



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

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MANUAL TRANSMITTAL SHEET

Subject

1510 - ACQUISITION (Public)

1. Explanation of Material Transmitted: This replaces the point zero series of the Manual Section 1510 - ACQUISITION, Release 1-1650. The manual includes changed policies, procedures, and authorities resulting from acquisition reform legislation and the Bureau of Land Management (BLM) acquisition redesign. The manual supplements and should be used in conjunction with the Federal Acquisition Regulations and the Department of the Interior Acquisitions Regulations.

This manual is located on the BLM National Acquisition Home Page at www.blm.gov/natacq and the BLM Directives Home Page. The Acquisition Redesign Report is also on the BLM National Acquisition Home Page. We linked the manual to the Buying Made Easy Guide and the Guide to Agreements as requested by our customers during acquisition redesign.

2. Reports Required: None.
3. Material Superseded: This manual supersedes the point zero series of the Manual Section 1510 - ACQUISITION, Release 1-1650.
4. Filing Instructions: File as directed below.

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All of 1510 - Acquisition (Rel. 1650)
(Total: 9 Sheets)

1510 - Acquisition (6-15-00)
(Total: 86 Sheets)

A handwritten signature in black ink, appearing to read "Robert E. Doyle".
Assistant Director, Business and Fiscal Resources

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.01 Purpose. This Manual Section provides the Bureau of Land Management (BLM) policy and guidance to supplement the Federal Acquisition Regulation (FAR) and the Department of the Interior Acquisition Regulation (DIAR). An Agreements Guide and Buying Made Easy Guide are available on the web (see BLM acquisition home page).

.02 Objectives. Acquisition supports the Bureau's mission by serving customers' needs within legal guidelines, applying sound business judgment, innovative thinking, teamwork and adaptability. The objective of the acquisition function is to help achieve the performance goals of the Bureau. Acquisition personnel effectively and efficiently support their customers by using the guiding principles and performance standards in FAR, Part 1.

The acquisition system must be managed as a collaborative effort among managers, requisitioners, reviewers and acquisition personnel. The role of the acquisition team is discussed in FAR, Part 1.

.03 Authority.

A. Federal Property and Administrative Services Act of 1949, as amended (FPAS Act).

B. Federal Acquisition Regulation (FAR), Title 48, Chapter 1, Code of Federal Regulations.

C. Department of the Interior Acquisition Regulation (DIAR), Title 48, Chapter 14, Code of Federal Regulations.

D. Special statutes and executives orders affect certain areas of Federal acquisition. These statutes and executive orders are clarified by decisions of agency contract appeals boards, the Comptroller General (General Accounting Office (GAO)), and the courts.

.04 Responsibility.

A. The Assistant Director, Business and Fiscal Resources is delegated Head of the Contracting Activity (HCA) authority from the Department Procurement Executive (see FAR 2.1, DIAR 1402.1).

B. The Bureau Procurement Chief (BPC) is the senior GS-1102 official designated by the HCA. The BPC is redelegated HCA authority as authorized in the DIAR and is the Bureau's Competition Advocate (see FAR 6.5).

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C. Office heads (State Directors, Field Office Managers, Center Directors, WO Assistant Directors) are responsible for:

1. Supporting the acquisition process, by requiring adequate management controls, advance planning for important projects, supporting socioeconomic programs, and assuring that program managers fulfill their role (adequate lead times, complete and clear description of needs).

2. Ensuring that all employees involved in acquisition receive required training.

D. Chief of the Contracting Office (CCO) responsibilities are described throughout the DIAR and this Manual Section. The CCOs are:

1. The Procurement Analyst for the State Offices and the National Interagency Fire Center (NIFC), except Oregon.

2. The Chief, Branch of Procurement Management, in the Oregon State Office.

3. The Group Administrators of the operational procurement groups at the National Business Center (NBC).

4. The BPC in the Washington Office.

E. The Contracting Officer's (CO) responsibilities are described in FAR Part 1.6.

F. The Contracting Officer's Representative (COR) is appointed by the CO to perform delegated contract administration duties in accordance with DIAR 1401.670.

G. Purchase Card and Convenience Check Users (micro purchases only). Employees who are authorized to use purchase cards and convenience checks must follow the procedures contained in Manual Section 1512, Charge Cards and Convenience Checks for Travel, Purchase, Fleet and Uniforms.

H. Requisitioners are responsible for preparing the requisition correctly and completely; requesting only services and goods necessary for official Government business and obtaining all required program approvals.

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I. Approving Officials approve requisitions and are responsible for assuring funds are available for the purchase, the work is necessary to carry out the BLM's mission, and required program approvals have been obtained.

J. Reviewing officials for purchase card and convenience check transactions are responsible for ensuring that employees are trained, submitting applications, establishing dollar limits, and meeting time frames for reviewing statements. Reviewing officials monitor employee use and take appropriate action for misuse. The Reviewing Official assures funds are available for the purchase, work is necessary to carry out the Bureau's mission, and required program approvals have been obtained.

.05 References. The primary sources of reference are the FAR, the DIAR, this Manual, associated BLM Handbooks and Guides, in that order.

.06 Policy.

- Guiding Principles

- A. Follow the guiding principles and performance standards in FAR, Part 1.
- B. Implement the Department and the BLM strategic acquisition goals and measures.
- C. Verify performance against goals and measures.
- D. Improve performance.

.07 File and Records Maintenance. Instructions for file distribution and disposal are contained in FAR, Part 4. Instructions on disclosure of acquisition information are contained in FAR Parts/Subparts 3.1 (Protection of Source Selection Information), 5.4 (Requests for Information From the General Public and Members of Congress), 15.10 (Notifications to Offerors and Debriefings), and 24 (Protection of Privacy and Freedom of Information).

.08 Organization of Manual Section. This Manual Section 1510 uses the FAR format as required by FAR 1.3. The FAR is contained in 48 CFR Chapter 1 and is available on the Internet at <http://www.arnet.gov/far>.

1510-1 Federal Acquisition Regulation System.

1510-1.3 Agency Acquisition Regulations.

1510-1.301 Policy.

A. This 1510 Manual Section contains Bureau acquisition policy. It is supplemented by Handbooks, Guide to Agreements, Buying Made Easy Guide, and Manual Section 1512, Charge Cards and Convenience Checks for Travel, Purchase, Fleet and Uniforms. The BLM Manual supplements, but does not change, the intent of higher level regulations.

B. Releases in FAR format are prefixed with the number 1510, followed by the FAR part, subpart, section, and subsection number of the material which is being implemented. See FAR 1.105-2 for an explanation of the FAR numbering system. As an example, the subject "Mistakes in Bids" is covered in FAR section 14.407. At the subsection level, FAR 14.407-2 covers "Apparent Clerical Mistakes." In implementing this subject, the official Bureau designation is 1510-14.407-2. There are further subordinate FAR paragraphs. However, it is impossible to correlate the material in this Manual to that in the FAR at the subparagraph level.

Therefore the headings in this Manual only follow the FAR format to the subsection level. Subordinate paragraphs in this manual follow the BLM Manual paragraph identification system, i.e.,

A. through Z.

1. _____

a. through z.

(1) _____

It is not necessary to implement each subsection of the FAR. Therefore there are breaks in the numbers of the paragraphs of this Manual.

C. Supplementing. When it is necessary to supplement (i.e., add a subject not covered in FAR), the FAR part number with the "7O" series added will be used. For example, 1510-3.7O covers contracts with former Government employees, which is not discussed in the FAR.

D. Page numbering. Each page is numbered in the same way as all BLM Manual pages.

1510-1.4 Deviations.

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1510-1.403 Individual Deviations. Uniformity in the acquisition process should be maximized. Requests for deviations from FAR, DIAR, or this Manual must be forwarded to the BPC (WO-850).

1510-1.404 Class Deviations. Requests for such deviations must be forwarded to the BPC (WO-850).

1510-1.6 Contracting Authority and Responsibilities.

1510-1.601 General. Director and Assistant Director, Business and Fiscal Resources have unlimited acquisition authority. The Department of the Interior Contracting Officers Warrant System (COWS) Manual describes the policies, standards, and exemptions for warrants.

1510-1.602 Contracting Officers.

1510-1.602-1 Authority.

A. Contracting Officers. COs shall not exceed the limits of their warrants or the dollar amounts delegated to the office (as stated in FAR 1.671).

B. Redelegation of Contracting Officer Authority. Signature authority of a CO warrant may not be redelegated.

C. Deviations to the COWS Manual.

1. Incident Contracting Officer (ICO). A special warrant for Emergency Equipment Rental Agreements may be issued to employees after completion of the ICO training course.

