**U.S. Department of Commerce**



**National Oceanic and Atmospheric Administration (NOAA)**

**ProTech Acquisition Plan Template**

**Version X.0**

This document contains proprietary or source selection information related to the conduct of a Federal agency procurement. The disclosure and receipt of this information is restricted by Section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423). The unauthorized disclosure of this information may subject both the discloser and the recipient to the contractual, civil, and/or criminal penalties as provided by law.

# **Formal Acquisition Plan**

# **Template**

Formal acquisition plans apply to all acquisitions, including ProTech task orders (TOs) in which total life-cycle cost exceeds $10 million. (see [CAM 1307.1 Sec 5.2](http://www.osec.doc.gov/oam/acquistion_management/policy/commerce_acquisition_manual_cam/documents/CAM%201307-1%20-%20Acq%20Planning%20%28Dec%202015%29%20All%20Attachments.pdf)) A formal acquisition plan may also be considered for acquisitions below the $10 million threshold that meet one or more of the following criteria:

1. Acquisition is complex, critical to agency strategic objectives and mission, highly visible or politically sensitive;
2. Acquisition with which the Department has little or no experience that may result in a need for greater oversight or risk management;
3. Actions using significantly changed methods (e.g., methods of procurement such as lease versus purchase, or methods of performance such as contractor versus Government personnel);
4. Acquisitions for new construction, or repair and alteration;
5. Acquisitions that require contract bundling (see [FAR Subpart 7.107](https://www.acquisition.gov/far/current/html/Subpart%207_1.html)); or
6. Acquisitions with award term, award fee, or incentive arrangements as defined in [FAR Subpart 16.4](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_4.html).

The Program Official is designated the acquisition “planner” and is responsible for developing and maintaining the formal acquisition plan. The planner shall develop the formal plan in coordination with a team consisting of all individuals who will be responsible for significant aspects of the acquisition, such as contracting, budget, legal, technical personnel, and small business considerations. Previous plans for similar acquisitions should be reviewed and the planner should consult with key personnel involved in those acquisitions.

The specific content of a formal acquisition plan will vary depending on the nature, circumstances, and stage of the acquisition. The acquisition plan will identify all significant technical, cost and business issues and provide specific solutions to address the critical issues in the proposed acquisition. The plan should be based on fact (not opinion or supposition) and reflect what was decided, alternatives considered, and the rationale for recommending the proposed strategy.

Formal acquisition plans shall be prepared sufficiently in advance of the solicitation’s release date to allow ample time for review and clearances. All formal acquisition plans, at a minimum, shall be reviewed and signed by the Program Official, the Operating Unit Budget Officer, the Contracting Officer, an Office of General Counsel representative assigned by the Contract Law Division, the Senior Bureau Procurement Official; and the Senior Procurement Executive if over $75M. The Competition Advocate must concur when other than full and open competition procedures are expected to be used.

By signing the acquisition plan, the Program Official certifies that the information in the acquisition plan is current, accurate and complete. The Contracting Officer’s signature certifies that the acquisition methodology is sound and the acquisition plan reflects the best business strategy for the acquisition. The Office of General Counsel’s signature certifies legal sufficiency. The signature of the Operating Unit Budget Officer certifies that the planned acquisition is consistent with current and future budget plans. The Senior Bureau Procurement Official’s signature signifies concurrence with the content of the acquisition plan and that the plan meets all requirements of [FAR Subpart 7.103](https://www.acquisition.gov/far/current/html/Subpart%207_1.html). The Senior Procurement Executive’s signature certifies approval of the acquisition plan if over $75M.

# **ProTech Formal Acquisition Plan**

{Insert Project Name}

{Insert Project Acronym}

Solicitation Number: {Insert Solicitation Number, if known}

DATE: {INSERT MONTH & YEAR}

**IMPORTANT:** All instructions and user notes (highlighted in blue), and user input guidance should be removed before finalizing the SOW document.

**Part I – Acquisition Background and Objectives**

1. **Title** – [Provide a short descriptive title.]
2. **Identification Number** – Each acquisition plan must identify the associated Advance Acquisition Planning number generated in [C-BOT](https://sites.google.com/a/noaa.gov/acquisition-grants/systems/c-bot).

