



1. PURPOSE

This document outlines the policy and requirements to conduct Local Peer Reviews (LPRs) for SPAWAR HQ procurement actions by Local Peer Review Boards (LPRBs).

The peer review requirements established herein are effective immediately. Procurement actions to be reviewed in accordance with this policy are outlined in [Local Peer Review Requirements Summary](#) enclosure (1). The focus of this policy is to ensure proposed actions are consistent with current policies and procedures, based on sound business judgment, and in the best interest of the Government.

Related guidance is available under [Toolbox, CMPG sections](#).

2. POLICY

2.1 References

[DFARS 201.170, Peer Reviews](#), outlines Department of Defense (DoD) policy for:

- A. preaward review of competitive solicitations valued at \$1 billion or more¹;
- B. preaward review of noncompetitive procurements valued at \$500 million or more¹; and
- C. postaward review of contracts for services valued at \$1 billion or more¹ by the Office of the Director, Defense Procurement and Acquisition Policy.

Further, it requires Military Departments, Defense Agencies, and DoD Field Activities to establish procedures for the conduct of peer reviews for:

- A. preaward peer reviews of solicitations for competitive procurements valued at less than \$1 billion¹;
- B. preaward peer reviews for noncompetitive procurements valued at less than \$500 million¹; and
- C. postaward peer reviews of all contracts for services valued at less than \$1 billion¹.

[DASN \(AP\) Memo dated 26 Mar 09, Subj: Department of Navy Peer Review Program, and NMCARS 5201-170](#) established Department of Navy (DoN) policy for conducting peer reviews for contracts and solicitations valued at \$50 million or more¹.

To ensure compliance with [DFARS 201.170, Peer Reviews](#), the [26 Mar 09 DASN \(AP\) Memo](#), and [NMCARS 5201-170](#) and to support ongoing DoD initiatives to ensure a high standard in contracting processes is maintained, this policy outlines the requirements to conduct LPRs for SPAWAR HQ procurement actions by LPRBs.

2.2 Local Peer Review Boards (LPRBs)

LPRBs are advisory in nature and shall be conducted in a manner to preserve the authority, judgment, and discretion of the Procuring Contracting Officer (PCO). Reviews conducted by LPRBs are intended to supplement, not replace, standard PCO responsibilities. As such, ultimate responsibility for the quality, consistency, and completeness of documents and any business decision rests with the cognizant PCO. In competitive procurements, the ultimate responsibility for the source selection decision rests with the Source Selection Authority (SSA).

¹ The values stated are inclusive of options and, for the initial LPRs are based on the Independent Government Cost Estimate. If any offer comes in above the stated thresholds, a pre-award 2nd review LPRB must be convened.



3. RESPONSIBILITIES

3.1 Cognizant PCOs

For procurement actions requiring a LPR, PCOs shall:

- A. Initiate a LPR by completing and forwarding the [LPR Request Form](#) (enclosure (2)) to the Policy (2.3.1) representative;
- B. Coordinate with the LPRB Chair/Branch Head regarding the required review(s);
- C. Forward the required review documentation to the Policy (2.3.1) representative via HQ_Contracts_Policy@navy.mil, the LPRB Chair, and all LPRB team members via encrypted e-mail;
- D. Attend the LPR, and in concert with the cognizant Contract Specialist, lead discussion of the procurement action, and have at least one complete copy of the procurement action available in the meeting;
- E. When LPRB findings and recommendations are provided, document the associated remedies in the [LPR Request Form](#) (enclosure 2);
- F. Assist the LPRB and Policy Branch in the preparation of lessons learned and best practices;
- G. Complete the [LPR Waiver Form](#) enclosure (3) and obtain approval, if applicable;
- H. Ensure a representative from Counsel attends the LPRB;
- I. Depending of the technical complexity of an acquisition, have a member of the technical project team present at a LPR meeting; coordinating with the LPRB Chair and LPRB team members prior to their attendance; and
- J. Document the contract file.