2. Emergency Incidents. During emergency incidents, the CO has three times the dollar limit stated on their warrant.

D. Authority for Other Acquisition-Related Activities.

1. Membership in Associations. Approving officials shall approve memberships in associations, societies or other organizations prior to obligation of funds. The membership must be in the name of the BLM, not an individual employee (5 U.S.C. 5946). Approval of memberships is appropriate only when the primary purpose is to obtain a direct benefit to the Government, necessary to the accomplishment of the functions or activities for which an appropriation has been made (52 Comp. Gen. 496).

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2. Promotional and Informational/Educational Materials. See Appendix 2 for the Bureau's policy on purchase of such materials.

1510-1.602-3 Ratification of Unauthorized Commitments.

A. Ratification Request. To rectify an unauthorized purchase, the employee who made the commitment must prepare a request for ratification and send it to the official delegated ratification review authority under 1.602-3.B. If the ratification request is not approved, the employee who made the commitment may be held personally liable for payment. The request for ratification must be submitted within 15 working days after notification that such a request is required. The request for ratification must include the following:

1. The identification of the individual who made the commitment, and a description of the circumstances that led to the unauthorized action.
2. A description of the work, a statement of whether the company has commenced or completed performance, and grounds for considering the work to be of benefit to the Government, not the individual.
3. The criteria by which the vendor was selected and the estimated or agreed upon price.
4. A verification that funds are available and that funds were available at the time the unauthorized commitment was made.
5. A determination as to whether the price is fair and reasonable and a rationale for that determination.
6. Attachments to this memorandum should include:
 - a. A completed, approved requisition.
 - b. A copy of the commitment document, i.e., letter, order form, etc., if applicable.
 - c. The original invoice(s), if applicable.

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B. Ratification Authority.

1. CCOs are delegated authority to ratify unauthorized commitments up to the office acquisition authority.
2. The BPC is delegated authority to ratify unauthorized acquisitions above the office's authority.

C. Redelegation. These authorities may not be redelegated.

D. Ratification Document. The official issuing ratifications must document the file in accordance with FAR 1.602-3(c). Concurrence by the Center or State Director is required.

E. Ratification Payment. To the maximum extent practicable, payment should be made by purchase card or convenience check. For ratifications paid by other than purchase card or convenience check, the ratification document is sent to the Group Administrator, Payments Group (BC-630), NBC. To facilitate tracking, a Federal Financial System (FFS) document number is assigned. The document type is "M". Ratification documents should be filed separately to facilitate review. A copy of the ratification document for all ratifications exceeding the current competition threshold of \$2,500 shall be sent to the BPC.

F. Disciplinary Action. The ratifying official may recommend disciplinary action where circumstances warrant, e.g., a highly inappropriate incident, or a series of unauthorized incidents.

1510-1.603 Selection, Appointment and Termination of Appointment.

A. An electronic copy of the warrant application form, training summary, and instructions are available on the BLM Acquisition Internal Web page (<http://158.68.251.91/natacq/natacq.html>). Complete the application and send electronically to your CCO for submission to the BPC. The BPC will verify data in the application against the standards in the COWS Manual. If the standards are met, the warrant will be sent through the CCO to the requestor. If the standards are not met, the CCO and requestor will be notified.

B. CCOs must ensure maintenance training is completed for warranted personnel.

C. CCOs must notify the BPC when a warrant must be canceled, due to reassignment of the individual to another position, termination of appointment, or other reason.

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D. CCOs must recommend and provide facts and rationale to the BPC for warrant termination for cause. CCOS are authorized to suspend a Contracting Officer's warrant pending completion of corrective action(s) or while investigating procurement abuses or other potential causes(s) for warrant termination. If the CCO is not the supervisor, the supervisor will provide the information to the CCO.

1510-1.603-3 Appointment. Purchase card and convenience check holders will be appointed by the Agency/Office Program Coordinator's (A/OPC) approval of the application for cards and/or checks.

1510-1.670 Training, Appointment, and Termination of Appointment of Contracting Officers' Representatives.

1510-1.670-2 COR Certification Programs.

In compliance with DIAR, the BLM has developed a Web-based program for monitoring COR Certifications. The CCO or designee is the System Administrator (SA). The SA must enter training information for all COR certifications using the "SYSTEM ADMINISTRATOR INSTRUCTIONS" posted on the BLM Acquisition Internal Web page.

COs will assign COR duties only to individuals whose name and certification information is in the data base.

Any BLM employee may review COR certification status by using the "USER INSTRUCTIONS" posted on the Acquisition Internal Web page.

1510-1.670-70 Ordering.

COs are authorized to redelegate to CORs authority to place orders against fixed price indefinite delivery contracts which they administer. The delegation may be in memorandum format and must meet the following conditions.

A. The COR shall receive individualized instruction from the CO on the contract.

B. The CO shall develop procedures for issuance, coordination and maintenance of required documentation of the orders. The process must include keeping the CO updated on dollar totals, and assuring funds are properly obligated and contract maximum order limitations are not exceeded.

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1510-1.671 Delegation to Office.

A. The NBC is delegated the following levels of acquisition authority.

1. Established Sources: Unlimited.
2. Open market sources: Unlimited.
3. Interagency agreements: Unlimited.
4. Lease acquisitions for general purpose office space: Unlimited pursuant to General Services Administration (GSA) delegation of authority (See 1510-70 for policy related to lease acquisitions.)

B. Oregon State Office is delegated the following levels of acquisition authority:

1. Established Sources: Unlimited.
2. Open market Information Technology: \$100,000.
3. Other open market sources: Unlimited.
4. Interagency agreements: Unlimited.
5. Lease acquisitions for special purpose space: \$25,000

C. State Offices (except Oregon), NIFC, and Washington Office are delegated the following levels of acquisition authority:

1. Established sources: Unlimited.
2. Open market sources: \$100,000, provided that simplified acquisition procedures in FAR, Part 13 are used. This does not prohibit the use of other FAR, parts to increase the efficiency and quality of the acquisition (see FAR Part 13.003(h)). The NBC will process all cost-type actions and actions less than \$100,000 to be accomplished solely under the procedures in FAR Part 14 or 15. State Offices without a Procurement Analyst are limited to \$25,000.

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All recurring needs in which the statewide total amount of the acquisition for a minimum of 3 years exceeds \$100,000 shall be submitted to the NBC for acquisition.

3. Interagency agreements: Unlimited.

4. Lease acquisitions for special purpose space: \$25,000

D. Redelelegation to Field Office. SDs may redelegate to Field Office Managers the following levels of acquisition authority:

1. Established sources: Unlimited.

2. Open market sources: \$100,000, provided that simplified acquisition procedures in FAR, Part 13 are used. \$100,000 authority shall be redelegated to Field Offices only to the minimal level needed to provide effective and efficient acquisition support as required in Part IV of the Department of the Interior Contracting Officer Warrant System Manual. This does not prohibit the use of other FAR, parts to increase the efficiency and quality of the acquisition (see FAR, Part 13.003(h)). The NBC will process all cost-type actions and actions less than \$100,000 to be accomplished solely under the procedures in FAR Part 14 or 15 for all states except Oregon and Washington. The Oregon State Office will process these transactions for the offices in Oregon and Washington. Field Offices without a State Procurement Analyst are limited to \$25,000.

3. Interagency agreements: \$25,000

4. Lease acquisitions for special purpose space: \$25,000

E. Format of Redelegations. Field Office Supplements to BLM Manual. Use this method to redelegate all office acquisition authority. Field office supplements may also be used to delegate authority to positions, as opposed to individuals.

1510-1.70 Acquisition Reviews.

1510-1.7001-2 Legal Review by the Office of the Solicitor.

A. Agreement. The CCOs for the NBC and the Oregon State Office are responsible for negotiating an agreement for legal review with the appropriate Regional Office of the Solicitor. The BPC shall review these agreements.

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B. Contents of Agreement. The agreement shall require review of:

1. A representative sampling of different types of Invitation for Bids (IFB), Request for Proposals (RFP), and contracts normally issued.

2. Solicitations and contracts which involve new legal or policy interpretations, or deviation from normal acquisition techniques and procedures.

3. Final decisions by COs under the Disputes clause, which are unfavorable to the contractor.

4. Solicitations and contracts which contain significant new special provisions not used before.

C. Review of Agreements. The CCOs for the NBC and the Oregon State Office should review these agreements at least annually to assure the thresholds and scope are sufficient.

