



**UNITED STATES MARINE CORPS**  
**MARINE CORPS SYSTEMS COMMAND**  
**2200 LESTER ST**  
**QUANTICO, VIRGINIA 22134-6050**

IN REPLY REFER TO:

4200

03

APR 23 2010

COMMAND POLICY LETTER NO. 3-10

From: Commander  
To: Distribution List

Subj: ACQUISITION OF SERVICES

Ref: (a) Commercial Enterprise Omnibus Support Services  
(CEOss) Handbook, Version 10  
(b) USD (AT&L) memo of 2 Oct 06, "Acquisition of Services  
Policy"  
(c) ASN (RD&A) memo of 1 Dec 06, "Acquisition of  
Services"  
(d) DASN (A&LM) memo of 24 Nov 09  
(e) Office of Federal Procurement Policy memo of  
21 Jul 06, "Use of Performance-Based Acquisitions"  
(f) CT Policy Letter CT06-01 of 9 Nov 05, "Approval of  
Use of Non-DoD Contract Vehicles"  
(g) CT Policy Notice CT09-04 of 30 Oct 08, "Interagency  
Acquisition Policy Implementation"  
(h) NMCARS 5237.170, "Approval of Contracts and Task  
Orders for Services"  
(i) DepSecDef memo of 22 Aug 08, "Monitoring  
Contract Performance in Contracts for Services"

Encl: (1) Format for CEOss waiver  
(2) Decision Tree for MCSC CEOss Waivers  
(3) DoN MOPAS 2 Process of Dec 06  
(4) MCSC MOPAS Acquisition Strategy (AS) Template  
(5) Sample Memorandum formats for MARCORSYSCOM External  
Contracting Waivers  
(6) Decision Tree for MCSC External Contracting Waivers  
and Economy Act Determinations and Finding

1. Purpose. To prescribe policy, responsibility, and  
procedures for use in the acquisition of services for the Marine  
Corps Systems Command (MARCORSYSCOM).

2. Cancellation. Command Policy Letter No. 2-08.

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### 3. Definitions

a. "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 furnish an end item of supply. A service contract may be either a non-personal or a personal contract. It includes services performed by either professional or non-professional 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 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) Communication services; (7) Architect-Engineering; (8) Transportation and related services; (9) Research and Development.

b. "Advisory and Assistance Services" (A&AS) - As delineated at FAR 37, those services provided under contract by nongovernmental sources to support or improve: organizational policy development; decision-making; management and administration; program and/or project management and administration; or R&D activities. It includes the furnishing of professional advice or assistance rendered to improve the effectiveness of Federal management processes or procedures (including those of an engineering and technical nature). In rendering the foregoing services, outputs may take the form of information, advice, opinions, alternatives, analyses, evaluations, recommendations, training, and the day-to-day aid of support personnel needed for the successful performance of ongoing Federal operations. Per FAR 37.202, the following activities and programs are excluded or exempted from the definition of advisory or assistance services: (a) Routine information technology services unless they are an integral part of a contract for the acquisition of advisory and assistance services; (b) Architectural and engineering services as defined in the Brooks Architect-Engineers Act (40 USC 1102); (c) Research on theoretical mathematics and basic research involving medical, biological, physical, social, psychological, or other phenomena.

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c. "Commercial Enterprise Omnibus Support Services" (CEOss) - A Blanket Purchase Agreement (BPA) based business model that streamlines and standardizes the processes for acquiring A&AS. It is intended to be the principal medium for acquiring contractor A&AS at MARCORSYSCOM. The CEOss business model is described in more detail in reference (a), and is used to acquire non-personal services only.

d. "Contracting Officer's Representative" (COR) - An individual designated in accordance with subsection 201.602-2 of the Defense Federal Acquisition Regulation Supplement and authorized in writing by the contracting officer to perform specific technical or administrative functions.

e. "Non-DoD Contract" - Any contract awarded by a non-DoD entity. This includes contracts awarded under General Services Administration (GSA) and Federal Supply Schedules (FSS).

f. "Non-Personal Services Contract" - A contract under which the personnel rendering the services are not subject, either by the contract's terms or by the manner of its administration, to the supervision and control usually prevailing in relationships between the Government and its employees.

g. "Performance-Based Services Acquisition" (PBSA) - PBSA involves acquisition strategies, methods, and techniques that describe and communicate measurable outcomes rather than direct performance processes. It is structured around defining a service requirement in terms of performance objectives and providing contractors the latitude to determine how to meet those objectives. Simply put, it is a method for acquiring *what is required* and placing the responsibility for *how to accomplish the objective* on the contractor.

h. "Personal Services Contract" - A contract that, by its express terms or as administered, makes the contractor personnel appear to be, in effect, Government employees (see 37.104).

4. Applicability. This policy applies to the acquisition of services at MARCORSYSCOM, including those MARCORSYSCOM offices/activities located outside the Quantico area, and to Program Executive Officer (PEO) Land Systems. This order further implements the references for MARCORSYSCOM. These

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policies and procedures apply to all MARCORSYSCOM requirements, including those executed by MARCORSYSCOM on behalf of external clients, regardless of whether the services are acquired through a Department of Defense (DoD) contract or task order, or a contract or task order awarded by an Agency other than DoD. This order applies to any instruments for committing or obligating funds including funds transferred outside of MARCORSYSCOM.

5. Background. Reference (b) was published to strengthen DoD management of the acquisition of services at the strategic and tactical level. The acquisition of services continues to be a key element in our efforts to support the warfighter and meet the mission of MARCORSYSCOM. Over the past several years, audits and process reviews across the DoD have identified a growing number of deficiencies with the acquisition process for procuring services. Requirements must be put in place to strengthen the management and oversight of the acquisition of services and the use of non-DoD contracts.

6. Policy

a. Use of CEOss for A&AS. CEOss, which relies on GSA awarded Federal Supply Schedule (FSS) contracts (i.e., non-DoD contracts), has been found to be the best value in terms of acquiring A&AS services at MARCORSYSCOM based on the pre-negotiated GSA rates and the additional discounts CEOss vendors offer based on volume. Therefore, to ensure that A&AS services are acquired as strategically and efficiently as practicable, CEOss should be utilized to the maximum extent practical. Accordingly, MARCORSYSCOM and PEO Quantico-based organizations with A&AS requirements must use CEOss as a primary consideration, to access services via BPAs awarded under the Command's CEOss business model. Other MARCORSYSCOM organizations, located outside the Quantico area, are strongly encouraged to make use of CEOss whenever practical, but may use other means to acquire services at the discretion of the Program Manager or local Commanding Officer.

(1) Waivers. If there are circumstances that justify a waiver from the CEOss process, the program office must seek concurrence with that position as follows:

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(a) For PEO-LS related A&AS acquisitions concurrence must be received from the PEO-LS.

(b) For all other MARCORSSCOM programs, concurrence must be received from the Director, ACSS.