 **c. Statement of Need** –

[Per [FAR 7.105(a)(1)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Introduce the plan by a brief statement of need. Summarize the technical and contractual history of the acquisition. Discuss feasible acquisition alternatives, the impact of prior acquisitions on those alternatives, and any related in-house effort. For service TOs, describe the strategies for implementing performance-based acquisition methods or provide rationale for not using those methods ([FAR 7.105](https://www.acquisition.gov/far/current/html/Subpart%207_1.html) and [37.6](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2037_6.html))]

**i. Need/Requirement.** The [Project name or description of effort] is to provide support for … [A brief description of the project/program.]

**ii. Technical and contractual history.** This is a [new/continuing] requirement that will be acquired through TO under the ProTech IDIQ Contract acquisition process. [If this is a continuing requirement, add the following:] The incumbent contractor is [name and type of entity, e.g., large for-profit, small business, non-profit, university, etc. If the incumbent is a small business, identify the category of small business; see [FAR Part 19](https://www.acquisition.gov/sites/default/files/current/far/html/FARTOCP19.html) for requirements for Small Business Set-Asides and Bundling], under a [type of TO] identified as Contract/TO No. [insert number] covering the period of [xx/xx/xx] through [xx/xx/xx].

**iii. Acquisition alternatives**. A review of the potential acquisition alternatives was done taking into consideration previous acquisitions of a similar item or service, the impact of prior acquisitions on these alternatives, and related in-house efforts, which indicated that the best acquisition method was [identify; then provide the rationale and reasoning for selecting or not selecting each acquisition alternative considered.]

 **d. Applicable Conditions** – The prospective contractor needs to have the following capabilities, performance characteristics or standards in order to meet the requirements for this acquisition: [Per [FAR 7.105(a)(4)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Specify the required capabilities or performance characteristics of the supplies or the performance standards of the services being acquired and state how they are related to the need; and any known cost, schedule, and capability or performance constraints.]

**e. Cost** – [Per [FAR 7.105(a)(3)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Set forth the established cost goals for the acquisition and the rationale supporting them]

The total estimated cost of the TO(s) covered by this acquisition plan, including all contract options, is $[amount]. This estimate is based on an independent government cost estimate developed using [insert basis for estimate, such as historical implementation costs, administration costs and other costs and discuss].

**f. Capability or performance** – The prospective contractor needs to have the following capabilities, performance characteristics or standards in order to meet the requirements for this acquisition: [Per [FAR 7.105(a)(4)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Specify the required capabilities or performance characteristics of the supplies or the performance standards of the services being acquired and state how they are related to the need.]

 **g. Delivery or performance-period requirements** – The delivery or performance period requirements for this acquisition is based on [fill in required period of performance.] [Per [FAR 7.105(a)(5)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Describe the basis for establishing performance period requirements (see [FAR Subpart 11.4](https://www.acquisition.gov/far/current/html/Subpart%2011_4.html)).

**h. Trade-offs** – The following trade-offs and the expected consequences for allowing a trade-off have been considered for this acquisition as follows: [Per [FAR 7.105(a)(6)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Discuss the expected consequences of trade-offs among the various cost, capability or performance, and schedule goals.]

 **i. Risks** – The following identifies the potential technical, cost and schedule risks for this acquisition, the planned actions to reduce these risks, and the consequences of failure to achieve goals: [Per [FAR 7.105(a)(7)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Discuss technical, cost, and schedule risks and describe what efforts are planned or underway to reduce risk and the consequences of failure to achieve goals. If concurrency of development and production is planned, discuss its effects on cost and schedule risks.]

**j. Acquisition streamlining** – Acquisition streamlining does not apply per [FAR 7.101](https://www.acquisition.gov/far/current/html/Subpart%207_1.html), as the acquisition is not for systems.

[Per [FAR 7.105(a)(8)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): If specifically designated by the Agency as a program subject to acquisition streamlining, discuss plans and procedures to—(i) Encourage industry participation by using draft solicitations, presolicitation conferences, and other means of stimulating industry involvement during design and development in recommending the most appropriate application and tailoring of TO requirements; (ii) Select and tailor only the necessary and cost-effective requirements; and (iii) State the timeframe for identifying which of those specifications and standards, originally provided for guidance only, shall become mandatory. Even for procurements that are not for systems, the requiring office and the CO may agree to implement similar plans and procedures if doing so reasonably leads to a more efficient and effective procurement strategy.]