D. Matters relating to the legal review which cannot be resolved, shall be submitted to the BPC.

1510-1.71 Requisitioning.

Any BLM employee has authority to initiate a purchase requisition as described in the BLM Acquisition Handbooks. Heads of offices are authorized to approve, revise, or disapprove requisitions initiated by employees under their supervision. The approving official's signature on a requisition certifies the requisition has been prepared correctly, that funds are available for the acquisition, and that the fund codes are correct. Authority to approve requisitions may be redelegated. Individuals who are authorized to approve requisitions may also approve their own requisitions.

1510-2 Definitions. Definitions are included in Appendix 1.

1510-3 Improper Business Practices and Personal Conflicts of Interest.

1510-3.1 Safeguards.

1510-3.104 Procurement Integrity.

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1510-3.104-4 Statutory and Related Prohibitions, Restrictions, and Requirements. Statutory restrictions on unauthorized disclosure of proprietary and source selection information apply to all employees. An employee should avoid situations where they may pass source selection information to a vendor during a casual or social contact. While the contact itself is not prohibited, the unauthorized disclosure of the information is prohibited. To reduce the risk of unauthorized disclosure, employees involved in contracts should exercise discretion and avoid lunches, or other casual or social contacts with competing vendors when the project could be discussed. Casual contacts could lead to unauthorized disclosure of sensitive information, subject the employee to criminal penalties, and jeopardize the project.

1510-3.6 Contracts with Government Employees or Organizations Owned or Controlled by Them.

1510-3.602 Exceptions. The use of employee-owned horses does not require HCA approval (see Manual Section 1113).

1510-3.603 Responsibilities of the CO. The CO shall submit the written determination required by DIAR 1403.603 through the CCO to the BPC for review and submission to the HCA.

1510-3.8 Limitation on the Payment of Funds to Influence Federal Transactions.

1510-3.804 Policy. The CO shall forward a copy of contractor disclosures through the CCO to the BPC.

1510-3.806 Processing Suspected Violations. The CO shall forward reports of suspected violations through the CCO to the BPC.

1510-4 Administrative Matters.

1510-4.1 Contract Execution. Documents shall be numbered as shown in Appendix 3.

1510-4.2 Contract Distribution.

1510-4.201 Procedures. Simplified acquisition instruments shall be distributed in accordance with the guidance in H-1510-1. Contracts shall be distributed as follows:

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A. Original. The original shall be maintained by the CO.

B. First Copy. The first copy is sent to the contractor.

C. Third Copy. The third copy is sent to the designated COR.

D. Additional Copies. Copies may also be sent to receiving officers, State CCOs, project inspectors, and sureties, as appropriate.

1510-4.203 Taxpayer Identification Number Information (TIN).

A. To obtain TINs, the following procedures apply:

1. For written solicitations, include the provision required by FAR 4.904. The vendor's TIN must be included in the Interior Department Electronic Acquisition System (IDEAS) vendor record before the record is transmitted to the Federal Financial System (FFS).

2. For orders where no written solicitations are issued, while discussing prices and terms with the vendor, request the vendor to provide their TIN and corporate status. Insert the information in the vendor block of the NBC payment copy.

3. Do not include the TIN on other copies of the order, to insure protection of this information.

B. If the vendor will not provide the information, the CO should not delay processing the award. Insert in the vendor block on all copies of the order document the words "BLM FINANCE WILL SEND FORM W-9". The NBC Finance Office then requests the information from the vendor.

C. The NBC Finance Office retains the TIN in its vendor file, therefore only one submission from each vendor is necessary.

1510-4.8 Contract Files.

1510-4.804 Closeout of Contract Files.

1510-4.804-70 Release of Claims. The Release of Claims should be used for acquisitions under the simplified acquisition threshold (SAT) only when the CO determines that it will add value to the closeout of simplified acquisitions.

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1510-5 Publicizing Contract Actions.

1510-5.3 Synopses of Contract Awards.

1510-5.303 Announcement of Contract Awards. Notification must be given to Bureau Congressional Affairs Officer of every proposed award of contract over \$300,000 and of every contract modification over \$300,000 which will fundamentally alter contract performance requirements. Notify the Director (600) by electronic mail or facsimile at least 24 hours before issuance of an award or modification as defined above, using the format described in DIAR 1405.303.

1510-6 Competition Requirements.

1510-6.3 Other Than Full and Open Competition.

1510-6.302 Circumstances Permitting Other Than Full and Open Competition.

1510-6.302-7 Public Interest. Justifications based on the public interest authority shall be submitted by the CO through the CCO to the BPC.

1510-6.304 Approval of Justification. If a Commerce Business Daily (CBD) notice is required, the notice must be reviewed, prior to publication, by the official who is authorized to review and approve the justification for other than full and open competition.

1510-6.5 Competition Advocates.

1510-6.501 Requirements. The Competition Advocate for the BLM is the BPC.

1510-7 Acquisition Planning.

1510-7.1 Acquisition Plans.

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1510-7.102 Policy.

A. Section 501 of the Business Opportunity Development Reform Act (Public Law 100-656), requires that Federal agencies prepare a forecast of expected contract opportunities for the next fiscal year that small and disadvantaged businesses are capable of performing. The information is published by the Office of Small and Disadvantaged Business Utilization (OSDBU) and made available to any small business that requests the publication. P.L. 100-656 requires two separate actions each year.

1. The first is a forecast of acquisition requirements based on the President's Budget, which is released in January of each year. The forecast consists of an individual listing of contracts over \$100,000, summaries of contract activity over \$25,000, and a simplified acquisition summary. The forecast must be submitted to the Department within 20 work days after the President's Budget is released.

2. The second is an Advance Procurement Plan (APP) which is due to the Department within 30 work days after enactment of the annual appropriations act. This is an update of the forecast using the same reporting criteria.

B. The BLM plans down to the \$25,000 level, to assist offices in balancing workload, identifying opportunities and goals for the various special emphasis programs, and identifying possible consolidations. The BLM, therefore, requires that both the forecast and the APP contain itemized listings of planned acquisitions over \$25,000. Internal planning may be done at lower dollar levels. Items of supply (e.g., fence posts, wire, seeds, etc.) that can be consolidated into large volume buys should also be listed regardless of the estimated cost. Planning down to these levels provides the Procurement Analyst sufficient time to work with managers and users throughout the state to assure timely acquisition support within legal constraints, and to submit wage rate requests to the Department of Labor. It will provides the CO more time to assist requisitioners with development of acquisition strategies, schedules and Statements of Work.

C. Data for the APP shall be entered on a Web-based application which is accessed through the BLM Acquisition Home Page.

1510-8 Required Sources of Supplies and Services.

1510-8.8 Acquisition of Printing and Related Supplies. See BLM Manual Section 1551, Printing, for Bureau regulations and thresholds for acquiring printing services.

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1510-9 Contractor Qualifications.

1510-9.4 Debarment, Suspension and Ineligibility.

1510-9.404-70 Parties Excluded from Procurement Programs. List of Parties Excluded From Federal Procurement and Nonprocurement Programs Excluded Parties List (EPLS) is available on the Web at <http://www.arnet.gov>.

1510-10 Market Research.

1510-10.001 Policy. Conducting market research is a shared responsibility between the program office with the need and the acquisition staff. Information from the market research enables the program office staff to refine the definition of their requirements. The information is also needed by the acquisition staff to determine the best approach for making the buy (e.g., availability of commercial items and sources, commercial item practices, and terms and conditions).

1510-11 Describing Agency Needs.

1510-11.1 Selecting and Developing Requirements Documents.

1510-11.105 Purchase Descriptions for Service Contracts. Performance-Based Service Contracts (PBSC) work statements should be developed for commercial services which exceed the SAT. Development of PBSCs for commercial services between \$25,000 and the SAT is encouraged where it is determined to be advantageous and cost effective. Payment to contractors using PBSCs should be based on performance standards and acceptable quality levels rather than fixed hourly rates.

1510-11.7 Variation in Quantity.

1510-11.703-70 Variation in Quantity Clause for Service Contracts. The BLM has received a FAR deviation to use the clause titled "Variation in Estimated Quantity", FAR 52.211-18, in service contracts. The deviation authorizes a variance of up to 20 percent in lieu of the 15 percent variance in the FAR clause, when the clause is used for service contracts. Examples of when it may be used are:

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- land treatment contracts when payment is measured by acres, hours, pounds, etc.
- equipment rental with operator paid by the hour.
- camp support for surveyors when food and housing is paid by a fixed daily price per person.
- veterinary services for wild horses when price is based on a fee per horse.

