paragraphs 5-1 and 6-1 provide a list of documentation requirements for AMO packages. Approval levels are located in paragraphs 5-2 and 6-2. Note: Documentation requirements may vary based on the type and complexity of the contract requirement. AMO package documentation defines the requirement and provides the ACRB and leadership with pertinent facts about the requirement such as cost, length of the requirement, etc. The AMO package conveys the information required for the ACRB to make a recommendation to approve/disapprove requirements and provides leadership with factual information upon which to make a decision whether to approve/disapprove requirements.

Administrative contract review board (ACRB)

A comprehensive independent review conducted by the servicing DRM on AMO packages submitted for all service contract requirements regardless of cost; all supply/product contract requirements with a total cost equal to or greater than \$25K; and all conference and conference-related requirements (to include room rental) regardless of cost. The DRM serves as the board

chair and provides a written approval/disapproval recommendation to the appropriate approval authority. The ACRB recommendation, along with the complete AMO package, allows the approval authority to make an informed decision to approve or disapprove the action.

Alternate COR

The alternate COR is a government employee nominated by the RA and formally appointed in writing by the contracting officer in accordance with DFARS 201.602-2 to perform specific technical or administrative functions on behalf of the COR. The alternate COR will execute the duties of the COR only in the absence of the COR. The alternate COR function may only be performed by government personnel. Under no circumstances will contractor personnel perform the alternate COR function. The alternate COR is not authorized to make any commitments or changes that affect price, quality, quantity, delivery, or any other term or condition of the contract.

Assisted acquisition

A contract awarded or a TO or DO placed on the behalf of DOD by a non-DOD agency.

Base contract

The original contract against which TOs or DOs may be placed, or upon which modifications may be made, or on which option years or extensions may be added.

Bona fide needs rule

Agencies may obligate appropriated funds only for properly incurred expenses of the period of availability of the appropriation. That is, the requirement must represent bona fide needs of the RA arising during the period of availability of the funds proposed to be used for the acquisition.

Commitment item

Defines the initial use of the executed funds.

Commercial off-the-shelf (COTS) products

Commercial items that require no unique government modifications of the product to meet the needs of the procuring agency.

Contract manyear equivalent (CME)

An expression used to document contract manpower on the TDA. It is mathematically derived by totaling direct labor hours and dividing by 2,080.

Contract

A mutually binding legal relationship obligating the seller to furnish the supplies or services (including construction) and the buyer to pay for them. It includes all types of commitments that obligate the government to an expenditure of appropriated funds and that, except as otherwise authorized, are in writing. In addition to bilateral instruments, contracts include (but are not limited to) awards and notices of awards; job orders or task letters issued under basic ordering agreements; letter contracts; orders, such as purchase orders, under which the contract becomes effective by written acceptance or performance; and bilateral contract modifications. Contracts do not include grants and cooperative agreements covered by 31 U.S.C. § 6301, *et seq.* For discussion of various types of contracts, see FAR Subpart 16.

Contracting

The purchasing, renting, leasing, or otherwise obtaining supplies or services from nonfederal sources. Contracting includes description (but not determination) of supplies and services required, selection and solicitation of sources, preparation and award of contracts, and all phases of contract administration. It does not include making grants or cooperative agreements. (FAR Subpart 2.1, Definitions).

Contract modification

Any written change in the terms of a contract to include any change to the scope of the original contract, an increase in the cost (funding) of the original contract, a change in the number of CMEs, or a change to the period of performance (FAR 43.103). Modifications to current service contracts for increases to travel cost (only) under specified thresholds require only a completed TRADOC Form 5-14-E (see table 7-1).

Contracting activity

An element of an agency designated by the agency head and delegated broad authority regarding acquisition functions.

Contracting officer's representative (COR)

The COR is a government employee nominated by the RA and formally appointed in writing by the contracting officer, in accordance with DFARS 201.602-2, to perform specific technical or administrative functions. The COR is typically the individual who has been the point of contact for the requirement in the planning and processing cycle and performs duties associated with oversight and monitoring of contract performance throughout the contract life cycle. In performance-based services acquisitions, the COR must play a central role in the pre-award phase, assisting the RA and the contracting officer. The COR function may only be performed by government personnel. Under no circumstances will contractor personnel perform the COR function.

Contractor manpower reporting application (CMRA)

A HQDA-directed reporting requirement to obtain better visibility of the labor costs associated with the contract workforce and the organizations and missions that contract for workforce support (Secretary of the Army Memorandum dated 7 Jan 05, subject: Accounting for Contract Services).

Contractor Performance Assessment Reporting System (CPARS)

CPARS is a web-based application used to collect, manage, and assess contractor's performance. The contracting officer will advise the COR when entry is required. Users must register at <http://www.cpars.csd.disa.mil/cparsmain.htm> to gain access to the system. System access is controlled by Common Access Card/PKI Certificate and unique user IDs and passwords. Authorized users may add, modify, and print performance assessment reports as required according to the user's profile and level of authorization.

Delivery order (DO)

An order for supplies placed against an established supply/product contract or with government sources.

Designated contracting activity

The activity, designated in writing, which is responsible for performing the RA's acquisitions with no service fee. The Mission and Installation Contracting Command (MICC) serves as TRADOC's designated contracting activity.

Direct acquisitions

A direct acquisition is a TO or DO placed by a DOD official under a contract awarded by a non-DOD agency. The term includes an order placed against General Services Administration Federal Supply Schedules.

Economy Act

The Economy Act provides authority for federal agencies to order goods and services from other federal agencies and to pay the actual cost of those goods and services. (See 31 U.S.C. § 1535, FAR Subpart 17.5, and DFARS Subpart 217.5).

Element of resource

The element of resource is part of the Fiscal Code system which is designed to identify federal government financial transactions through the use of an accounting classification made up of alphabetic and numeric characters. The element of resource identifies the nature or type of service or goods involved in a transaction.

Embedded services

Services included in a supply/product contract that are key and essential to the deliverable. Contract requirements containing embedded services are subject to the same policies, procedures, and documentation requirements as a pure service contract. Details on service contract requirement documentation and approval authorities are located in Chapter 5. An example of an embedded service is the purchase of a new Video Teleconference (VTC) system which includes installation and configuration of the VTC by the contractor.

End item of supply

Any item, other than real property, that is of a type customarily used by the general public or by non-governmental entities for purposes other than governmental purposes.

Executive contract approval board (ECAB)

The ECAB is a formal board chaired by a TRADOC DCG that serves as the final approval/disapproval/certification for all contract requirements and contract modifications meeting or exceeding the thresholds established in Chapter 9, regardless of the funding source or the contract vehicle. The ECAB provides an in-depth review of the AMO package, recommendations from the ACRB, and, at the discretion of the board chair, further discussion of the requirement with the RA.

Full and open competition

When used with respect to a contract requirement, it means that all responsible sources are permitted to compete.

Functional area

The functional area is a funds management budget object defined as a funds control element as well as an element to capture execution data.