**Part II – Plan of Action**

***[Part II of the formal plan should include the following information, as applicable:]***

1. **Sources** – The following techniques were used to conduct market research:

[Indicate the appropriate ProTech IDIQ Domain Contractors that may be capable of meeting the need. List and describe the techniques used. Per [FAR Subpart 10.002(b)(2)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2010_0.html#wp1088824), techniques for conducting market research may include any or all of the following: (i) Contacting knowledgeable individuals in Government and industry regarding market capabilities to meet requirements, (ii) Reviewing the results of recent market research undertaken to meet similar or identical requirements, (iii) Publishing formal requests for information in appropriate technical or scientific journals or business publications, (iv) Querying the Governmentwide database of contracts and other procurement instruments intended for use by multiple agencies available at www.contractdirectory.gov/contractdirectory/ and other Government and commercial databases that provide information relevant to agency acquisitions, (v) Participating in interactive, on-line communication among industry, acquisition personnel, and customers, (vi) Obtaining source lists of similar items from other contracting activities or agencies, trade associations or other sources, (vii) Reviewing catalogs and other generally available product literature published by manufacturers, distributors, and dealers or available on-line, (viii) Conducting interchange meetings or holding presolicitation conferences to involve potential offerors early in the acquisition process. Another technique is publishing sources sought notices in Contract Opportunities section of the [System for Award Management (Beta SAM)](https://www.fbo.gov/).

**b. Competition** – [The fair opportunity process described in the Federal Acquisition Regulation (FAR) 16.505(b) applies to the ProTech contract. All ProTech Task Orders (TOs) for services shall be issued on a competitive basis, unless a fair opportunity exception justiﬁcation is approved by the TO CO. Rationale should be provided here should any exception to fair opportunity is contemplated.]

The IDIQ contract provides the flexibility to determine fair and reasonable pricing tailored to the task order requirement dependent upon level of competition, risk, uncertainties, complexity, urgency, and contract type. The TO CO has the authority and responsibility to determine cost or price reasonableness for task order requirements.

The labor rates contained in the IDIQ contract are ceiling rates. They are not applicable to cost-reimbursement task orders. Competition at the task order level is expected to establish fair and reasonable pricing for task orders placed for all contact types. For those relatively rare instances when competition does not exist, these ceiling rates will be available for the TO CO to consider and use. The TO CO has the flexibility to exceed these rates, but is cautioned only to do so when justified, such as for requirements requiring special security clearance, sea days, hazard pay, work to be performed outside the contiguous United States (OCONUS), or other extraordinary circumstances.

**c. Evaluation and source selection procedures -**[State the source selection criteria to be used and identify the individual who will serve as the Award Decision Authority (ADA). If the ADA is changed at any time after approval of the acquisition plan, the name of the new ADAA must be provided in writing to the Senior Procurement Executive.]

The Government will evaluate the contract holder’s technical and cost proposal in accordance with the selection criteria. The Government’s award decision will be based, at a minimum, on compliance with Section 508 requirements of the Rehabilitation Act, and selection criteria which address past performance (relative to the ProTech Program performance), technical/ management approach and cost. Among other sources, evaluation of past performance will be based on a database built from past performance assessments provided by TO CORs on individual TOs performed throughout the life of the contract. The TO CO has broad discretion on the use of source requests for past performance, however, when possible it should be limited to easily attainable information (i.e. Government information systems such as PPIRS, FAPIIS, etc.) and past performance information of previous ProTech TOs.

In addition to past performance, technical/ management approach and cost, individual TO selection criteria may include other factors relevant to the particular requirement. The order of importance for the factors will be identiﬁed in each individual request for proposal. If necessary, during the evaluation of proposals, the Government may contact a contract holder with questions concerning its proposal.

After the technical proposals have been received and evaluated, an authorized ofﬁcial from the Requiring Activity will document, sign and forward the results to the TO CO for review and approval. The TO CO reserves the right to withdraw and cancel a task if issues pertaining to the proposed task arise that cannot be satisfactorily resolved.

After completion of the evaluation, discussions, if any, and best value analysis, the TO CO, in coordination with the TO COR, shall prepare a complete award recommendation package to document the selection process and to serve as evidence that the fair opportunity to be considered rule was applied, unless an exception was taken under [FAR Subpart 16.505(b)(2)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_5.html). At a minimum, it shall include:

1. A statement indicating whether announcement of the TO requirement was made to all contractors eligible for receiving an award for the task requirement, or if an exception to the fair opportunity to be considered rule was cited (cite the exception);
2. The selection criteria /methodology used to evaluate the competing contract holders;
3. The results of the evaluation; and
4. The rationale for the recommendation of the TO awardee, including a summary of any negotiations conducted, cost/ price analysis and best value analysis.

