



POLICY FLASH 2012-30

DATE: March 30, 2012

TO: Procurement Directors/Contracting Officers

FROM: Director
Contract and Financial Assistance Policy Division
Office of Policy
Office of Procurement and Assistance Management



SUBJECT: Acquisition Guide Chapter 9.4, Contractor Responsibility Determinations

SUMMARY: Attached is new Acquisition Guide Chapter 9.4, Contractor Responsibility Determinations. This Chapter is being issued to address recommendations from a recent Inspector General (IG) report that found DOE Contracting Officers (CO) were not always conducting responsibility determinations properly. In particular, the IG found that for sole source awards, including 8(a) awards, the CO was not documenting reviews of past performance. The IG recommended that COs consistently follow existing FAR requirements for completing responsibility determinations. This Chapter reiterates and summarizes current FAR requirements for doing so.

The IG also recommended that, for Financial Assistance awards, COs consistently follow existing procedures for evaluating an awardee's prior performance before an award is finalized. CO's are reminded that applicable guidance is provided in the DOE Guide to Financial Assistance. Additionally, the Office of Management and Budget is currently updating and supplementing relevant guidance.

This Flash will be available online at the following website:
<http://energy.gov/management/office-management/operational-management/procurement-and-acquisition/policy-flashes>.

Questions concerning this policy flash should be directed to Kevin M. Smith, of the Contract and Financial Assistance Policy Division, at (202) 287-1614, or at Kevin.M.Smith@hq.doe.gov.

Attachment