Failing to obtain such concurrence, the requiring office must document the request and rationale for seeking a waiver from the CEOss process and submit it via the appropriate chain of command and through the Assistant Commander, Programs, to the Executive Director for a decision. The appropriate waiver format and decision tree for CEOss waivers are provided as enclosures (1) and (2).

(2) Exemptions. Requirements for A&AS below the simplified acquisition threshold; Small Business Act Section 8(a) contracts; Service Disabled Veteran Owned Small Business (SDVOSB) contracts; actions where continuing work is not severable from existing contracts; and service contract requirements that are clearly outside the scope of CEOss services (e.g., engineering and technical services provided by a prime equipment provider, personal services contracts, services other than A&AS); are exempt from the use of CEOss. If in doubt, requiring offices shall seek a determination from the Director, ACSS before choosing a course of action for acquiring services.

b. Management and Oversight Process for the Acquisition of Services Two (MOPAS 2). Reference (c) and enclosure (3) implement revised Department of Navy (DoN) policy on the management and oversight of services acquisitions, Department of Defense (DoD) policy, and Section 812 of the National Defense Authorization Act. This policy is called MOPAS 2, and its purpose is to ensure that services acquisitions (1) support DoN objectives; (2) are, to the maximum extent practicable, based on clear, performance-based requirements; (3) that required outcomes are identified and measurable; and (4) are properly planned and administered to achieve intended results. As a result, acquisition of services exceeding \$100,000 requires an approved acquisition planning document, called a MOPAS 2 Acquisition Strategy (AS). Acquisition of services is broader than contracting for services. It includes execution of one or multiple contracts, purchase orders, work orders, Military Interdepartmental Procurement Requests (MIPRs), or other

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instruments for committing or obligating funds to acquire services that meet a specified need. The MOPAS 2 AS must address the areas outlined in Table 2 of enclosure (3) and be completed in accordance with the template provided in enclosure (4).

The MOPAS 2 AS is prepared by the requiring activity and approved by the appropriate official in the requirements chain of command. Once the requirements chain of command approval is obtained, the AS is forwarded to the contracting office for final approval processing. Acquisition of services under programs managed in accordance with DoD Instruction 5000.2 are exempt from MOPAS [see paragraph 6.b(1) below]. For other acquisitions requiring an Acquisition Plan (AP), one document can be prepared to include the requirements of both the AP and the MOPAS AS as long as the MOPAS 2 review and approval requirements are met. Review and approval thresholds for MOPAS 2 acquisition strategies are provided in the following table:

| <b>MOPAS 2 Acquisition Strategy Approvals</b> |   |   |
|---|---|---|
| <b>Total Planned Dollar Value</b>             | <b>Requiring Office Approval*</b>             | <b>Contracting/HCA Approval**</b>             |
| \$100,000 - \$10M                             | Program Manager                               | Procurement Contracting Officer (PCO)         |
| \$10M - \$50M                                 | Program Manager                               | Lead Contracting Officer                      |
| \$50M - \$100 M                               | Product Group Director                        | Assistant Commander, Contracts                |
| \$100 M - <\$250M                             | Program Management Competency Lead or PEO     | Commander, MARCORSYSCOM or Executive Director |
| \$250 M - \$1 B (non-IT)                      | Commander, MARCORSYSCOM or Executive Director | DASN (A&LM)                                   |
| Over \$1 B                                    | Commander, MARCORSYCOM or Executive Director  | ASN (RD&A)                                    |

\*See Table 1 of reference (c) for requirements review for IT requirements of \$250 M and greater and for special interest requirements.

\*\*See Table 1 of reference (c) for decision authority thresholds for IT requirements of \$250 M and greater and for special interests requirements. Per reference (d), all service acquisitions between \$100 and \$250 M are designated ASN (RD&A) Special Interest Items, requiring ASN (RD&A) approval and DASN (A&LM) review until this designation is modified.

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(1) Exemptions. MOPAS 2 requirements do not apply to acquisition of services that are part of a weapon system acquisition program or an automated information system that is managed in accordance with DoD Instruction 5000.2. These acquisitions will be reviewed and approved within the DoD 5000 series-prescribed management structure. Accordingly, acquisition of these services should be planned within the program's Acquisition Strategy and approved by the program's Milestone Decision Authority. If services procured for a weapon system program are not reviewed and approved within the DoD 5000 series-prescribed management structure, they must be reviewed and approved in accordance with MOPAS 2 and this policy.

(2) Data Collection. Requirements officials are responsible for collecting and maintaining data identified in Table 3 of enclosure (3) for each of their service acquisitions. These data must be collected for all service acquisitions, including those placed under a MIPR issued to support the acquisition. As required by enclosure (3), data shall be maintained in an automated, easy to access electronic format as the Deputy Assistant Secretary of the Navy (Acquisition and Logistics Management) [DASN (A&LM)] may request reports or data at any time.

c. Performance Based Services Acquisition. Like MOPAS 2 Policy, reference (e) and the Federal Acquisition Regulation (FAR) encourages use of Performance Based Services Acquisition (PBSA) to the maximum extent practicable except for the exclusions identified in FAR 37.102. The AS must include a description of the outcomes and cost, schedule, and performance metrics that measure outcomes against acceptable quality standards. Further, if a performance based acquisition will not be used to satisfy a requirement for services, approval must be obtained and documented in the MOPAS AS. Reference (f) provides approval requirements and thresholds for acquisition of services through a contract or task order that is not performance based. They are summarized in the table below:

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| <b>Non-Performance Based Agency Approvals</b>     |  |
|---|--|
| <b>Approval Level for Acquisition of Services</b> | <b>Total Planned Dollar Value of Non-Performance Based Service Acquisition</b> |
| Procurement Contracting Officer                   | \$100,000 - \$1 M  |
| Lead Contracting Officer                          | Over \$1 M - \$5 M   |
| Assistant Commander, Contracts                    | Over \$5 M - \$78.5 M  |
| DASN (A&LM)                                       | Over \$78.5 M - Under \$500 M  |
| ASN (RD&A)  | \$500 M & Over   |

d. External Contracting. Programs that come to rely on external agencies for the execution of contracting activities in support of MARCORSYSCOM acquisition programs may pay a premium price for such services, with dollars that may be better directed at bolstering the internal contracting capabilities at MARCORSYSCOM. Therefore, MARCORSYSCOM and PEO organizations, including organizations external to Quantico, shall not engage external contracting offices for the purpose of awarding contracts for any services without prior approval. If circumstances justify the use of a contract awarded by an external agency, the requiring office must generate and submit a written determination to the Executive Director via the Assistant Commander, Contracts and the appropriate Lead Contracting Officer for approval. The appropriate memorandum formats and decision tree for MARCORSYSCOM waivers are provided as enclosures (5) and (6). The submission of the external contracting waiver does not negate the need to submit a CEOss waiver in accordance with paragraph 6.a.(1), above. The associated CEOss waiver should be submitted as supporting documentation to the external contracting waiver.