[When an Earned Value Management System (EVMS) is required (see [FAR Subpart 34.202(a)](https://www.acquisition.gov/far/current/html/Subpart%2034_2.html)) and a pre-award Integrated Baseline Review (IBR) is contemplated, the acquisition plan must discuss: how the pre-award IBR will be considered in the source selection decision; how it will be conducted in the source selection process (see [FAR Subpart 15.306](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2015_3.html)); and whether the Offeror will be directly compensated for the costs of participating in a pre-award IBR.]

 **d. Contracting method and considerations** – Under ProTech, the TO COs may negotiate several types of TOs which differ in the degree of risk assumed by the contractor for the costs of performance and in the proﬁt incentives offered. The task types are grouped into four broad categories: ﬁrm ﬁxed-price (FFP), cost-reimbursement (CR), time-and-materials (T&M) and labor hour (L/H), and incentive contracts.

The anticipated TO type is firm-fixed-price. A firm fixed price TO is appropriate because [Explain. See [FAR Subpart 16.202-2](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_2.html) for appropriate application of fixed price contracts. If the anticipated contract type is not firm-fixed-price, delete the previous sentence and use the format for d.i. through d.e. below.]

[If the contract type is firm-fixed-price, delete the rest of this section. Per [FAR 7.105(b)(3)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): For other than firm-fixed-price contracts, see [FAR Subpart 16.103(d)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html) for additional documentation guidance. Acquisition personnel must document the acquisition plan with findings that detail the particular facts and circumstances, (e.g., complexity of the requirements, uncertain duration of the work, contractor’s technical capability and financial responsibility, or adequacy of the contractor’s accounting system), and associated reasoning essential to support the contract type selection. The contracting officer must ensure that requirements and technical personnel provide the necessary documentation to support the contract type selection.]

The purpose of this section is to document why the particular contract type was selected, pursuant to [FAR Subpart 16.103(d)(1)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html).

**i. Why the contract type must be used to meet the agency need.** A [insert contract type] must be used to meet the agency need because [Explain. See [FAR Subpart 16.103(d)(1)(i)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html).]

**ii. The Government’s additional risks and the burden to manage the contract type selected.** [Explain. See [FAR Subpart 16.103(d)(1)(ii)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html). For example, when a cost-reimbursement contract is selected, the Government incurs additional cost risks, and the Government has the additional burden of managing the contractor’s cost.]

[For CPFF and other high-risk contract types, also include the following subsections:]

**iii. How the Government identified the additional risks.** **The Government identified the additional risks by** [Discuss. For example, pre-award survey or past performance information. See [FAR Subpart 16.103(d)(1)(ii)(A)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html).]

**iv. Nature of the additional risks.** [Discuss. For example, inadequate contractor’s accounting system, weaknesses in internal control, or non-compliance with Cost Accounting Standards. See [FAR Subpart 16.103(d)(1)(ii)(B)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html).]

**v. How the Government will manage and mitigate the risks.** The Government will manage and mitigate the risks by [Discuss. See [FAR Subpart 16.103(d)(1)(ii)(C)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html).]

**vi.** **Resources necessary to plan for, award, and administer the contract type.** The following Government resources were identified as necessary to properly plan for, award, and administer the contract type selected: [Explain. See [FAR Subpart 16.103(d)(1)(iii)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html). For example, describe the resources needed and the additional risks to the Government if adequate resources are not provided.]

**vii.** **Because the anticipated contract type is other than firm-fixed-price, the following additional information is provided:**

**1. Why other than a firm fixed price TO is appropriate.** [Per [FAR Subpart 16.103(d)(1)(iv)(A)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html), include analysis of why the use of other than a firm-fixed-price TO (e.g., cost reimbursement, time and materials, labor hour) is appropriate.]

**2. Facts and circumstances supporting contract type selection.** [[Per FAR Subpart 16.103(d)(1)(iv)(B)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html), include rationale that details the particular facts and circumstances (e.g. complexity of the requirements, uncertain duration of the work, contractor’s technical capability and financial responsibility, or adequacy of the contractor’s accounting system), and associated reasoning essential to support the contract type selection.]