3.2 Contracts Policy Branch (2.3.1)

The policy representative shall:

- A. Coordinate with the LPRB chair to determine LPRB membership;
- B. Assist in the establishment of LPRB agendas and the notification of scheduled review dates and times to PCOs who have submitted LPRB requests;
- C. For competitive procurements, ensure all participants have completed, signed, and returned a Certificate of Financial Interest to the PCO;
- D. Participate in weekly LPRB meetings;
- E. Create a record of the comments provided in the LPRB in a matrix for resolution/disposition;
- F. Post lessons learned and best practices on the SCPPM website;
- G. Review compliance with this policy as part of the Procurement Performance Management Assessment Program (PPMAP); and
- H. Coordinate attendance of LPRs by other Contract Specialists to enable the LPRs to be utilized as a training tool. All 2.0 personnel, specifically trainees and interns, should be invited to attend LPR sessions when possible.

3.3 LPRB Chair

The LPRB chair shall:

- A. For competitive procurements, complete, sign, and return a Certificate of Financial Interest to the PCO;
- B. Conduct LPRB meetings for procurements under his/her cognizance;
- C. Determine the number and order of procurement actions to be reviewed in his/her branch;
- D. Facilitate a consensus recommendation and document findings and recommendations in the [LPR Request Form](#) (enclosure (2));



- E. If a consensus recommendation cannot be reached, elevate discussions to 2.0/2.0A;
- F. Communicate findings and recommendations to the PCO;
- G. Facilitate use of the LPR as a training opportunity;
- H. When documentation of remedies associated with LPRB findings and recommendations is necessary, provide concurrence with remedies in the [LPR Request Form](#) enclosure (2);
- I. Provide lessons learned and best practices to the Policy Branch (2.3.1); and
- J. If unable to fulfill his/her duties, identify a suitable replacement.

3.4 LPRB Team Members

LPRB team members shall:

- A. For competitive procurements, notify the PCO of any conflicting financial interests;
- B. Review documentation and prepare questions, comments, and/or recommendations regarding the procurement action;
- C. Participate in the development of a consensus recommendation; and
- D. If unable to fulfill his/her duties, coordinate with the policy branch (2.3.1) and the LPRB chair to identify a suitable replacement.

3.5 LPRB Participants

Additional LPRB team participants include the Program Manager/Requirements Owner (or an appropriate representative) and, for competitive procurements, the Source Selection Authority (if different from the Program Manager/Requirements Owner or the cognizant PCO). These participants shall:

- A. For competitive procurements, notify the PCO of any conflicting financial interests;
- B. Attend the LPR, and in concert with the cognizant PCO, lead the discussion of the programmatic/technical aspects of procurement action;
- C. Depending of the technical complexity of an acquisition, have a member of the technical project team present at a LPR meeting; coordinating with the cognizant PCO prior to their attendance;
- D. If the Source Selection Authority is requested to participate, the SSA should, be prepared to describe the basis for the source selection decision; and
- E. If a team member is unable to fulfill his/her duties, coordinate with the policy branch (2.3.1) and the LPRB chair to identify a suitable replacement.

4. PROCEDURE

4.1 LPR Requirements

The requirements for LPRs and the composition of the LPRBs are outlined in [Tables 1](#) and [Table 2](#) of the [Local Peer Review Requirements Summary](#) at enclosure (1), and are discussed below:

- A. Competitive Actions. Competitive procurement actions require a LPR as follows:
 - a. Services procurements between \$50 million and \$250 million¹
 - b. Supply procurements between \$50 million and \$1 billion¹
 - c. Designated special interest items at any value.
 - d. Competitive Procurement actions valued at \$250 million or more¹ for services or \$1 billion or more¹ for supplies shall follow the processes of [DFARS 201.170, Peer Reviews, DASN \(AP\) Memo dated 26 Mar 09](#).



