



July 23, 2020

United States
Department of
Agriculture

Office of the
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Secretary for
Administration

Office of
Contracting and
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ACQUISITION OPERATING PROCEDURE (AOP)

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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. The Requirement Package contains some documents that will be a collaborative effort with the contracting officer.

- ◆ **EFFECTIVE DATE:** This AOP is effective on July 27, 2020.

- ◆ **REVISIONS:** *Requirement Package Contents:* renumbered and added #1 Acquisition Planning and #7 Acquisition Approval Request. Added text in items #2 Market Research, #5 Independent Government Cost Estimate, and #10 Contracting Officer Representative/Requirement Point of Contact.

This AOP replaces AOP No. 19, dated June. 28, 2017.

- ◆ **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 as appropriate for the acquisition:

1. **Acquisition Planning** (*FAR 7.1 and USDA Contracting Desk Book 407*)
The purpose of this planning is to ensure that the Government meets its needs in the most effective, economical, and timely manner. Requesting activities must provide a written determination required by FAR 7.503(e), when submitting requests for procurement of services or products as a requirements plan or the acquisition plan, if applicable. It requires a collaborative effort with those responsible for significant aspects of the acquisition, such as contracting officer, small business, budget, legal, and technical personnel. The planner shall coordinate with and secure the concurrence of the contracting officer in all acquisition planning. See AOP No. 3, Acquisition Plan template at <https://www.dm.usda.gov/oppm/pod/aop.htm>.

2. **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 findings of the market research, if the data is current, accurate, and relevant and within 18 months period. If the market research shows 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 officials in the requiring and contracting offices will document the market research. Some tools are the GSA eLibrary at <https://www.gsaelibrary.gsa.gov/ElibMain/home.do>, and Best-in-Class Research Tool on Acquisition Gateway at <https://hallways.cap.gsa.gov/>

3. **Source List** (*optional*)

A list of recommended sources/vendors/Offeror based on previous acquisitions and market research results that can fulfill the Government requirements.

4. **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). Ensure the IAS requisition(s) contains the appropriate Billing Code associated with the office that is requesting the services, supplies or equipment.

5. **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. Some tools (e.g., IGCE, CALC, Solutions Finder and Price Paid Portal) are available at Acquisition Gateway at <https://hallways.cap.gsa.gov>.

6. **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.

a) **Supplies/Products** –

The essential (salient) physical characteristics or federal specifications describing the supplies or products to be acquired.

b) Services –

- i. 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 its 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
- ii. 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
- iii. 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.

7. **Acquisition Approval Request (AAR)**

Include the AAR approval for applicable IT purchases. See USDA Contracting Desk Book §407.104 General Procedures at <https://www.dm.usda.gov/procurement/policy/index.htm>.

8. **Justification and Approval**

Includes any required justification and approval documents that must be prepared prior to contracting for a supplies or services (e.g., limited source/other than full and open competition justifications, if applicable (see AOP No. 5 at <https://www.dm.usda.gov/oppm/pod/aop.htm>).

9. **Evaluation 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. Evaluation criteria may be required to commensurate with the level of effort and complexity of the acquisition requirement.

10. **Contracting Officers Representative / Requirement Point of Contact**

A nomination of an employee 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 the criteria to submit the Nomination of COR form in the USDA Contracting Desk Book, §401.602-2, Designate a COR at <https://www.dm.usda.gov/procurement/policy/index.htm>. See AOP No. 2, FAC-COR and AOP No. 13, Delegation of COR at <https://www.dm.usda.gov/oppm/pod/aop.htm> for additional agency guidance.

11. **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.

◆ **SAMPLE AND TEMPLATE DOCUMENTS:**

The documents are found at <https://www.dm.usda.gov/oppm/pod/index.htm>, and then click Acquisition Documents - Samples and/or Templates.

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

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