e. Use of Non-DoD Contract Vehicles. A program manager may choose to fulfill a service requirement through a task order against a non-DoD ordering vehicle, such as a GSA schedule. When a non-DoD ordering vehicle will be used and the task order will be issued by a MARCORSYSCOM contracting office, approval must be obtained and documented in the AS. If funds are to be sent directly to a non-DoD agency for contract action,

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additional documentation and approval are required in accordance with MARCORSYSCOM policy on use of non-DoD contract vehicles and interagency acquisitions [see references (f) and (g)]. Reference (h) provides approval requirements and thresholds for acquisition of services through a contract or task order issued by a non-DoD activity. They are summarized in the table below:

| <b>Non-DoD Agency Approvals</b>                   |   |
|---|---|
| <b>Approval Level for Acquisition of Services</b> | <b>Total Planned Dollar Value of Service Acquisition Against a Non-DoD Contract</b> |
| Procurement Contracting Officer (PCO)             | \$100,000 - \$1 M   |
| Lead Contracting Officer                          | Over \$1 M - \$5 M  |
| Assistant Commander, Contracts                    | Over \$5 M - \$50 M   |
| DASN (A&LM)                                       | Over \$50 M   |

f. Contracting Officer's Representative. Reference (i) directed that trained and ready CORs be available to ensure that contractors comply with all contract requirements and that overall performance is commensurate with the level of payments made throughout the life of the contract. As such, CORs shall be designated for all services acquisitions acquired under the CEOss business model, and other contract vehicles, as necessary, based on the dollar value and complexity of the specific service contract. Requiring activities shall comply with the reference (i) guidance for contract surveillance of service contracts.

#### 7. Responsibilities

a. The PEO/Product Group Director (PGD)/Program Manager (PM): In developing any services requirement, the PEO/PGD/PM should be involved in the planning process to ensure the acquisition of services is based upon clear, performance-based requirements; that the best method of procurement is used to satisfy the requirement; that the acquisition complies with applicable statutes, regulations and policies; and that strategic sourcing principles are applied to ensure the most

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efficient and effective acquisition of services. The PEO/PGD/PM will ensure that:

(1) CEOss be used as the preferred method for acquiring A&AS services unless circumstances dictate otherwise;

(2) The services statement of work or statement of objectives preparation effort, and other supporting documentation, is coordinated with the Procuring Contracting Officer (PCO) at the earliest possible date to ensure that the appropriate strategy is pursued. When acquisitions are planned early, there is time to conduct a thorough analysis of the previous procurement and assess reasons for its success or failure;

(3) For service acquisitions above \$100,000, the AS is coordinated, reviewed, and approved by the appropriate signature authority, and the data required by enclosure (3) are collected and maintained electronically.

(4) Maintain a cadre of trained and ready CORs. Ensure that performance objectives include COR duties when they represent a large enough percentage of the employee's job functions.

b. Contracting Officer: The Contracting Officer has responsibility for ensuring that all applicable regulations and procedures have been satisfied. Moreover, the Contracting Officer assists in ascertaining that service acquisitions are acquired utilizing business arrangements that are in the best interest of the DoD and are entered into and managed in compliance with applicable statutes, regulations, directives, and other requirements. The Contracting Officer will ensure that:

(1) An approved AS is completed for service acquisitions above \$100,000.

(2) That all appropriate waivers are processed prior to award of a services acquisition contract/task order. For the CEOss waiver, the PM/PGD contracting officer is signing to indicate concurrence with, and executability of, the proposed approach for contracting outside of CEOss.

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(3) That trained CORs are appointed to services acquisitions commensurate with the size and complexity of the acquisition.

c. MARCORSYSCOM Small Business Advisor: The MARCORSYSCOM Small Business Advisor shall sign the Small Business Coordination Record (Form DD 2579) for all services acquisitions over \$10,000. The MARCORSYSCOM Small Business Advisor shall provide insight into the requirements of small business programs.

  
M. M. BROGAN

**ENCLOSURE (1)**  
**Format for CEOss waiver**

**Request for CEOss Waiver**

**Date**

From: PEO/PGD/PM  
To: Director, ACSS  
Ref: Command Policy Letter XX-XX of (date)

Subj: REQUEST FOR WAIVER FROM USE OF CEOSS FOR XXXX

1. A waiver is hereby requested to deviate from the policy set forth in the above referenced Command Policy Letter with respect to use of CEOss for acquiring Advisory and Assistance Services (A&AS).

2. The following information applies to the subject contracting action:

Estimated Contract Value:

Estimated Award Date:

Sole Source or Competitive Contract? (If sole source, please attach J&A)

Contract Vehicle:

Business Size:

Brief Description of Scope

Supporting rationale for use of alternate contracting strategy (i.e. why CEOss is not the preferred contracting method for this effort):

3. My point of contact for this matter is \_\_\_\_\_.

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Signed:

\_\_\_\_\_  
PEO/PGD/PM

\_\_\_\_\_  
Date

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Concur:

\_\_\_\_\_  
PEO/PGD/PM Contracting Officer

\_\_\_\_\_  
Date

---

Approved

Denied

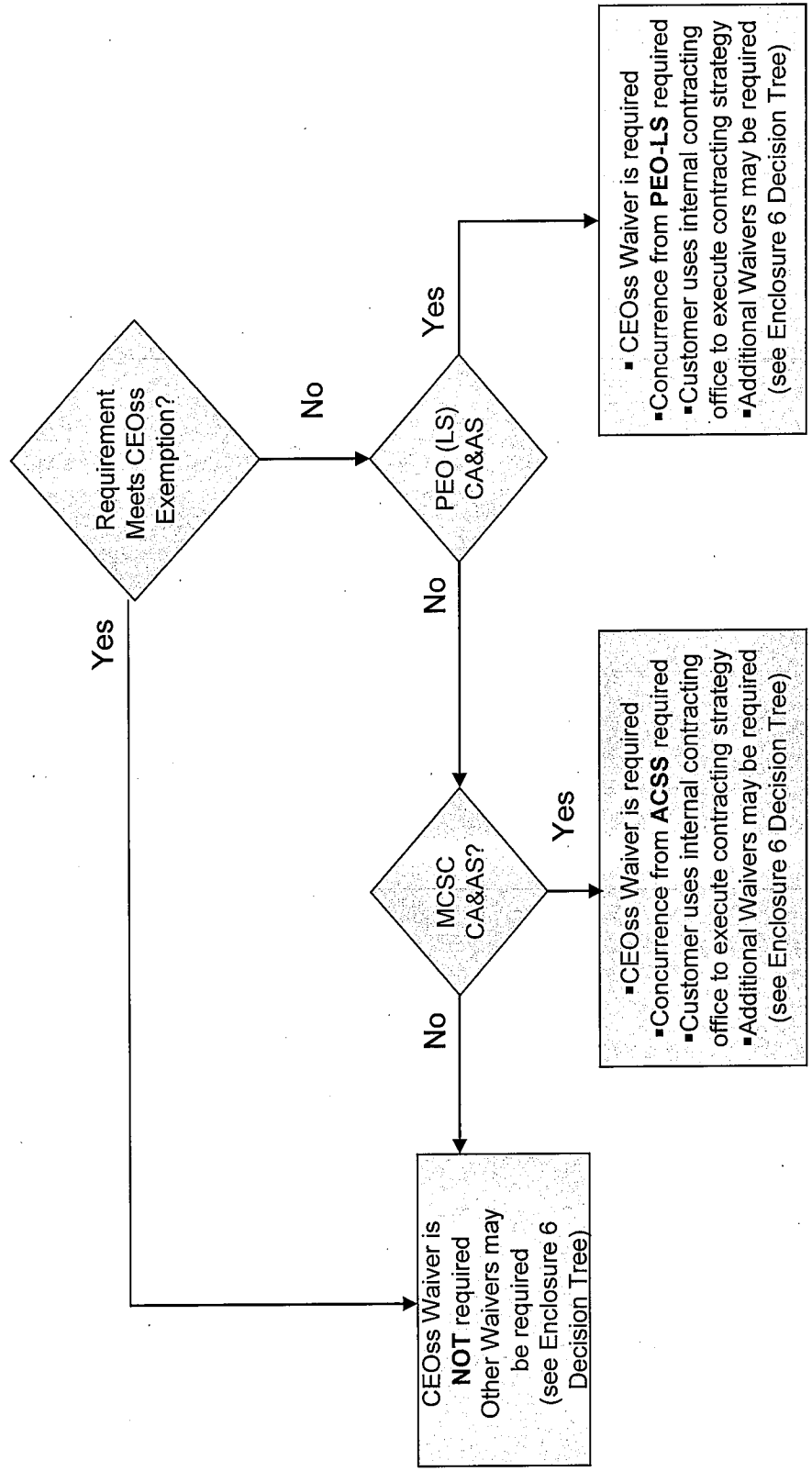
Rationale:

