



Procedures, Guidance, Information and Knowledge Management

DoD Procurement Conference

Ms. Angelena Moy
Procurement Analyst
DPAP/Defense Acquisitions Regulations

Col Denean Rivera
Chief of Air Force Contracting Policy and Implementation
Division, Deputy Assistant Secretary (Contracting)

Ron Poussard, Moderator
Deputy Director, DPAP
Defense Acquisitions Regulations





The Code

The following is an excerpt from the movie

Pirates of the Caribbean: The Curse of the Black Pearl

Distributed by Buena Vista Home Entertainment, Inc., Dept. CS, Burbank, California
91521 © Disney 13845



DoD Direction

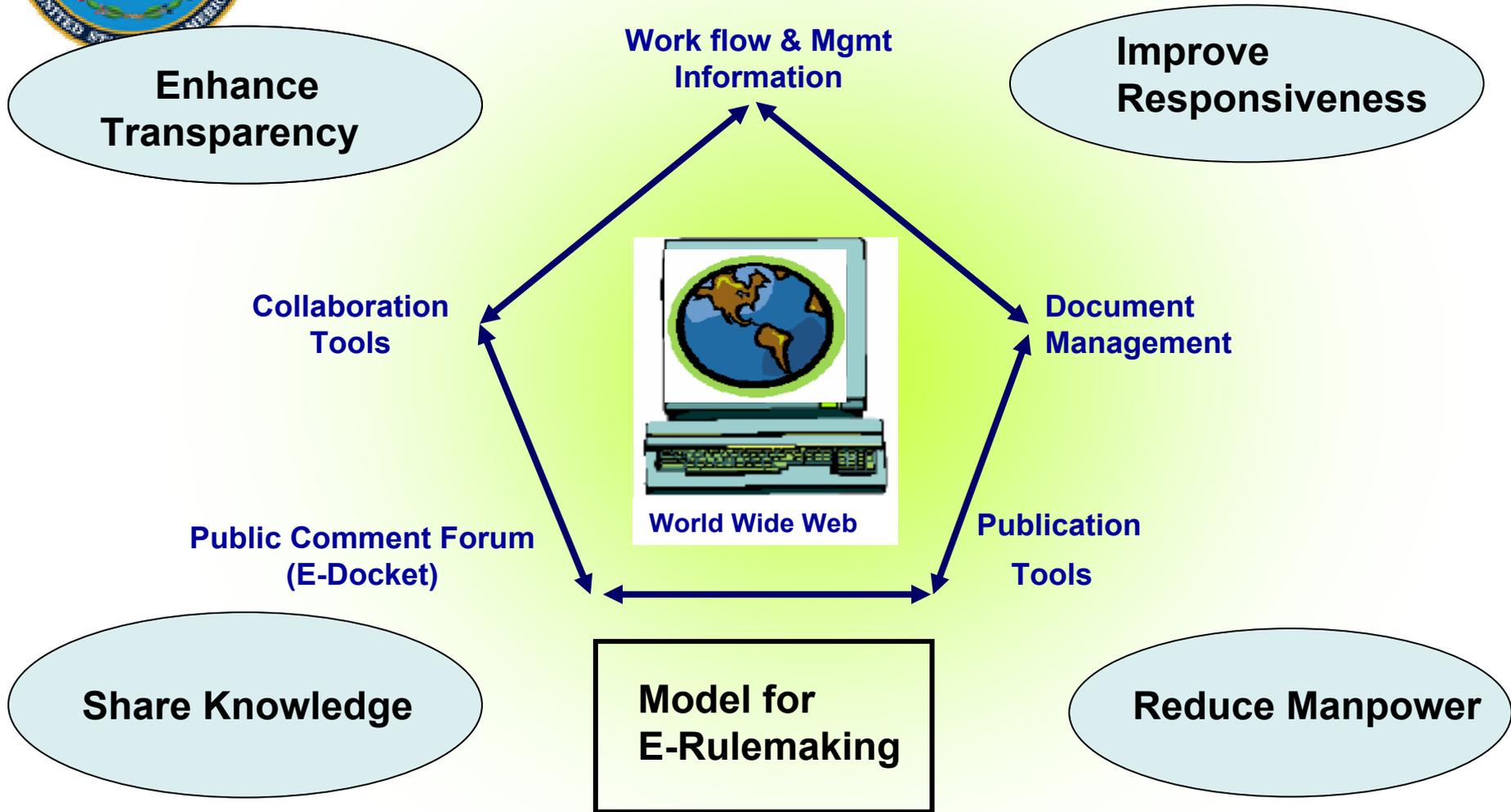
- **Conduct a comprehensive review and transformation of the FAR and DFARS**
 - **Reduce DFARS by 40%**
- **Include operational proceedings used to revise and implement the DFARS**

