



ACQUISITION
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
DC 20301-3000

OCT 27 2008

MEMORANDUM FOR DIRECTOR FOR LOGISTICS, J-4, THE JOINT STAFF
DIRECTOR FOR LOGISTICS, J-4, USAFRICOM
DIRECTOR FOR LOGISTICS, J-4, USCENTCOM
DIRECTOR FOR LOGISTICS, J-4, USEUCOM
DIRECTOR FOR LOGISTICS, J-4, USNORTHCOM
DIRECTOR FOR LOGISTICS, J-4, USPACOM
DIRECTOR FOR LOGISTICS, J-4, USSOUTHCOM

SUBJECT: Implementation of Updated Procedures, Guidance and Information (PGI)
No. 225-74, entitled "Solicitation and Award of Contracts for Performance
in a Foreign Country or Delivery to any Unified Combatant Command
Theater of Operation"

Successfully integrating, synchronizing and managing the provision of contracted support is crucial to the success of joint operations. To that end, it is imperative that Geographic Combatant Commanders ensure planners, requiring activities, contracting activities and contractors can easily obtain information on unique requirements and considerations that must be addressed to successfully execute such support in their AORs.

OSD DPAP November 9, 2006, memorandum (enclosure (1)) required Geographic Combatant Commanders ensure their Contracting Office(s) establish and maintain a webpage listing all prevailing regulations, policies, requirements, host nation laws, Orders/FRAGOs, COCOM Commander's directives, unique clauses and other considerations necessary for soliciting and awarding a contract for performance in or delivery to that COCOM's AOR.

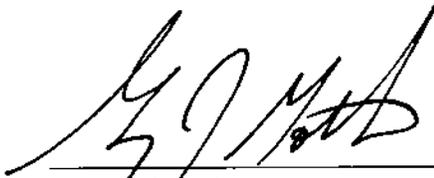
The emergence of the Joint Logistics Portfolio and its Tier II capability area of Operational Contract Support (OCS), new OCS-related policy and doctrine, and user feedback suggest a more holistic, standardized and streamlined webpage approach is now needed. To implement such an approach, OSD will revise the Defense Federal

Acquisition Regulation Supplement (DFARS) Procedures, Guidance and Information (PGI) that implements the requirement to use the guidance contained in the Geographic Combatant Commander web pages and require each Geographic Combatant Command to implement its own OCS web portal. The Geographic Combatant Commands will be responsible for the initial build out and routine maintenance of content specific to their AOR. OSD will provide contractor personnel to support the implementation of the OCS web portals.

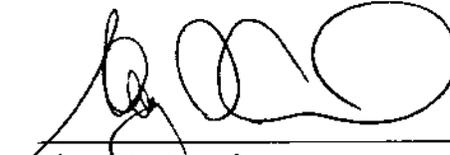
OSD has prepared a draft update to the DFARS PGI (enclosure (2)), a draft outline of the OCS Web Portal (enclosure (3)) and proposed way ahead (enclosure (4)). Addressees are requested to:

- A. Designate a J-4 POC to support this effort.
- B. Provide feedback on proposed changes to DFARS PGI, the draft OCS web portal outline and the proposed way ahead using the attached comments matrix (enclosure (5)); For Combatant Commander J-4s, please solicit input from your Service Components (the activities that would use the web portal to support its contracting efforts).
- C. Provide views on utility/suitability of this type of information to be hosted on a public access webpage. There are four important categories of users we need to address: planners, requiring activities, contracting activities and contractors. Access to government only information can be protected under password only access but wherever possible, we should make it public. For contractors, the intent is to have information available in the public domain.
- D. For Combatant Command J-4s, provide:
 - 1) Ability to host and maintain the OCS web portal on the Combatant Commander's public web site. Please detail any constraints.
 - 2) Ability to support site visit by OSD contractor personnel to facilitate OCS web portal build out. Please detail any constraints.
- E. Provide any other comments deemed relevant to meeting our intent to give users the guidance and information they need to award contracts for performance in Geographic Combatant Commander AORs.