Signed:

\_\_\_\_\_  
Director, ACSS

\_\_\_\_\_  
Date

**Enclosure (2)**  
**DECISION TREE for MCSC CEOss Waivers**



Enclosure (3)  
**Department of the Navy (DoN)  
Management and Oversight Process  
For the Acquisition of Services (Revised)  
(MOPAS 2)**

**PURPOSE**

This document establishes the DoN process for oversight and management of the acquisition of services. MOPAS 2 will ensure that service acquisitions support DoN objectives; are, to the maximum extent practicable, based on clear, performance-based requirements; that required outcomes are identified and measurable; and are properly planned and administered to achieve the intended results.

**APPLICABILITY**

MOPAS 2 applies to all activities and organizations within DoN.

MOPAS 2 implements the requirements of Section 812 of the National Defense Authorization Act for Fiscal Year 2006, and Under Secretary of Defense (Acquisition, Technology and Logistics) (USD(AT&L)) guidance of October 2, 2006, Acquisition of Services Policy (Attachment 1). (<http://akss.dau.mil/docs/2006-3064-ATL%20Complete.pdf>). MOPAS 2 supersedes the DoN MOPAS of March 10, 2003.

MOPAS 2 does not apply to major and non-major defense acquisition programs and major and non-major information technology acquisition programs managed and reviewed under DoD/DoN 5000 series documents.

**DEFINITIONS:**

For purposes of MOPAS 2:

“Decision Authority” means the individual delegated authority to review and approve strategies for the acquisition of services. Decision Authority delegations are summarized Table (1).

“Senior Official” means the Assistant Secretary of the Navy for Research, Development and Acquisition (ASN (RDA).)

“Service” means a requirement to perform an identifiable task, or tasks, rather than to furnish an end item of supply.

“Service Acquisition” means the execution of one or multiple contracts or other instruments for committing or obligating funds (e.g., funds transfer, placing orders under existing contracts, etc.) to acquire services that meet a specified requirement. Acquisition begins at the point when agency needs are established and includes all functions directly related to the process of fulfilling agency needs by contract, agreements, funds transfer, etc..

“Total planned dollar value” means the total value of an acquisition based on the value of the total planned requirement, including options, contingencies, fund transfers, provisioning, etc.

### **RESPONSIBILITIES:**

Oversight of service acquisitions within DoN is the shared responsibility of requiring activities, contracting activities and the Senior Official (ASN (RDA)). MOPAS 2 is based on existing DoN acquisition oversight structure with review and approval levels based on total planned dollar value.

Requiring activities, in conjunction with supporting contracting activities, shall prepare a DoN Acquisition Strategy (AS) for Decision Authority review/approval. Each AS shall be updated and submitted to the Decision Authority for review/approval as significant changes occur. Contracting activities shall ensure that competition and statutory socio-economic programs are given proper consideration in the AS.

### **ACQUISITION STRATEGY REQUIREMENTS**

Each AS shall address the DoN Acquisition Strategy Requirements identified in Table 2: DoN Acquisition Strategy Content Requirements.

### **DECISION AUTHORITY – REVIEW/APPROVAL THRESHOLDS:**

USD (AT&L) is the Decision Authority for service acquisitions and IT service acquisitions identified by USD (AT&L) as Special Interest, regardless of the purpose or total planned dollar value. Each AS for USD (AT&L) approval shall be submitted via DASN (ACQ).

ASD \$500 million and any IT service acquisition identified by ASD (NII) as being of special interest. Each IT AS for USD (AT&L) or ASD (NII) approval shall be submitted via DASN<sup>4</sup> (C I/SPACE).

ASN (RDA) will review service acquisitions designated as Special Interest by USD (AT&L) and IT service acquisitions requiring ASD (NII) approval. ASN (RDA) is the Decision Authority for

service acquisitions and IT service acquisitions with a total planned dollar values in excess of \$1 billion and those identified by ASN RDA) as Special Interest.

The Deputy Assistant Secretary for Acquisition Management (DASN (ACQ)) will review service acquisitions requiring USD (AT&L) or ASN (RDA) approval. DASN (ACQ) is the Decision Authority for non-IT service acquisitions with a total planned dollar values between \$250 million and \$1 billion.

The Deputy Assistant Secretary for C I and Space (DASN (C I/SPACE)) will, in coordination with DASN (ACQ), review IT service acquisitions requiring ASD (NII) approval and USD (AT&L) or ASN (RDA) IT special interest acquisitions. DASN (CI/SPACE) is the Decision Authority for IT service acquisitions with total planned dollar values between \$250 and \$500 million.

Program Executive Officers, Direct Reporting Program Managers and/or Heads of the Contracting Activity will review service acquisition strategies under their cognizance requiring higher-level approval and will review and approve service acquisitions with total planned dollar values below \$250 million.

For service acquisitions identified by activities outside of the acquisition commands, the Head of the DoN Contracting Activity normally providing contract support to the requiring activity will provide acquisition planning support for developing the AS for service acquisitions at all levels. The appropriate contracting office will ensure that procurement issues (competition, contract type, unique conditions, socio-economic issue, etc.) are addressed in each AS.

Each Echelon II command is responsible for developing internal procedures to implement MOPAS 2. Approval authority for service acquisitions less than \$250 million is delegable, but, for service acquisitions with a total planned value over \$100 million, delegation is limited to Flag and General Officers, members of the Senior Executive Service, or the Commander/Commanding Officer of the requiring activity.