**3. Adequacy of Government resources to plan for, award, and administer other than firm-fixed-price TOs.** [Per [FAR Subpart 16.103(d)(1)(iv)(C)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html), include an assessment regarding the adequacy of Government resources that are necessary to properly plan for, award, and administer other than firm-fixed-price TOs.}

**4. Planned actions to minimize use of other than firm-fixed-price TOs on future acquisition.** [Per [FAR Subpart 16.103(d)(1)(iv)(D)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html), include a discussion of the actions planned to minimize the use of other than firm-fixed-price TOs on future acquisitions for the same requirement and to transition to firm-fixed-price TOs to the maximum extent practicable].

**5. Level-of-effort, price redetermination, or fee provision.** [Per [FAR Subpart 16.103(d)(1)(v)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2016_1.html), discuss why a level-of-effort, price redetermination, or fee provision was included, as applicable.]

viii. Describe the use of special funding, options, or any special contracting methods; any special clauses (e.g., economic price adjustment clauses); special solicitation provisions or FAR deviations required; whether sealed bidding or negotiations will be used and why; whether equipment will be acquired by lease or purchase and why; and any other relevant considerations.

 ix. Provide rationale if a performance-based acquisition is not used or if a performance-based acquisition for services is contemplated on other than a firm-fixed-price basis.

x. When an interagency acquisition is proposed, discuss the best procurement approach determination, including the basis for such determination, and steps that will be taken to ensure sound management and use of the interagency acquisition.

xi. For acquisitions requiring capital planning and investment control requirements, discuss how the responsibilities identified in [40 U.S.C. 11312](http://www.gpo.gov/fdsys/granule/USCODE-2010-title40/USCODE-2010-title40-subtitleIII-chap113-subchapII-sec11312/content-detail.html) and [OMB Circular A-130](https://www.federalregister.gov/documents/2016/07/28/2016-17872/revision-of-omb-circular-no-a-130-managing-information-as-a-strategic-resource) will be met (see [FAR Subpart 7.103(v)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%207_1.html) and [Part 39](https://www.acquisition.gov/sites/default/files/current/far/html/FARTOCP39.html)).

xii. For information technology acquisitions using Internet Protocol, discuss whether the requirements documents include the Internet Protocol compliance requirements specified in [FAR Subpart 11.002(g)](https://www.acquisition.gov/sites/default/files/current/far/html/FARTOCP11.html) or a waiver of these requirements has been granted by the agency’s Chief Information Officer.

xiii. For time and material or labor hour contracts and task orders for commercial services including those awarded through General Services Administration’s Federal Supply Schedules ([FAR Subpart 8.4](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%208_4.html)), ensure the required determination and findings as prescribed in [FAR Subpart 12.207(b)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2012_2.html) is prepared.

xiv. Document any considerations for the use of project labor agreements in connection with large-scale construction projects, (i.e., projects where the cost to the Federal Government exceeds $25M).

xv. When a cost-reimbursement contract is selected, document findings necessary to support why the use of this contract type is appropriate.

xvi. For each contract (and order) contemplated, discuss the strategy to transition to firm-fixed price contracts to the maximum extent practicable. During the requirements development stage, consider structuring the contract requirements, e.g., contract line items (CLINS), in a manner that will permit some, if not all, of the requirements to be awarded on a firm-fixed-price basis, either in the current contract, future option years, or follow-on contracts. This will facilitate an easier transition to a firm-fixed-price contact because a cost history will be developed for a recurring definitive requirement.

**e. Budgeting and funding** – The total estimated cost of the TO and basis for the estimate are set forth in Part I.d above. The estimated cost per year of the anticipated TO is estimated as follows:

Year 1: ${amount}

Year 2: ${amount}

[Insert additional years as necessary] [Also, include specific references to budget line items and program elements, where applicable.]

The TO is anticipated to be [fully funded/incrementally funded]. $[amount] of funding is available for [Year 1/to fully fund the TO] from [specify source of funds]. [Per [FAR Subpart 7.105(b)(6)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Include budget estimates, explain how they were derived, and discuss the schedule for obtaining adequate funds at the time they are required (see [FAR Subpart 32.7](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2032_7.html)).]