Please provide input requested above by 14 November 2008. If warranted, we will host a conference call/meeting with designated POCs to facilitate this effort. A subsequent letter will require Geographic Combatant Commands to implement and populate their OCS web portal. OSD POC for implementation of this requirement is Mr. Bill Reich, (703) 699-3727 or william.reich@osd.mil.



Gary Motsek
Assistant Deputy
Under Secretary of Defense
Program Support



Shay D. Assad
Director, Defense Procurement,
Acquisition Policy and
Strategic Sourcing

Enclosures:
As stated



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OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
DC 20301-3000

OCT 27 2008

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
(ATTN: ACQUISITION EXECUTIVES)
DEFENSE LOGISTICS AGENCY
DEFENSE CONTRACT MANAGEMENT AGENCY
DIRECTOR FOR LOGISTICS, J-4, USSOCOM
DIRECTOR FOR LOGISTICS, J-4, USTRANSCOM
DIRECTOR FOR LOGISTICS, J-4, USJFCOM

SUBJECT: Implementation of Updated Procedures, Guidance and Information (PGI)
No. 225-74, entitled "Solicitation and Award of Contracts for Performance
in a Foreign Country or Delivery to any Unified Combatant Command
Theater of Operation"

Successfully integrating, synchronizing and managing the provision of contracted support is crucial to the success of joint operations. To that end, it is imperative that Geographic Combatant Commanders ensure planners, requiring activities, contracting activities and contractors can easily obtain information on unique requirements and considerations that must be addressed to successfully execute such support in their AORs.

OSD DPAP November 9, 2006, memorandum (enclosure (1)) required Geographic Combatant Commanders ensure their Contracting Office(s) establish and maintain a webpage listing all prevailing regulations, policies, requirements, host nation laws, Orders/FRAGOs, COCOM Commander's directives, unique clauses and other considerations necessary for soliciting and awarding a contract for performance in or delivery to that COCOM's AOR.

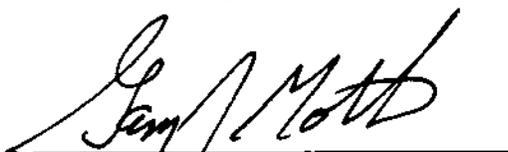
The emergence of the Joint Logistics Portfolio and its Tier II capability area of Operational Contract Support (OCS), new OCS-related policy and doctrine, and user feedback suggest a more holistic, standardized and streamlined webpage approach is now needed. To implement such an approach, OSD will revise the Defense Federal Acquisition Regulation Supplement (DFARS) Procedures, Guidance and Information (PGI) that implements the requirement to use the guidance contained in the Geographic Combatant Commander web pages and require each Geographic Combatant Command to implement its own OCS web portal. The Geographic Combatant Commands will be responsible for the initial build out and routine maintenance of content specific to their

AOR. OSD will provide contractor personnel to support the implementation of the OCS web portals.

OSD has prepared a draft update to the DFARS PGI (enclosure (2)), a draft outline of the OCS Web Portal (enclosure (3)) and proposed way ahead (enclosure (4)). Addressees (acting from the standpoint of being a customer of these web portals) are requested to:

- A. Designate a POC to support this effort.
- B. Provide feedback on proposed changes to DFARS PGI, the draft OCS web portal outline and proposed way ahead using the attached comments matrix (enclosure (5)).
- C. Provide views on utility/suitability of this type of information to be hosted on a public access webpage. There are four important categories of users we need to address: planners, requiring activities, contracting activities and contractors. Access to government only information can be protected under password only access but wherever possible, we should make it public. For contractors, the intent is to have information available in the public domain.
- D. Provide any other comments deemed relevant to meeting our intent to give users the guidance and information they need to award contracts for performance in Geographic Combatant Commander AORs.

Please provide input requested above by 14 November 2008. If warranted, we will host a conference call/meeting with designated POCs to facilitate this effort. A separate letter has been sent to the Joint Staff and Geographic Combatant Command J-4s in support of this requirement. A subsequent letter will require Geographic Combatant Commands to implement and populate their OCS web portal. OSD POC for implementation of this requirement is Mr. Bill Reich, (703) 699-3727 or william.reich@osd.mil.



