



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

OCT 29 2008



Department of the Interior Acquisition Policy Release (DIAPR) 2008 – 10, Amendment 1

Subject: Enhancing Competition

Reference: Federal Acquisition Regulation Part 6

1. *Purpose:* To refine the guidance provided in DIAPR 2008-10
2. *Effective Date:* Upon signature.
3. *Expiration Date:* No expiration unless superseded or canceled.
4. *Background and Explanation:*

As Bureaus began to implement DIAPR 2008-10, it became apparent that the language was occasionally overbroad or unclear. Therefore, some exceptions are being allowed, appointment of Assistant Competition Advocates at lower organizational levels is being allowed, and documentation requirements are being clarified.

a. Exceptions to the requirement that the Bureau competition advocate concur in the exercise of options when the basic award was non-competitive are:

- Awards to mandatory sources, such as Javits-Wagner-O'Day (JWOD) participating nonprofit agencies, Federal Prison Industries, Federal helium suppliers, printing sources mandated by the Government Printing Office, or sources mentioned in statutes that expressly require that the procurement be made from a specified source.
- Awards under other programs that restrict selection of vendors, such as the Strategic Sourcing Initiative or a documented standardization program.

b. Exceptions to the requirement that the Bureau competition advocate concur in the exercise of options when the basic award was non-competitive *do not* include awards under 8(a), HUBZone, or other set-aside programs.

c. Exceptions to the requirement that the Bureau competition advocate concur in modifications other than options that add work are:

- Modifications pursuant to FAR 52.211-16, Variation in Quantity.

- Modifications pursuant to FAR 52.211-17, Delivery of Excess Quantities.
- Modifications pursuant to FAR 52.211-18, Variation in Estimated Quantity.
- Modifications that change the total value of the contract by less than \$25,000.

d. In all cases where concurrence by the Bureau Competition Advocate is required prior to award of a contract modification, this authority may be delegated to Assistant Competition Advocates at lower organization levels within the Bureau. The appointments must be in writing and clearly delineate the delegated authority.

e. Concurrence by the Chief of the Contracting Office (CCO) in the documentation of non-competitive awards valued above \$25,000 includes the documentation required by FAR 6.304, 8.405-6, and 13.501. While justifications for simplified acquisitions are generally minimal, the contracting officer's single source determination in accordance with FAR 13.106-1(b) does need to be documented in the purchase order file. Whatever form that documentation takes, the CCO must concur before award.

5. *Additional Information.* Questions that cannot be resolved at the Bureau level may be referred to Melodee Stith at (202) 208-5830, or via e-mail at Melodee_Stith@ios.doi.gov.



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