Objectives:

- ✓ **Reduce Regulations**
- ✓ **Improve Processes**
- ✓ **Insert Technology**



Technology



Source selection currently in process



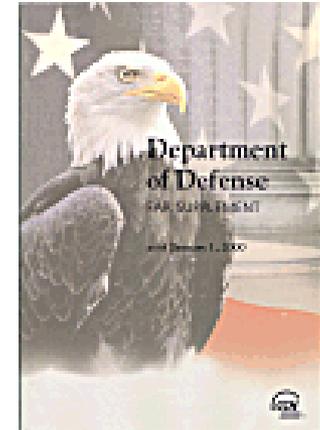
A New *DFARS*

DFARS, the Regulation --

- Requirements of law
- Mandatory DoD-wide policy
- Delegations of FAR authorities
- Deviations from FAR
- Policies/procedures with significant effect outside DoD internal operations

And...

- Links to [Procedures, Guidance, and Information](#)





Procedures, Guidance and Information (“PGI”)

- **Procedures**
 - Mandatory DoD-internal procedures*
 - Optional DoD-internal procedures**
- **Guidance****
 - Helpful explanations, samples, guides, tips, etc.
- **Information****
 - Reference material

No significant impact
on the public

Not a codified regulation

*Mandatory link in DFARS

**Optional link in DFARS



Why PGI?

VALUE

- Supports rapid change
- Fosters flexibility and innovation
- Distinguishes regulation vs procedure
- Shortens DAR Council and rule-making processes

APPROACH

- Managed content (DARC direction and processes)
- Seamless access (Web based)



Procedures, Guidance and Information (“PGI”)

Increment 1

- Finalize Rules to move current PGI coverage out of the DFARS.
- Provide pop-up links from the DFARS to PGI.



209.106 Before

SUBPART 209.1—RESPONSIBLE PROSPECTIVE CONTRACTORS - Microsoft Internet Explorer provided by OUSD/AT&L

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites Media Print

Address http://www.acq.osd.mil/dpap/dfars/html/current/209_1.htm#209.106 Go

209.106 Preaward surveys.

209.106-1 Conditions for preaward surveys.

(a) If a preaward survey is requested, include the rationale in block 23 of the SF 1403, Preaward Survey of Prospective Contractor (General).

209.106-2 Requests for preaward surveys.

(1) The surveying activity is the cognizant contract administration office as listed in the Federal Directory of Contract Administration Services Components. When information is required as part of the survey on the adequacy of the contractor's accounting system or its suitability for administration of the proposed type of contract, the surveying activity will obtain the information from the auditor.

(2) Limited information may be requested by telephone.

(3) The contracting officer may request a formal survey by telephone but must confirm immediately with SF 1403, Preaward Survey of Prospective Contractor (General). For a formal survey, send original and three copies of SF 1403, including necessary drawings and specifications.

(a) List additional factors in item H, Section III of the SF 1403 and explain them in block 23. For example—

(i) Information needed to determine a prospective contractor's eligibility under the Walsh-Healey Public Contracts Act. (Note that the Walsh-Healey Public Contracts Act, block 12 of Section I, only indicates what the contractor has represented its classification to be under Walsh-Healey.)

(ii) Evaluation of a contractor as a planned producer when the offered item is or may appear on the Industrial Preparedness Planning List (IPPL). When the preaward survey results in a recommendation for award, ask the office responsible for industrial preparedness planning to consider designating the prospective contractor as a planned producer. If the item is already on the IPPL or the prospective contractor is already a planned producer, note the information in block 23.

(iii) Evaluation of the prospective contractor's performance against small business subcontracting plans.

