



DEPARTMENT OF THE NAVY
NAVAL SERVICE TRAINING COMMAND
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CNSTCINST 4210.1
N414
22 Aug 06

COMNAVSERVTRACOM INSTRUCTION 4210.1

Subj: COMMAND ACQUISITION REVIEW BOARD INSTRUCTION

Ref: (a) Federal Acquisition Regulation, 48 CFR Parts 1-53
(b) Defense Federal Acquisition Regulation Supplement (DFARS), 48 CFR Parts 201-253
(c) Navy Marine Corps Acquisition Regulation Supplement (NMCARS)
(d) OSD Memoranda on Proper Use of Non-DOD Contracts dtd 29 Oct 04 and Use of Federal Supply Schedules and Market Research dtd 28 Jan 05

Encl: (1) Purchase Request for Products and Services Checklist (Sample)
(2) Flowchart of Acquisition Process

1. Purpose. To establish policies, procedures and responsibilities for managing the acquisition process within the Naval Service Training Command (NSTC) staff and its activities (collectively, "NSTC"). This instruction creates a Command Acquisition Review Board ("CARB" or the "Board") and institutes a centralized process for the initiation, review and approval of new requirements and the application of strategic acquisition principles to make the best possible use of limited financial resources.

2. Application. This instruction applies to all acquisitions for products and services expected to equal or exceed \$25,000.00.

3. Background. NSTC's mission is increasingly supported by products and services provided by private commercial sources. Unless contract requirements are accurately defined prior to the submission to a contracting activity, NSTC may be disappointed with the product or service actually procured. NSTC's acquisition needs can be best fulfilled by effectively managing the requirements review and approval processes for new acquisitions and through the utilization of strategic acquisition principles, including the acquisition planning mandated by FAR Part 7.

CNSTCINST 4210.1
22 Aug 06

4. Policy. NSTC will comply with the review and reporting processes set forth in this instruction in acquiring goods and services expected to equal or exceed \$25,000.00. The intent of this instruction is not to modify, delete or in any way relieve any command, activity or individual from the responsibility to comply with all applicable acquisition regulations, directives, procedures and instructions.

5. CARB Members. The Board shall be composed of the following eight members, including five voting members and three nonvoting advisory members.

a. Voting members are:

- (1) Director, Manpower - Code (N1);
- (2) Director, Logistics/Command Information Officer - Code (N4/6), Chair;
- (3) Director, Program Management - Code (N71);
- (4) Comptroller - Code (N8); and
- (5) Director, Learning Strategies - Code (N9).

b. Advisory Members are:

- (1) Legal Advisor - Office of General Counsel - Code (OGC);
- (2) Logistics Advisor - Integrated Logistics Support Manager - Code (N41); and
- (3) Contracts Advisor - Procurement Analyst - Code (N414).

c. The Board shall invite the Activity Requirements Representative (defined in Paragraph 7 below) from the command or activity whose procurement requirements are under review to participate in Board proceedings in order to communicate further details and answer questions about the requirements. The Activity Requirements Representative shall not be a voting member of the Board.

d. When the Board deems it necessary, it shall invite an official from the contracting activity that will participate in CARB meetings in an advisory, nonvoting capacity.

6. The CARB will:

a. Ensure compliance with all applicable procurement regulations and guidance, including those in references (a) through (d).

b. Determine the best method for fulfilling NSTC procurement requirements by utilizing the strategic acquisition principles set forth in paragraph 9.

c. Evaluate the performance of NSTC procurement vehicles to determine if they are cost effective and accomplishing their intended purpose.

d. Review all NSTC procurements that are subject to the exercise of an option or renewal term no later than 120 days before the date by which NSTC has to give notice of its intent to exercise such option or renewal and recommend whether or not to renew or exercise such option.