Functional review board (FRB)

The FRB is chaired by the RA and reviews every proposed contract requirement and the renewal of existing contracts, regardless of cost, funding source, or contracting vehicle. The FRB makes the determination if a contract is the appropriate vehicle by which to satisfy the requirement. FRB approval validates the requirement. The FRB may be formally convened or conducted electronically (for example, e-mail staffing).

Fund

A fund is used to budget and control costs. It is also used to identify the source and use of funding.

Funded program

The funded program is used to control the consumption of funds.

Funding authorizing official

A funding authorizing official is the individual who executes the funds authorization portion of a Military Interdepartmental Purchase Request (MIPR) (DD Form 448, blocks 14-17) or other equivalent form used to provide funding to an organization in support of an order for supplies or services, certifying that funds for the procurement are properly chargeable to the allotment(s) provided, and that the available balances are sufficient to cover the estimated price of the order.

Funding certifying official

A funding certifying official is the individual who executes the fund certification portion of the commitment document (for example, DA Form 3953 (blocks 19-22) or other equivalent form) certifying that the supplies or services being requested are properly chargeable to the allotment(s) provided, that available balances are sufficient to cover the cost thereof, and that funds have been committed.

Information technology (IT)

Any equipment or interconnected system or subsystem of equipment that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information by the RA. For purposes of the preceding sentence, equipment is used by a requiring activity if the equipment is used directly or is used by a contractor under a contract with the requiring activity which 1) requires the use of such equipment, or 2) requires the use, to a significant extent, of such equipment in the performance of a service or the furnishing of a product. The term "information technology" also includes computers, ancillary equipment, software, firmware, and similar procedures, services (including support services), and related resources.

Independent government estimate (IGE)

An estimate of the cost for goods and/or estimate of services to be procured by contract. Such estimates are prepared by government personnel, independent of contractors. An IGE is also referred to as independent government cost estimate.

Inherently governmental

As a matter of policy, a function that is so intimately related to the public interest as to mandate performance by government employees. This definition is a policy determination, not a legal determination. An inherently governmental function includes activities that require either the exercise of discretion in applying government authority, or the making of value judgments in making decisions for the government. Governmental functions normally fall into two categories: the act of governing, such as the discretionary exercise of government authority, and monetary transactions and entitlements. See FAR 2.101 for additional detail.

Justification and approval (J&A)

See Sole Source.

Maintenance and repair

Efforts distinguishable from construction are services performed for the accomplishment of specific outcomes with intent for sustaining the life of a facility. Maintenance and repair contract requirements related to facilities are considered services; therefore, these requirements must comply with the documentation and approval thresholds set forth in Chapter 5 and must be reported in CMRA. Maintenance and repair may also be applicable to other non-facility related items. When maintenance requires touch labor (hands on) by a contract company, then the requirement is considered services. When maintenance delivered in a manner that does not require touch labor, then for purposes of this regulation, no services are involved.

Major construction

Major construction is a contract formed pursuant to FAR Part 36 whose primary purpose is to create a complete and usable facility or a complete and useable improvement to a facility by building, erecting, altering, repairing, developing, converting, extending, or improving buildings, structures, or other real property rather than to acquire property the FAR defines as supplies or to acquire time and effort of people for tasks the FAR defines as services. Supplies and services provided through a construction contract are necessary and incidental to the construction requirement. For example, incidental services may be required to accomplish the construction but are so inherent within the construction effort they should not be separately identified. For the purposes of AMO review and approval, major construction requirements are treated as supply/product requirements.

Market research

The process used to collect, organize, maintain, analyze, and present data for the purpose of maximizing the capabilities, technology, and competitive forces of the marketplace to meet an organization's needs for services supplies, products, and services.

Management controls

The rules, procedures, techniques, and devices employed by managers to ensure that what should occur in their daily operations does occur on a continuing basis. Management controls include the organizational structure itself (designating specific responsibilities and accountability), formally defined procedures (for example, required certifications and reconciliations), checks and balances (for example, separation of duties), recurring reports and management reviews, supervisory monitoring, physical devices (for example, locks and fences), and a broad array of measures used by managers to provide reasonable assurance that their subordinates are performing as intended.

Military interdepartmental purchase request (MIPR)

Acquiring activity's authority and funding to obtain supplies/products or services by contract on behalf of the requiring activity.

Mission and Installation Contracting Command (MICC)

MICC is a subordinate general officer level command of ACC, is part of the Army's Generating Force, and has over 40 Army contracting support offices at military installations throughout CONUS with the mission to plan, integrate, award, and administer contracts throughout the ARFORGEN Cycle supporting the Army Commands (ACOMs) including TRADOC; Direct Reporting Units (DRUs), as well as USARNORTH; and other organizations to provide the best value for the mission, Soldiers, and their Families.

New contract

Contracts, TOs, or DOs for actions/requirements which were not already under contract by a TRADOC organization. Replacement/renewal actions are those that continue existing contract performance of a function or requirement, even though it may technically be a new contract, TO, or DO.

Nonpersonal services

When contractor personnel rendering services, either by the contract's terms or by the manner of its administration, are not subject to continuous supervision and control of Government employees characterizing an "employer-employee" relationship.

Non-severable services

See Severable services.

Offload

A contract awarded or a TO or DO placed by a contracting activity other than the MICC, which is TRADOC's designated contracting activity.

Option year

The unilateral right in a contract by which, for a specified time, the Government may elect to purchase additional supplies or services called for by the contract, or may elect to extend the term of the contract (FAR Subpart 2.1, Definitions).

Organizational conflict of interest (OCI)

Because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the Government, or the person's objectivity in performing the contract work is, or might be, otherwise impaired, or a person has an unfair competitive advantage.

Performance-based contracting

Structuring all aspects of an acquisition around the purpose of the work to be performed with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes as opposed to either the manner by which the work is to be performed or broad and imprecise statements of work.

Performance work statement (PWS)

The foundation of a contract concisely explaining what is to be accomplished in terms of results, providing the basis for monitoring, and evaluating the progress and accomplishment of the resulting contract.

Personal services

A contract that, by its expressed terms or as administered makes the contractor personnel appear to be government employees. Agencies will not award personal services contracts unless specifically authorized by statute.

Product

See supply.

Quality assurance surveillance plan (QASP)

A government-developed surveillance plan used to define what the government will do to ensure that contractor performance is executed in accordance with contract requirements and performance standards. Its purpose is to ensure that the government receives only the quality of services called for in the contract and only pays for the acceptable level of services received. The QASP establishes a structured approach to performing inspections and surveillance by establishing the frequency and types of government inspections and focuses on results such as quality, quantity, and timeliness.

Requiring activity (RA)

The RA is the Army organization that has a need for goods or services that may potentially be satisfied through a contract requirement.

Services

Identifiable tasks to be performed, rather than the delivery of an end item of supply. Services embedded in supply or product contracts are subject to the provisions of this regulation.

