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JOINT PROGRAM EXECUTIVE OFFICE
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APR 09 2009

MEMORANDUM FOR RECORD

SUBJECT: JPEO JTRS Process to Review Contracting Documents

To facilitate JPEO-level insight, to strengthen our enterprise approach and cross-program communication, and to ensure the quality and consistency of JTRS contracts, the following policy is in effect.

Requirements:

JPEO JTRS must approve release of final RFPs that are expected to result in contracts over \$10M, except Seaport-e orders and except when JPEO JTRS delegates that approval (e.g via memo delegating Source Selection Authority). For all others the PM will notify JPEO JTRS, at least one week prior to desired issuance date, of the intent to issue.

JPEO JTRS must approve major contract modifications (for example, modifications that change the material terms, clauses, or provisions of the basic contract; those involving a high dollar value above \$10M, changes to schedule/SOW, data rights changes, changes to period of performance, etc.). The PM is responsible for obtaining this approval. Program Managers do not need consensus from other PMs and JPEO Directors before requesting that JPEO JTRS approve an RFP release or a major contract modification.

JPEO JTRS, or his designee, will be the Source Selection Authority and the Fee Determining Official for all contracts. In the case of Seaport-e orders, the Head of the Contracts Branch in support of JPEO JTRS will be designated as the Source Selection Authority.

DJPEO, all JTRS PMs, and all JPEO Directors (and SPAWAR counsel and the JTRS contracting branch if SPAWAR Contracts Directorate is not the contracting activity) must provide one advisory review of the following contracting documents prior to submission to JPEO JTRS, but will also review preliminary documents if requested by PMOs.

- Requests for Proposals
- Requests for Information
- Acquisition Plans
- Justification and Approvals (J&As)
- Source Selection Plans (if PM or Director is on source selection team)
- SOWs/SOOs
- Performance requirements documents, technical specifications, etc.
- Award Fee Plan and evaluation criteria
- Incentive Fee Plans

PMOs must indicate to DJPEO, other JTRS PMs and JPEO Directors when each document is ready to review, the suspense date for input to that document (5 business days to review is typical), and the date JPEO JTRS approval is needed. If DJPEO, a JTRS PM or JPEO Directorate has not responded by the suspense date, the PMO will provide notice that concurrence will be assumed.

Examples of documents not needing JPEO JTRS, DJPEO, other JTRS PM, or JPEO Director review include administrative modifications, synopses, and incremental funding modifications.

Contracting documents will require separate contracts/legal review by the contracting activity. Prior to final RFP release, the PMO will work with the JPEO Acquisition Director and the contracting activity's Chief Information Officer to verify that the contract complies with the Clinger-Cohen Act.

PMOs may release draft contracting documents and draft RFPs to industry after review by JPEO Directors, provided the PM notifies JPEO JTRS before each document is released.

A Contract Planning Conference, or equivalent planning meeting, with the contracting activity is required for anticipated future contract awards in excess of \$5M.

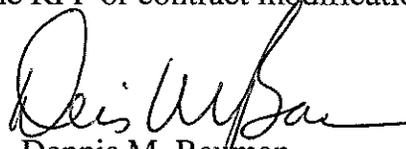
PMOs will provide a schedule to JPEO Acquisition Director to indicate when to expect contracting documents to be ready for review. To assist workload planning by reviewers, PMOs will attempt to stagger document reviews.

Some documents are source selection sensitive. The PMO and PCO must ensure that appropriate non-disclosure agreements (NDAs) have been signed by necessary personnel (e.g., gatekeepers) and returned to the PCO prior to release of source selection sensitive documents. In TopVue, the PMO must lock each source selection sensitive document to allow access only to those who have signed NDAs.

The JPEO Acquisition Directorate will rate draft contracting documents and RFPs against the Enterprise Business Model Contracting Checklist (TopVue document #5353), and will communicate to JPEO JTRS and the PMO the results of that analysis.

Process:

- (1) The PMO provides a schedule for document development and Contract Planning Conference to JPEO Acquisition Director and PCO.
- (2) The PMO and PCO will ensure that necessary NDAs have been signed, and that source selection sensitive documents in TopVue are locked to allow access only to those who have signed NDAs.
- (3) The PMO will post contracting documents for review and a comment matrix to TopVue and e-mail suspense date and notification to DJPEO, other JTRS PMs and JPEO Directors (and their primary and secondary gatekeepers), and SPAWAR counsel and the JTRS contracting branch if SPAWAR Contracts Directorate is not the contracting activity, that the document is ready for review.
- (4) DJPEO, JTRS PMs and JPEO Directors then review, as appropriate, and consolidate comments from their staff regarding each document. Provide comments directly to the PMO via the comment matrix. The JPEO Acquisition Directorate will also provide the completed Enterprise Business Model Checklist to the PMO, other JTRS PMs, and other Directors.
- (5) If DJPEO, a JTRS PM or JPEO Directorate has not responded by the suspense date, the PMO will provide notice that concurrence will be assumed.
- (6) The PMO will review comments, update contracting documents as appropriate, and document comment resolution on the comment matrix.
- (7) The PMO will post updated contracting documents and annotated comment matrix to TopVue and e-mail notification to DJPEO, JTRS PMs and JPEO Directors and any others who submitted comments.
- (8) The PMO will schedule an RFP/mod approval meeting with JPEO JTRS, or his designee. At that meeting, the JPEO Acquisition Director will brief the completed Enterprise Business Model Contracting Checklist. Also, the PM will brief any unresolved issues between the PMO, DJPEO, other PMs, and JPEO Directors.
- (9) JPEO JTRS approves release of the RFP or contract modification.



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