 **f. Product or service descriptions** – [In accordance with [FAR Part 11](https://www.acquisition.gov/sites/default/files/current/far/html/FARTOCP11.html), explain the choice of product or service description types (including performance-based acquisition descriptions) to be used in the acquisition. See [FAR Subpart 11.1](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2011_1.html#wp1086821)]

**g. Priorities, allocations and allotments** – [When urgency of requirement dictates a particularly short delivery or performance schedule, certain priorities may apply. If so, specify the method for obtaining and using priorities, allocations, and allotments and the reason for them (see [FAR Subpart 11.6](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2011_6.html)).]

**h. Contractor versus Government performance** – The anticipated TO will not be used to perform inherently governmental activities, nor was the requirement previously performed by NOAA personnel. [Edit previous sentence as necessary. Per [FAR 7.105(b)(9)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Address the consideration given to [OMB Circular No. A-76](https://obamawhitehouse.archives.gov/omb/circulars_a076_a76_incl_tech_correction/) (see [FAR Subpart 7.3)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%207_3.html).]
**i. Inherently governmental functions** – A review of the requirements was performed in accordance with FAR 7.5 to ensure that the proposed TO does not include performance of any inherently governmental functions. [Per [FAR 7.105(b)(10)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html), address the consideration given to Subpart 7.5. Additionally, the [Office of Federal Procurement Policy (OFPP) Policy Letter 11-01](https://www.gpo.gov/fdsys/pkg/FR-2011-09-12/pdf/2011-23165.pdf) provides executive branch policy on the performance of inherently governmental and critical functions.

Discuss the assumptions that determine whether contractor rather than agency support will be used, including consideration of contractor or agency maintenance, servicing, and distribution of commercial items (see [FAR Subpart 7.105(b)(13) (i)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html)).

 i. If it is determined that contracted resources will be used, provide a rationale that fully supports this basis and that none of the functions to be performed under the contract or task order are inherently governmental. This assessment should place emphasis on the degree to which conditions and facts restrict the discretionary authority, decision-making responsibility, or accountability of Government officials using contractor services or work products.

 ii. When services to be acquired will closely support the performance of inherently governmental functions, provide an assessment of current and potential technical, cost, schedule and performance risks, the level of those risks and a mitigation plan that describes how the Government will monitor, control, and mitigate risk of TO performance, as well as steps to be taken when an identified risk occurs. The mitigation plan shall outline the roles and responsibilities of the Government personnel involved in oversight and demonstrate the skills and capacity of the personnel to perform adequate TO award, management and oversight.]

**j. Management information requirements –** The post award administration and monitoring of the contractor's effort, to the degree known at this time, will be performed using the following techniques or systems: [Per [FAR Subpart 7.105(b)(11](https://www.acquisition.gov/far/current/html/Subpart%207_1.html)): Discuss, as appropriate, what management system will be used by the Government to monitor the contractor’s performance.

 i. Earned Value Management System reporting is required on all major acquisitions for development. DOC considers a “major acquisition for development” to be an acquisition that includes $25 million or more in development, modernization, and enhancement (DME) costs over the life of the acquisition (including options). The Department may also direct acquisitions with less than $25 million in DME costs over the life of the acquisition be treated as a “major acquisition for development” that merit special attention due to its sensitivity, mission criticality or risk potential.

 ii. Discuss how the offeror’s/contractor’s EVMS will be verified for compliance with the [American National Standards Institute/Electronics Industries Alliance (ANSI/EIA) Standard-748, Earned Value Management Systems](http://www.acqnotes.com/Attachments/ANSIEIA%20748%20EVM%20System%20Acceptance%20Guide.pdf), and the timing and conduct of integrated baseline reviews (whether prior to or post award).

 iii. For developmental acquisitions where EVMS is not required, describe the project management tools and management information tools being used to monitor performance.]

 **k. Make or buy** – A make or buy program was not applicable to this acquisition because [Insert reason for not using. See [FAR Subpart 15.407-2(c)](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2015_4.html) for acquisitions requiring make or buy programs, most commonly used for major systems acquisitions.] [Per [FAR 7.105(b)(12)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Discuss any consideration given to make-or-buy programs.]

**l. Test and evaluation** – [If applicable, describe the test program to be used by the Government and contractor. Also describe the test program for each major phase of a major system acquisition. If concurrency of development and production is planned, discuss the extent of testing to be accomplished before production release.]