[Subj: Department of Navy Peer Review Program, and NMCARS 5201-170.](#)

- B. Non-Competitive Actions. Non-competitive procurement actions require a LPR as follows:
- Services procurements between \$50 million and \$250 million¹
 - Supplies procurements between \$50 million and \$500 million¹
 - Designated special interest items at any value.
 - Non-Competitive Procurement actions valued at \$250 million or more for services or \$500 million or more for supplies shall follow the processes of [DFARS 201.170, Peer Reviews, DASN \(AP\) Memo dated 26 Mar 09, Subj: Department of Navy Peer Review Program, and NMCARS 5201-170.](#)
- C. LPRB Composition. The LPRB chair will be the cognizant branch head for the procurement action to be reviewed. For pre-award LPRs, the LPRB team member positions will be filled by DP-4 PCOs with Unlimited Warrants from different operational contracting branches than the cognizant PCO and legal counsel. The program manager/requirements owner (or an appropriate representative) should also attend to address any programmatic or technical aspects of the procurement action. For competitive procurements, the source selection authority (if other than the program manager or cognizant PCO) must also attend 2nd review LPRs prior to award to address any questions and provide any details regarding the source selection decision documentation. A representative from the Policy Branch (2.3.1) will provide support to the LPRB members. To the maximum extent possible, the LPRB composition will remain the same for all pre-award reviews associated with the same procurement. Additional participants in the LPRB will be at the discretion of the LPRB Chair. The composition of post-award LPRBs is at the discretion of the LPRB chair, but should include at least one DP-4 PCO with an Unlimited Warrant from a different contracting branch, legal counsel, and the program manager (or an appropriate representative). The cognizant PCO and specialists, while not members of the LPRB, are responsible for presenting their procurement action at the LPRs.
- D. Scheduling. LPRs will be held on a weekly basis, unless there are no scheduled procurement actions for review. A standard timeframe of two hours will be available for use on Wednesday of each week from 1000 to 1200 (pacific time zone). Ad-hoc meetings will be permitted on an as needed basis subject to the availability of LPRB team members. If more than one branch requests use of the standard timeframe and the allotted time is insufficient to support more than one review, the schedule will be adjusted collaboratively. Once the members are selected and scheduled for each standing meeting date, the Policy Branch representative will be responsible for notifying all respective parties that an LPR will be conducted. LPRs for procurements under Code 2.1.5 cognizance, and Code 2.1.5 participation in the other branches' LPRs, will be handled virtually.
- E. Submission Requirement - At least four business days prior to the LPR, the PCO or contract specialist shall submit the entire LPR package with applicable attachments encrypted to HQ_CONTRACTS_POLICY@navy.mil. The submission must provide the appropriate procurement tracking number (extracted from the 2.0 shared drive at [O:\23100_POLICY\1_LOGS-Policy_Record-Keeping\AP_BCM_JnA_DnF_Tracking_HQ](#)) and a short



- project/contract description on the "Subject" line. The Policy Branch will ensure routing to and coordination with the LPRB members.
- F. Post-award Reviews. Post-award reviews of service contracts are required at either the mid-point of the period of performance (or ordering period), or prior to the exercise of an option when the total procurement value (base plus all options) is greater than or equal to \$50M. The cognizant branch head shall ensure post-award reviews are conducted prior to option exercise and in accordance with applicable regulations.
 - G. Review Documentation. Documentation required for the conduct of LPRs is outlined in [Local Peer Review Requirements Summary](#) enclosure (1) and shall be submitted a minimum of four business days prior to the requested LPRB meeting date. Note that additional documentation may be required at the discretion of the LPRB chair or LPRB team members. [LPR Request Form](#) enclosure (2) shall be utilized to request a LPR and to document:
 - a. the completion of reviews;
 - b. the LPRB's findings and recommendations;
 - c. the remedies employed by the PCO to address the LPRB's findings and recommendations.
 - H. Contract File. The completed [LPR Request Form](#) enclosure (2) form shall be included in the contract file. The requirement for pre-award reviews may be waived by SPAWAR 2.0. The [LPR Waiver Form](#) enclosure (3) must be completed for each procurement action that is waived. If a waiver for the LPR requirement is granted, the approved waiver form shall be included in the contract file.

