

Independent Administrator Engagement

Roles, Responsibilities and Communication

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Government Procurement Integrity

Government business shall be conducted in a manner above reproach and...with complete impartiality and with preferential treatment for none.

Important Considerations for Procurement Integrity

The main areas of concern are:

- Personal Conflicts of Interest – FAR Part 3
- Organizational Conflicts of Interests – FAR Part 9.5
- Procurement Integrity Act – FAR 3.1
- Inherently Governmental Functions – FAR 7.5

Inherently Governmental Functions – Post Contract Award

- ▶ Administering and terminating contracts
- ▶ Accepting or rejecting contractor products or services
- ▶ Determining whether contract costs are reasonable, allocable, and allowable

MSG Committee Involvement

- While decisions regarding the substance of contract documents, structure, award, scope and, contractor performance, etc. must remain the responsibility of DOI and contract modifications can only be made by the CO, the MSG's involvement is crucial to the overall success of the USEITI contract.
- Technical advice from the MSG may be requested and given throughout the life of the contract as long as the exchange is within the bounds of applicable statutes and regulations pertaining to procurement and Federal Advisory Committees.

Examples of MSG Involvement

▶ Independent Administrator Terms of Reference

- Subcommittee Working Group developed TOR
- MSG review, discussion & consensus recommendation to the Secretary
- Secretary accepted MSG recommendation and directed DOI to move forward with TOR and procurement
- CO & Secretariat translated TOR into procurement BPA and Order
- DOI advertised and awarded contract based on IA TOR

▶ Contextual Narrative

- Subcommittee Working Group developed outline
- MSG review, discussion & consensus recommendation to the Secretary

Examples of IA Interactions

- ▶ 2-Way Communications – no prohibitions of communications between MSG and IA
 - IA will attend and participate in the MSG Meetings
 - IA may be invited to Working Group or Subcommittee meetings
 - MSG may seek and ask advice of the IA
 - IA may provide advice and guidance to the MSG