



ACQUISITION,  
TECHNOLOGY  
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-3000

DEC 13 2017

In reply refer to  
DARS Tracking Number: 2018-O0006

MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS  
COMMAND (ATTN: ACQUISITION EXECUTIVE)  
COMMANDER, UNITED STATES TRANSPORTATION  
COMMAND (ATTN: ACQUISITION EXECUTIVE)  
DEPUTY ASSISTANT SECRETARY OF THE ARMY  
(PROCUREMENT)  
DEPUTY ASSISTANT SECRETARY OF THE NAVY  
(ACQUISITION AND PROCUREMENT)  
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE  
(CONTRACTING)  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Class Deviation—Evaluation Factors for Certain Multiple-Award Task- or Delivery-  
Order Contracts

Effective immediately, contracting officers, at their discretion, when issuing a solicitation that will result in multiple-award contracts issued for the same or similar services, may exclude price or cost as an evaluation factor for the contract awards, if the solicitation states that the Government intends to make an award to each and all qualifying offerors. The contracting officer shall consider price or cost as one of the factors in the selection decision for each task or delivery order under the multiple-award contract, in accordance with FAR 16.505(b)(1)(ii)(E).

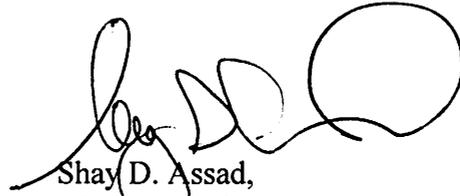
For purposes of this deviation, a qualifying offeror is an offeror that is determined to be a responsible source, submits a technically acceptable proposal that conforms to the requirements of the solicitation, and the contracting officer has no reason to believe would be likely to offer other than fair and reasonable pricing.

Currently, contracting officers must evaluate price or cost as a factor in the selection decision for both the award of a multiple-award contract and each order placed against the multiple-award contract. This deviation permits contracting officers to evaluate cost or price only at the task- or delivery-order level, as long as the multiple-award contracts under which the orders are being placed are for the same or similar services and a contract award was made to each and all qualifying offerors.

This deviation implements section 825 of the National Defense Authorization Act for Fiscal Year 2017. This deviation does not apply to solicitations for multiple-award contracts that provide for sole source orders pursuant to section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

Class Deviation 2018-O0006  
Evaluation Factors for Certain Multiple Award Task or Delivery Order Contracts

This class deviation remains in effect until it is incorporated in the FAR, or until this class deviation is otherwise rescinded. My point of contact is Mr. Mike Canales, who is available at (703) 695-8571, or at michael.j.canales4.civ@mail.mil.

A handwritten signature in black ink, appearing to read 'Shay D. Assad', with a large circular flourish at the end.

Shay D. Assad,  
Director, Defense Pricing/Defense  
Procurement and Acquisition Policy