7. NSTC Commands and activities will:

a. By 15 Jun of each year, submit to the Board via Code N414 a list of all new requirements for goods and services for the next fiscal year that are expected to equal or exceed \$25,000.00.

b. Ensure there is a bona fide need for the requested goods or services.

c. Coordinate all procurements for contract personnel services with N1 prior to submitting requirements to the Board.

d. Participate in monthly teleconferences with N41 to initiate the acquisition process for the specific requirement and work in close coordination with N414 to develop a purchase request package for Board review and approval. Such a package must be presented to the Board for its review and approval before it is submitted to any contracting activity. Use

CNSTCINST 4210.1
22 Aug 06

enclosure (1) as a guide. A purchase request package must contain at least the following:

(1) A Statement of Work (SOW) that clearly and accurately describes the essential characteristics and requirements of the desired goods and services. Requirements will be stated in terms of functions to be performed, required performance or essential physical characteristics. FAR Part 11 states that activity requirements shall not be written so as to require a particular brand-name, product or feature of a product that is peculiar to one manufacturer, thereby precluding consideration of a product manufactured by another company;

(2) A funding document bearing a line of accounting;

(3) A cost estimate;

(4) The period of performance over which goods or services are needed;

(5) The delivery dates and any other dates by or upon which performance is expected;

(6) The availability of Government Furnished Property (GFP) needed to perform the work;

(7) The market research indicating potential sources of desired goods and services; the NSTC employee at the place of performance recommended to serve as Technical Advisor (TA), Contracting Officer's Representative (COR) or Technical Point of Contact (TPOC), as appropriate;

(8) A description of security needs, DD 254 (12-99), Department of Defense Contract Security Classification Specification; and

(9) Any other documents required to support the need for or describe the requirement.

e. Designate, in writing, to N414 an Activity Requirements Representative who shall act as the liaison between each NSTC command and activity and the Board.

f. Avoid oral or written discussion concerning NSTC requirements with contractors, especially those encouraging sole source selection or restricted competition. Note that contractor pre-selection cannot be accommodated; therefore, SOWs must not be tailored to meet the capabilities of specific contractors. Unless specifically authorized by the Board or N414, no contractors shall be used for SOW development or contract compliance monitoring.

g. Fully document all instances of non-compliance with contract terms and submit the documentation to the cognizant Contracting Officer or COR for resolution and any other necessary action.

8. Procedures

a. Meeting Frequency. The CARB will meet in July of each year to review the requirements submitted by NSTC commands and activities and identify opportunities for strategic sourcing of such requirements. The Board will also meet quarterly during October, January and April and on an as needed basis as determined by the Board Chair. A quorum of a majority of CARB voting members is required for a meeting to proceed.

b. Meeting Procedures

(1) N4/6 will convene CARB meetings. Unless a meeting has been called on an emergency basis, N414 shall provide all Board members, both voting and non-voting, with copies of materials for review at least one work week prior to a scheduled meeting. Board members will review all of the documentation and come to the meeting with specific questions and comments. Activity Requirements Representatives will participate in the CARB proceedings in person, via telephone or video teleconference (VTC) as appropriate to answer questions regarding their requirement(s).

(2) N414 will present procurement alternatives to the CARB for its consideration. The alternatives will be based on strategic acquisition principles and reflect mandatory sources and required methods of procurement. The CARB will approve a specific acquisition strategy by a simple majority vote. N414 will finalize and transmit the purchase request package for each

CNSTCINST 4210.1
22 Aug 06

requirement approved by the Board to each cognizant contracting activity.

c. Performance Execution. The CARB will maintain a Program Execution Report (PER) that captures the status of approved requirements and resulting awards exceeding \$25,000.00. The PER will be tracked by N414 and will contain the following information:

