USDA

United States Department of Agriculture

Office of the Assistant Secretary for Administration

Departmental Management

Office of Procurement and Property Management

Procurement Operations Division

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Washington, DC 20024

ACQUISITION OPERATING PROCEDURE (AOP)

APR 24 2013

FROM: Jodey A. Exhem
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SUBJECT: AOP No. 19 Requirement Package

◆ **PURPOSE:** The purpose of this Acquisition Operating Procedure (AOP) is provide guidance for the basic documentation needed for a Requirement Package.

The Contracting Officer Representative (COR), IAS Requisitioner, program official, or client/customer/end user from the requesting or requiring office is responsible for providing a Requirement Package to the appropriate contracting office.

◆ **EFFECTIVE DATE:** This AOP is effective on April 29, 2013.

◆ **AUTHORITY:** FAR Parts 10, Market Research, and 11, Describing Agency Needs; and FAR Subparts: 4.800, Government Contract Files, 7.1, Acquisition Plans 12.602, Streamlined Procedures for Evaluation and Solicitation for Commercial Items, 15.304, Evaluation Factors and Significant Subfactors, and 32.7, Contracting Funding.

◆ **REQUIREMENT PACKAGE CONTENTS:**

The contents of the Requirement Package, at a minimum, must include:

a. **Market Research** (*FAR Part 10*)
Market research involves obtaining information of the supplies or services being acquired. Market research is needed to develop the most suitable approach for acquiring, supporting, and distributing the supplies and services. The contracting officer may use the **results** of the market research, if the data is current, accurate, and relevant and within 18 months period. If the market research shows that the Government's requirement is available through the acquisition of a commercially item, then FAR Part 12, Acquisition of Commercial Items shall be used. Both the official in the requiring office and contracting staff performs coordination of the market research.

b. **Source List** (*optional*)
A list of recommended sources/vendors/Offeror based on previous acquisitions and market research results that can fulfill the Government requirements.

c. **Requisition Funding** (*FAR Subpart 32.7, Contract Funding*)
No officer, official or employee of the Government may create or authorize an obligation in excess of the funds available, or in advance of appropriations unless otherwise authorized by law (Anti-Deficiency Act, 31 U.S.C. 1341)." Before executing any contract, the contracting officer shall (a) obtain written assurance from responsible

fiscal/budget/funds authority via the IAS Requisition for IQ-Commit (*Funded*) that adequate funds are available or (b) expressly condition the contract upon availability of funds via an IAS Requisition for IQ No-commit *(Subject to Funds Availability due to continuing resolution or next fiscal year)* (FAR Subpart 32.703-2.).

d. **Independent Government Cost Estimate** (IGCE)
Provides an estimate of the total cost of the requirements including labor, travel, and material, if applicable. The IGCE is compared with the offeror's proposal to determine responsiveness to the Government's requirements, reasonableness of the price/cost elements; and to defend, make tradeoff decisions, and manage the acquisitions throughout the life cycle of the requirement.

e. **Description of Requirement** (*FAR Part 11, Describing Agency Needs*):
States the agency's needs using market research to (i) Promote full and open competition (FAR Part 6), or maximum practicable competition when using simplified acquisition procedures, with due regard to the nature of the supplies or services to be acquired; and (ii) only include restrictive provisions or conditions to the extent necessary to satisfy the needs of the agency or as authorized by law.

(1) *Supplies/Products* –
The essential (salient) physical characteristics or federal specifications describing the supplies or products to be acquired.

(2) *Services* –

- Statement of Work (SOW) - is a technical description of the requirement. The requirement should address the questions below. The SOW may include both services and supplies, and will contain:

  - Who (agencies/offices) is responsible for the objectives of the requirements along with background/overview of the requirement and it conformance with the agency's needs?
  - What services will be performed?
  - Where will performance be conducted?
  - When is performance required and/or the dates for any deliverables?
  - Applicable Drawings and/or Specifications
  - Government Furnished Material/Equipment Listing

- Performance Work Statement (PWS) - states what is to be accomplished (*end results of the contractor's performance*) so that agency officials can monitor and evaluate the contractor's progress and final results of the requirements completed, rather than how the contractor is to complete the requirements. The PWS should allow the contractor the maximum flexibility to devise the best method to accomplish the required results. The PWS can include both services and supplies. A PWS will include:

  - Measurable Performance Standards (*i.e.,* in terms of quality, timeliness, quantity)
  - Methods of assessing contractor performance against the Performance Standards

- Performance Incentives (positive/negative), where appropriate (FAR Subpart 16.402-2)
- Applicable Drawings and/or Specifications
- Government Furnished Material/Equipment Listing

➢ Statement Of Objectives (SOO) - states the overall basic and top-level objectives of an acquisition in lieu of a written SOW. It provides the Offeror the flexibility to develop cost-effective solutions and the opportunity to propose innovative alternatives meeting the objectives. The SOO can be used for both services and supply type contracts, but the requirements must be complex in nature.

f. **Justification and Approval**
Includes any required justification and approval documents that must be prepared prior to contracting for a supplies or services (e.g., DPA, AAR for IT, limited source/other than full and open competition justifications, if applicable). Also, see AOP No. 5, Justification and Approval and AOP No. 10, Justification and Approvals - Simplified Acquisitions.

g. **Evaluation Factors/Criteria**
The scope of evaluation factors/criteria is dependent upon the complexity of the requirement. Technical capability may be evaluated by how well the proposed products meet the Government requirement. A written source selection plan and/or technical evaluation plan including evaluation factors may be required to commensurate with the level of effort and complexity of the acquisition requirement.

h. **Contracting Officers Representative / Requirement Point of Contact**
A nomination of an individual with the requisite skills, training and technical expertise to oversee the project performance and meeting the requirements to be certified under the Federal Acquisition Certification - Contracting Officer Requirement (FAC-COR) *or* a Requirement Point of Contact to ensure receipt and acceptance of the contract requirements from the requesting office. See AOP No. 2, Federal Acquisition Certification for Contracting Officer Representative (FAC-COR) and AOP No. 13: Delegation of Contracting Officer Representatives.

i. **Invoice Processing Platform (IPP) Invoice Approver**
The name of the Requirement Point of Contact designated to receive and accept the supplies or services, and recommend the invoice for payment, if the individual is not designated as a COR under the contract.

◆ **TEMPLATES AND SAMPLE DOCUMENTS:**

Reference http://dm.usda.gov/oppm, scroll to ***Mission Areas***, and then click ***Procurement Operations Division*** to view Templates and Sample Documents.

◆ **EXPIRATION DATE**: This AOP will remain in effect until canceled.

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