**m. Logistics considerations** – [Describe, as applicable:

 i. The assumptions determining contractor or agency support, both initially and over the life of the acquisition, including maintenance and servicing considerations (i.e. maintenance, repairs, spare parts); support for contracts to be performed in a designated operational area or supporting a diplomatic or consular mission (see [FAR Subpart 25.301-3](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2025_3.html)) and; distribution of commercial items.

 ii. The reliability, maintainability, and quality assurance requirements, including use of warranties. (see [FAR Part 46](https://www.acquisition.gov/sites/default/files/current/far/html/FARTOCP46.html))

 iii. The requirements for contractor data (including repurchase data) and data rights, their estimated cost, and how the data will be used. (see [FAR Part 27](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2027_4.html))

 iv. The standardization concepts, including the need to designate, in accordance with agency procedures, technical equipment as “standard” so future purchases can be made from the same manufacturer.

 v. The need for TO performance to continue when there is a pandemic. If TO performance needs to continue, how the performance will occur particularly when performance is on-site at the government location.]

 **n. Government-furnished property** – It is anticipated that Government-furnished property, material, and facilities will be required for contractor's performance of this requirement. The required Government-furnished property has been reviewed and it has been determined that no apparent problems exist that will hinder successful performance by the prospective contractor. A listing of the property and its availability date or the scheduled date for acquisition of the property follows:

|  |  |  |
| --- | --- | --- |
| Item # | Description | Availability/Acquisition Date |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

[Per [FAR 7.105(b)(15](https://www.acquisition.gov/far/current/html/Subpart%207_1.html)): Indicate any Government property to be furnished to contractors, and discuss any associated considerations, such as its availability or the schedule for its acquisition (see [FAR Subpart 45.102](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2045_1.html#wp1023556)).]

[If it is anticipated that Government-furnished property will not be required, delete the above text and state - None. However, if the contractor will use, even temporarily NOAA facilities, desks, equipment, computers, vehicles, etc., then list everything.]

**o. Environmental considerations** – [Discuss any environmental and energy issues associated with the acquisition (see [FAR Part 23](https://www.acquisition.gov/sites/default/files/current/far/html/FARTOCP23.html)), the applicability of an environmental assessment or environmental impact statement (see [40 CFR 1502](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr1502_main_02.tpl)), the proposed resolution of environmental issues, and any environment-related requirements to be included in the solicitation and TO. Ensure acquisitions are in compliance with department-wide guidance prescribed in [CAM 1323.70, “Green Procurement Program”](http://osec.doc.gov/oam/acquistion_management/policy/commerce_acquisition_manual_cam/documents/CAM_1323-700_Green_Procurement_Program.pdf) and [Executive Order 13423, “Strengthening Federal Environmental, Energy, and Transportation Management”](https://www.gpo.gov/fdsys/pkg/FR-2007-01-26/pdf/07-374.pdf).]

 **p. Government-furnished information** – It is anticipated that Government-furnished information will be required for contractor's performance. The availability of this information and the required delivery schedule to meet schedules required for contractor's performance have been reviewed and determined that no apparent problems exist that will hinder successful performance by the prospective contractor.

A list of the Government-furnished information anticipated follows:

|  |  |  |
| --- | --- | --- |
| Item # | Description | Availability/Acquisition Date |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

[If it is anticipated that Government-furnished information will not be required, delete the text and chart, leaving the title and state -- None. Otherwise, per [FAR Subpart 7.105(b)(16)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html), discuss any Government information, such as manuals, drawings, and test data, to be provided to prospective offerors and contractors. Indicate which information that requires additional controls to monitor access and distribution (e.g., technical specifications, maps, building designs, schedules, etc.), as determined by NOAA.]

**q. Security and information technology security considerations** – [For acquisitions involving classified matters, describe how adequate security will be established, maintained and monitored. Discuss Information Technology (IT) Security requirements to include applicability and incorporation of required IT Security clauses in TOs for:

 i. Information technology resources or services;

 ii. Requiring contractor personnel access to DOC information technology Systems;

iii. DOC sensitive/classified information; and

 iv. Contractor information technology systems interconnected to DOC Systems.]

**r. Contractor access to government facilities or information** – [For acquisitions requiring routine contractor physical access to a Federally-controlled facility and/or routine access to a Federally-controlled information system, discuss how agency requirements for personal identity verification of contractors will be met (see [FAR Subpart 4.13](https://www.acquisition.gov/far/current/html/Subpart%204_13.html)). Discuss compliance with [Homeland Security Directive-12 (HSPD-12)](https://www.dhs.gov/homeland-security-presidential-directive-12).]