Gary Motsek
Assistant Deputy
Under Secretary of Defense
Program Support



Shay D. Assad
Director, Defense Procurement,
Acquisition Policy and
Strategic Sourcing

Enclosures:
As stated



ACQUISITION
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AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
WASHINGTON DC 20301-3000

November 9, 2006

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
(ATTN: ACQUISITION EXECUTIVES)
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
COMMANDERS OF THE COMBATANT COMMANDS
DIRECTORS OF DEFENSE AGENCIES

SUBJECT: Implementation for Procedures, Guidance and Information (PGI) No. 225-74, entitled "Solicitation and Award of Contracts for Performance in a Foreign Country or Delivery to any Unified Combatant Command Theater of Operation"

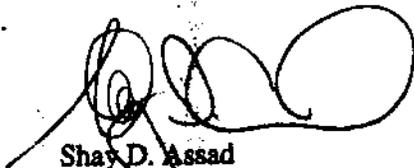
This memorandum provides information required in order to implement subject DRAFT PGI. This DRAFT PGI will be published as soon as the below requested information is requested.

The Defense Procurement and Acquisition Policy (DPAP) Office has established the initial webpage at <http://www.acq.osd.mil/dpap/contingency/>. Links from this DPAP website to the Contracting Office(s) of the respective COCOMs are required.

Commanders of the Combatant Commands will ensure that their respective COCOM Contracting Office(s) establish and maintain a webpage listing all prevailing regulations, policies, requirements, host nation laws, Orders/FRAGOS, COCOM Commander's directives, unique clauses and other considerations necessary for soliciting and awarding a contract for performance in or delivery to that COCOM's AOR.

Within 30 days from the date of the memorandum, Commanders of the Combatant Commands will ensure their respective COCOM Contracting Office provides its weblink information to DPAP. DPAP point of contact (POC) for coordination of weblink information is Ms. Wendy Pulliam, Wendy.Pulliam.ctr@osd.mil

DPAP POC for implementation of PGI No. 225-74 is Lt Col Jill Stiglich, Jill.Stiglich@osd.mil, 703-695-8567.


Shay D. Assad
Director, Defense Procurement
and Acquisition Policy

Attachment:
As stated

PGI 225.7401 Contracts requiring performance or delivery in a foreign country.

(a) If the acquisition requires performance of work in a foreign country by contractor personnel, or delivery of items to a Unified Combatant Command designated operational area, the contracting officer shall--

Comment [r1]: The webpages referenced here should have guidance regarding the use of all contractor personnel in support of contingency operations. CAAF are a specific subcategory of contingency contractors that have certain rights, obligations and support via international conventions and US laws. Don't understand why we ever would have excluded them.

(i) Ensure that the solicitation and contract include any applicable host country and designated operational area performance considerations. Failure to provide such information—

Deleted: other than host country personnel (i.e., host country nationals or personnel ordinarily resident in the host country)

(A) May result in a contract that does not reflect the respective support relationships between the contractor and the government, ultimately affecting the ability of the contractor to execute the contract.

(B) May result in unplanned support burdens being placed on the government in a theater of operations.

(CA) May result in contractor personnel conflicting with theater operations or performing in violation of a theater commander's directives or host country laws; or

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(D) May cause contractor personnel to be wrongly subjected to host country laws;

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(ii) Refer to the website at <http://www.acq.osd.mil/dpap/pacc/cc/index.html>, which contains and links to contingency contracting related procedures, guidance and information;

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(iii) Follow specific Combatant Command guidance, link to the appropriate Combatant Command website at http://www.acq.osd.mil/dpap/pacc/cc/areas_of_responsibility.html. These sites list prevailing regulations, policies, requirements, host nation laws, Orders/FRAGOS, Combatant Commander's directives, unique clauses and other considerations necessary for soliciting and awarding a contract for performance in or delivery of items to that Combatant Commander's AOR;

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Deleted: at the weblink for the Combatant Command for the area in which the contractor will be performing or delivering items

(iv) To determine the appropriate point(s) of contact for contracting matters in/within the Combatant Commander's AOR, refer to the link for the Combatant Command for the area in which the contractor will be performing or delivering items, and

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Comment [r2]: We may be able to change this language if we can structure the website as such that all countries within the AOR are tied to a particular contracting office. Not clear if this is the case.