Review/Approval thresholds/delegations are summarized in Table I: Decision Authority Delegations for DoN MOPAS 2.

### **REVIEW PROCEDURES**

Each AS meeting the Decision Authority thresholds above should be forwarded for review/approval prior to initiating significant action to commit to such strategy (e.g., before releasing any solicitation).

Each AS requiring USD (AT&L), ASN (RDA) or DASN (ACQ) review and approval shall be submitted via DASN ACQ).

Each IT AS requiring USD (AT&L), ASD (NII), ASN (RDA) or DASN (C I/Space)<sup>4</sup> approval shall be submitted via DASN (C I/Space)<sup>4</sup>.

### **OSD NOTIFICATION PROCEDURES – Non IT**

DASN (ACQ) shall notify the Director, Defense Procurement and Acquisition Policy (DPAP) of each AS with a total estimated value over \$1 billion. Notification shall address total estimated value of the acquisition and include a copy of the AS. If the acquisition strategy includes other than full and open competition, address the rationale for other than full and open competition. If the Justification and Approval (J&A) for other than full and open competition has been executed, provide a copy of the J&A. Within 10 working days of receipt of the notification, the Director, DPAP, will advise DASN (ACQ) if USD (AT&L) will review the acquisition. If USD (AT&L) determines to review the acquisition, the review shall be completed within thirty working days of that determination. If the Director, DPAP does not notify DASN (ACQ) within ten days of receipt of the notification that USD (AT&L) will conduct a review, the acquisition may proceed.

### **OSD NOTIFICATION PROCEDURES – IT**

DASN (C I/Space)<sup>4</sup> shall notify the Director, Acquisition, OASD (NII) of each IT AS with a total estimated value over \$500 million. Notification shall address total estimated value of the acquisition and include a copy of the AS. If the acquisition strategy includes other than full and open competition, address the rationale for other than full and open competition. If the Justification and Approval (J&A) for other than full and open competition has been executed, provide a copy of the J&A. ASD (NII) shall notify USD (AT&L) of each AS with a total estimated value in excess of \$1 billion. Within 10 working days of receipt of the notification from DASN (C I/Space)<sup>4</sup>, the Director, Acquisition, OASD (NII) shall notify DASN (C I/Space)<sup>4</sup> if OSD will review the acquisition. If the Director, Acquisition, does not notify DASN (C I/Space)<sup>4</sup> within ten working days of receipt of the notification that the acquisition will be reviewed within OSD, the acquisition may proceed.

Program Executive Officers/Direct Reporting Program Managers/Heads of Contracting Activities will establish review procedures commensurate with the review process above.

### **OUTCOMES**

This review process is to ensure that the acquisition of services within DoN is strategic in nature, represents sound business practices and complies with applicable laws, regulations, directives and other requirements, (including ASN(FMC)/ASN(RDA) memo on “PROPER USE OF NON-DOD CONTRACTS” of DEC 20, 2004

(<http://acquisition.navy.mil/index.php/navyaos/content/view/full/3802>)).

## **METRICS**

The preferred acquisition strategy is performance based. The AS should include cost, schedule and performance metrics that measure service acquisition outcomes against requirements. Decision authorities will approve metrics for service acquisitions as part of their review and approval of the AS. If metrics are not submitted with the AS, the metrics must be submitted for decision authority approval prior to execution of any business instrument that initiates the acquisition. The timelines for USD (AT&L) or ASD (C I)<sup>3</sup> metric review are identical to those for review of an acquisition strategy.

## **DATA COLLECTION**

Acquisition strategies may be based on obligations and commitments under contract as well as obligations and commitments made outside of contracts. The program manager (requirements officer, class desk, etc.) responsible for initiating the AS is responsible for the collection and maintenance of data identified in Table 3: Acquisition of Services Data Collection Requirements. Data collection shall be automated. Reports/data may be requested by the appropriate Decision Authority at any time. To the extent feasible, reports should be maintained in electronic spreadsheet or data based format.

## **EXECUTION REVIEWS**

Program progress toward meeting approved metrics will be continuously monitored within the requiring activity. Program progress reports will be submitted to the decision authority annually unless the decision authority has identified an alternate reporting schedule. More frequent progress reports shall be submitted in cases where demonstrated program progress is unsatisfactory.

Table 1:

**Decision Authority Delegations for  
DoN MOPAS 2**

| Service | Total Planned Dollar Value                                   | Requirements Review           | Acquisition Strategy Review       | Decision Authority  |
|---------|--|-------------------------------|-----------------------------------|---|
| Non-IT  | AT&L Special Interest  | Budget Submitting Office      | ASN(RDA)                          | USD(AT&L)*  |
| Non-IT  | > \$1 billion or ASN(RDA) Special Interest                   | Budget Submitting Office      | DASN(ACQ)                         | ASN(RDA)*   |
| Non-IT  | Between \$250 million and \$1 billion                        | Requiring Activity            | HCA                               | DASN(ACQ)   |
| Non-IT  | < \$250 million  | Requiring Activity            | In accordance with HCA procedures | PEO/DRPM/HCA  |
| IT      | > \$1 billion  | DASN (C <sup>4</sup> I/Space) | DASN(ACQ)                         | ASD(NII)** or ASN(RDA)  |
| IT      | > \$500 million  | DASN (C <sup>4</sup> I/Space) | DASN(ACQ)                         | ASD(NII)** or DASN (C <sup>4</sup> I/Space)                     |
| IT      | Between \$250 and \$500 million or ASN(RDA) Special Interest | DASN (C <sup>4</sup> I/Space) | DASN(ACQ)                         | DASN (C <sup>4</sup> I/Space) or, if Special Interest ASN(RDA), |
| IT      | < \$250 million  | Requiring Activity            | In accordance with HCA procedures | PEO/DRPM/HCA  |

\* Non-IT acquisitions over \$1 billion, notify OSD (see REVIEW PROCEDURES)

\*\* IT acquisitions over \$500 million, notify ASD (NII) (See REVIEW PROCEDURES)

**Table 2:**

## **DoN ACQUISITION STRATEGY CONTENT REQUIREMENTS**

Each AS shall address the following points:

### **1. Requirements Development and Management:**

- a. The source of the requirement, the outcomes to be achieved and, if performance-based, the metrics to measure the outcomes.
- b. Identify as a new requirement or indicate how the requirement was previously satisfied.
- c. The nature and extent of market research conducted.
- d. If a consolidated requirement, whether it complies with Defense Federal Acquisition Regulations Supplement (DFARS) 207.
- e. For bundled requirements, address the benefit analysis as prescribed in the DoD Benefit Analysis Guidebook ([www.acq.osd.mil/sadbu/news/contractconsolidation.pdf](http://www.acq.osd.mil/sadbu/news/contractconsolidation.pdf)).