The modified clause is titled "BLM - Variation in Quantity (May 1987), 52.211-70."

1510-12 Acquisition of Commercial Items.1510-12.2 Special Requirements for the Acquisition of Commercial Items.1510-12.203 Procedures for Solicitation, Evaluation, and Award.

Oral quotations should be used wherever possible for commercial item acquisitions between the micropurchase threshold and \$25,000. Other tools (e.g., including, but not limited to the use of oral orders and the Government Purchase Card) are also encouraged when simplified acquisition procedures are followed. There is no need for the completion of Optional Form OF-347 or Standard Form SF-1449, when oral orders and Government purchase cards are used in the commercial item buy.

1510-12.3 Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items.1510-12.302 Tailoring of Provisions and Clauses for the Acquisition of Commercial Items.

The use of terms and conditions that are not consistent with customary commercial practices requires approval of a waiver by the CCO. Requests for waiver must be supported with the documentation outlined in FAR, Part 12.302(c).

1510-12.6 Streamlined Procedures for Evaluation and Solicitation for Commercial Items.1510-12.603 Streamlined Solicitation for Commercial Items.

The CO is encouraged to issue a combined synopsis and solicitation for commercial item buys exceeding \$25,000.

1510-13 Simplified Acquisition Procedures.

1510-13.003

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1510-13.003 Policy. Only simplified acquisition procedures shall be used in all offices except the NBC and the Oregon State Office. This does not prohibit the use of other FAR parts to increase the efficiency and quality of the acquisition (see FAR Part 13.003(h)). The NBC will process cost-type actions and actions less than \$100,000 to be accomplished solely under the procedures in FAR Part 14 or 15 (except the Oregon State Office).

1510-13.1 Procedures.

1510-13.106 Soliciting Competition, Evaluation of Quotations or Offers, Award and Documentation.

1510-13.106-1 Soliciting Competition.

Contracting Officers are encouraged to use the following in requests for quotations (RFQ) when the requisitioner wants to emphasize past performance as a factor in evaluating and selecting sources.

"The resultant contract will be placed with the responsible firm whose quote is most advantageous to the Government, price and other factors considered. Other factors for this solicitation include past performance of the quoter. Past performance information may be based on the Government's knowledge of and previous experience with the quoter, or other reasonable basis."

1510-13.106-2 Evaluation of quotations or offers.

Insert the provision at 1510-52.213-70 in Request for Quotes in which the customer wants to use past performance as an evaluation factor.

1510-13.3 Simplified Acquisition Methods.

1510-13.301 Governmentwide Commercial Purchase Card and Convenience Checks.

A. Manual Section 1512, Charge Cards and Convenience Checks for Travel, Purchase, Fleet and Uniforms, contains BLM policy and guidance for use of purchase cards and convenience checks.

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B. Open market acquisitions above the \$2,500 micro-purchase threshold shall be awarded on an OF-347 with the applicable clauses required by statute rather than the purchase card. Include FAR clause 52.232.36, Payment by Third Party, as required under FAR Part 32.1110(d) if the purchase card is to be used as a payment tool for open market orders issued on an of-347.

Civilian Agency Acquisition Letter 99-2 states that acquisitions above the micro-purchase threshold are not exempt from the FAR clauses required by statute. The letter also states that oral contracts over the micro-purchase dollar threshold, whether paid by check, electronic funds transfer, or purchase card, are generally not adequate to describe the supplies or services to be purchased and the rights of the parties.

C. The CO may use the Governmentwide commercial purchase card above the \$2,500 micro-purchase threshold to place orders and/or make payments under contractual instruments. These are contracts, basic ordering agreements and Blanket Purchase Agreements (BPAs). These instruments include clauses that are required by statute. Micro-purchases do not require these clauses as stated in FAR Subpart 13.201(d).

1510-14 Sealed Bidding.1510-14.2 Solicitation of Bids.1510-14.205 Solicitation Mailing Lists.

1510-14.205-1 Establishment of Lists. The CO should encourage vendors to register centrally with DOI's electronic web-board on the Internet by providing them a copy of the Electronic Commerce (EC) outreach notice at <http://www.blm.gov/natacq/blmoutre.html>.

1510-14.3 Submission of Bids.1510-14.303 Modification or Withdrawal of Bids.

1510-14.303(b)

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1510-14.303(b) The receipt required by FAR 14.303 for withdrawal of a bid in person by a bidder or their authorized representative before the time set for opening should be worded similarly to the following:

I certify that I am a bona fide, fully authorized (agent for, official of, employee of, representative of (bidder's name and address) whose bid submitted in response to Bureau of Land Management Invitation for Bid No. _____ is scheduled for opening on (date and hour). I hereby withdraw that bid from consideration.
(name, date, and hour)

1510-15 Contracting by Negotiation.

1510-15.3 Source Selection.

1510-15.303 Responsibilities.

The CO may use the Federal Employee Non-disclosure Statement (Illustration 1) when establishing a proposal evaluation team.

1510-15.305 Proposal Evaluation.

1510-15.305 (a)(2) Past Performance Evaluation.

The BLM Form 1510-60(A) is recommended for use in competitive negotiated acquisitions where past performance will be used as a source selection factor for making best value awards. The BLM Form 1510-60(A) is available at <http://www.blm.gov/natacq>. The form may be modified at the discretion of the CO. The CO may use the form for competitive negotiated acquisitions below the current \$1 million threshold.

1510-15.305(a)(4) Cost Information.

The CO may provide cost information to technical evaluation team members as deemed appropriate.

1510-15.5 Unsolicited Proposals. It is the BLM's policy to inform organizations and individuals of the research and development areas encompassed by the Bureau's missions and to encourage the submission of unsolicited proposals in support of these missions.

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1510-15.506 Agency Procedures.

A. The CCO shall be the contact point for receipt, control, acknowledgment, review, recommendation, and final disposition of any unsolicited proposal. The CCO may designate a CO to process a specific unsolicited proposal.

B. Recipients of unsolicited proposals shall forward them to their cognizant procurement office contact point. The contact point conducts the initial review and acknowledgment described at 15.506-1, and attaches the data restriction legend contained at FAR 15.509(d) to each copy of the proposal. The contact point consults with the lead program person to determine initial interest in the unsolicited proposal, including availability of funds. If the proposal exceeds the office procurement authority, the proposal shall be transferred to the actual buying office (NBC or OR) for further processing. The CCO or designee at the actual buying office will then become the point of contact for the proposal. If the proposal merits a full evaluation, an evaluation committee similar to a Technical Proposal Evaluation Committee (TPEC) shall be convened. Membership shall include individuals with the appropriate scientific, technical, and socioeconomic expertise. The evaluation shall be conducted using TPEC procedures as deemed appropriate by the point of contact or designee. (See FAR 15.609(f)(3) if a non-Government evaluator is used).

C. Decision by the Point of Contact.

1. The contact point or designee reviews the recommendations resulting from the technical review and makes a decision on the disposition of the proposal.

2. If the CO and the appropriate reviewing official (see 6.304) approve the justification for other than full and open competition, the program lead prepares a requisition to initiate procurement action.

D. Disposition of Proposals. The CO proceeds with negotiation and award of the contract if a positive decision is made. If not, the CO advises the offeror of the BLM's decision in writing, with reasons. Unsuccessful unsolicited proposals must be returned to the offeror.

1510-16 Types of Contracts.1510-16.5 Indefinite-Delivery Contracts.1510-16.505 Ordering.

1510-16.505(b)

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1510-16.505(b) Orders under multiple award contracts.

(4) The clause at 1510-52.216-70 shall be used in multiple award delivery order or task order contracts. The CCO of the BLM Procurement Office that awards the contract is designated as the ombudsman. The ombudsman shall insure that contractors are afforded a fair opportunity to be considered for delivery orders or task orders consistent with the procedures in the contract. If the CCO finds that a fair opportunity has not been provided, the CCO may:

(i) Recommend alternate placement of the task orders,

(ii) Reassign the contract, or

(iii) If other agencies are authorized to order from the contract and do not follow the procedures in the contract to afford the contractors a fair opportunity, recommend that the CO limit or rescind the other agency's authority to place orders.

1510-17 Special contracting methods.

1510-17.500 Scope of subpart.

(a) Intra-agency agreements are processed in the same manner as interagency agreements (IA).

1510-17.503 Determinations and findings requirements.

(a) A format for a Determination and Finding (D&F) for an Economy Act order is found in Illustration 2.