5. APPROVALS

See approvals listed in Section 4. Procedure

6. TOOLBOX

6.1 DoD Tools

[DFARS 201.170, Peer Reviews](#)

6.2 DON Memorandums and Tools

[DASN \(AP\) Memo, 26 Mar 09, Subj: Department of Navy Peer Review Program](#)
[NMCARS 5201-170](#)

6.3 CMPG References

[1.2.6.1 Preaward Peer Review](#)
[1.2.10.3 Preaward Peer Review](#)
[3.3.3 Complete Pre-Award Documentation](#)
[5.2.4.1 Postaward Peer Review](#)

6.4 Enclosures

Enclosure 1, [Local Peer Review Requirements Summary](#)
Enclosure 2, [LPR Request Form](#)
Enclosure 3, [LPR Waiver Form](#)



7. CHANGE HISTORY

Updated material is highlighted by *purple text* and an Alert/New  icon.

Date	Description of Changes
November 2016	Updated enclosure 1 table 1.
June 2016	Updated enclosures 1 and 2.
May 2016	Added Policy Branch email to paragraph 3.1.
April 2016	New SCPPM document.

LOCAL PEER REVIEW REQUIREMENTS SUMMARY

COMPETITIVE (TABLE 1)

<i>Type of Procurement</i>	<i>Dollar Threshold (inclusive of options)²</i>	<i>Review Board Composition</i>	<i>Timing of Review(s)</i>	<i>Required Documentation</i>
PRE-AWARD				
Competitive	New services contract \geq \$50M and $<$ \$250M (includes Task Order Under Multiple Award Contracts)	-LPRB Chair -Three PCOs from different branches than the Cognizant PCO	<u>1st Review</u> Prior to release of the Draft Solicitation (if Sections L&M are included) or Prior to release of the Final Solicitation	-LPRB Request Form -Draft Solicitation with all Exhibits and Attachments (after PCO and legal review) -Any other documents as requested by the LPRB Chair and LPRB Team Members - PPSM brief of the program (this is for board members' background information)
	New supplies/systems contract \geq \$50M and $<$ \$1B	-Legal Counsel -Program Manager or appropriate representative -Source Selection Authority -2.3.1 Representative (supporting)	<u>2nd Review</u> Prior to Contract Award	-LPRB Request Form -Pre-Negotiation Business Clearance Memorandum (BCM), Post-Negotiation BCM or Pre/Post-Negotiation BCM -Evaluation Reports -Source Selection Decision Memorandum -Any other documents as requested by the LPRB Chair and LPRB Team Members - PPSM brief of the program (this is for board members' background information)

² The 1st Review Threshold is based on the Independent Government Estimate (IGE) amount and the 2nd Review Threshold is based on the BCM award amount.

POST-AWARD

All Services	≥\$50M and <\$250M (base plus all options)	As determined by LPRB Chair	Prior to <i>First</i> Option Exercise <i>and Specialty Options</i>	<ul style="list-style-type: none"> -LPRB Request Form -Written Determination for Option Exercise -Past Performance (CPARS) Reports -Any other documents as requested by the LPRB Chair and LPRB Team Members - PPSM brief of the program (this is for board members' background information)
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NON-COMPETITIVE (TABLE 2)

