

# FEDERAL CUSTOMERS CAN RAPIDLY BUY INNOVATIVE SOLUTIONS

The following are ways federal customers can quickly acquire mission solutions

## 1 PURCHASE FIRM-FIXED-PRICED (FFP) COMMERCIAL OFFERINGS, WHICH:

- Are consistent with the government's preference for the acquisition of a commercial item, as codified at 10 U.S.C § 2377 (DOD, DHS and NASA) and 41 U.S.C. § 3307 (all other executive agencies)
- Shorten the acquisition "time to field" of new mission-critical capabilities
- Shift government delivery risks to the vendor
- Reduce the cost of nonrecurring engineering to zero because FFP offerings must meet a minimum maturity to be in the commercial marketplace
- Reduce the need for early-stage product testing for repeatable solutions
- Provide a readily available selection of capabilities, tools and services to meet demand
- Transfer maintenance costs and risk away from the government to the commercial provider
- Reduce government-funded research and development (R&D) and historically redundant tasks on commercially available capabilities
- Reduce vendor lock and new acquisition costs

## 2 USE EXISTING CONTRACT VEHICLES:

### SEWP V

This contract vehicle provides the latest in commercial information technology products, solutions and services. Agencies can create a SEWP account and request products and services from the SEWP catalog using the easy-to-use quote request tool. SEWP provides:

- Streamlined access to critical technologies and solutions
- A fast and efficient ordering process
- 140 vetted prime contract holders
- An ability to add vendors' latest products and services within 24 hours

### DTIC IAC-MAC, GSA Alliant 2, ASTRO and OASIS:

Federal customers can use these vehicles and other FAR Part 14, 15 and 16 contracts to purchase commercial offerings from the Other Direct Costs (ODC) CLIN or an FFP CLIN with the inclusion of 52.244-6 Subcontracts for Commercial Items. These contracts are ideal for a commercial offering that is part of a larger solution. There are benefits in using an ODC or FFP CLIN:

- Offerings can be added with a signed acknowledgment from the contract officer; modifications are not always required and, in some cases, offerings can be added with a signed acknowledgment from the contract officer representative.
- A new contract does not need to be developed, increasing the speed to value.

### 3 USE SIMPLIFIED ACQUISITION, WHICH:

- Is designed to streamline the acquisition of supplies and services not exceeding \$7.5 million for commercial services or products when the contract officer reasonably expects that offers will include only commercial offerings based on the nature of the supplies or services sought and on market research, per FAR 10.001
- Provides contract officers with “additional procedural discretion and flexibility, so that commercial acquisitions in this dollar range may be solicited, offered, evaluated, and awarded in a simplified manner that maximizes efficiency and economy and minimizes burden and administrative costs for both the Government and industry,” per FAR subpart 13.5
- Reduces the amount of work the government must undertake to evaluate an offer and award a contract by:
  - Accepting oral versus written quotes
  - Comparing quoted prices versus conducting negotiations
  - Streamlining clauses to support the award document
  - Allowing the contract officer to choose the awardee
- Promotes efficiency and economy in contracting
- Avoids unnecessary burdens
- Streamlines end-of-year spend

### 4 ACQUIRE SOLUTIONS VIA OTHER TRANSACTION AUTHORITY (OTA)

#### Two different statutory authorities can result in three types of OTAs:

- 10 USC 4021: Basic applied and advanced research projects are intended to encourage R&D efforts without incurring government regulatory overhead costs. The U.S. Secretary of Defense and secretary of each military department may enter into transactions.
- 10 USC 4022: Prototype purpose projects directly correlate to enhancing mission effectiveness of military personnel and the supporting platforms, systems, components or materials to be acquired or developed by DOD.
- Production purpose projects allow for noncompetitive, follow-on OTAs to be awarded to a prototype OTA that was competitively awarded and successfully completed.

#### OTAs:

- Enhance agencies' access to cutting-edge technologies
- Enable quick implementation of innovative solutions
- Expedite and simplify access to mission-critical technologies
- Focus on technical results
- Are non-FAR based

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