Deleted: From the Combatant Command website, link to the contracting office supporting the Combatant Command to identify the appropriate point of contact

Deleted: contact the overseas contracting office, access

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(v) Use the following checklist as a guide to document consideration of each listed issue, as applicable, and retain a copy of the completed checklist in the contract file.

CHECKLIST

The contracting officer shall verify that the requiring activity has considered the following, as applicable:

___ (1) Whether the contemplated acquisition will duplicate or otherwise conflict with existing work being performed or items already provided in the area, and whether economies of scope/schedule can be leveraged if there are already existing contracts in place for similar work or items.

___ (2) The availability of government civilian and/or military personnel to oversee the performance of the contract in the Combatant Command's AOR (e.g. Contracting Officer's Representatives – who are typically drawn from requiring or customer activities).

___ (3) The applicability of any international agreements to the acquisition. (Some agreements may be classified and must be handled appropriately.)

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___ (4) The applicability of any Status of Forces Agreements (SOFAs) to the acquisition.

___ (5) The applicability of any Acquisition Cross Servicing Agreements (ACSAs) to the acquisition.

Deleted: 4

___ (6) Whether there are any security requirements applicable to the area.

Deleted: 3

___ (7) Whether there are any requirements for use of foreign currencies, including applicability of U.S. holdings of excess foreign currencies.

Deleted: 4

___ (8) Information on taxes and duties from which the Government may be exempt.

Deleted: 5

___ (9) If the acquisition requires performance of work in the foreign country, whether there are standards of conduct for the prospective contractor and, if so, the consequences for violation of such standards of conduct.

Deleted: 6

____ (10) If applicable, the availability of logistical and other support for contractor employees. Comment [r3]: Medical support, force protection support, others?

Deleted: 7

____ (11) If the contractor will employ foreign workers, whether a waiver of the Defense Base Act will be required (see FAR 28.305). **Deleted:**

Deleted: 8

____ (12) Whether contractor personnel will need authorization to carry weapons for the performance of the contract. **Deleted:** 9

____ (13) If the contract will include the clause at DFARS 252.225-7040, Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States, the Government official authorized to receive DD Form 93, Record of Emergency Data Card, to enable the contracting officer to provide that information to the contractor, as required by paragraph (g) of the clause. **Deleted:** 0

____ (14) Any other requirements of the website for the country in which the contract will be performed or the designated operational area to which deliveries will be made. **Deleted:** 1

The contracting officer shall provide the following information to the applicable Combatant Command Contingency Contracting POC (see PGI 225.7401(a)(iv)):

____ (1) The solicitation number, the estimated dollar value of the acquisition, and a brief description of the work to be performed or the items to be delivered. **Comment [r4]:** Who really needs to get this? - is this a Theater Business Clearance issue?

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____ (2) Notice of contract award, including contract number, dollar value, and a brief description of the work to be performed or the items to be delivered. **Formatted:** Indent: Left: 0"

____ (3) Any additional information requested by the applicable contracting office to ensure full compliance with policies, procedures, and objectives of the applicable country or designated operational area. **Comment [r5]:** This seems an argument for worldwide theater business clearance requirements when a Joint Theater Support Contracting Command is required.

For Contracting Offices

Hot Items!

