CONTINGENCY CONTRACTING COURSE

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Date: April 25, 2017
AGENDA

- INTRODUCTION
- CONTINGENCY CONTRACTING OVERVIEW
- Q & A
- CLOSING REMARKS
Contingency Contracting Overview

Contingency Operation

- As Defined in FAR 2.101 and FAR 18.202
- Humanitarian or peace keeping operations (include foreign disasters) and Defense or recovery from certain attacks
- Emergency declaration or major disasters declaration as described in FAR 18.203 and DFARS 218.202

Contingency Contracting Officer (CCO)

- Legal Authority is granted to the Federal Agencies to enter into contractual agreements
- CCOs must know and understand their contracting authority and the organizational construct in which they are working.
Global Emergencies

- **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) (CONUS ONLY)**
  - Natural Disasters and Man Disasters, Chemical, Biological, Radiological, Nuclear, Events (CBRNE) and Humanitarian Assistance

- **CENTER FOR DISEASE (CDC) (OCONUS AND CONUS)**
  - Public Health Preparedness-Pandemic and Chemical Outbreaks

- **DEPARTMENT OF DEFENSE (OCONUS AND CONUS)**
  - Defense Support for Civil Authorities (DSCA) DoD Directive 3025.18
  - Homeland Defense
  - Military Operations-Title 32 U.S.C.
  - Humanitarian Relief

- **UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID) (OCONUS)**
  - Humanitarian assistance in the wake of natural and man made disasters
  - Agricultural and Food Security
  - Environment and Global Climate Change
KEY POINTS - 5 P

- POLICY
- PREPAREDNESS
- PERFORMANCE
- PITFALLS
- PERSONAL
POLICY

- **Federal Acquisition Regulation (FAR)**
  - FAR Subparts 8, 12, 13, 15, 18, 19, and 26

- **DOD Regulation Supplements and Directives**
  - DFARS Part 218 and 219
  - Military Support under state or active duty title 32 U.S.C.
  - Defense Support Civil Authorities (DSCA) DoD Directive 3025.18
  - DoD Domestic Preparedness Support Initiative (DPSI)
  - National Guard Operations-U.S.C. Title 32
POLICY

Defense Priorities Allocation System (DPAS)
- Require the priority performance of contracts and orders
- DPAS funnel from President to FEMA advisor on National Security Council to the Department of Commerce
- Priority Rating of Orders

When to Use
- Request support for impacted rated orders
- Accelerate deliveries of rated orders when a critical need arises
- Resolve delivery conflicts between rated orders, locate suppliers to fill rated orders and assist in placing rated orders with suppliers
POLICY

- Robert T. Stafford Disaster Relief and Emergency Assistance Act
  - Local Preference Area
  - Local Area Set-Aside
  - Transition of Work

- State, and Local Government Procurement Laws
  - Legislature and congressional mandates varies by state
PREPAREDNESS

➢ **Advance Planning for Emergencies**
  - De-conflict Resources within the Joint of Operation
  - Relationship and business coalition
  - Prepositioned contract and commodities
  - Cultural, Laws, Geographical and Diversity Barriers

➢ **Policy Deviation and Class Deviation**
  - Congressional mandate depending on complexity of incident
PERFORMANCE

- Contractor Performance and Validation
  - Validation of Vendor Qualification and Security
  - Past Performance Data
  - Identify qualified contractors to perform the work
PITFALLS

Contract Administration
- Lack of CORs assigned to contingency operations
- Cover up mistakes in fear of punitive repercussions
- Failure to follow standard procedures, directives, regulations, and policy for contract file documentation

Fiscal Responsibility
- Commitments, Allocations and Obligations
- Comply with Fiscal Appropriations Law

Requirements
- Afraid to say “no” to general command staff
- Process Ratifications
PERSONAL

- **Medical and Business Records**
  - Prescriptions filled and important documents

- **Family Plan and To Go Kit**
  - Communication plan with family
  - Electronic gadgets and emergency equipment

- **Take Care of Yourself**
  - Physical and Mental Preparation
  - Returning Home- The Aftermath