### **2. Acquisition Planning:**

- a. The acquisition approach including appropriate milestones.
- b. Cost/price estimate for the total planned acquisition. This includes Military Interdepartmental Procurement Requests (MIPR) or work orders issued to support the acquisition that did not result in contracting action.
- c. How the acquisition will be funded and availability of funding.
- d. Technical, business. Management and other significant considerations.
- e. Opportunities for Strategic Sourcing.
- f. Implementation of performance-based acquisition methods or rationale for not using performance-based methods. If a non-performance-based strategy is proposed, address actions to convert to performance-based for future acquisitions.
- g. Implementation of socio-economic business considerations.
- h. Top level discussion of the planned source selection process: formal or informal; proposed evaluation criteria; and basis for award.
- i. Required waivers or deviations.
- j. If other than full and open competition, address why full and open competition will not apply and cite appropriate statutory authority. Address actions to improve the competitive environment for foreseeable follow-on acquisitions.
- k. Include a Lease-Purchase analysis required by Office of Management and Budget (OMB) Circular A-94, Section 13, if proposed.
- l. Multi-year Contracts: If the acquisition strategy calls for a multi-year contract (as defined in Part 17.1 of the Federal Acquisition Regulation (FAR)), address compliance with 10 U.S.C. 2306c and OMB Circular a-11. Address the budget scorekeeping that will result from the proposed contracting strategy.

### **3. Solicitation and Contract Award:**

- a. The proposed business arrangement(s) anticipated (*e.g.*, single/multiple contract award(s), multiple award task order contracts; task order under existing task order contract, interagency purchase request or interdepartmental work order, etc.).
- b. The timing and duration for each business arrangement including base period and option periods.
- c. Pricing arrangements for each business arrangement (*e.g.*, fixed price, cost reimbursement, labor hour, etc. based on FAR/DFARS Parts 16 and, for commercial services, Part 12).
- d. Address contract administration and oversight considerations.

### **4. Risk Management:**

- a. An assessment of current and potential technical, cost, schedule and performance risks and plan for mitigating or retiring those risks.

### **5. Contract Tracking and Oversight:**

- a. Existing or proposed management approach for contract administration, quality assurance surveillance plans, oversight plans and responsibilities.
- b. Tracking procedures/processes to monitor contract performance.

### **6. Performance Evaluation**

- a. Plan for evaluating whether performance metrics or other measures identified to guide the acquisition has been achieved. Such measures shall include thresholds for cost, schedule and performance for each proposed business arrangement.
- b. Identify personnel responsible for assessing and reporting contractor performance into the Contractor Performance Assessment Reporting System (CPARS).

**Table 3:**

### **Acquisition of Services Data Collection Requirements For DoN MOPAS 2**

An acquisition may be accomplished through execution of contracts, placement of task/delivery orders as well as obligations/commitments made outside of contracts. The requiring activity is responsible for collecting/recording data to address the full value of the acquisition and the amount of services required.

Requiring activities will record, by AS, the following data for each contract, task/delivery order; or contract/task or delivery order subsequently placed under a Military Interdepartmental Procurement Request (MIPR) issued to support the acquisition:

1. Types and amounts (man hours) of services acquired.
2. Total estimated value(s) (base and option periods):
  - a. Track by actual and potential obligations.
3. The type of contract vehicle (i.e., fixed price/cost-type/T&M).
4. Whether contract action was:
  - a. performance-based contract; performance-based task order or other performance-based arrangement that contains firm fixed prices for the specific tasks to be performed;
  - b. any other performance-based contract/task order/other performance-based arrangement; or
  - c. a contract/task order/other arrangement that is NOT performance-based.
5. The identity of the agency/office that placed the action.
6. The extent of competition received in placing the action (where practicable, include number of offerors).
7. Whether the contractor is:
  - a. large business;
  - b. an educational or non-profit;
  - c. a small business (type of small business, i.e., small business, small-disadvantaged business; woman-owned business, HUB-zone, etc. [FAR 19] or
  - d. a required source of supply [FAR Part 8].

Requiring activities will record, by AS, the following data for each Military Interdepartmental Procurement Request (MIPR) or work order issued to support the acquisition that did not result in contracting actions:

1. Supporting activity
2. Types and amounts (man hours) of services provided.
3. Total estimated value(s) (base and option periods):
  - a. Track by actual and potential obligations.

ENCLOSURE (4)

**MARCORSYSCOM MOPAS ACQUISITION STRATEGY (AS)  
TEMPLATE**

This format satisfies acquisition strategy requirements in DASN (ACQ) memo of 01 December 2006 titled "Department of the Navy (DON) Management and Oversight Process for the Acquisition of Services (Revised) (MOPAS 2)" and can be used by MARCORSYSCOM program/project managers to document the information required by MOPAS 2 to obtain approval for all service actions greater than \$100,000. This documentation can also be used to obtain approval in accordance with DFARS 237.170, "Approval of Contracts and Task Orders for Services," and approval of "direct acquisitions" for services against non-DOD contract vehicles in accordance with Joint ASN(RD&A) and (FM&C) policy dated 20 December 2004, "Proper Use of Non-DOD Contracts." If an Acquisition Plan (AP) is required DFARS 207.103, these elements shall be incorporated into the AP and approved during the AP approval process. If any of the MOPAS 2 AS elements are not applicable to the service acquisition described by the AS, enter "Not applicable" under that element.

**REPORTING INFORMATION:** *Provide the following information for reporting purposes*

- A. Requiring Office
- B. Contracting Office
- C. Contracting Officer's Contact Information
- D. Contract Number/Task Order Number (to be filled-in following award)

**1. REQUIREMENTS DEVELOPMENT AND MANAGEMENT:**

**A. Source of Requirement.**

- 1. *Describe the requirement and identify the source of the requirement.*
- 2. *Describe the outcomes to be achieved. As a result of the additional scrutiny regarding the misuse of service contracts for the purposes of purchasing supply items outlined in Office of the Secretary of Defense (OSD) Memo dated 2 March 2007, subject: Contract for Services, include the following statement that confirms the outcomes for this acquisition are consistent with the FAR 37.101 definition of service contracts: "The outcomes for this acquisition are consistent with the FAR 37.101 definition of service contracts."*
- 3. *Identify whether the requirement is performance based (see FAR 37.6 for policies and procedures regarding performance based acquisitions).*
- 4. *Identify the metrics to be used to measure the outcomes. Insert the criteria (performance standards) that will be used for evaluating Contractor performance.*

**B. Identify as a New Requirement or Indicate How the Requirement was Previously Satisfied.** *Identify how this requirement was previously satisfied. If requirement is a reprocurement, describe previous acquisition (contract type, contract dollar value, contract terms, performance or prescriptive) and reason for reprocurement. Or, identify if this is a new requirement.*

**C. Market Research.** *Explain the nature, extent, and results of market research.*

1. *Discuss your review of the commercial marketplace.*
2. *Discuss references, resources, and methods used for conducting market research.*
3. *Is award of a new contract a viable option?*
4. *Can your requirement be satisfied under an already existing DOD contract?*
5. *Are required services only available under a non-DOD contract?*
6. *If service will be acquired under a non-DOD contract, approval will be required in accordance with DFARS 237.*