Service contract

A contract that directly engages the time and effort of a contractor whose primary purpose is to perform an identifiable task rather than to furnish an end item of supply. A service contract may

be either a nonpersonal or personal contract. It can also cover services performed by either professional or nonprofessional personnel whether on an individual or organizational basis. Some of the areas in which service contracts are found include the following:

- (1) Maintenance, overhaul, repair, servicing, rehabilitation, salvage, modernization, or modification of supplies, systems, or equipment.
- (2) Routine recurring maintenance of real property.
- (3) Housekeeping and base services.
- (4) Advisory and assistance services.
- (5) Operation of Government-owned equipment, real property, and systems.
- (6) Communications services.
- (7) Architect-Engineering (see FAR Subpart 36.6).
- (8) Transportation and related services (see FAR Part 47).
- (9) Research and development (see FAR Part 35).

Severable/non-severable services

Severable services are services that are continuing and recurring in nature. They provide the agency a benefit each time the services are performed, even if the contract has not been performed to completion. Examples of severable services include maintenance and repair services, scientific, engineering, and technical services. Non-severable (or "entire") services represent a single undertaking that cannot feasibly be subdivided. If the services produce a single or unified outcome, product, or report, the services are considered non-severable. An example would be a consulting study conducted over several months, but culminating in the delivery of a final report.

Simplified acquisitions

Simplified acquisition procedures, FAR Part 13, apply to acquisitions that do not exceed the amount specified in the term "simplified acquisition threshold (SAT)" which is \$150K. Simplified acquisition procedures streamline the acquisition process to reduce administrative costs and lead times, and avoid unneeded burdens on contractors.

Sole source

A contract for the purchase of supplies or services that is entered into or proposed to be entered into by an agency after soliciting and negotiating with only one source.

Sources sought announcement (SSA)

The mechanism used to determine potential sources through transmittal of a notice to Federal Business Opportunities advertising the requirement so that potential sources are aware of the Army's requirements and can demonstrate their potential capabilities.

Statement of objectives (SOO)

A government-prepared document incorporated into the solicitation that states the overall performance objectives. It is used in solicitations when the government intends to provide the maximum flexibility to each offeror to propose an innovative approach. (FAR Subpart 2.1)

Statement of work (SOW)

See PWS.

Supply

Any individual part, component, subassembly, assembly, or subsystem integral to a major system, and other property which may be replaced during the service life of the system, and includes spare parts and replenishment spare parts, but does not include packaging or labeling associated with shipment or identification of a “supply,” “item,” “item of supply.”

Supporting contracting officer’s representative (COR)

Supporting CORs will be formally nominated by the RA to act in support of the COR with limited authority as designated by the appointment letter. The supporting COR function may only be performed by government personnel. Note: Supporting CORs are not authorized to make any commitments or changes that affect price, quality, quantity, delivery, or any other term or condition of the contract.

Task order (TO)

An order for services placed against an established service contract or with government sources.

Touch labor

Any hands-on service provided by a contractor.

Warranty agreements

Agreements for replacement only if replacement is solely performed by customer (no touch labor by contractor). Warranty agreements that include maintenance or repair services to be performed by a contractor that may required touch labor must be processed as a service requirement.

Section III
Special Abbreviations and Terms

ACRB	administrative contract review board
AMO	acquisition management and oversight
ECAB	executive contract approval board
FRB	functional review board
RA	requiring activity

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(FOUO)

REQUEST FOR APPROVAL OF SERVICE AND SUPPLY/PRODUCT CONTRACT REQUIREMENTS <small>For use of this form, see TRADOC Regulation 5-14. The proponent is TRADOC, Deputy Chief of Staff, G-8 (ATRM-MDA). RCS ATRM-159 (R2)</small>					
NAME OF ORGANIZATION: _____					
CODES: _____		UNIT IDENTIFICATION CODE: _____		ASN: _____	
CONTRACT REQUIREMENT / CONTRACT TITLE: _____					
SECTION I: REQUIREMENT DESCRIPTION AND APPROVAL DECISIONS					
A. PURPOSE OF THE CONTRACT: (Include a description of which staff element or work center the contract supports.)					
B. COST ESTIMATES:					
	FY__	FY__	FY__	FY__	FY__
CHOOSE BASE AND/OR OPTION YEARS					
1. ESTIMATED LABOR COST	\$	\$	\$	\$	\$
2. ESTIMATED SUPPLY/PRODUCT COST	\$	\$	\$	\$	\$
3. ESTIMATED TRAVEL COST	\$	\$	\$	\$	\$
4. ESTIMATED OTHER COSTS	\$	\$	\$	\$	\$
5. ESTIMATED TOTAL COST	\$	\$	\$	\$	\$
6. ESTIMATED CMEs					
7. TOTAL CONTRACT COST (base plus all option years)	\$				
8a. ARE FUNDS AVAILABLE?			8b. WHAT IS THE SOURCE OF FUNDS?		
8c. IF PARTIALLY FUNDED, PROVIDE THE FUNDED AND SAF AMOUNTS. Funded: \$ _____ SAF: \$ _____					
8d. IF ARMY FUNDED, WHO PROVIDED THE FUNDS? EXPLAIN:					
9a. IS A CONTRACTING ACTIVITY OTHER THAN THE MISSION AND INSTALLATION CONTRACTING COMMAND PROPOSED (i.e., offload)?					
9b. IF YES, WHERE?				9c. ASSISTED ACQUISITION?	
9d. WILL THERE BE AN OFFLOAD/SERVICE/OTHER FEE?		IF YES, PROVIDE THE TOTAL COST OF THE FEE.			
		\$ _____			
10. FINANCIAL CLASSIFICATION					
APPROPRIATION(S) / FUND(S)	MDEP(s) / FUNCTIONAL AREA(S)	AMSCO(s) / FUNCTIONAL AREA(S)	FSC		
C. CONTRACT REQUIREMENT DETAILS					
1. IS THIS A SERVICE OR SUPPLY/PRODUCT CONTRACT REQUIREMENT?					
2. PROVIDE THE CONTRACT NUMBER, MIPR NUMBER, TASK ORDER NUMBER, OR DELIVERY ORDER NUMBER, IF KNOWN.					
CONTRACT #	MIPR # / FUNDED PROGRAM		TASK ORDER # OR DELIVERY ORDER #		
3. REPORTING AND ACQUISITION DECISION (RAD) APPROVAL NUMBER:					
4. CONTRACT TYPE:					
5a. HAS THIS FUNCTION BEEN CONTRACTED WITHIN THE ORGANIZATION IN THE LAST 10 YEARS?		5b. IF "YES," HOW LONG HAS THE FUNCTION BEEN CONTRACTED?		5c. PROVIDE PROPOSED TOTAL LENGTH OF THE CURRENT CONTRACT.	
6. WHAT OPTION YEAR OF THE CONTRACT IS BEING EXERCISED?					
7a. LIST WORK CENTER TDA PARAGRAPH NUMBER:			7b. LIST WORK CENTER		
8. WHAT IS THE PERIOD OF PERFORMANCE? START DATE (YYYYMMDD)				END DATE (YYYYMMDD)	
9. ACRB/ECAB REVIEW DECISION NEEDED BY (YYYYMMDD):					