(c) The D&F shall be signed by the CO. Approval by the CCO is required for actions exceeding the office's procurement authority, and by the BPC for actions exceeding \$500,000; both thresholds being cumulative for the length of the agreement.

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1510-17.504 Ordering procedures.

(b) The BLM Form 1681-3, Reimbursable Work Authorization (RWA), Inter-Agency/Intra-Agency Agreement shall be used as the cover page for all agreements. The exception is for one-time order for supplies or services furnished by another agency that are ordered on another form. Emphasize to the servicing agency that the BLM's Document Identification Number appear on all invoice transactions.

1510-17.570 Cost estimate. For the more complex work, it may be necessary to obtain a complete cost estimate for analysis and negotiation. In other circumstances, the funding requested by the servicing agency can be accepted as a fair amount for the required effort.

1510-19 Small Business Programs.1510-19.2 Policies.1510-19.201 General policy.

(c) (1) Business and Economic Development Program (BEDP) Goals.

(i) The Director (850) develops annual fiscal year BEDP goals for the Washington Office, the National Business Center, State Offices, and the National Interagency Fire Center. Goals are based on past accomplishments and planned acquisitions. The Bureau goals are negotiated with the Office of Small and Disadvantaged Business Utilization (OSDBU). Goals are to reflect improvement or continuing effort to maintain the same level of prior accomplishments.

(ii) Separate dollar goals are assigned for awards to the following business entities:

- (A) Small business concerns,
- (B) Minority business concerns,
- (C) Women-owned business concerns,
- (D) Subcontracts to small, minority and women-owned business concerns.

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Within minority business entities, there are separate goals for:

- (E) Section 8(a) disadvantaged firms,
- (F) Small disadvantaged firms receiving contracts resulting from direct, open competition, and
- (G) Non-profit, educational and large minority firms.

(iii) Offices may request changes to their proposed goals. But any decreases must be justified based on past trends and their planned acquisitions. Final goals are negotiated with the Headquarters Business Utilization Development Specialist (BUDS) in WO-850. Disagreement on goals may be appealed to the BPC.

(iv) Preliminary goals for the fiscal year must be issued for comment no later than December 31 of that fiscal year. Final goals must be established no later than January 31 of that fiscal year.

(v) Offices assigned goals are responsible for establishing procedures to accomplish the goals, based on directions in the FAR, the DIAR, and this 1510 Manual for specific business entities (i.e., small business, minority business, etc.). The Headquarters BUDS and the BPC will assist when requested.

(vi) Contracting Officers must report goals accomplishments electronically on the SF-279, Individual Contract Action Report and the SF-281, Summary Contract Action Report. CCOs must establish procedures to assure data is reported accurately and timely. CCOs must submit a written narrative of accomplishments and outreach efforts to the Headquarters BUDS no later than October 30 of the following fiscal year.

1510-19.202 Specific Policies.

1510-19.202-1 Encouraging small business participation in acquisitions. Because there are no special programs to set aside simplified acquisitions for small disadvantaged and woman-owned businesses, the CO should attempt to solicit quotations or proposals from these concerns on every transaction. The attempt should include a search of the SBA's PRONET on <http://www.sba.gov>. The CO should document the file of the attempt made to increase participation by these concerns.

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1510-19.202-1-70 (a) Objectives for Success. The objectives to achieve success in the Business and Economic Development Program (BEDP) are to:

- (1) meet or exceed annual BEDP goals,
- (2) increase participation in BLM acquisitions by small, disadvantaged and women-owned business concerns through various outreach endeavors, and
- (3) increase the dollar value to these business concerns, especially those in the 8(a) program.

(b) Responsibilities: Field Office Heads and Assistant Directors shall actively support these objectives and demonstrate their support of the BEDP by ensuring that their responsibilities and tasks listed below are achieved. The key to success is commitment early in the acquisition process, along with the development of strategies to increase participation by these concerns. The process should be continuous, not a 1-year effort.

(1) The CCO and Field Office Heads shall coordinate with their local Small Business Administration (SBA) office to identify small, disadvantaged and women-owned business concerns for possible matches with requirements. The coordination efforts should include reviewing acquisition plans and buying trends, source capabilities, and outreach endeavors, such as fairs, conference, training, etc. The BLM State Office or Center BUDS should team with the program official sponsoring the acquisition and the Contracting Officer.

(2) COs shall update source lists from the SBA's Web-based PRONET to include small, minority and women-owned business concerns. Before the CO codes the advanced acquisition plan as either "H - No Preference Program or Preference Program Not Listed" or "X - Not Determined at this time", the SBA's PRONET must be searched to determine if two or more small business sources appear to be capable. The results of the search shall be documented.

(3) In all States and Centers, except Oregon, for acquisitions exceeding the simplified acquisition threshold, the CCO and program officials must coordinate planned acquisitions with the local SBA office, and the Contracting Officer in the NBC. This must be done early in the acquisition planning cycle so that there is enough time to examine potential 8(a) acquisitions before it is too late. 8(a) acquisitions cannot be considered after the NBC CO issues a solicitation seeking full and open competition.

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(4) CCOs should assure that their acquisition plan is updated at least quarterly on the Web to reflect current activity. Each State and Center CCO should coordinate its updated acquisition plan with the local SBA office and the BLM National Business Center, when unplanned acquisitions that exceed the simplified acquisition threshold appear in the update.

(5) COs should discuss acquisition opportunities with small, disadvantaged and women-owned business concerns. COs should also inform these concerns about the Federal acquisition process and how to do business with the BLM. This can be done by showing or referring these concerns to the BLM procurement Web site at <http://www.blm.gov/natacq>.

(6) COs should provide incentives for large business concerns to increase subcontracting opportunities to small, minority and women-owned business concerns. This can be done by providing additional evaluation points in solicitations over \$500,000 that are not set-aside for small business concerns.

(7) The BLM Washington Office BUDS shall:

(i) Negotiate realistic BEDP goals with the DOI, and with each BLM State and Center,

(ii) Share progress reports against the goals and vendor information with the States/Centers,

(iii) Provide information to vendors about doing business with the BLM, and

(iv) Provide assistance to solve disagreements between the local SBA office and the cognizant Contracting Office.

1510-19.7 Subcontracting with Small Business, Small Disadvantaged Business and Women-Owned Small Business Concerns.

1510-19.704 Subcontracting Plan Requirements.

(a)(10)(iii) Upon receipt, COs in the National Business Center and the Oregon State Office shall fax copies of Standard Form 294 Subcontracting Report For Individual Contracts to the Department of the Interior Office of Small and Disadvantaged Business Utilization, the National Business Center's Procurement Systems Team (BC 680B), and the BPC.

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1510-19.705 Responsibilities of the Contracting Officer Under the Subcontracting Assistance Program.

1510-19.705-2 Determining the Need for a Subcontracting Plan. The CCO is authorized to approve the determination that no subcontracting possibilities exist for a proposed contractual action after review by the BUDS.

1510-19.8 Contracting with the Small Business Administration (The 8(a) Program).

1510-19.800-70 General. (a) Contracting Officers are authorized to award contracts directly to program participants under Section 8(a) of the Small Business Act. COs must comply with the Memorandum of Understanding (MOU) between the Department of the Interior (DOI) and the SBA, the class deviation to the FAR, and Department of the Interior Acquisition Policy Release (DIAPR) 1998-5.

1510-19.803-70 Selecting acquisitions for the 8(a) Program. The changes under the SBA MOU include:

(a) COs no longer need to send the SBA offering or acceptance letters for purchase orders or contracts less than \$100,000.

(b) The SBA no longer approves purchase orders and contracts awarded to eligible 8(a) firms. The SBA discontinued tripartite agreements.

(c) For acquisitions exceeding \$100,000, the SBA has five working days to approve 8(a) offering letters. If the SBA fails to respond within the five days, the CO may assume the request is approved.

(d) The CO shall:

(1) Send the SBA copies of Commerce Business Daily (CBD) announcements for all competitive 8(a) acquisitions.

(2) Send the SBA a copy of all award documents regardless of dollar value with the SBA requirement number.

(3) Report all 8(a) contracting actions quarterly.

(4) Coordinate contract terminations or novation agreements with the SBA.

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1510-19.10 Small Business Competitiveness Demonstration Program (SBCDP).

A. The SBCDP is a test program which began January 1, 1989, and is in effect indefinitely. It consists of two major components: (1) four Designated Industry Groups (DIG), which test unrestricted competition, and ten Targeted Industry Categories (TIC), which test expanded small business participation. The program does not apply to acquisitions from required sources, 8(a), Buy Indian, and PL 93-638 acquisitions.

