

INSTRUCTION ON NRCS ACQUISITIONS PROGRAM

The Natural Resources Conservation Service (NRCS) purchases supplies, services and construction through the use of a number of different procurement methods and techniques. The purpose of this instruction is to outline procurement basics, identify the documents required by procurement staff and provide the average time for different procurement types.

There are a number of different types of procurements and contracts, however, the lists below addresses the most common types.

TYPES OF PROCUREMENTS:

MICRO PURCHASES: Purchases under \$3,000

SMALL PURCHASES: Purchases from \$3,000 to \$150,000

COMMERCIAL PURCHASES: Purchases for any item that is of a type customarily used by the general public.

INVITATIONS FOR BID (IFB): Purchases for services or construction of a complex nature that are "straight forward" enough to be awarded based on the evaluation of price alone.

NEGOTIATED PROCUREMENTS (RFP): Purchases for services or construction of a more complex nature that require the use of evaluation factors other than price.

TYPES OF CONTRACTS:

PURCHASE ORDERS (PO): Contract actions for the award of small purchases and most commercial purchases.

FIRM FIXED PRICE CONTRACTS (FFPC): Contract actions for the award of supplies, services of construction on the basis of definite detailed specifications when the Contracting Officer can establish fair and reasonable prices at the outset

INDEFINITE DELIVERY CONTRACTS (IDC): Contract actions for the award of supplies, services or construction that does not procure or specify a firm quantity and that provides for the issuance of orders for the delivery during the period of the contract. (Examples: GSA Advantage, Headquarters Contracts)

PROCEDURES:

GENERAL: The responsibility for preparing requirement documents resides with the Requestor. The documents below comprise a Requirements Package. Once a complete package is received, the section labeled timing identifies the average times to complete the procurement. The dates are estimates and can vary depending on the complexity of the project.

SERVICES: AD700 (coordinated with Budget)
Recommended Source or Sources

CONSTRUCTION: AD700 (coordinated with Budget)
Specifications & Drawings

ARCHITECT & ENGINEERING: AD700 (coordinated with Budget)
Evaluation Criteria

EQUIPMENT & OTHER: AD700 (coordinated with Budget)
Recommended Source or Sources

OFFICE SUPPLIES: Supplies will be purchased via the Government Purchase Card to the maximum extent possible. Regional Buyers have been established to facilitate these purchases:

Southern Area: Scarborough, South Paris, Lewiston, Belfast, Skowhegan, Farmington
Northern Area: Machias, Houlton, Dover, Presque Isle, Fort Kent, Bangor, Hancock
Central Area: State Office

District Conservationists are responsible to project the office needs on a quarterly basis and submit requests to their regional buyer. "Bulk" purchases will be placed at the beginning of each Quarter.

OTHER DOCUMENTS: The following documents may be required for the processes identified above as determined by the Contracting Officer.

Statement of Work:	Required for most service contracts and A&E contracts. Details work to be accomplished. (Attachment 1)
Sole Source Letters:	Required in all cases where competition will be limited. (Attachment 2)
Source Selection Plans:	Required in all cases where negotiated procurements will be used.
Independent Gov't Estimates:	Required in contracts in excess of \$150,000 and all A&E contracts.

** AD-700: Attachment 3

TIMING:

To the maximum extent possible, orders need to be combined to take advantage of quantity discounts and to maximize efficiency.

Government Purchase Card Buys:	Beginning of each Quarter (to the maximum extent possible)
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Purchase Orders:	30 – 60 days after receipt of requirements package
Invitations for Bid:	45 – 90 days after receipt of requirements package
Negotiated Procurements:	90 – 180 days after receipt of requirements package
Architect & Engineering:	30 – 60 days for IDC orders 90 – 365 days for all others

CONTRACTING OFFICERS:

AUTHORITY: Contracting Officers have authority to enter into, administer, or terminate contracts and make related determinations and findings. No contract shall be entered into unless the Contracting Officer ensures that all requirements of law, executive orders, regulations, and all other applicable procedures, including clearances and approvals, have been met.

Maine has two Contracting Officers:

Supervisory Contracting Officer:	Warrant Authority \$2,000,000
Procurement Officer:	Warrant Authority \$25,000

These two individuals are the only ones authorized to obligate funds for procurement actions subject to the Federal Acquisition Regulation.

UNAUTHORIZED COMMITMENTS:

In the event an obligation is made by a person that does not have the authority, ratification is required in accordance with FAR 1.602-3.

Whenever an official of the contracting activity who is authorized to ratify unauthorized commitments learns that a person or firm has assumed work as a result of an unauthorized commitment, that official shall take the following actions:

- (1) Immediately inform any person who is performing work as a result of an unauthorized commitment that the work is being performed at that person's risk;
- (2) Inform the individual who made the unauthorized commitment of the seriousness of the act and the possible consequences;
- (3) Ensure that the individual who made the unauthorized commitment furnishes all records and documents concerning the commitment and a complete, written statement of facts, including, but not limited to: a statement as to why a Contracting Officer was not used; why the vendor was selected and a list of sources considered; a description of work to be performed or products to be furnished; the estimated or agreed price; whether an appropriation is available for the work; and whether performance has begun. Under exceptional circumstances, such as when the individual who made the unauthorized commitment is no longer available to attest to the circumstances of the unauthorized commitment, the ratifying official may waive these requirements; and
- (4) Decide whether ratification is proper and proceed as follows:

(i) If ratification is not justifiable, provide the Program Office, Contracting Office, and the Unauthorized Contractor with an explanation of the decision not to ratify.

(ii) If ratification appears adequately justified, ratify the action and retain or assign the contract to a Successor Contracting Officer if necessary.

(iii) Maintain related approval, decisional, and background documents in the Contract File for audit purposes.

(iv) Notify the Cognizant Program Supervisor or Line Officer about the final disposition of the case; the notification may include a recommendation that the unauthorized commitment should be further considered a violation of USDA's Employee Conduct Regulations.

Contact. If you have any questions or concerns, please contact Gerald Jacobs, Contracting Officer, at 207-990-9584 or email Gerald.jacobs@me.usda.gov.