**D. Consolidation of Requirements.** *Discuss compliance with DFARS 207.170 if consolidating contract requirements.*

**E. Contract Bundling.** *If the acquisition is for bundled requirements, ensure a benefit analysis was conducted as prescribed in DOD Benefit Analysis Guidebook - [www.acq.osd.mil/sadbu/news/contractconsolidation.pdf](http://www.acq.osd.mil/sadbu/news/contractconsolidation.pdf).*

## **2. ACQUISITION PLANNING:**

**A. Acquisition Approach.** *Explain acquisition approach and proposed milestones for award. Milestones may be a separate document attached as an enclosure to the MOPAS AS.*

**B. Cost/Price Estimate for Total Planned Acquisition.** *Include the total proposed price including base period and option periods. Include Military Interdepartmental Procurement Requests (MIPR) or work orders issued to support an acquisition that will not result in a contract.*

**C. Funding.** *Explain how requirement will be funded and status or availability of funding.*

**D. Technical, Business, Management, or Other Considerations.** *Discuss how offerors will be evaluated. Identify significant non-price related factors.*

**E. Strategic Sourcing.** *Strategic sourcing is the collaborative and structured process of critically analyzing an organization's spending and use of this information to make business decisions about acquiring commodities and services more effectively and efficiently. This process helps agencies optimize performance, minimize price, increase achievement of socio-economic acquisition goals, evaluate total life cycle management costs, improve vendor access to business opportunities, and otherwise increase the value of each dollar spent. Explain if opportunities exist to leverage market place to obtain more favorable prices and conditions. For example, can these services be procured*

*using commercial items procedures, or are the services available via a GSA contract that represents the best available customer pricing.*

**F. Implementation of Performance-based Acquisition Methods or Rationale for not using Performance-based Methods.** *Discuss the following:*

- 1. Is Statement of Objectives/Work described in terms of outcomes? Discuss outcomes.*
- 2. Discuss Performance Standards/Metrics used to measure outcomes.*
- 3. Discuss Quality Assurance Plan: How objectives will be measured to track contract performance.*
- 4. Discuss how incentives or decrements will be applied.*
- 5. If the service acquisition is not performance based, explain why. Address actions to convert the requirement to performance-based for future acquisitions. Approval for issuing a non-performance based contract will be required in accordance with DFARS 237.*

**G. Opportunities to Implement Socio-economic Programs.** *Will the acquisition be set-aside for small or small disadvantaged businesses? Discuss impacts to socio-economic goals/targets, i.e., what types of socio-economic businesses are expected to be used in the performance of this contract; are the goals/targets achievable; if so, why; if not, why not.*

**H. Source Selection Process.** *Top level discussion of the planned source selection process: formal or informal; proposed evaluation criteria; and basis for award.*

**I. Waivers or Deviations.** *Includes, but is not limited to, waivers from obtaining cost or pricing data or other waivers and deviations from requirements of FAR or DFARS*

**J. Other Than Full and Open Competition.** *If requirement will not be competed, explain why your requirement is sole source, citing appropriate statutory authority. Address the status of the J&A. Address actions to improve the competitive environment for foreseeable follow-on acquisitions.*

**K. Leasing.** *Include a lease-purchase analysis if required by OMB circular A-94, Section 13, as an enclosure to this document.*

**L. Multi-year Contracts.** *A multi-year contract is a special contracting method which falls under the authority of 10 USC 2306c and which is implemented by FAR Subpart 17.1. Multi-year contracts are not contracts where the contract term consists of a base year, which is funded at the time of award, and option years, which are funded individually when exercised. If the acquisition strategy calls for a multi-year service contract, address compliance with 10 U.S.C. 23-6c and OMB circular A-11. OMB Circular A-11 requires that multi-year service contracts be scored as operating leases. Therefore, the*

*acquisition strategy shall address the budget scorekeeping that will result from use of the proposed contracting strategy.*

**3. SOLICITATION AND CONTRACT AWARD:**

**A. Proposed Business Arrangement Anticipated.**

1. *Single Contract or Multiple Award Task Order Contract*
2. *Task Order against existing DOD contract vehicle.*
3. *Task Order against existing non-DOD contract vehicle (Approval for issuing a task order against a non-DOD contract is required in accordance with DFARS 237). If ordering against a non-DOD contract address the following:*
  - *Demonstrate best interest to DOD in terms of satisfying customer requirement, cost (identify fees and discounts), delivery schedule, contract administration, or other applicable considerations.*
  - *Unique DOD/DON terms are incorporated.*
  - *Services are within scope of the non-DOD contract.*
4. *Interagency purchase request or interdepartmental work order, etc.*

**B. The Timing and Duration for each Business Arrangement Including Base Period and Option Periods.** *Identify the duration of the business arrangement, e.g., one base year with four one-year option periods.*

**C. Pricing Arrangement (i.e. firm-fixed price, cost reimbursement, labor hour, etc, based on FAR/DFARS Parts 16 and, for commercial services, Part 12).**

**D. Address Contract Administration and Oversight Considerations.**

**4. RISKS:** *Explain potential risks inherent in the requirement including schedule, cost and performance risks that could affect the outcome of the requirement. Include plan for mitigating risk. Examples of potential risks and examples of ways to mitigate risk are identified below.*

**A. Schedule Risk.** *Examples of schedule risks include,*

1. *Deadlines or time constraints.*
2. *Schedule overlaps or conflicts.*
3. *Any other issues that could impact schedule or delivery.*

**B. Cost Risk.** *Examples of cost risks include:*

1. *Funding Restrictions.*
2. *Funding Availability.*
3. *Budget Changes or Constraints.*
4. *Any other issues which affect cost.*

**C. Performance Risk.** *Risks to performance include:*

1. *Work environment.*
2. *Availability of required skills or resources to maintain performance.*
3. *Contract Management.*
4. *Scope of the non-DOD contract if intending to issue an order against a non-DOD contract..*

**D. Risk Mitigation Plan.** *Ways to mitigate risk might include:*

1. *The contract type may alleviate schedule risk.*
2. *Use of performance based contracting, as required by DFARS 237, is a way to maximize performance within budget constraints.*
3. *Competition among several vendors would be one method to obtain reasonable prices for services.*

**5. CONTRACT TRACKING AND OVERSIGHT:**

- A. *Explain existing or proposed management approach for contract administration, quality assurance surveillance plans, oversight plans, and responsibilities.*
- B. **Tracking Procedures/Processes to Monitor Contract Performance.** *Discuss the tracking procedures or processes to be used for monitoring contract performance, e.g., award fee plan or any other incentives used.*

**6. PERFORMANCE EVALUATION:**

- A. *Plan for evaluating whether performance metrics or other measures identified to guide the acquisition have been achieved. Such measures shall include thresholds for cost, schedule, and performance for each proposed business arrangement.*
- B. *Identify personnel responsible for assessing and reporting contractor performance into Contractor Performance Assessment Reporting System (CPARS).*

**MOPAS 2 APPROVAL:**

*REQUIRING ACTIVITY REVIEW AND CONCURRENCE FOR SERVICE ACQUISITIONS IAW DASN (ACQ) of 01 December 2006, "Department of the Navy (DON) Management and Oversight Process for the Acquisition of Services (Revised)(MOPAS 2)."*

Requirements Review: \_\_\_\_\_  
Date

Per table in paragraph 6.b. of policy, review and approval thresholds are:

- PM \$100,000 - \$50 M
- Product Group Director (PGD) >\$50 M - \$100 M
- PM Competency Lead or PEO >\$100 M - <\$250 M
- Commander MCSC/ED >\$250 M (non-IT)

See Table 1 of DASN(ACQ) memo for requirements review for IT requirements of \$250 Million and greater and for special interest requirements.