<i>Type of Procurement</i>	<i>Dollar Threshold (inclusive of options)³</i>	<i>Review Board Composition</i>	<i>Timing of Review(s)</i>	<i>Required Documentation</i>
PRE-AWARD				
Non-Competitive	New services contract ≥\$50M and <\$250M	-LPRB Chair -Three PCOs from different branches than the Cognizant PCO	<u>1st Review</u> Prior to Negotiations	-LPRB Request Form -Justification & Approval -Pre-Negotiation BCM -Any other documents as requested by the LPRB Chair and LPRB Team Members - PPSM brief of the program (this is for board members' background information)
	New supplies/systems contract ≥\$50M and <\$500M	-Legal Counsel -2.3.1 Representative (supporting) -Program Manager or appropriate representative	<u>2nd Review</u> Prior to Contract Award	-LPRB Request Form -Justification & Approval, Pre-Negotiation BCM, Post-Negotiation BCM or Pre/Post-Negotiation BCM -Any other documents as requested by the LPRB Chair and LPRB Team Members - PPSM brief of the program (this is for board members' background information)

³ The 1st Review Threshold is based on the Independent Government Estimate (IGE) amount and the 2nd Review Threshold is based on the BCM award amount.

POST-AWARD

All Services	≥\$50M and <\$250M (base plus all options)	As determined by LPRB Chair	Prior to Option Exercise	<ul style="list-style-type: none"> -LPRB Request Form -Written Determination for Option Exercise -Past Performance (CPARS) Reports -Any other documents as requested by the LPRB Chair and LPRB Team Members - PPSM brief of the program (this is for board members' background information)
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LOCAL PEER REVIEW (LPR) REQUEST FORM

Procurement Information:

Requestors	Name	Code	Phone
Contract Specialist			
PCO			
Branch Head			

Solicitation/Contract Number	
Estimated Dollar Value and Funding Type(s) (inclusive of options)	
Description of Supplies/Services (If applicable, include acquisition category, phase of program, and any other pertinent information.)	
Contract Type	
PSC Code	
PCO and Legal Reviews Completed	<input type="checkbox"/> Yes <input type="checkbox"/> No (If no, explain below.)

Check all that apply:

- Commercial Item Procurement
- In support of the War Effort
- Other Special Interest Item

Review Type:

Check one:

- Competitive Pre-Award/1st Review
- Competitive Pre-Award/2nd Review
- Competitive Post-Award Review (Services)

- Non-Competitive/1st Review
- Non-Competitive/2nd Review
- Non-Competitive Post-Award Review (Services)

LPRB Information:

Date Action Reviewed	
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LPRB Participants:

Position	Name
LPRB Chair	
Team Member	
Team Member	
Team Member	
Legal Representative	
PM or PM Representative	
SSA	

Decision:

- Approved with no conditions/actions required (See below.)
- Conditionally Approved with actions required (See below.)
- Disapproved (See below.)

Findings, Recommendations, Conditions/Actions Required:

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Cognizant PCO Initials	
Cognizant Branch Head/LPRB Chair Initials	

Remedy/Action Taken: (Applicable only if approval granted with conditions/actions required.)

Based on the findings/recommendations/actions required of/by the LPRB, the following action(s) were taken:

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Cognizant PCO Initials	
Cognizant Branch Head/LPRB Chair Initials	

LOCAL PEER REVIEW (LPR) WAIVER FORM

Procurement Information:

Requestor	Name	Code	Phone
Contract Specialist			
PCO			

Solicitation Number	
Estimated Dollar Value (inclusive of options)	
Description of Supplies/Services (If applicable, include acquisition category, phase of program, and any other pertinent information.)	
Contract Type	
PSC Code	
Type of Local Peer Review to be Waived (Competitive or Non-Competitive Preaward 1 st Review, Competitive or Non-Competitive Pre-award 2 nd Review)	

Waiver Request:

Specify the rationale for the waiver, including adverse impact if waiver not approved (i.e. in support of the war effort, expediency due to political or other interests, etc.):

Approval:

I hereby agree to this waiver request, and recommend approval

Signature of Cognizant Branch Head

Date

I hereby waive the review(s) identified above as conduct of such review(s) would adversely impact the Government's requirement for the reason(s) stated above.

Signature of SPAWAR 2.0/2.0A

Date