NAME OF ORGANIZATION:			
CONTRACT REQUIREMENT / CONTRACT TITLE:			
SECTION I: REQUIREMENT DESCRIPTION AND APPROVAL DECISIONS (cont.)			
D. JUSTIFICATION FOR CONTRACT REQUIREMENT:			
1. WHAT TRADOC PRIORITY DOES THIS CONTRACT REQUIREMENT SUPPORT?			
2. WHAT TRADOC CORE FUNCTIONAL AREA DOES THIS CONTRACT REQUIREMENT SUPPORT?			
3. HAS A COST BENEFIT ANALYSIS BEEN COMPLETED FOR THIS ACTION? <input type="checkbox"/>			
IF YES, PROVIDE THE APPROVAL DATE. (YYYYMMDD) <input type="text"/>			
4. IS THIS MISSION MANDATED BY REGULATION, DIRECTED BY HIGHER HQ, ETC? EXPLAIN.			
5. WHAT IS THE OPERATIONAL IMPACT IF THIS CONTRACT IS NOT AWARDED?			
6. COMMENTS			
E. WORKSHEETS PREPARED BY/ORGANIZATION POC			PHONE:
NAME:	SIGNATURE		DATE (YYYYMMDD)
E-MAIL:			
F. CONTRACTING OFFICER'S REPRESENTATIVE / ALTERNATE COR / SUPPORTING COR NOMINATION			
1. HAS A COR/ACOR/SUPPORTING COR BEEN NOMINATED THROUGH THE VIRTUAL CONTRACTING ENTERPRISE SYSTEM? <input type="checkbox"/>			
IF YES, NOMINATION DATE (YYYYMMDD): <input type="text"/>			
2. INDIVIDUAL WHO ENDORSED NOMINATION: <input type="text"/>		ENDORSEMENT DATE (YYYYMMDD): <input type="text"/>	
3. CONTRACTING OFFICER'S REPRESENTATIVE (COR) / ALTERNATE COR / SUPPORTING COR:			
NAME:			PHONE
E-MAIL:			
G. ENDORSEMENT			
NAME, RANK, POSITION	ENDORSED:	SIGNATURE	DATE (YYYYMMDD)
H. RESOURCE MANAGER RECOMMENDATION			
NAME, RANK, POSITION	<input type="checkbox"/> CONCUR <input type="checkbox"/> NONCONCUR	SIGNATURE	DATE (YYYYMMDD)
I. CERTIFICATION (Service contracts only)			
I certify that:			
1) This requirement does not include inherently governmental functions;			
2) This requirement does not include unauthorized personal services either in the way the work statement is written or in the way the contract operates;			
3) In the case of work closely associated with inherently governmental functions or non-competitive contracts, special consideration has been given to using federal government employees; and			
4) This contract (check "Yes" or "No"):			
a) Has been reported in the Contractor Manpower Reporting Application (CMRA);			YES NO
b) Has not been reported in CMRA, an explanation is enclosed; or			<input type="checkbox"/> <input type="checkbox"/>
c) The CMRA reporting requirement has been included in the work statement for this new requirement.			<input type="checkbox"/> <input type="checkbox"/>
5) The requirement has been validated (check "Yes" or "No"): For example, the requirement has been documented, it has an approved concept plan and a manpower survey has been done, or it has been validated by other accepted techniques;			
6) Sufficiently trained and experienced officials are available within the agency to manage and oversee the contract administration function (check "Yes" or "No").			<input type="checkbox"/> <input type="checkbox"/>
NAME, RANK, POSITION	CERTIFIED:	SIGNATURE	DATE (YYYYMMDD)
J. APPROVAL (All contracts)			
NAME, RANK, POSITION	APPROVED:	SIGNATURE	DATE (YYYYMMDD)

