From: Sineath CIV John
To: Adkins SSgt Garvey M; Alexander MSgt Darrin T; Baker MSgt Daniel M; Boone GySgt Nicole C; Boyd MGySgt Bryan E; Britton GySgt Dewan C; Brunson CIV Janet C; Cerka CIV Frances C; Chase Capt Kenny K; Clark GySgt Frederick A; Coetzee CIV Allie; Corcoran LtCol Eric M; Crawford Civ Dale A; Dobbins GySgt Michael W; Drury CIV Deborah A; Gaylor CIV Sherry F; Gubitti Civ Cynthia A; Hake CIV Peggy L; Hart Capt Charles N; Henley CIV June R; Higa CIV Sakura K; Ingle Capt Steven L; Johnson CIV Clark W; Jones CIV Shakara M; Jones MSgt Donald J; King Maj Stephanie D; Knudsen CIV Deborah K; Leach CIV Andrea V; Lemmond CIV Barbara G; Long Capt Eric J; Lovett-Black Civ JoAnna; Matthews CIV Layton D; Mendez SSgt Gilbert; Michael Maj Ronnie D; Mohead CIV Kacy M; Morris CIV Robert A; Mullen CIV Melvin T; Navarro GySgt Hector M; Owens SSgt Brad E; Patterson SSgt Brent J; Payne CIV Mark H; Pendley CIV Larry F; Polesnak Maj Stephanie M; Powell CIV Hollis H; Rabassi Maj Christopher E; Rego CIV Arthur J; Renfroe MSgt Telly J; Robinson LtCol Macon R (MEF FWD G-4); Schmid LtCol Steven J; Smith CIV Peggy L; Stahl Maj Scott A; Stewart GySgt Robert D; Stroh CIV Linda L; Toncu SSgt Cristian; Tuzon MSgt Norman (MEF FWD G-4); Washington CIV Connie A; Watts GySgt Will W;
cc: M_HQMC_LB; Romano CIV Mark; Oliver CIV R. Kaye; Daise CIV Stanley C; Kapadia, Sejal [USA];
Subject: APM 11-05 Improving Competition in Defense Procurements
Date: Thursday, December 09, 2010 8:51:43
Attachments: Improving Competition In Defense Procurements DPAP 24 Nov 2010.pdf
USD Better Buying Power 091410.pdf

All,

BACKGROUND:

a. The attached DPAP memorandum, dated 24 November 2010, provides guidance for competitive situations in which only one offer is received in response to a solicitation and is based on the direction provided in the USD (AT&L) memorandum "Better Buying Power: Guidance for Obtaining Greater Efficiency and Productivity in Defense Spending" dated September 14, 2010.

b. The intent of this guidance is to ensure more effective competition that will result in more effective use of the Department's resources and savings for the taxpayer.

POLICY:

a. To maximize the savings that are obtained through competition, when only

one offer is received in response to a solicitation, Contracting Officers shall not use the standard at FAR 15.403-1(c)(I)(ii) or (iii) to determine that an offered price is based on adequate competition. Instead, the Contracting Officer shall follow the procedures outlined below.

b. This guidance is effective immediately and remains in effect until incorporated in the DFARS or until rescinded.

PROCEDURES:

a. If a solicitation was open for less than 30 days and only one offer was received, the Contracting Officer shall re-advertise the solicitation for a minimum of an additional 30 days, unless a waiver is obtained from the head of the contracting activity.

b. If a solicitation was open for at least 30 days, or has been re-advertised and still only one offer is received, the contracting officer shall conduct negotiations with the offeror, unless this requirement is specifically waived by the head of the contracting activity. The basis for these negotiations shall be either certified cost or pricing data or other than certified cost or pricing data, as appropriate. In no event, should the negotiated price exceed the price originally offered.

c. Contracting officers shall document the results of the negotiations in the Business Clearance/Pricing Negotiation Memorandum in accordance with FAR 15.406-3 and DFARS PGI 215.406-3 in the same manner as any negotiated procurement.

Please ensure this guidance is provided to all appropriate acquisition personnel.

R/JS

John (Jack) Sineath
HQMC Contracts Division
2 Navy Annex, Rm 2135
Washington, DC 20380-1775
Ofc: 703-695-6590 Ext 2548
Fax: 703-695-6382
john.sineath@usmc.mil