

DFARS Procedures, Guidance, and Information

PGI 216—Types of Contracts

(Revised September 13, 2019)

PGI 216.5 INDEFINITE-DELIVERY CONTRACTS

PGI 216.505 Ordering.

(b)(2) *Exceptions to the fair opportunity process.* For an order exceeding the simplified acquisition threshold, that is a follow-on to an order previously issued for the same supply or service based on a justification for an exception to fair opportunity citing the authority at FAR 16.505(b)(2)(i)(B) or (C)—

(A) The justification shall include a copy of the previous justification to assist the approval authority in determining whether the actions to remove or overcome any barriers that led to the exception to fair opportunity cited on the previous justification were completed; and

(B) The approval authority shall determine whether the planned actions were completed. If the actions were not completed, the justification for the follow-on action must be approved by the approval authority one-level above the approval authority for the previous justification (see FAR 16.505(b)(2)(ii)(C)). If the previous justification was approved by the Senior Procurement Executive (SPE), the approval remains at the SPE level.

PGI 216.505-70 Orders under multiple-award contracts.

(b) For task orders issued under multiple-award indefinite-delivery indefinite-quantity services contracts, contracting officers shall, when minimum labor category qualifications exist in the underlying contract—

(1) Ensure solicitations contain minimum labor category qualifications deemed necessary for successful task order performance, such as education and years of work experience, that are consistent with the contract's requirements;

(2) When allowed under the terms of the contract, identify any exceptions from labor category qualifications, such as education and years of work experience, proposed by the contractor as an alternative. When exceptions exist, contracting officers shall –

(i) Identify any proposed exception from the labor category qualifications in the contract file, considering any potential performance and price impacts on the agency's requirements, and

(ii) Document the reasons for accepting any proposed alternatives to the contract requirements; and

(3) Include verification procedures within the quality assurance surveillance plan to ensure contractor personnel providing the service meet qualification requirements identified for the labor categories specified in the task order and contract. Verification, such as validation of contractor personnel education and years of relevant work experience, ensures the Government receives adequate services, as identified in task order and contract performance requirements (see FAR 46.104 and 46.407).