REQUEST FOR APPROVAL OF SERVICE AND SUPPLY/PRODUCT CONTRACT REQUIREMENTS (cont.)		
SECTION II: GOVERNMENT WORKSHEETS		
Part A: Worksheet A - INHERENTLY GOVERNMENTAL		
<small>(This worksheet must be included as part of the Services Contract Approval Form when contracting a function is being contemplated or before exercising an option.)</small>		
<small>The following functions constitute inherently governmental functions and may not legally be contracted. See the FAIR Act (31 United States Code Section 501), the Federal Acquisition Regulation (FAR) Part 7.5, and Department of Defense Instruction (DoDI) 1100.22, Guidance for Determining Workforce Mix. If the services to be contracted involve any of the following, then the function must be performed in-house by federal government employees.</small>		
INHERENTLY GOVERNMENTAL	YES	NO
Answer "YES" or "NO" to the functions below that apply based on the work statement or the way the contract is performed. Any "YES" response to a function below must be performed in-house and cannot be contracted.		
Does the function:		
1. Involve contractors providing legal advice and interpretations of regulations and statutes to Government officials?	<input type="checkbox"/>	<input type="checkbox"/>
2. Involve the direct conduct of criminal investigations?	<input type="checkbox"/>	<input type="checkbox"/>
3. Involve the control of prosecutions and performance of adjudicatory functions other than those relating to arbitration or other methods of alternative dispute resolution?	<input type="checkbox"/>	<input type="checkbox"/>
4. Involve the command of military forces, especially the leadership of military personnel who are members of the combat, combat support, or combat service support role?	<input type="checkbox"/>	<input type="checkbox"/>
5. Involve the conduct of foreign relations and the determination of foreign policy?	<input type="checkbox"/>	<input type="checkbox"/>
6. Involve the determination of agency policy, such as determining the content and application of regulations, among other things?	<input type="checkbox"/>	<input type="checkbox"/>
7. Involve the determination of Federal program priorities for budget requests?	<input type="checkbox"/>	<input type="checkbox"/>
8. Involve the direction and control of Federal employees?	<input type="checkbox"/>	<input type="checkbox"/>
9. Involve the direction and control of intelligence and counter-intelligence operations?	<input type="checkbox"/>	<input type="checkbox"/>
10. Involve the selection or non-selection of individuals for Federal Government employment, including the interviewing of individuals for employment?	<input type="checkbox"/>	<input type="checkbox"/>
11. Involve the approval of position descriptions and performance standards for Federal employees?	<input type="checkbox"/>	<input type="checkbox"/>
12. Involve the determination of what Government property is to be disposed of and on what terms (although an agency may give contractors authority to dispose of property at prices within specified ranges and subject to other reasonable conditions deemed appropriate by the agency)?	<input type="checkbox"/>	<input type="checkbox"/>
13. Involve:		
13a. Determining what supplies or services are to be acquired by the Government (although an agency may give contractors authority to acquire supplies at prices within specified ranges and subject to other reasonable conditions deemed appropriate by the agency)?	<input type="checkbox"/>	<input type="checkbox"/>
13b. Participating as a voting member on any source selection evaluation boards?	<input type="checkbox"/>	<input type="checkbox"/>
13c. Approving any contractual documents, to include documents defining requirements, incentive plans, and evaluation criteria?	<input type="checkbox"/>	<input type="checkbox"/>
13d. Awarding contracts?	<input type="checkbox"/>	<input type="checkbox"/>
13e. Administering contracts (including ordering changes in contract performance or contract quantities, taking action based on evaluations of contractor performance, and accepting or rejecting contractor products or services)?	<input type="checkbox"/>	<input type="checkbox"/>
13f. Terminating contracts?	<input type="checkbox"/>	<input type="checkbox"/>
13g. Determining whether contract costs are reasonable, allocable, and allowable?	<input type="checkbox"/>	<input type="checkbox"/>
13h. Participating as a voting member on performance evaluation boards?	<input type="checkbox"/>	<input type="checkbox"/>
14. Involve the approval of agency responses to Freedom of Information Act requests (other than routine responses that, because of statute, regulation, or agency policy, do not require the exercise of judgment in determining whether documents are to be released or withheld), and the approval of agency response to the administrative appeals of denials of Freedom of Information Act requests?	<input type="checkbox"/>	<input type="checkbox"/>
15. Involve the conduct of administrative hearings to determine the eligibility of any person for a security clearance, or involving actions that affect matters of personal reputation or eligibility to participate in Government programs?	<input type="checkbox"/>	<input type="checkbox"/>
16. Involve the approval of Federal licensing actions and inspections?	<input type="checkbox"/>	<input type="checkbox"/>
17. Involve the determination of budget policy, guidance, and strategy?	<input type="checkbox"/>	<input type="checkbox"/>
18. Involve the collection, control, and disbursement of fees, royalties, duties, fines, taxes, and other public funds, unless authorized by statute, such as 31 U.S.C. 952 (relating to private collection contractors) and 31 U.S.C. 3718 (relating to private attorney collection services), but not including:	<input type="checkbox"/>	<input type="checkbox"/>
18a. Collection of fees, fines, penalties, costs, or other charges from visitors to, or patrons of, mess halls, post or base exchange concessions, national parks, and similar entities or activities, or from other persons, where the amount to be collected is easily calculated or predetermined and the funds collected can be easily controlled using standard case management techniques?	<input type="checkbox"/>	<input type="checkbox"/>
18b. Routine voucher and invoice examination?	<input type="checkbox"/>	<input type="checkbox"/>
19. Involve the control of the treasury accounts?	<input type="checkbox"/>	<input type="checkbox"/>
20. Involve the administration of public trusts?	<input type="checkbox"/>	<input type="checkbox"/>
21. Involve the drafting of Congressional testimony, responses to Congressional correspondence, or agency responses to audit reports from the Inspector General, the Government Accountability Office, or other Federal audit entity?	<input type="checkbox"/>	<input type="checkbox"/>

REQUEST FOR APPROVAL OF SERVICE AND SUPPLY/PRODUCT CONTRACT REQUIREMENTS (cont.)		
SECTION II: GOVERNMENT WORKSHEETS		
Part A: Worksheet A - INHERENTLY GOVERNMENTAL (cont.)	YES	NO
22. Require the exercise of discretion in applying Federal Government Authority?	<input type="checkbox"/>	<input type="checkbox"/>
23. Require the making of value judgments in making decisions for the Federal Government?	<input type="checkbox"/>	<input type="checkbox"/>
24. Require making judgments relating to monetary transactions and entitlements?	<input type="checkbox"/>	<input type="checkbox"/>
25. Involve the interpretation and execution of the laws of the United States so as to bind the United States to take or not take some action by contract, policy, regulation, authorization, order, or otherwise?	<input type="checkbox"/>	<input type="checkbox"/>
26. Involve the interpretation and execution of the laws of the United States to determine, protect, and advance the United States economic, political, territorial, property or other interests by military or diplomatic action, civil or criminal judicial proceedings, contract management, or otherwise?	<input type="checkbox"/>	<input type="checkbox"/>
27. Involve the interpretation and execution of the laws of the United States to significantly affect the life, liberty, or property of private persons?	<input type="checkbox"/>	<input type="checkbox"/>
28. Involve the interpretation and execution of the laws of the United States to commission, appoint, direct, or control officers or employees of the United States?	<input type="checkbox"/>	<input type="checkbox"/>
29. Involve the interpretation and execution of the laws of the United States to exert ultimate control over the acquisition, use, or disposition of the property, real or personal, tangible or intangible, of the United States, including the collection, control, or disbursement of appropriated and other Federal funds?	<input type="checkbox"/>	<input type="checkbox"/>
Part B: Worksheet B - CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL		
<small>(This worksheet must be included as part of the Services Contract Approval Form when contracting a function is being contemplated or before exercising an option.)</small>		
<small>The following kinds of services (Items 1-22) are defined as "closely associated with inherently governmental functions," in 10 U.S.C. 2383(b)(3) and pursuant to 10 U.S.C. 2463. Special consideration must be given to in-sourcing contracts performing the functions listed below. Special consideration must be given to using government employees in lieu of contractors if the answer is "no" to questions 23, 24, or 25. Pursuant to 10 U.S.C. 2330a(e), we must in-source work closely associated with inherently governmental functions "to the maximum extent practicable."</small>		
CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL	YES	NO
Answer "YES" or "NO" to any functions below that apply based on the work statement or the way the contract is performed. (The list below is not comprehensive, as it excludes examples from DoDI 1100.22). For questions 1 - 22, does the performance involve:		
1. Services that involve or relate to budget preparation, including workload modeling, fact finding, efficiency studies, and should-cost analyses, etc.?	<input type="checkbox"/>	<input type="checkbox"/>
2. Services that involve or relate to reorganization and planning activities?	<input type="checkbox"/>	<input type="checkbox"/>
3. Services that involve or relate to analyses, feasibility studies, and strategy options to be used by agency personnel in developing policy?	<input type="checkbox"/>	<input type="checkbox"/>
4. Services that involve or relate to the development of regulations?	<input type="checkbox"/>	<input type="checkbox"/>
5. Services that involve or relate to the evaluation of another contractor's performance?	<input type="checkbox"/>	<input type="checkbox"/>
6. Services in support of acquisition planning?	<input type="checkbox"/>	<input type="checkbox"/>
7. Contractors providing assistance in contract management (such as where the contractor might influence official evaluations of other contractors)?	<input type="checkbox"/>	<input type="checkbox"/>
8. Contractors providing technical evaluation of contract proposals?	<input type="checkbox"/>	<input type="checkbox"/>
9. Contractors providing assistance in the development of statements of work?	<input type="checkbox"/>	<input type="checkbox"/>
10. Contractors providing support in preparing responses to Freedom of Information Act requests?	<input type="checkbox"/>	<input type="checkbox"/>
11. Contractors working in any situation that permits or might permit them to gain access to confidential business information and/or any other sensitive information (other than situations covered by the National Industrial Security Program described in 4.402(b))?	<input type="checkbox"/>	<input type="checkbox"/>
12. Contractors providing information regarding agency policies or regulations, such as attending conferences on behalf of an agency, conducting community relations campaigns, or conducting agency training courses?	<input type="checkbox"/>	<input type="checkbox"/>
13. Contractors participating in any situation where it might be assumed that they are agency employees or representatives?	<input type="checkbox"/>	<input type="checkbox"/>
14. Contractors participating as technical advisors to a source selection evaluation board or participating as voting or nonvoting members of a source selection evaluation board?	<input type="checkbox"/>	<input type="checkbox"/>
15. Contractors serving as arbitrators or providing alternative methods of dispute resolution?	<input type="checkbox"/>	<input type="checkbox"/>
16. Contractors constructing buildings or structures intended to be secure from electronic eavesdropping or other penetration by foreign governments?	<input type="checkbox"/>	<input type="checkbox"/>
17. Contractors providing inspection services?	<input type="checkbox"/>	<input type="checkbox"/>
18. Contractors providing special non-law enforcement security activities that do not directly involve criminal investigations, such as prisoner detention or transport and non-military national security details? However, the direction and control of confinement facilities in areas of operations is inherently governmental.	<input type="checkbox"/>	<input type="checkbox"/>
19. Private security contractor in operational environment overseas?	<input type="checkbox"/>	<input type="checkbox"/>
20. Contract interrogators?	<input type="checkbox"/>	<input type="checkbox"/>
21. Contractor-provided combat and security training?	<input type="checkbox"/>	<input type="checkbox"/>
22. Contract logistics support required for weapon systems which deploy with operational units?	<input type="checkbox"/>	<input type="checkbox"/>