B. The DIG's component of the program tests the ability of small businesses in the four commodity classes to achieve a 40 percent small business participation goal. It does this in acquisitions over \$25,000 by first removing the small business set-asides in the groups to gauge the levels of small business participation when no restrictions are available. These set-asides can then be reapplied, on an annual basis, in categories where participation levels fall below 40 percent. The Department notifies the Bureaus through a Department of the Interior Acquisition Policy Release (DIAPR) when the set-aside status of these acquisitions changes.

C. A new class of business known as Emerging Small Businesses (ESB) is defined under this component of the program. The ESB's are half the size of traditional small businesses, as determined by SBA's size standards. Acquisitions estimated at \$25,000 and under in the four DIG's must be set-aside for the ESB's, based on the "rule of two" expectations. If no such expectation exists, conventional simplified acquisition rules apply. A goal for awards to the ESB's is established as 15percentof the acquisition dollars in each of the four DIG's. These awards also count toward the 40 percent goal set forth above.

D. DIG awards over \$500 are reported on the SF-279, and not in the SF-281.

E. The Department has issued instructions related to TIC's through the DIAPR system. The ten TIC's for the Department of the Interior are:

	Product/ Service Code	SIC Code	Industry Category
1.	4310	3563	Compressors and vacuum pumps
2.	4330	3569	Centrifugals, separators, and vacuum filters
3.	6770	3861	Film, processed

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4.	7010	7373	ADP systems configuration
5.	7021	3571	ADP central processing unit, digital
6.	B526	8731, 8733	Oceanological studies
7.	B534	8731, 8733	Wildlife studies
8.	D301	7376	ADP facility operation & maintenance services
9.	U006	8249, 8331	Vocational/technical services
10.	V222	4141, 4142	Passenger motor charter service

TIC acquisitions over \$500 must be identified on the SF-279 using the instructions in the IPDS Reporting Manual.

1510-22 Application of labor laws to Government acquisitions.

1510-22.10 Service Contract Act of 1965.

1510-22.108 Procedures for preparing and submitting notice (SF-98/98a).

Needs to be developed after the Department signs MOU with DOL.

1510-22.70 Migrant and Seasonal Agricultural Worker Protection Act (MSPA).

(a) The MSPA provides protections to migrant and seasonal agricultural workers. There is no exception for Government employees or contractors. In BLM this would include tree planting, brush clearing, and precommercial tree thinning.

(b) The Department of Labor regulations implementing the MSPA are found at 29 CFR 500. The regulations include requirements for hard floors, sanitary conditions, cleaning and laundry facilities, etc., in temporary camps. They also require that workers be transported in inspected and certified vehicles by certified drivers.

1510-22.70(c)

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(c) Contracts must include a clause in Section H similar to that in 1510-52.222-70. Solicitations for such contracts must include a provision similar to that in 1510-52.222-71.

1510-23 Environment, Conservation, Occupational Safety, and Drug-Free Workplace.

1510-23.3 Hazardous Material Information and Material Safety Data.

1510-23.302 Policy.

1510-23.302(e) Requisitioners must identify hazardous materials on their requisitions, with assistance from their supervisor, hazardous materials coordinator, or safety manager. COs must include labeling and MSDS requirements in purchase orders and contracts. COs and credit card holders must advise vendors of labeling and MSDS requirements when they place verbal orders or use their credit cards. COs must also make sure that receiving copies of orders include the MSDS requirements. Receiving officers are responsible for routing MSDSs to safety personnel, who must distribute them to the work areas where needed.

1510-23.4 Use of Recovered Materials.

1510-23.404 Procedures.

1510-23.404(b) EPA designated items. The list of items can be found at <http://www.epa.gov/cpg/products.htm> and shall be used in accordance with the DOI affirmative procurement program.

1510-24 Protection of Privacy and Freedom of Information.

1510-24.70 Public Inspection.

(a) Any record that is requested three or more times is a frequently requested document. Frequently requested releasable documents must be available to the public for inspection and copying either in a reading room or at another location specified by the bureau/office. The Government purchase card list of card holders with purchase authority is considered releasable and available on the WO BLM Electronic Reading Room Web site.

(b) FOIA requests for unsuccessful proposals (FAR 15.503(b)(1)) and quotes (FAR 15.503(b)(2)) shall be denied pursuant to exemption 3 of FOIA.

1510-27 Patents, Data, and Copyrights.

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1510-27.3 Patent Rights Under Government Contracts.

1510-27.304-5 Appeals. Appeals of agency actions listed in 27.304-5(a) shall be coordinated with the Regional Solicitor and submitted to the Director (850) for review by the Solicitor and action by the Head of the Agency.

1510-32 Contract Financing.1510-32.7 Contract Funding.

1510-32.702 Policy. As required by DIAR 1401.7000(b), the CO shall ensure that funds cited on requisitions contain accounting and appropriation data and that fund availability is certified by the cognizant Budget or Program Officer.

1510-33 Protests, Disputes, and Appeals.1510-33.1 Protests.1510-33.103 Protests to the agency.

1510-33.103 (d)(4) The solicitation shall advise potential bidders and offerors whether an independent review of their protest is available at a level above the CO. This is done by adding paragraph (d) to the clause at 52.233-2 in the FAR after adding paragraph (c) listed in DIAR 1452.233-2. Paragraph (d) is listed in section 1510-52.233-2 of this Manual. The CCO is authorized to conduct the independent review with advice from the Solicitor. If the CCO is personally involved in the acquisition other than a review capacity, the BPC shall be the independent reviewer.

1510-33.104 Protests to the General Accounting Office (GAO).

(a) Upon being advised by the GAO of the receipt of a protest, the Office of the Solicitor informs the BPC in WO-850 who immediately notifies the cognizant CO. The CO promptly notifies all interested parties by telephone that a protest has been filed with the GAO. A written record of such telephonic notice is placed in the procurement file. After receiving a copy of the protest and request for an administrative report from the GAO, the Solicitor furnishes this to the BPC. The BPC transmits copies to the CO and requests a written report.

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The CO promptly transmits by letter a copy of the protest to all interested parties. Copies of such cover letters are sent concurrently through the BPC to the Solicitor. Cover letters should contain the advice contained in FAR 33.104(a)(4) including instructions that any comments submitted to the GAO should also be submitted to the CO and the Solicitor. All such reports are handled on a priority basis.

(b) With the advice of the Solicitor, the BPC evaluates requests to make award in the face of protest (FAR 33.104(b)), or to continue contract performance during protest after award (FAR 33.104(c)). As the HCA, the Assistant Director, Business and Fiscal Resources is authorized to approve award in the face of protest, or continued performance after award.

1510-33.2 Disputes and Appeals. Disputes shall be processed in accordance with FAR 33.2 and DIAR 1433.2. Copies of documents described at DIAR 1433.212 must also be sent to the Director (850).

1501-33.214 Alternative Dispute Resolution (ADR).

(a) After considering the essential elements of ADR, the CO should use ADR for dispute resolution to the maximum extent practicable. The CO and contractor should choose and agree to the appropriate ADR method as early as possible.

(1) ADR is more likely when the CO answers yes to one or more of the following questions:

(i) Have settlement discussions reached an impasse?

(ii) Have ADR techniques been used successfully in similar situations?

(iii) Is there a significant disagreement over technical data, or is there a need for independent, expert analysis?

(iv) Does the claim have merit, but is its value overstated?

(v) Are there multiple, issues, or claims that can be resolved together?

(vi) Are there strong emotions that would benefit from the presence of a neutral?

(vii) Is there a continuing relationship between the parties that the dispute adversely affects?

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(viii) Does formal resolution require more effort and time than the matter may merit?

(2) ADR is less likely when the CO answers yes to one or more of the following questions:

(i) Does the disputes have a clear legal precedent rather than fact making compromise difficult?

(ii) Will resolution of the controversy or dispute have a significant impact on other pending litigation or the future conduct of business? In other words, is a decision with precedential value needed? In these cases, the value of a definitive or authoritative resolution of the matter may outweigh the short-term benefits of a speedy resolution by ADR.

(iii) Is a significant policy question involved?

(iv) Is a full public record of the proceeding important?

(v) Would the outcome significantly affect non-parties?

(vi) Are the costs of pursuing an ADR procedure greater in time and money than the costs of pursuing litigation?

(vii) Is the nature of the case such that ADR might be used merely for delay the steps in the process?