(c) On base level preaward surveys, technical personnel from the requiring installation should participate when there is concern about the ability of a prospective contractor to perform a base level service or construction contract.

(d) Allow more time for—

(i) Complex items;

(ii) New or inexperienced DoD contractors; and

Internet



209.106 After

SUBPART 209.1—RESPONSIBLE PROSPECTIVE CONTRACTORS - Microsoft Internet Explorer provided by OUSD/AT&L

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites Media

Address http://www.acq.osd.mil/dpap/dfars/html/current/206_2.htm Go

approaches to accomplish the program objectives.

(D) In accordance with 10 U.S.C. 2536(b)(1)(B), the Secretary of Defense may, in the case of a contract awarded for environmental restoration, remediation, or waste management at a DoD facility, waive the prohibition in paragraph (g)(ii)(A) of this subsection upon—

(1) Determining that—

(i) The waiver will advance the environmental restoration, remediation, or waste management objectives of DoD and will not harm the national security interests of the United States; and

(ii) The entity to which the contract is awarded is controlled by a foreign government with which the Secretary is authorized to exchange Restricted Data under section 144 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2164(c)); and

(2) Notifying Congress of the decision to grant the waiver. The contract may be awarded only after the end of the 45-day period beginning on the date the notification is received by the appropriate Congressional committees.

209.104-4 Subcontractor responsibility.
Generally, the Canadian Commercial Corporation's (CCC) proposal of a firm as its subcontractor is sufficient basis for an affirmative determination of responsibility. However, when the CCC determination of responsibility is not consistent with other information available to the contracting officer, the contracting officer shall request from CCC and any other sources whatever additional information is necessary to make the responsibility determination.

209.104-70 Solicitation provisions.

(a) Use the provision at 252.209-7001, Disclosure of Ownership or Control by the Government of a Terrorist Country, in all solicitations expected to result in contracts of \$100,000 or more. Any disclosure that the government of a terrorist country has a significant interest in an offeror or a subsidiary of an offeror shall be forwarded through the head of the agency to the Director of Defense Procurement and Acquisition Policy, ATTN: OUSD(AT&L)DPAP(PAIC), 3060 Defense Pentagon, Washington, DC 20301-3060.

(b) Use the provision at 252.209-7002, Disclosure of Ownership or Control by a Foreign Government, in all solicitations, including those subject to the procedures in FAR Part 13, when access to proscribed information is necessary for contract performance.

209.106 Preaward surveys.

When requesting a preaward survey, follow the procedures at [PGI 209.106](#).

Link to the Related PGI Language

Local intranet



PGI 209.106

SUBPART 225.4—TRADE AGREEMENTS - Microsoft Internet Explorer provided by OUSD/AT&L

File Edit View Favorites Tools Help

← Back → Forward Home Search Favorites Media

Address <http://www.acq.osd.mil/dpap/dfars/pgi/current/209pgi.htm> Go

**Contractor Qualifications Relating to Contract Placement
Procedures, Guidance, and Information**

PGI 209—CONTRACTOR QUALIFICATIONS

PGI 209.1--RESPONSIBLE PROSPECTIVE CONTRACTORS

PGI 209.106 Preaward surveys.

PGI 209.106-1 Conditions for preaward surveys.

(a) If a preaward survey is requested, include the rationale in Block 23 of the SF 1403, Preaward Survey of Prospective Contractor (General).

PGI 209.106-2 Requests for preaward surveys.

(1) The surveying activity is the cognizant contract administration office as listed in the Federal Directory of Contract Administration Services Components. When information is required as part of the survey on the adequacy of the contractor's accounting system or its suitability for administration of the proposed type of contract, the surveying activity will obtain the information from the auditor.

(2) Limited information may be requested by telephone.

(3) The contracting officer may request a formal survey by telephone but must confirm immediately with SF 1403, Preaward Survey of Prospective Contractor (General). For a formal survey, send original and three copies of SF 1403, including necessary drawings and specifications.

(a) List additional factors in item H, Section III of the SF 1403 and explain them in Block 23. For example—

(i) Information needed to determine a prospective contractor's eligibility under the Walsh-Healey Public Contracts Act. (Note that the Walsh-Healey Public Contracts Act, Block 12 of Section I, only indicates what the contractor has represented its classification to be under Walsh-Healey.)