- (1) Assigned purchase request number;
- (2) Date of acquisition strategy approval;
- (3) Description, including Federal Supply Code (FSC);
- (4) Contract type, i.e. Firm Fixed Price (FFP), Fixed Price Incentive (FPI), Cost Plus Fixed Fee (CPFF, Cost Plus Award Fee (CPAF) and Time and Material (T&M), etc;
- (5) Competition type: full and open, sole source;
- (6) Contracting activity: Fleet Industrial Supply Center (FISC), Naval Air Systems Command (NAVAIR), etc;
- (7) Contract vehicle: Indefinite Delivery Indefinite Quantity (IDIQ), Blanket Purchase Agreement (BPA), General Services Administration - Federal Supply Service (GSA-FSS) orders or new contract or purchase order;
- (8) Number of options included;
- (9) Date purchase request was forwarded to contracting activity;
- (10) Date award was executed;
- (11) Resulting contract or task order number; and
- (12) Award amount.

9. Strategic Principles in Acquisition. The Board shall employ the following strategic principles in the development of a specific acquisition strategy:

a. Market Research. NSTC commands and activities shall conduct market research and analysis to determine the availability and suitability of existing commercial and non-development items prior to the preparation of any SOW. Through the process of market research, NSTC activities must determine if sources exist that are capable of satisfying the command or activity's requirements. Market research will assist with refining these needs.

b. Acceptable Quality Level. In the requirement formulation, NSTC shall determine the typical costs of goods or services, including the costs of differing acceptable quality levels. Costs often vary considerably depending on the level of quality needed.

c. Socio-Economic Goals. The FAR, DFARS, NMCARS, Department of Defense (DOD) and Navy issuances prescribe specific instances in which awards are to be set aside for particular socio-economic groups.

d. Bundling. Per applicable guidance, NSTC shall avoid unnecessary and unjustified bundling that precludes small businesses from participation as contractors.

e. Inherently Governmental Functions. NSTC shall ensure that no purchase request is initiated or contract entered into that would result in the performance of an inherently governmental function by a contractor and that all contracts and orders are managed by Government personnel.

f. Use of Commercial and Non-Developmental Available Products or Services. In developing and updating the acquisition strategy, the CARB shall consider all prospective sources and best practices. Acquisition best practices include the use of commercial and non-developmental sources throughout the acquisition life cycle.

g. Full and Open Competition. FAR Part 6 prescribes policies and procedures to promote full and open competition. With certain limited exceptions, full and open competition is mandated. Possible competition strategies can range from full and open competition with multiple sources to a directed sole source acquisition. Pursuing an acquisition strategy that maximizes competition is not only mandated by FAR, it ensures

22 Aug 06

that acquisition needs can be satisfied at prices consistent with the open market.

h. Proper Contract Type. A wide selection of contract types is available to provide needed flexibility for each acquisition strategy. N414 shall recommend a contract type to the Board for each requirement or group of requirements. Selecting the contract type requires sound business judgment and should adequately consider competition, type and complexity of requirement, etc. Contract types shall also be considered for structuring contractual incentives.

i. Contract Length Considerations. Contract length should be considered as part of an acquisition strategy when appropriate. Long-term contract relationships are effective in building and maintaining strategic relationships with product or service providers.

j. Administrative Costs of Award. Administrative costs associated with procuring goods and services through various Government contracting offices differ greatly. Administrative costs for use of mission supported services shall be considered in the acquisition strategy.

k. Strategic Sourcing Opportunities. Analyzing and categorizing similar requirements into product or service categories shall be utilized to accomplish strategic sourcing.

l. Utilize Existing DOD Wide Contracts. Per reference (d), DOD and Navy Multiple Award Contracts and IDIQ Contracts are available to satisfy a variety of acquisition needs. DOD and Department of the Navy (DON) vehicles are preferred over other government wide contracts. In absence of a suitable DOD or DON vehicle, a Non-DOD vehicle (such as use of a GSA-FSS) may be utilized, provided all conditions are met and all approvals secured in advance. For use of a Non-DOD and DON vehicle, NSTC commands and activities shall determine and document whether the vehicle best satisfies requirements in terms of schedule, cost effectiveness (considering discounts and fees), contract administration, and whether the requirements are within the scope of the contract and compliant with appropriation funding limitations.

