



DEFENSE LOGISTICS AGENCY
DEFENSE ENERGY SUPPORT CENTER
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FORT BELVOIR, VIRGINIA 22060-6222

APR 12 2002

IN REPLY
REFER TO

DESC-CPA

CONTRACTING INSTRUCTION (CI): 02-05

MEMORANDUM FOR CI Distribution

SUBJECT: Negative Pre-Award Survey Results

This CI is issued to supplement the guidance found at DLAD 9.105-2. The DLAD coverage states that when the contracting officer makes a determination regarding the prospective contractor's responsibility that is contrary to that recommended in the preaward survey report, the reason for not following the preaward survey report recommendation shall be included in the contract file.

The DEPI coverage found in the attachment provides guidance regarding coordination and approval of the required Determination and Finding.

This CI is effective immediately and expires upon inclusion in the DEPI. Point of contact is Cheryl Creason extension 7637.

Kevin M. Ahern
Center Senior Procurement Official

Attachments:

D&F
DEPI coverage



9.105-2 Determinations and documentation.

(b) Support documentation.

(1) A preaward survey (PAS) will not be waived on an award exceeding \$10,000 when an EEO show cause letter has been issued to the contractor. The contract specialist will check the contractor general file prior to award to ensure that such letter does not exist.

(2) When the contracting officer waives a PAS on a proposed award exceeding \$100,000, a DESC Form 4.70, DETERMINATION OF RESPONSIBILITY AND WAIVER OF PREAWARD SURVEY (containing the applicable standards at FAR 9.104), will be completed and placed in the contract file. The form will include an additional paragraph containing the contracting officer's rationale for waiving the PAS.

(3) When a contracting officer makes an affirmative responsibility determination regarding a prospective contractor that received a negative preaward survey, a D&F shall be completed and made a part of the contract file. This D&F shall be coordinated through the Branch Head, Division Chief, CBU Director, DESC-DU if a small business is involved, DESC-G and then forwarded to the DESC-CSPO for concurrence. The template for the D&F may be found on the Q drive under Q\C\Forms.

(4) The contracting officer shall provide written notice to the surveying activity that performed the preaward survey of the reason for not following the preaward survey recommendation.

(5) A copy of the final approved D&F shall be forwarded to DESC-DU if a Small Business is involved.