Done Local intranet



Procedures, Guidance and Information (“PGI”)

Increment 2

- **Incorporate enabling technology to provide seamless access to the FAR, applicable statutes, & PGI.**
- **PGI managed through the DAR Council Process.**
- **Rewrite of the PGI language.**



The "To-Be" Information Structure

Statutes
OMB Circulars

FAR

DFARS

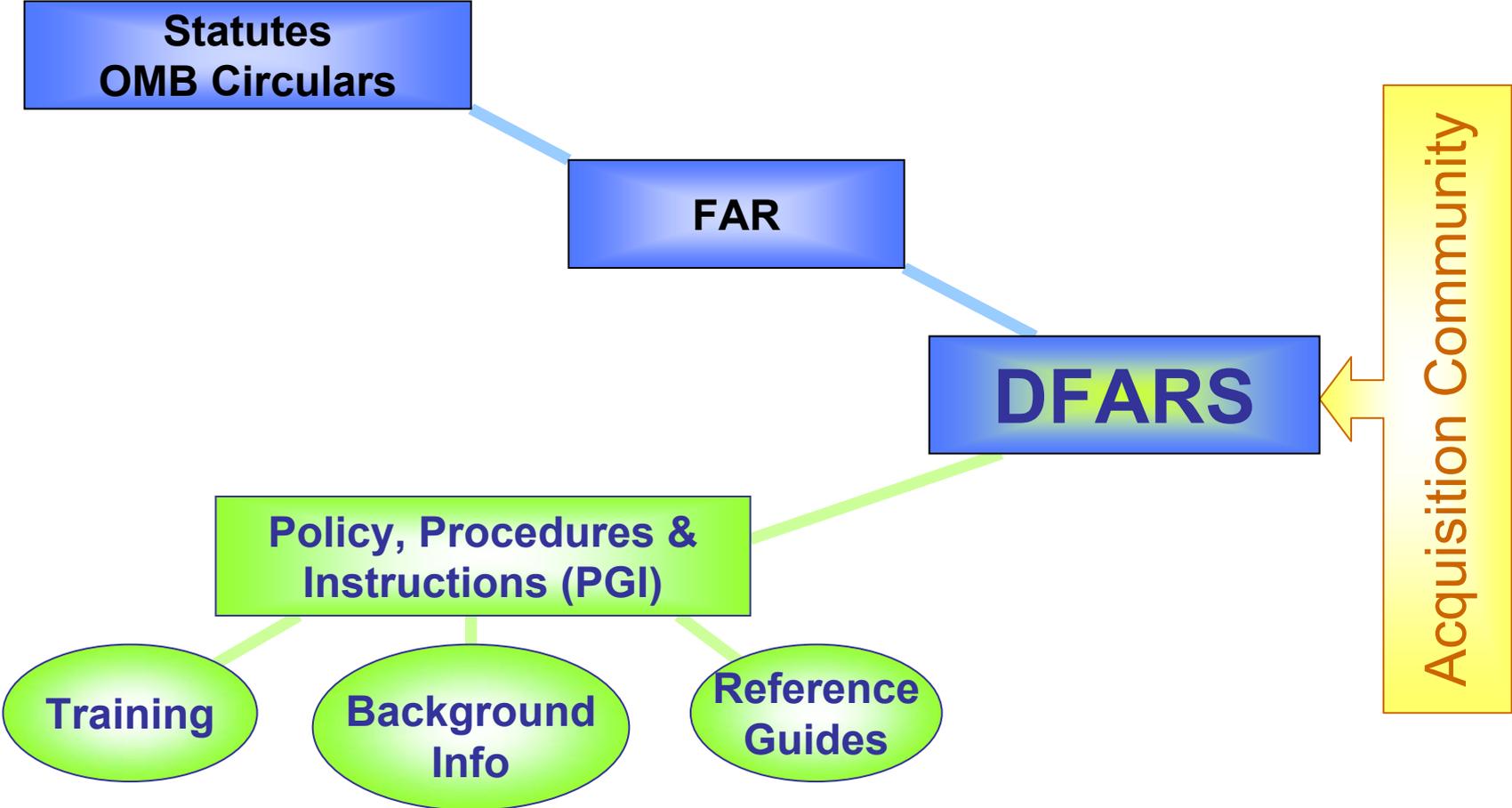
Policy, Procedures &
Instructions (PGI)