- Checklist for awarding a contract for performance or delivery in this AOR
- Theater Business Clearance Procedures
- SPOT Registration
- Defense Base Act
- Line of Accounting
- Contractor Health Care
- Contractor Arming Procedures

CONTRACT SUPPORT INTEGRATION (CSI) INFORMATION

General Guidance

- CSI Planning Considerations Checklist
- Key Joint Doctrine - JP4-9, JP4-10
- Key FAR and DFARS references (DFARS matrix)

COCOM Specific Guidance

- COCOM Acquisition Policies and Guidance
- Pertinent FRAGOs
- Pertinent COCOM specific clauses
- Status of Forces Agreements (SOFAs)
- Acquisition and Cross Servicing Agreements (ACSAs)
- Interagency Support Agreements
- Significant AOR IDIQ contracts
- Current Briefs/Organization Charts
- AOR Lessons Learned
- Key Organization POCs (email/phone nrs - SSC/ESC PCO's, ACO's & CORs, theater acq POCs)

Key Contracting Officer References

- Contingency Contracting Handbook
- Copies of contracts, especially SOWs, COB terms
- Sample Letters of Authorization (LOA)
- COR Training and Designation

CONTRACTOR (PERSONNEL) MANAGEMENT INFORMATION

General Guidance

- Contractor Management Planning Considerations Checklist
- Key DOD Instructions - DODI 3020.41, DODI 1100.22
- Contractor legal status and contractor discipline information
- Contractor Arming Procedures
- Contractor Personnel Accountability (SPOT Registration)

COCOM Specific Guidance

- ACR Contractor Personnel Related Laws, Policies, Rules, Orders
- Visa/Country Clearance requirements for contractor personnel
- Customs information for contractors
- Contractor Theater Entrance Requirements
- Replacement Center (Deployment Center) Information
- Required Contractor Training
- Reception Center Information
- Theater Transportation Information for contractors
- Cultural considerations (doing business in this culture)
- Contractor employee or contractor bar letters (individual CDRs)
- Government Furnished Support Information (billeting, dining facility, medical, MWR, Postal, Exchange Services, Religious Services etc)
- Force protection and security information
- Redeployment information
- Key POCs

Comment [r1]: Is this possible???

Comment [r2]: Does this exist?

Key Links

- DAU Site
- DPAP Site
- PS Site
- SPOT Site
- DFAS Site
- Service CC Sites
- Service Finance Sites
- JCASO Site (when established)
- FAR Site
- DFARS Site
- IG Sites
- Excluded Parties List
- Department of Treasury Office of Foreign Assets Control
- State Department Site (ROR Consular Services/American Citizen Services)
- CIA Site (ACR-related Country Reports)
- Army Requirements Site
- Army LOGCAP Site
- Air Force AFCAP Site
- Navy GCSC/? Site

For Requiring Activities and Contracting Officer's Representatives (CORs)

Hot Items!

- Requiring Activity Checklist
- COR Checklist
- Contractor Personnel Management Planning Considerations Checklist
- SPOT Registration
- Contractor Health Care
- Contractor Arming Procedures

CONTRACT SUPPORT INTEGRATION (CSI) INFORMATION

General Guidance

- Key Joint Doctrine - JP4-0, JP4-10
- Key FAR and DFARS references (DFARS matrix)

COCOM Specific Guidance

- COCOM Acquisition Policies and Guidance
- Pertinent FRAGOs
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- Status of Forces Agreements (SOFAs)
- Acquisition and Cross Servicing Agreements (ACSAs)
- Interagency Support Agreements
- Significant AOR IDIQ contracts
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Key References

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- Contractor Arming Procedures
- Contractor Personnel Accountability (SPOT Registration)

COCOM Specific Guidance

- AOR Contractor Personnel Related Laws, Policies, Rules, Orders
- Visa/Country Clearance requirements for contractor personnel
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- Contractor Theater Entrance Requirements
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- Cultural considerations (doing business in this culture)
- Contractor employee or contractor bar letters (individual CDRs).....
- Government Furnished Support Information (billeting, dining facility, medical, MWR, Postal, Exchange Services, Religious Services etc)
- Force protection and security information
- Redeployment information
- Key POCs

Comment [r3]: Is this possible???

Comment [r4]: Does this exist?