(c) Before issuing a final decision on a claim, the CO should consider whether the disagreement is likely to be resolved by ADR. If likely, the CO should try unassisted negotiations to resolve disagreements first. If that method is not feasible, the CO should consider informal discussions between the parties by individuals who have not participated substantially in the matter in dispute, to aid in resolving the differences. The CO may propose one, or a combination, of the following ADR techniques:

(1) Mediation. Mediation is a process in which the disputing parties select a neutral third party to assist them in reaching a settlement. The process is private, voluntary, informal and non-binding. It provides an opportunity to explore a wide range of potential solutions, address interests that may be outside the scope of the controversy, or could not be addressed by judicial action. The mediator has no power to impose a settlement. The function of the mediator is determined by the desires of the parties and the attitude of the individual chosen to mediate. Mediators can be used to:

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- (i) propose settlement terms and attempt to persuade parties to make concessions,
- (ii) work with party-generated proposals and try to help parties realistically assess their options,
- (iii) present issues and evidence in private caucuses, and/or
- (iv) work in joint sessions with the parties present.

(2) Mini-trial. A mini-trial brings together an official from each of the contracting parties with authority to resolve the dispute. Neither official should have had responsibility for either preparing the claim, denying the claim, or preparing the case for trial. They hear abbreviated, factual presentations from a representative of each party and discuss settlement. It is governed by a written agreement between the parties, which is tailored to the particular needs of the case. It generally has three stages, which can usually be completed within 90 days.

(i) The pre-hearing stage covers the time between agreement on written procedures and start of hearing. The parties, with assistance of a neutral, complete whatever is stated in agreement, such as discovery and exchange of position papers.

(ii) At the hearing stage, representatives present their positions to the officials. Each representative is given a specific amount of time within which to make the presentation. There may also be an opportunity for rebuttal and a questions and answer period for the officials. This stage usually takes one to three days.

(iii) At the post-hearing discussion stage, officials meet to resolve the dispute. The mini-trial agreement establishes a time limit within which officials either agree to settle the matter or agree to resume litigation. These settlement negotiations may not be used by either party in subsequent litigation as an admission of liability. The agreement may provide for services of a neutral advisor.

(3) Settlement Judge. An administrative judge is appointed by the Chair of the IBCA to assist the parties with settlement. The settlement judge will not hear, or have any formal or informal decision-making authority in the case. But the judge promotes settlement through frank, in-depth discussion of the strengths and weaknesses of each party's position. The agenda for meetings are flexible. The settlement judge may meet either jointly or separately with the parties. Recommendations by the settlement judge are not binding. If a dispute or appeal to the IBCA is not resolved by the settlement judge, it will be restored to the IBCA docket.

1510-36 Construction and Architect-Engineer (A-E) Contracts.

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1510-36.1 General.

1510-36.102 Definitions. The Brooks Act definition of Architect-Engineer services includes fifteen services, including surveying and mapping, which members of the architectural and engineering professions may logically or justifiably perform, regardless of whether the services are incidental to a specific A-E project or construction project. Therefore all BLM contracts for surveying services must be procured using Brooks Act procedures.

1510-36.213 Special Procedures for Sealed Bidding in Construction Contracting.

1510-36.213-2 Presolicitation notices. The CCO is authorized to waive the requirement for presolicitation notices.

1510-36.6 Architect-Engineer Services.

1510-36.602-2 Evaluation Boards. Private practitioners of architecture, engineering, or related professions may be appointed to *ad hoc* architect-engineer evaluation boards when BLM employees with the necessary skills are not available to serve on the evaluation board. Requests to utilize private practitioners, with supporting justification, must be sent through the CO and BPC to the HCA for review and approval.

1510-36.609-1 Design within Funding Limitations.

1510-36.609-1(c)(1) The CCO is authorized to waive use of the Design Within Funding Limitations clause, FAR 52.236-22.

1510-37 Service Contracting.1510-37.102 Policy.1510-37.6 Performance-Based Contracting.1510-37.601-70 General.

(a) The BLM State or Center Procurement Analyst should review the Web-based advanced acquisition plan for planned services in excess of \$100,000 that fall within the OMB's categorization as PBSC "Targets of Opportunity." This includes all Federal Procurement Data System service codes B through V. The review should be with the program official and the CO. The following services and contracts should be excluded:

1510-37.601-70A

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A - Research and Development
C - Architect - Engineer Services
E - Purchase of Structures
S - Utilities (but housekeeping is included)
W - Lease/Rent of Equipment
X - Lease of Facilities
Y - Construction
Z - Maintenance/Repair of Real Property

Indian Self-Determination Contracts and Compacts

(b) The Procurement Analyst should reach a consensus with the CO and program official as to which remaining planned service contracts will result in a PBSC. The Procurement Analyst should then complete the Planned Service Contract Actions in Appendix __ for all planned service contracts that are not excluded. The report should be submitted through E-Mail to BC-680B by the thirteenth day following the subsequent quarters of the FY.

(c) The COs in the BLM Oregon State Office and the BLM National Business Center shall submit the Service Contract Action Register and Performance-based Service Contract (PBSC) Report to BC-680B by the thirteenth day following the subsequent quarters of the FY.

1510-42 Contract Administration 1510-42 Contract Administration.

1510-42.6 Corporate Administrative Contracting Officer.

1510-42.602 Assignment and Location. A Corporate Administrative Contracting Officer (CACO) may be assigned by the CCO when the conditions of FAR 42.602(a)(2) are met, after approval by the HCA.

1510-42.15 Contractor Performance Information.

1510-42.1502 Policy.

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1510-42.1502(a) Contractor Performance Profile, BLM Form 1510-60, is prescribed for evaluating contractor performance. A copy of form 1510-60 shall be placed in the official contract file.

The CCO shall review and make the final determination on evaluations where disagreement exists.

1510-43 Contract Modifications.1510-43.2 Change Orders.

1510-43.205 Contract Clauses. The CO is authorized to vary the 30-day time period for submission of adjustment proposals under FAR Clause 52.243-1 through 52.243-4.

1510-46 Quality AssuranceQuality Assurance.

1510-46.4 Government Contract Quality AssuranceGovernment Contract Quality Assurance. See BLM Manual 1520 and G-1520-1, Personal Property Management Manual, for procedures required by FAR 46.401 and 46.6.

1510-48 Value Engineering.1510-48.1 Policies and Procedures.

1510-48.103 Processing Value Engineering Change Proposals (VECP). Office quality assurance procedures shall include review of value engineering change proposals, including ensuring that a proposal is within the scope of the original contract, coordination with the Regional Solicitor in accordance with Solicitor Review Agreement(s), and review by the Competition Advocate for proposals over \$500,000. VECPs submitted to the Competition Advocate must be accompanied by the original solicitation and the contract.

1510-52 Clauses.1510-52.1 Instructions for Using Provisions and Clauses.

1510-52.170 Deviations. All requests for deviations in FAR or DIAR provisions and clauses shall be submitted to the Director (852).

1510-52.2 Texts of Provisions and Clauses.

1510-52.211-70

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1510-52.211-70 Variation in Quantity (May 1987). This clause may be used in service contracts as specified in 1510-11.703-70 with the following changes:

- Substitute 20 percent for 15 percent.
- Substitute 120 percent for 115 percent.
- Substitute 80 percent for 85 percent.

1510-52.213-70 Evaluation of Quotations.

As prescribed in 1510-13.106-2, insert the following provision:

1510-52.213-70 EVALUATION OF QUOTATIONS

Award will be made to the responsible firm whose quote is most advantageous to the Government, price and other factors considered. Other factors for this solicitation include past performance of the quoter. Past performance information may be based on the Government's knowledge of and previous experience with the quoter, or other reasonable basis.

1510-52.216-70 Task Order Ombudsman.

The task order contract ombudsman for this contract is: Chief of the Contracting Office, (insert the name and location of the office). In accordance with FAR 16.505(b)(4), the ombudsman shall review complaints from contractors regarding contracts awarded under Solicitation Number (Insert the number and title of the solicitation).

Alternate I. Add the following sentence when other agencies are authorized to place orders.

Failure of an agency to follow ombudsman advice may result in termination of the agency's authority to place orders.

1510-52.222-70 Migrant Seasonal Agricultural Workers Protection Act Registration Maintenance.

As prescribed in 1510-22.70(c), insert the following clause in Section H:

1510-52.222-70 MIGRANT SEASONAL AGRICULTURAL WORKERS PROTECTION ACT REGISTRATION MAINTENANCE

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(a) As set forth in Title 29, Part 500 of the Code of Federal Regulations, Migrant and Seasonal Agricultural Worker Protection, the Contractor shall maintain all necessary U.S. Department of Labor registrations during the performance period of this contract. Failure to maintain a valid registration is grounds for termination of this contract.