Training

Background
Info

Reference
Guides

Acquisition Community





View # 1 - The DFARS with PGI

SUBPART 209.1—RESPONSIBLE PROSPECTIVE CONTRACTORS - Microsoft Internet Explorer provided

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites Media Print Mail

< PAGE PAGE > Prior Version PDF

FAR STATU

SUBPART 209.1—RESPONSIBLE PROSPEC

209.106 Preaward surveys.

When requesting a preaward survey, follow the procedures at [PGI 209.106](#).

< PAGE PAGE > Prior Version PDF TOC HOME

Done Local intranet

SUBPART 225.4—TRADE AGREEMENTS - Microsoft Internet Explorer provided by OUSD/AT&I

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites Media Print Mail

TRAINING SUPPORTING DOCS REF GUIDES

Contractor Qualifications Relating to Contract Placement
Procedures, Guidance, and Information

PGI 209—CONTRACTOR QUALIFICATIONS

PGI 209.1—RESPONSIBLE PROSPECTIVE CONTRACTORS

PGI 209.106 Preaward surveys.

PGI 209.106-1 Conditions for preaward surveys.

(a) If a preaward survey is requested, include the rationale in Block 23 of the SF 1403, Preaward Survey of Prospective Contractor (General).

PGI 209.106-2 Requests for preaward surveys.

(1) The surveying activity is the cognizant contract administration office as listed in the Federal Directory of Contract Administration Services Components. When information is required as part of the survey on the adequacy of the contractor's accounting system or its suitability for administration of the proposed type of contract, the surveying activity will obtain the information from the auditor.

(2) Limited information may be requested by telephone.

(3) The contracting officer may request a formal survey by telephone but must confirm immediately with SF 1403, Preaward Survey of Prospective Contractor (General). For a formal survey, send original and three copies of SF 1403, including necessary drawings and specifications.

(a) List additional factors in item H, Section III of the SF 1403 and explain them in Block 23. For example—

(i) Information needed to determine a prospective contractor's eligibility under the Walsh-Healey Public Contracts Act. (Note that the Walsh-Healey Public Contracts Act, Block 12 of Section I, only indicates what the contractor has represented its classification to be under Walsh-Healey.)

(ii) Evaluation of a contractor as a planned producer when the offered item is or may appear on the Industrial Preparedness Planning List (IPPL). When the preaward survey results in a recommendation for award, ask the office responsible for industrial preparedness planning to consider designating the prospective contractor as a planned producer. If the item is already on the IPPL or the prospective contractor is already a planned producer, note the information in Block 23.

Done Local intranet



View # 2 - The New DFARS with FAR and PGI

N:\DARS\Cairo\DPAPALLHands\combined2.htm - Microsoft Internet Explorer provided by OUSD/AT&L

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites Media

Federal Acquisition Regulations

9.106 Preaward surveys.

9.106-1 Conditions for preaward surveys.

(a) A preaward survey is normally required only when the information on hand or readily available to the contracting officer, including information from commercial sources, is not sufficient to make a determination regarding responsibility. In addition, if the contemplated contract will have a fixed price at or below the simplified acquisition threshold or will involve the acquisition of commercial items (see Part 12), the contracting officer should not request a preaward survey unless circumstances justify its cost.

Defense Federal Acquisition Regulations Supplement

SUBPART 209.1--RESPONSIBLE PROSPECTIVE CONTRACTORS

209.106 Preaward surveys.

When requesting a preaward survey, follow the procedures at [PGI 209.106.](#)

PGI Coverage

PGI 209.106 Preaward surveys.

PGI 209.106-1 Conditions for preaward surveys.

(a) If a preaward survey is requested, include the rationale in Block 23 of the SF 1403, Preaward Survey of Prospective Contractor (General).

PGI 209.106-2 Requests for preaward surveys.

(1) The surveying activity is the cognizant contract administration office as listed in the Federal Directory of Contract Administration Services Components. When information is required as part of the survey on the adequacy of the contractor's accounting system or its suitability for administration of the proposed type

Done Local intranet