10. Required Sources. FAR Part 8 and DFARS Part 208 mandate that agencies satisfy requirements for goods and services through required sources before entering into an acquisition. Prior to recommending an acquisition approach, the CARB shall determine whether the goods or services can be provided through mandatory sources.

11. Simplified Acquisition Procedures (SAP). NSTC shall use SAP to the maximum extent practicable for all purchases of goods or services not exceeding the simplified acquisition threshold (including purchases at or below the micro-purchase threshold). The simplified acquisition threshold is currently \$100,000.00 except for acquisition of goods or services that, as determined by the head of the agency, are in support of a contingency operation, in which the SAP threshold is higher.

12. Questions. Questions concerning this instruction may be directed to Ms. Julie Green, NSTC N414 at COMM: 847-688-5895 or DSN: 792-5895.



M. M. KOLAR
By direction

**PURCHASE REQUEST FOR PRODUCTS AND SERVICES CHECKLIST
(SAMPLE)**

Note: All efforts will be made to meet your required date(s). However, be advised that FISC has no control over contractor availability

1. FISC has developed a checklist to assist you when preparing your purchase requests. This checklist will ensure that we receive information necessary to purchase what you need, or coordinate the service you require in a timely manner. Your assistance in providing this information will expedite the procurement process and will alleviate unnecessary calls requesting further information.

a. Required on **ALL** purchase requests:

- (1) Authorizing signature;
- (2) Requisition number;
- (3) Required delivery date (latest possible acceptable date to meet operational commitments) and delivery instructions (delivery location or customer pick-up indicated) or period of performance;
- (4) Appropriate priority designator;
- (5) Complete line of accounting to include fund code;
- (6) Quantity/Unit of Issue;
- (7) Suggested source of supply (including address, telephone number and point of contact);
- (8) Primary and alternate points of contact, phone number(s), extension(s), technical POC's and e-mail addresses;
- (9) Legible (hand written NOT acceptable) and double spaced when submitted on DD 1149 or NAVCOMPT 2276;
- (10) For requisitions under \$2,500.00 a justification is required detailing the circumstances that prevent the use of the purchase card.

b. Required on Purchase Requests for Products:

(1) Complete purchase description to include the minimum critical features that the requirement must contain and a copy of the drawing, if applicable. Copy of catalog page, drawing of photo, if possible;

(2) Complete description of end item application/next higher assembly (NHA). Include manufacturer, model, serial number and description of NHA for all items which must fit existing equipment;

(3) Manufacturer's name and part number (if no available substitutes exist). Include CAGE code, if known, and a complete address of manufacturer and suggested source if different from manufacturer. Provide small business source of supply, if available, along with their part number(s), availability, point of contact and telephone number; and

(4) Adequate sole source justification, if applicable.

c. Required on Purchase Requests for Services:

(1) Manufacturer of item to be repaired;

(2) Original acquisition (purchase) cost;

(3) Indicate model number, part number or serial number for each piece of equipment to be repaired;

(4) Description of the specific problem ("Does not work" is not sufficient). Be specific as to what function machine will not perform;

(5) Indicate whether the work is to be completed at the activity location:

a. If **YES**, provide location of equipment (address, bldg #, room #, etc.)

b. If **NO**, indicate if activity will pick-up and deliver equipment at contractor's place of business or if contractor is required to pick-up and deliver. **NOTE: It**

is the activity's responsibility to ensure all security arrangements are made for the contractor's access to the base and piers.

(6) Required completion date for the service/repair.

(7) Indicate any specification that the repair has to be in accordance with (e.g. Mil-SPEC, FED-SPEC, technical manuals or drawings, etc). **NOTE: Please ensure this repair is not covered on an existing warranty or maintenance agreement prior to submitting to FISC for purchase action.**

ACQUISITION PROCESS

CNSTCINST 4210.1
22 Aug 06