REQUEST FOR APPROVAL OF SERVICE AND SUPPLY/PRODUCT CONTRACT REQUIREMENTS (cont.)		
SECTION II: GOVERNMENT WORKSHEETS (cont.)		
Part B: Worksheet B - CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL (cont.)		
	YES	NO
23. Is there sufficient organic government expertise to oversee contractor performance of the contract?	<input type="checkbox"/>	<input type="checkbox"/>
24. Are there sufficient control mechanisms and sufficient numbers of military and civilian employees to ensure that contractors are not performing inherently governmental functions?	<input type="checkbox"/>	<input type="checkbox"/>
25. Is there a sufficient number of contracting officer's representatives appointed to ensure oversight of contract performance?	<input type="checkbox"/>	<input type="checkbox"/>
Part C: Worksheet C - PERSONAL SERVICES		
<small>(This worksheet must be included as part of the Services Contract Approval Form when contracting a function is being contemplated or before exercising an option.)</small>		
<p>Pursuant to FAR Part 37.104, a personal services contract is characterized by "the employer-employee relationship it creates between the Government and the contractor's personnel. The Government is normally required to obtain its employees by direct hire under competitive appointment or other procedures required by the Civil Service laws. Obtaining personal services by contract rather than by direct hire under competitive appointment, circumvents those laws unless Congress has specifically authorized acquisition of those services." If the contract, by its written terms or in the way it is actually performed, involves any of the following elements, modify the contract or perform it to avoid creating an employer-employee relationship or in-source. (Adapted from FAR Part 37.104 (d).)</p>		
	YES	NO
PERSONAL SERVICES		
1. The contractor personnel are subject to relatively continuous supervision and control of a governmental officer.	<input type="checkbox"/>	<input type="checkbox"/>
2. Contractor is performing on a government site.	<input type="checkbox"/>	<input type="checkbox"/>
3. Principal tools and equipment are furnished by the government.	<input type="checkbox"/>	<input type="checkbox"/>
4. Services are applied directly to the integral effort of agencies or an organizational subpart in furtherance of assigned function or mission.	<input type="checkbox"/>	<input type="checkbox"/>
5. The need for the service provided can reasonably be expected to last beyond 1 year.	<input type="checkbox"/>	<input type="checkbox"/>
6. The inherent nature of the service, or the manner in which it is provided, reasonably requires (directly or indirectly) Government direction or supervision of contractor employees in order to:	<input type="checkbox"/>	<input type="checkbox"/>
a) Adequately protect the Government's interest;	<input type="checkbox"/>	<input type="checkbox"/>
b) Retain control of the function involved; or	<input type="checkbox"/>	<input type="checkbox"/>
c) Retain full responsibility for the function supported in a duly authorized Federal officer or employee.	<input type="checkbox"/>	<input type="checkbox"/>
<p>Specific statutory authority for personal services is provided in 10 United States Code §129b for:</p> <ul style="list-style-type: none"> * Experts or consultants where the services cannot be adequately provided by the Department; * <i>In general, the authority to procure personal services for experts and consultants pursuant to 10 United States Code §129b requires the approval of the ASA(AL&T) unless the services being acquired are covered by the delegation of authority covered in AFARS Sub Part 5137-104-90-2 (for example, stenographic reporting; stage, motion picture, or television productions; or legal services outside the United States). In all cases, additional procedures required by AFARS Part 5137.104-90 must be followed with appropriate approval authority.</i> * Direct support of a defense intelligence component or counter-intelligence organization of the Department of Defense outside the United States where the services are urgent or unique and cannot be practically obtained within the Department; <ul style="list-style-type: none"> * Pursuant to DFARS SubPart 237.104(b)(iii)(A), the head of a contracting activity must provide written approval. * Direct support of mission of special operations command where the services are urgent or unique and cannot be practically obtained within the Department; <ul style="list-style-type: none"> * Pursuant to DFARS SubPart 237.104(b)(iii)(A), the head of a contracting activity must provide written approval. * Services provided by individuals outside the U.S. regardless of their nationality; <ul style="list-style-type: none"> * Pursuant to DFARS SubPart 237.104(b)(iii)(A), the head of a contracting activity must provide written approval. * Or 10 United States Code §1091 for carrying out health care responsibilities in medical treatment facilities of the Department of Defense. <ul style="list-style-type: none"> * DODI 6025.5 limits this exception to health care personnel who participate in clinical patient care and does not include personnel whose duties are primarily administrative or clerical, nor personnel who provide maintenance or security services. 		
Part D: Worksheet D - IN-SOURCING CONSIDERATION AND REPORTING		
<small>(This worksheet must be included as part of the Services Contract Approval Form when contracting a function is being contemplated or before exercising an option.)</small>		
	YES	NO
1. Has in-sourcing been considered?	<input type="checkbox"/>	<input type="checkbox"/>
Special consideration should be given to civilians in the following situations:		
a) The function was performed by Department of Defense civilian employees since January 1998.	<input type="checkbox"/>	<input type="checkbox"/>
b) The function is closely associated with the performance of an inherently governmental function. (See part B, worksheet B.)	<input type="checkbox"/>	<input type="checkbox"/>
c) The function is performed pursuant to a contract awarded on a non-competitive basis.	<input type="checkbox"/>	<input type="checkbox"/>
d) The contracting officer has determined that the contract has been performed poorly because of excessive costs or inferior quality.	<input type="checkbox"/>	<input type="checkbox"/>
2. Has the contract been accurately reported in the Contractor Manpower Reporting Application (https://cmra.army.mil/) pursuant to Secretary of the Army policy? For new requirements, has the Contractor Manpower Reporting Application (CMRA) requirement been included in the work statement? (CMRA reporting pursuant to Secretary of the Army policy is being used by Department of the Army to comply with most of the reporting required by the National Defense Authorization Act for FY 2008, Section 807.)	<input type="checkbox"/>	<input type="checkbox"/>
3. Has the contract requirement been documented on the table of distribution and allowances?	<input type="checkbox"/>	<input type="checkbox"/>
4. Has a concept plan for the contract requirement been approved?	<input type="checkbox"/>	<input type="checkbox"/>