Key Links

- PS Site
- SPOT Site
- DFAS Site

- Service CC Sites
- Service Finance Sites
- JCASO Site (when established)
- IG Sites
- State Department Site (AOR Consular Services/American Citizen Services)
- CIA Site (ACR-related Country Reports)
- Army Requirements Site
- Army LOSCAP Contracts Site
- Air Force AFCAP Contracts Site
- Navy GCSC/GCCC Contracts Site

For Contractors

Hot Items!

- Checklist for deploying contractor personnel
- CRC website (www.benning.army.mil/CRC)
- Contractor Arming
- Contractor Healthcare
- Defense Base Act
- Discipline of Contractor Personnel
- Personnel recovery

General Guidance/Regulations

- Doing Business with USG
- Key FAR and DFARS references (DFARS matrix)
- Contractor legal status and contractor discipline information
- Contractor Personnel Accountability (SPOT Registration)
- Deployment Checklists

COCOM Specific Guidance

- Theater specific laws, policies, rules, orders
- Theater entrance requirements
- Visa/Country Clearance requirements for contractor personnel
- Customs information for contractors
- Contractor Personnel Theater Entrance Requirements
- Replacement Center (Deployment Center) Information
- Required Contractor Training
- Reception Center Information
- Theater Transportation Information for contractors
- Cultural considerations (doing business in this culture)
- Contractor employee or contractor bar letters (individual CDRs)!
- Government Furnished Support Information (billeting, dining facility, medical, MWR, Postal, Exchange Services, Religious Services etc)
- Force protection and security information
- Redeployment information
- Key POCs

Comment [r5]: Is this possible???

Comment [r6]: Does this exist?

Key Links

- PS Site
- SPOT Site
- DFAS Site
- Service Finance Sites
- JCASO Site (when established)
- State Department Site (AOR Consular Services/American Citizen Services)
- CIA Site (AOR-related Country Reports)

Geographic Combatant Command (GCC) OCS Web Portal POA&M

- 1) Generate draft OCS web portal outline. **COMPLETE.**
- 2) Meeting with Web Portal Designer. **COMPLETE.**
- 3) Solicit informal comments from DPAP, PS and JSJ4 and if warranted, meet with PS and JS to work thru issues regarding way ahead. ETC: 18 SEP. **COMPLETE.**
- 4) Prepare and issue formal staffing package (ETC: 24 OCT) requesting Service, JS, Agency and Combatant Command input by 14 NOV on:
 - A) Organization POC and provide contact details (email/phone number);
 - B) Proposed changes to language in PGI 225.7401;
 - C) Proposed standardized formats for GCC web portals;
 - D) Proposed Way ahead;
 - E) Views on whether web pages should be public or .mil;
 - F) Ability of GCCs to host webpages (public and .mil);
 - G) Ability of GCCs to support site visits by DPAP contractors to do web page buildout; and,
 - H) Any other comments deemed relevant to meeting DPAP intent to give users guidance and information they need to award contracts for performance in GCC AORs.
- 5) Adjudicate comments on proposed changes to PGI 225.7401 and the GCC OCS web portal formats (DPAP, PS and JSJ4). ETC: 28 NOV.
- 6) Prepare and issue final staffing package to Service, JS, Agency and Combatant Commands requesting Critical only comments on final PGI language and standardized website templates. Due Date: 14 DEC.
- 7) Adjudicate any Critical Comments received (DPAP, PS and JSJ4), including review of DFARS PGI update by the Emergency Procurement Committee (EPC). Due Date: 7 JAN.
- 8) LMI generates final skeletonized webpages for each GCC based on adjudicated comments. ETC: 21 JAN.
- 9) DARS approves and posts update to PGI. ETC: 31 JAN.
- 10) Send out DPAP letter and standardized web portal template that requires GCCs to support the site visit of OSD contractor to install and populate the webpages with specific GCC data within 60 days. ETC: 31 JAN.
- 11) All GCC OCS web portals operational. ETC 31 MAR.
- 12) GCC Updates to OCS web portal content. Quarterly and as required.
- 13) OSD Review of GCC OCS web portal content. Routine.