**DECISION AUTHORITY**

Prepared: \_\_\_\_\_  
Contracting Officer Date

Approved: \_\_\_\_\_  
Date

Per table in paragraph 6.b. of policy, review and approval thresholds are:

- Procurement Contracting Officer \$100,000 - \$10 M
- Lead Contracting Officer \$10 M - \$50 M
- Assistant Commander, Contracts >\$50 M - \$100 M
- Commander MCSC/ED >\$100 M - <\$250 M
- DASN(A&LM) \$250 M - \$1 B
- ASN(RD&A) >\$1 B

See Table 1 of DASN (ACQ) memo above for decision authority thresholds for IT requirements of \$250 Million and greater and for special interest requirements. Per DASN (A&LM) memo of 24 November 2009, all service acquisitions between \$100 and \$250 million are designated ASN (RDA) Special Interest items, requiring ASN (RDA) approval and DASN (A&LM) review until this designation is modified.

**DFARS 237.120-2(a)**

*REQUIRED APPROVAL IF CONTRACT ACTION IS NOT PERFORMANCE BASED*

Approved: \_\_\_\_\_

\_\_\_\_\_ **Date**

Per table in paragraph 6.c. of policy, review and approval thresholds are:

|  |                           |
|--|---------------------------|
| <input type="checkbox"/> Procurement Contracting Officer | \$100,000 - \$1 M Officer |
| <input type="checkbox"/> Lead Contracting Officer        | >\$1 M - \$5 M            |
| <input type="checkbox"/> Assistant Commander, Contracts  | >\$5 M - \$78.5 M         |
| <input type="checkbox"/> DASN(A&LM)                      | >\$78.5 M - <\$500 M      |
| <input type="checkbox"/> ASN(RD&A)                       | \$500 M and Over          |

**DFARS 237.120-2(b)**

*THE ACQUISITION IS A DIRECT ACQUISITION THROUGH A CONTRACT OR TASK ORDER AWARDED BY A NON-DOD AGENCY.*

Approved: \_\_\_\_\_

\_\_\_\_\_ **Date**

Per table in paragraph 6.e. of policy, review and approval thresholds are:

|  |                   |
|--|-------------------|
| <input type="checkbox"/> Procurement Contracting Officer | \$100,000 - \$1 M |
| <input type="checkbox"/> Lead Contracting Officer        | >\$1 M - \$5 M    |
| <input type="checkbox"/> Assistant Commander, Contracts  | >\$5 M - \$50 M   |
| <input type="checkbox"/> DASN(A&LM)                      | >\$50 M           |

ENCLOSURE (5)  
Sample Memorandum format for MARCORSYSCOM External  
Contracting Waivers



UNITED STATES MARINE CORPS  
MARINE CORPS SYSTEMS COMMAND

2200 LESTER ST  
QUANTICO, VIRGINIA 22134-6050

IN REPLY REFER TO:  
CT027-GC  
D & F Number

[enter#]

*Combined External Contracting Waiver and*

*Economy Act Order Determination and Findings*

*[if not economy act order, revise heading to reference only external contracting waiver]*

(31 U.S.C. 1535; FAR 17.5; DFARS 217.5)

**FINDINGS**

1. Requiring Office

*[enter name and full address of requiring office]*

2. Servicing Agency

*[enter name and full address of servicing agency]*

*Note : If the servicing agency is the Department of Transportation's Volpe Laboratories or a non-FAR following agency, approvals must be obtained in accordance with NMCARS 5217.5.*

3. Waiver

A waiver is hereby requested to deviate from the policy set forth in the Command Policy Letter *[enter correct current reference and date for Acquisition of Services or Acquisition of Supplies]* to acquire *[briefly describe requirement]*.

4. Background

*[Provide background information regarding the requirement and describe the requirement in greater detail.]*

5. Procurement Description

*[Describe in detail what will be provided by the servicing agency, the type of funds to be used, the amount of funding that will be provided to the servicing agency, and the contract number to which the funds will be applied.]*

6. Competition

Consistent with FAR 6.002, this action is not being entered into with another agency or for the purpose of avoiding competition. The servicing agency *[describe whether contract awarded by the servicing agency was competitive. If not, explain why it was awarded using other than full and open competition.]*

7. Small Business

As provided in the attached Small Business Coordination Record, DD Form 2579, this procurement is *[indicate whether appropriate for small business]*.

8. Performance-Based Statements of Work (SOW)

A SOW outlining the *[enter name of servicing agency]* support of the effort is attached. A performance-based SOW is used by the *[enter name of servicing agency]* to procure *[enter name of effort being procured]*.

9. Personal vs. Non-Personal Services

The requirement for support does not involve personal services.

10. Advisory and Assistance Services

The requirement does not include any advisory and assistance services.

11. Rationale

Using the servicing agency office to perform this support is considered to be in the best interest of the Marine Corps for the following reasons:

*Describe in detail why it is in the best interest of the Marine Corps to use the servicing agency to perform/procure the requirement rather than contract directly for the effort.*

12. Contact Information

The Point of Contact for this matter is *[provide name, title, phone number and e-mail of point of contact in the requiring office]*.

**DETERMINATION**

1. The use of an interagency support is in the best interest of the Government.
2. This requirement cannot be obtained as conveniently or economically by contracting directly with a private source.
3. The *[name of support]* to be provided has already been acquired under an existing contract by the servicing agency, entered into before placement of this Economy Act Order, to meet its own requirements for the same or similar services

## APPROVALS

Approved: \_\_\_\_\_  
*[Name and Title of Program Manager]* Date \_\_\_\_\_

Approved: \_\_\_\_\_  
*[Name of Lead Contracting Officer], Lead Contracting Officer* Date \_\_\_\_\_

Legally Sufficient: \_\_\_\_\_  
*[Name of Counsel], Counsel* Date \_\_\_\_\_

Approved: \_\_\_\_\_  
*Name of Assistant Commander Contracts], Assistant Commander Contracts* Date \_\_\_\_\_

Approved: \_\_\_\_\_  
*[Name of Executive Director], Executive Director* Date \_\_\_\_\_

# DECISION TREE

## MCSC External Contracting Waivers and Economy Act Determinations and Finding