REQUEST FOR APPROVAL OF SERVICE AND SUPPLY/PRODUCT CONTRACT REQUIREMENTS (cont.)		
SECTION II: GOVERNMENT WORKSHEETS (cont.)		
Part E: Worksheet E		
<small>(This worksheet must be included as part of the Services Contract Approval Form when contracting a function is being contemplated or before exercising an option.)</small>		
Any "yes" response to the following questions would make contracting this function prohibited by Title 10, United States Code Section 2461, which prohibits converting a function performed by at least one government employee to contract performance unless there has been a public-private competition under OMB Circular A-76. There currently is a Congressional moratorium on private-public competitions pursuant to the Fiscal Year 2010 National Defense Authorization Act section 325.		
	YES	NO
1. Is the function proposed for contract performance meeting a requirement currently performed by at least one Army civilian employee?	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the function proposed for contract performance meeting a requirement currently performed by at least one Army civilian employee when a program or budget decision eliminated the civilian position (whether that position was formerly documented with an authorization or was undocumented and performed by an overhire)?	<input type="checkbox"/>	<input type="checkbox"/>
3. Is the function proposed for contract performance meeting a requirement previously approved for in-sourcing but was never encumbered due to the 1 February 2011 SecArmy Reservation on In-sourcing Approval Authority?	<input type="checkbox"/>	<input type="checkbox"/>
Part F: Worksheet F - EXPLANATION OF ANSWERS		
Provide explanations, as required, for worksheets A through E.		

Instructions	
<p>Name of organization: Select the school, activity, staff section, or parent organization from the dropdown list.</p> <p>Unit identification code: Enter the unit identification code.</p> <p>Allotment serial number: Enter the allotment serial number (ASN).</p> <p>Contract title: Enter a brief, but unique, contract title.</p> <p>Section I - Requirement Description and Approval Decisions</p> <p>A. Purpose of the Contract Requirement/Contract: Briefly describe the purpose of the contract requirement. Include a description of what staff element or work center the contract requirement supports.</p> <p>B. Cost Estimates: Identify the fiscal year(s) (FY) that will be covered by the contract requirement from the dropdown lists.</p> <p>Choose base and/or option year: Use the dropdown list to indicate the base year and number of option years the contract requirement covers.</p> <p>B1. Estimated cost of labor: Enter the total estimated labor costs for each FY for the entire period of performance in which funding is being requested.</p> <p>B2. Estimated supply/product cost: Enter the total estimated supply/product cost for each FY for the entire period of performance for which funding is being requested.</p> <p>B3. Estimated travel cost: Enter the total estimated travel costs for each FY for the entire period of performance for which funding is being requested.</p> <p>B4. Estimated other costs: Enter the total estimated other costs (including offload/service fees) for each FY for the entire period of performance for which funding is being requested.</p> <p>B5. Estimated total cost: This field will automatically total rows B1 through B4 for each FY.</p> <p>B6. Estimated CMEs: Enter the total estimated contract manyear equivalents (CMEs) for each FY. One CME is equivalent to 2080 hours. The formula to calculate the number of CMEs is as follows. The total direct labor hours divided by 2080 equals the number of CMEs.</p> <p>B7. Total contract cost (base plus all option years): The form will automatically total row B7a.</p> <p>B8a. Are funds available? Select "Yes" or "No" from the dropdown list.</p> <p>B8b. What is the source of funds? Select the source of funds from the dropdown list. Externally Funded (DOD) = any DOD agency outside of the Army; Externally Funded (Non-DOD) = any agency outside of DOD. If the funding source is not in the list or requires additional explanation, use the "See comments in D5" option and provide a brief explanation in the D5 Comments field. If additional documentation is required, use "See attached" and provide the required documentation with this form.</p> <p>B8c. If partially funded, provide the funded and SAF amounts. If the contract is partially funded, provide the exact dollar amount that is funded and the exact dollar amount that will be subject to the availability of funds (SAF).</p> <p>B8d. If Army funded, who provided the funds? Explain: If the contract is Army funded, provide the name of the organization providing the funds and provide a brief explanation as to why the organization is providing funding.</p> <p>B9a. Is a contracting activity other than Mission and Installation Contracting Command proposed? Choose "Yes" or "No" from the dropdown list.</p> <p>B9b. If yes, where? Provide the name of the contracting agency that will execute the contract.</p> <p>B9c. Assisted acquisition? An assisted acquisition is a contract awarded, or a task or delivery order placed, on behalf of DOD by a non-DOD agency. Choose "Yes" or "No" from the dropdown list.</p> <p>B9d. Will there be an offload/service fee? If yes, provide the total cost of the fee. If there is an associated fee to offload the contract, provide the dollar amount of the fee charged by the contracting agency. Fees should also be included in B4.</p> <p>B10. Financial classification: Enter the appropriation(s)/fund(s), MDEP(S)/functional area(s), AMSCO(s)/functional area(s). Select the appropriate FSC from the dropdown list.</p>	<p>C. Contract Requirement Details:</p> <p>C1. Is this a supply/product or service contract requirement? Select from dropdown list.</p> <p>C2. Provide the contract number, MIPR number/funded program, task order number, or delivery order number, if known. If known, provide the contract number, MIPR number/funded program, task order number, or delivery order number. If unknown at this time, leave blank.</p> <p>C3. Reporting and acquisition decision (RAD) approval number. Provide the RAD approval number for IT contracts/purchases. See TRADOC Regulation 25-1 for specific guidance on RAD requirements.</p> <p>C4. Contract type: Select the type of contract from the dropdown list.</p> <p>C5a. Has this function ever been contracted before within the organization? Select "Yes" or "No" from the dropdown list.</p> <p>C5b. If "Yes" how long has the function been contracted?</p> <p>C5c. What is the proposed total length of the current contract? Provide the proposed length of the contract.</p> <p>C6. What option year of the contract is being exercised? Select the option year being exercised from the dropdown list. If this action is not for an option year, select "N/A."</p> <p>C7a. What is the work center TDA paragraph number? For enduring requirements for service contracts, provide the TDA paragraph number for the work center where the contractors perform their duties.</p> <p>C7b. Name the work center. Name the staff element or work center the contract supports.</p> <p>C8. What is the period of performance (start/end date)? Enter the estimated start and end dates for the contract's period of performance.</p> <p>C9. ACRB/ECAB Approval needed by: Enter the date you need the approvals returned to obtain the contract award on time.</p> <p>D. Justification for contract requirement, provide the following information:</p> <p>D1. What TRADOC priority does this contract requirement support? Choose from the dropdown list the TRADOC priority that best fits the contract.</p> <p>D2. What TRADOC core functional area does this contract Choose from the dropdown list the core functional area that best fits.</p> <p>D3. Has a Cost Benefit Analysis been completed for this action? If Yes, provide the date. Choose "Yes" or "No" from the dropdown list. Refer to TRADOC Circular 11-11-1 for details on Cost Benefit Analysis thresholds and policies.</p> <p>D4. Is this mission mandated by regulation, directed by higher HQ, etc? Explain. If this mission is mandated by regulation or directed by a higher HQ, provide either a reference in the associated regulation or a brief explanation of the directing guidance.</p> <p>D5. What is the operational impact if this contract is not awarded? Provide a brief explanation outlining the impact to TRADOC if this requirement is not funded.</p> <p>D6. Comments: Provide any additional information that may help clarify any portion of this action.</p> <p>E. Worksheet prepared by/Organization POC: Provide the typed name, e-mail address, and phone number of the individual who prepared the certification worksheets and who will serve as the requiring activity's point of contact. Digitally sign and date.</p> <p>F. Contracting Officer's Representative (COR)/Alternate COR/Supporting COR: Provide the typed name, e-mail address, and phone number of the TRADOC employee who will serve as either the COR, alternate COR, or supporting COR for the contract requirement. Indicate whether this individual will serve as the COR, alternate COR, or supporting COR. A TRADOC employee must be nominated by the requiring activity and formally appointed by the contracting officer to serve as either the COR, alternate COR, or supporting COR for all service contract requirements with a value greater than \$150,000. In the event the COR for the contract requirement is not a TRADOC employee, a TRADOC employee must be nominated by the requiring activity and appointed by the contracting officer to serve in the capacity of a supporting COR.</p>