**s. TO administration** – The TO awarded as a result of this acquisition will be administered by {insert name} who was or will be nominated to be the Contracting Officer’s Representative. {Insert name} was/will be nominated to be the Alternate Contracting Officer’s Representative. Authorities to be delegated by the Contracting Officer to the COR include inspection and acceptance of deliverables. [Per [FAR Subpart 7.105(b)(19)](https://www.acquisition.gov/far/current/html/Subpart%207_1.html): Describe how the TO will be administered. In TOs for services, include how inspection and acceptance corresponding to the work statement’s performance criteria will be enforced.]

**t. Other considerations** – [As applicable, discuss the consideration given to the following and other items required by [FAR Subpart 7.1](https://www.acquisition.gov/far/current/html/Subpart%207_1.html):

i. Standardization concepts;

ii. Value Engineering provisions;

iii. Pre-proposal conference;

iv. Site visits for contractors;

v. Pre-award Surveys;

vi. Requirements of Electronic and Information Technology Accessibility Standards (Section 508);

vii. Benchmark testing/performance validation;

viii. [Support Anti-terrorism by Fostering Effective Technologies Act of 2002](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%2050_2.html) (SAFETY Act);

ix. Disaster Response Registry at www.ccr.gov, when contracting for debris removal, distribution of supplies, reconstruction, and other disaster or emergency relief activities;

 x. The industrial readiness program;

xi. The Occupational Safety and Health Act;

xii. Foreign sales implications;

xiii. Potential or actual conflicts of interest and any plans for mitigation thereof; and

xiv. Other issues deemed appropriate by the contracting or program officials (e.g., restrictions on telecommuting (see [FAR Subpart 7.108](https://www.acquisition.gov/sites/default/files/current/far/html/Subpart%207_1.html)).]

**u. Other approvals** – [Describe any separate approvals that are required. Required approvals include, but are not limited to:

i. CD-570 Small Business Programs requirements, acquisitions that are not set-aside for small business must be reviewed by the Small Business Specialist and OSDBU.

ii. Acquisitions that include information technology must be reviewed and approved by the Chief Information Officer to ensure the acquisition strategies and acquisition plans: are consistent with CIO-approved plans and strategies; apply adequate incremental development principles; include opportunities to leverage acquisition initiatives such as shared services, category management, strategic sourcing, and incremental or modular contracting and use such approaches as appropriate; are supported by costs estimates; and are led by personnel with appropriate Federal Acquisition Certifications, including specialized IT certifications, as appropriate.]

 **v. Milestone Plan** – [Develop and attach a copy of the milestone plan. Fully explain and completely justify times shown which are shorter or longer than standard lead-times included in [CAM 1307.1, Appendix C](http://www.osec.doc.gov/oam/acquistion_management/policy/commerce_acquisition_manual_cam/documents/CAM%201307-1%20-%20Acq%20Planning%20%28Dec%202015%29%20All%20Attachments.pdf). A sample milestone schedule is provided in [CAM 1307.1, Appendix D](http://www.osec.doc.gov/oam/acquistion_management/policy/commerce_acquisition_manual_cam/documents/CAM%201307-1%20-%20Acq%20Planning%20%28Dec%202015%29%20All%20Attachments.pdf).]

**w. Participants in the acquisition process** – The following individuals were involved in the preparation of this acquisition plan:

[List additional individuals who assisted in the preparation of the acquisition plan]

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  Name | Office | Title | Certification/Level | Phone | email |
|  |  | Program Manager |  |  |  |
|  |  | Contracting Officer’s Technical Representative |  |  |  |
|  |  | Contracting Officer |  |  |  |
|  |  | Contract Specialist |  |  |  |
|  |  | Source Selection Official |  |  |  |

Attachments: [Add attachments here as needed]

1. Market Research
2. Milestone Plan

# **ACQUISITION PLAN SIGNATURE PAGE**

**Approval Requested:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Program Official Date

Dept/Bureau:

Phone Number:

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Budget Office Date

Dept/Bureau:

Phone Number:

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Contracting Officer Date

Dept/Bureau:

Phone Number:

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Office of General Counsel Date

(or Counsel specifically assigned to a procurement office)

Phone Number:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Senior Bureau Procurement Official Date

Dept/Bureau:

Phone Number:

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Chief Information Officer Date

Department of Commerce

Phone Number:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Senior Procurement Executive Date

Department of Commerce

Phone Number: