

Standard Operating Procedure for Peer Reviews

The following will be employed by the DPAP's Contract Policy & International Contracting (CPIC) staff to manage the OSD Peer Review process. These procedures are accordance with DFARS 201.170 and DoDI 5000.02. For questions about these procedures, please send an email to osd.pentagon.ousd-a-s.mbx.dpc-pci@mail.mil. See http://www.acq.osd.mil/dpap/cpic/cp/peer_reviews.html for forms and additional resources.

1. Forecast/Schedule:

- a. DPAP/CPIC will receive a forecast from military departments, defense agencies and field activities of upcoming requirements (pre and post-award planned contracts that are expected to exceed the \$1B threshold). The forecast shall be provided on a quarterly basis (i.e. end of September, December, March, and June), or more frequently as additional requirements are identified.
- b. DPAP/CPIC will consolidate forecast inputs and closely monitor the readiness of each requirement to undergo a Peer Review. Every effort shall be made to schedule each Peer Review to occur as soon as possible once the program is ready for review.
- c. DPAP/CPIC will communicate frequently with the components' headquarters elements Peer Review points of contact for the military departments, defense agencies and field activities as projected review dates are modified to accommodate readiness status of the host acquisition teams.
- d. Generally, once a component's headquarters element has validated a program's readiness for OSD level Peer Review, the DPAP/CPIC program coordinator will work directly with the host acquisition team's contracting officer to schedule the specific dates and start times. The host acquisition team's contracting officer shall submit an OSD Peer Review Request Form (available on the peer review web site—see link above) to the DPAP/CPIC program coordinator identifying 1st and 2nd choice dates for the peer review.

2. Readiness for Review:

- a. Departments, agencies and field activities are responsible to ensure that their respective internal reviews and approvals have been completed prior to the start of a Peer Review. For example, if the department or agency requires a higher headquarters clearance of the RFP, pre-negotiation clearance or contract clearance, those events should generally occur before the respective phase of OSD level Peer Review; however, concurrent reviews will be considered on a case by case basis.

- b. Phase 1 Peer Reviews for competitive procurements will focus on the RFP and the source selection plan. Phase 1 should occur at the point in time when the acquisition team believes they are otherwise ready to release the formal RFP to industry. Prior to the Phase 1 Peer Review, acquisition teams may have conducted industry day sessions and shared a draft version of the RFP with industry.
- c. Phase 2 Peer Reviews for competitive procurements should occur when the contracting officer is ready to close discussions prior to issuance of the request for final proposal revisions. If the contracting officer will make award without discussions, Phase 2 and Phase 3 will be combined for a pre-award review.
- d. Phase 1 Peer Reviews for non-competitive procurements should occur at the point in time when the clearance has been approved, when the contracting officer is otherwise ready to commence negotiations.
- e. Phase 2 Peer Reviews for non-competitive procurements should occur after negotiations (when the post-negotiation memorandum is complete) and before award.

3. Peer Reviews for Competitive Procurements (Threshold = \$1 Billion):

- a. Approximately 30 days prior to an anticipated Phase 1 Peer Review, DPAP/CPIC will coordinate with the Military Departments and Agencies Peer Review POCs to identify available Peer Review team members.
- b. The pool of potential Peer Review team members consists of all members of the Senior Executive Service (SES) and GS-15 (or equivalent) in the 1102 (Contracting) career field within the Department.
- c. Generally, Peer Review teams shall consist of at least (4) four members. Each team will be chaired by a member of the Senior Executive Service and will generally include two other members from outside the military department or defense agency whose procurement is which procurement is the subject of the Peer Review, and one attorney (from either OSD/OGC, or a military department or agency outside that which procurement is the subject of the Peer Review). The OSD Office of Small Business Programs (OSBP) will identify a small business specialist to participate as a peer review member on all reviews related to contracts to acquire services.
- d. Every effort shall be made to match Peer Review team members in such a way to take full advantage of a particular Peer Review team member's expertise and experience. In addition, given the fact Peer Review teams take

place at the location of the procuring organization, geographic proximity may be taken into account when selecting Peer Review team members.

- e. For continuity, the same members of each Peer Review team will participate throughout the various phases of Peer Review for a particular program.

4. Peer Reviews for Non-Competitive Procurements (Threshold = \$500 Million)

- a. The Director of Defense Pricing will conduct all OSD level non-competitive peer reviews with participation from members of the DPAP staff.
- b. Typically, each of the two phases for non-competitive reviews are scheduled to be completed in less than one-half day for each phase.

5. Documents to Review in Advance of the Peer Review:

- a. In order to conduct a meaningful Peer Review, it is essential that Peer Review team members are provided the opportunity to review applicable acquisition documents in advance of the review.
- b. To enable Peer Review team members the opportunity to read the applicable acquisition documents in advance of the actual review, acquisition teams are required to send documents to osd.pentagon.ousd-a-s.mbx.dpc-pci@mail.mil **five (5) business days** prior to commencement of each phase of the Peer Review.
- c. The contracting officer or contract specialist shall provide a summary page that outlines the file/folder structure of the evaluation documents that were posted to the OSD Peer Review Share Point site along with a brief description of each document. The summary page should have the same document names as those used in the Share Point site.
- d. Documents to send (at a minimum):

Competitive Pre-Award Peer Reviews

Phase 1: RFP, Source Selection Plan (SSP), Acquisition Strategy/Plan, Acquisition Decision Memorandum

Phase 2: Evaluation documentation to include record of discussions and disposition of evaluation notices (ENs), documentation of the competitive range determination (as applicable), evaluation documents/reports (if applicable) and a conformed copy of the RFP (with all amendments incorporated).

Phase 3: **Unsigned final** post negotiation documentation (e.g. **unsigned final** source decision document, **final** SSA brief, and other **unsigned final** evaluation documents/reports).

Non-Competitive Pre-Award Peer Reviews

Phase 1: Pre-Negotiation clearance documents (e.g. pre-PNM)

Phase 2: Post-Negotiation clearance documents (e.g. post-PNM)

Post Award Peer Reviews (for Acquisition of Services only)

The contract, Quality Assurance Surveillance Plan, CPARS, and any other available documentation that addresses health and status of the program.

6. Pre-Trip Teleconference:

For Competitive reviews, DPAP/CPIC shall schedule and facilitate a pre-trip teleconference with all Peer Review team members to review expectations, process, and any unique requirements related to the particular Peer Review. Generally, this teleconference will occur at least 72 hours prior to the trip.

7. Travel:

- a. Peer Review teams will generally travel to the location of the procuring activity to conduct competitive Peer Reviews, particularly for Phase 1. Non-competitive reviews are typically conducted via VTC.
- b. DPAP will fund the travel expenses. Peer Review team members need to provide their social security numbers to DPAP/CPIC in order to receive access to the DPAP fund cite in DTS.
- c. Phase 1 Peer Reviews will typically require 3 days on site but duration may vary depending on the complexity of the requirement. Phases 2 and 3 typically are completed in 2 days or less for each phase.

8. Expectations Regarding Substance of the Peer Review:

- a. Peer Review teams shall candidly conduct a thorough and comprehensive assessment.
- b. The list of elements to be addressed in each review is provided in DFARS PGI 201.1.

- c. A list of suggested questions for Peer Review team members to use to guide discussions is available at http://www.acq.osd.mil/dpap/cpic/cp/peer_reviews.html

9. Documentation of Peer Review Findings/Recommendations:

- a. Upon completion of the Peer Review team will provide preliminary feedback to the acquisition team.
- b. Within 72 hours of completion of the review, the Chairperson of each Peer Review team shall provide to the contracting officer a report detailing the team's findings and recommendations. Findings and recommendations should provide pointed and specific language to enable the contracting officer's clear understanding. The Chairperson will provide a courtesy copy to the program manager and to the Director of DPAP.
- c. The contracting officer must include the Peer Review report in the contract file. In addition, the contracting officer must document, in the contract file prior to contract award, disposition of all Peer Review team recommendations. The disposition documentation may take the form of a memorandum for the record and a copy must be provided to DPAP/CPIC.
- d. Care shall be taken with Peer Review documentation to protect source selection information.

10. Access to Source Selection Information:

The program coordinator (DPAP/CPIC) will execute non-disclosure agreements as provided by the respective contracting officers and will ensure Peer Review members do the same prior to accessing source selection sensitive information.

11. Sharing Lessons Learned and Best Practices:

DPAP/CPIC shall be responsible for disseminating results and lessons learned. DPAP/CPIC will analyze each of the Peer Review team reports and identify common trends and issues to be shared with the broader DoD contracting community. Results and lessons learned will be appropriately generalized to ensure the integrity of the source selection. DPAP/CPIC will maintain information to be posted on the DPAP web site at:

http://www.acq.osd.mil/dpap/cpic/cp/peer_reviews.html

12. Ground Rules for the Host Organization:

- a. For competitive reviews, the procuring activity shall be prepared to host Peer Review teams by providing an adequate meeting location and workspace area for the Peer Review team members. Upon arrival at the site, an in-brief will be conducted to provide the Peer Review team with an overview of the program to include a brief history of prior related procurements and a

chronological timeline of key program events. In addition, the host organization should provide a list of the names, organizations and titles of all those who participate in the Peer Review to the Peer Review team lead in order to facilitate preparation of the Peer Review report.

- b.** Generally, most of the time spent on a Peer Review will entail interactive discussion between the Peer Review team and the procuring activity team.
- c.** Generally, the Peer Review team will be responsible to take their own notes; however, if requested in advance, the host team will provide assistance in this regard.
- d.** Attendance at Peer Review sessions is generally limited to Government personnel only. Exceptions should be coordinated ahead of time with the DPAP/CPIC program coordinator.
- e.** Participants for the host team should include the contracting officer, the program manager, the price analyst, the attorney and other key members of the multi-functional team (as required).
- f.** The procuring activity shall provide a primary point of contact to DPAP/CPIC who will provide a list of participants. DPAP/CPIC will provide the host team's primary point of contact with a list of Peer Review members, their biographies, and cell phone numbers.
- g.** The host team's primary point of contact will provide DPAP/CPIC the name of an individual at the host location with whom DPAP/CPIC can work with to secure logistical arrangements (e.g. lodging recommendations, maps, parking, etc.).