Instructions (cont.)	
<p>Instructions for COR supervisory endorsement:</p> <p>The endorser must be the COR's, alternate COR's, and/or supporting COR's supervisor. The signature block must contain the typed name, rank and position title and select either "Yes" or "No" in the endorsement box. All COR nominations must be accomplished through the Virtual Contracting Enterprise (VCE) tool (https://arc.army.mil/COR). In instances where the VCE tool has not been implemented by the servicing contracting activity, it is incumbent on the requiring activity to follow the designated nomination process dictated by the contracting officer.</p> <p>G. Endorsement:</p> <p>The endorser must select either "Yes" or "No" in the endorsement box. Signature block must contain the typed name, rank, and position title. The designated accountable GO/SES authorizes the grade level of endorsement.</p> <p>H. Resource Manager Recommendation:</p> <p>The resource manager needs to select either the "concur" or "nonconcur" check box. Signature block must contain the typed name, rank, and position title.</p> <p>I. Certification (Services only):</p> <p>Certifying official must select either "Yes" or "No" in the certification box. Certification signature blocks must contain the typed name, rank, and position title. The certifying official certifies that:</p> <ul style="list-style-type: none"> - The requirement does not contain inherently governmental functions (all "No" answers are reflected in section II, part A); -The requirement does not contain services that are closely associated with inherently governmental functions (all "No" answers are reflected for questions 1-22 and "Yes" answers to questions 23-25 in section II, part B unless an explanation is provided for how the risk will be mitigated); - The contract does not contain unauthorized personal services (all "No" answers are reflected in section II, part C unless an explanation is provided for how the risk will be mitigated); whether question #1 in section II, part D has a "Yes" or "No" answer, an explanation must be provided describing why in-sourcing was or was not considered. Explanations must also be provided for "No" answers to questions 2-4 in section II, part D. This certification function cannot be delegated. - The requirement has been validated. - Sufficiently trained and experienced officials are available to manage and oversee the contract (COR/other surveillance personnel). <p>J. Approval (All contract requirements)</p> <p>The approving official must select either "Yes" or "No" in the approval box. Signature blocks must contain the typed name, rank, and position title. *Note: Due to approval thresholds defined in TRADOC Regulation 5-14, it is possible the approver may not be the same person as the certifier.</p>	<p>Part C. Worksheet C - Personal Services</p> <p>Answer "Yes" or "No" to each question asked in the worksheet. If the function has a "Yes" answer, then provide an explanation in section II, part F describing how discretionary authority, decision making responsibility, or accountability of Government officials using contractor services or work products with respect to this contract/task order/delivery order will be maintained.</p> <p>Part D. Worksheet D - In-sourcing and Contractor Manpower Reporting Application</p> <p>Answer "Yes" or "No" to each question asked in the worksheet. Whether the function in D1 has a "Yes" or "No" answer, provide an explanation describing why in-sourcing was or was not considered in section II, part F. Provide explanations in section II, part F for all "No" answers to questions 2-4.</p> <p>Part E. Worksheet E -</p> <p>A "Yes" answer to any question in section II, part E, prohibits contracting of the function in accordance with U.S.C. section 2467.</p> <p>Part F. Worksheet F - Explanation of Answers</p> <p>Provide the explanations for section II, parts A through E. Identify corrective action(s) to be taken to eliminate or mitigate the risk of contractors performing inherently governmental functions, work closely associated with inherently governmental functions, or personal services.</p>
<p>Section II - Contracting/In-sourcing Worksheets</p> <p>Part A. Worksheet A - Inherently Governmental</p> <p>Answer "Yes" or "No" to each question asked in the worksheet. Answers should be based on the work statement or the way the contract is administered. Any "Yes" response indicates this must be performed in-house and cannot be contracted. Provide explanations for all "Yes" answers in section II, part F. Identify corrective action(s) that will be taken to eliminate or mitigate the risk of contractors performing services that are inherently governmental.</p> <p>Part B. Worksheet B - Closely Associated with Inherently Governmental</p> <p>Answer "Yes" or "No" to each question asked in the worksheet. Answers should be based on the work statement or the way the contract is administered. (The list is not comprehensive, as it excludes examples from the FAIR Act and DODI 1100.22). Provide explanations for "Yes" answers to questions 1-22 and explanations for "No" answers to questions 23-25 in section II, part F. Identify corrective action(s) to be taken to eliminate or mitigate the risk of performing services that are closely associated with inherently governmental functions.</p>	