(b) In compliance with the Migrant and Seasonal Agricultural Worker Protection Act, the Contractor shall provide the following to meet minimum safety and health standards for housing employees when camping on Federal lands:

(1) A shelter to provide protection from the elements. Where heat adequate for weather conditions is not provided, other arrangements should be made to protect the workers from the cold.

(2) Sanitary facilities for storing food. Ice chests or coolers, with ice supply made from potable water replenished as necessary, to meet the requirement for storage of perishable food items.

(3) An adequate and convenient potable water supply, approved by the appropriate health authority, in each camp for drinking and cooking purposes. As an alternative, commercial bottled water may be used.

(4) Toilet and hand washing facilities adequate for the capacity of the camp, at not less than a 1:15 ratio, supplied with adequate toilet paper. Such facilities shall be maintained in a sanitary condition.

(5) Fly-tight, rodent-tight, impervious, cleanable or single service containers to be used for the storage of garbage. Such containers shall be kept clean and emptied when full.

(6) Basic first aid supplies under the charge of a person trained to administer first aid.

(7) A laundry tray or tub for every 30 workers, or transportation, at least weekly, to a commercial Laundromat for all workers.

1510-52.222-71 Migrant Seasonal Agricultural Workers Protection Act Registration Number.

As prescribed in 1510-22.70(c), insert the following provision:

1510-52.222-71

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1510-52.222-71 MIGRANT SEASONAL AGRICULTURAL WORKERS PROTECTION ACT REGISTRATION NUMBER

If applicable, a valid U.S. Department of Labor Registration number must be supplied within five (5) days after date of award. Failure to provide such number is grounds for contract termination.

Application for numbers should be made on Form WH-510, Application for a Farm Labor Contractor Certificate of Registration, which should be available at your State Employment Service Offices or your nearest U.S. Department of Labor Office. Further information may be obtained from:

U.S. Department of Labor Telephone: (415) 975-4520
Wage and Hour Division
71 Stevenson Street, Suite 930
San Francisco, CA 94105
Registration Number: _____
(Migrant Seasonal Agricultural Workers Protection Act)

1510-52.233-2(d) Service of Protest (Deviation)

In accordance with 1510-33.103(d)(4), add the following paragraph (d) to FAR clause 52.233-2.

(d) In accordance with FAR 33.103(d)(4), interested parties may request an independent review of their protest at a level above the contracting officer by notifying the following contact point: (*insert CCO or BPC*). This review is available as an alternative to consideration by the contracting officer or is available as an appeal of a contracting officer decision.

1510-52.2-70 Additional Provisions and Clauses.

Additional BLM specific provisions and clauses are available for use. These clauses and provisions are contained in the matrices maintained in IDEAS and should be used, as appropriate, when assembling clauses for solicitations and contracts.

1510-53 Forms.

1510-53.3 Illustration of Forms.

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1510-53.303 Agency Forms.1510-53.303-70 Bureau of Land Management Forms.

The following BLM acquisition forms are available for use and may be acquired from the BLM National Business Center, Printed Materials Distribution Center (BC-650B). Information on the use of the forms is available in the acquisition handbooks.

- (a) 1510-5 - Procurement Request
- (b) 1510-6 - Suspend and Resume Work Order
- (c) 1510-7 - Notice to Proceed
- (d) 1510-10 - Certificate for Contract Payment/Invoice
- (e) 1510-17 - Labor Compliance Checklist
- (f) 1510-18 - Purchase Requisition/Oral Order
- (g) 1510-30 - Prewrite Conference Record and Contractor's Authorization
- (h) 1510-41 - Recertification of Funding Data
- (i) 1510-54 - Contract Receiving Report
- (j) 1510-56 - Site Inspection Tour/Prebid Conference Record
- (k) 1510-57 - Contract Diary
- (l) 1510-58 - Notice of Noncompliance/Instruction to Contractor
- (m) 1510-59 - Labor Compliance Interview
- (n) 1510-60 - Contractor Performance Profile

1510-70 Acquisition of Leasehold Interests in Real Property.1510-70.000 Scope of Part.

This part prescribes policies and procedures for the acquisition of leasehold interests in real property as delegated to BLM by the General Services Administration (GSA). Subpart 1510-70.002 provides authority to field offices for the acquisition of "Special Use Space" up to \$25,000. See definitions below for the definition of "Special Use Space".

1510-70.001 Definitions.

As used in the part –

"General Purpose Space" means space appropriate for assignment to another agency after being vacated by the BLM, and includes office space, storage space, and combined warehouse and wareyard space in or near established communities.

1510-70.001(a)

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“Special Use Space” means space in buildings, and land incidental thereto, used by field crews in areas where no other Government agencies are quartered. Special use space includes:

- (a) Space to house antennas, repeaters, or transmission equipment. Limitation on term is five years.
- (b) Depots, including stockpiling depots. Limitation on term is five years.
- (c) Fumigation areas. Limitation on term is five years.
- (d) Garage Space. Limited to a fiscal year basis.
- (e) Hangars and other airport operating facilities, including flight preparation space, aircraft storage areas, and repair shops. Limitation on term is five years.
- (f) Specialized storage/depot facilities, such as cold storage, self-storage units, and equipment storage (general purpose warehouse type storage facilities not included). Limitation on term is five years.
- (g) Land (if unimproved, land may be leased only on a fiscal year basis).

1510-70.002 Authority.

(a) The Bureau of Land Management has been delegated lease acquisition authority for general purpose office space by the General Services Administration (GSA). This delegation shall extend to the leasing of space under the authority of Section 210(h)(1) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, for terms which do not exceed a 20 year commitment. Prior approval for the specific city location of the proposed leased space must be obtained from the GSA for the BLM to exercise the delegated leasing authority. This authority may be exercised only by the National Business Center Leasing Team (BC670A).

(b) States, NIFC, and Washington Office are delegated authority to lease only special use space. This authority may be re-delegated. The following limitations apply to this delegation:

- (1) Offices may not lease space for another agency.
- (2) No more than 2,500 square feet of covered space may be acquired at one geographic location.
- (3) Cost of the space must not exceed \$25,000 over the entire term of the lease, including the firm term and options.

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(4) The firm term of the lease must not exceed 5 years. Option years are permissible beyond the firm term if the total cost does not exceed \$25,000.

1510-70.1 Procedures.1510-70.101 General Purpose Space.

(a) Space Verification with GSA. Prior to undertaking any leasing action for new acquisitions, renewal options, or succeeding leases, the Contracting Officer shall verify in writing with the appropriate GSA Assistant Regional Administrator, Public Buildings Service, that no suitable vacant Government-controlled space is available, and there are no planned consolidations of Federal agencies in the community.

(b) GSA Award Notification. Within 90 days after execution of a lease, the CO must provide the following information on the lease to the GSA Office of Governmentwide Real Property Policy and Oversight: name and address of the leased building, total square footage leased, utilization rate of office space leased, annual rental, estimated cost of services or utilities to be paid separately by the Government (if any), and the terms of the lease, including any cancellation or renewal rights.

(c) Utilities in Leases. Space should be leased with the Bureau paying fuel and electric bills to keep the price as low as possible. Deviations from this policy may be made at the discretion of the Contracting Officer, working with the requesting office to adequately meet their needs.

(d) Price Reasonableness. A market survey and/or an appraisal will be conducted in accordance with accepted real property appraisal procedures or market survey procedures, and may be used to establish price reasonableness. Awards must be made based on the lowest evaluated price per square foot, unless a different criteria is specified in the Solicitation for Offers.

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(e) Collocations. Collocations with other agencies should use a Memorandum of Understanding (MOU) to define all of the day-to-day operational agreements with the other agency of how the space and responsibilities will be shared. Since these day-to-day operational responsibilities are based on how the space will be utilized by the requesting office, this MOU should be signed by the appropriate personnel from the offices that will actually be using the space, not the CO. Collocations will also require an Interagency Agreement (IA) to define the payment responsibilities of each agency. The term of the IA should be the same as the lease term.

1510-70.102 Special Use Space.

Leases may be completed using the “short form” lease. This consists of two pages. The two pages comprise the offer form, and when signed by the Contracting Officer, become the award document and final contract. This form is available at:

<http://www.gsa.gov/pbs/pe/standcla/standcla.htm>

This web page contains numerous forms. The appropriate one for delegated lease authority is “Form 3626 - U.S. Government Lease for Real Property (Short Form).” This form may be downloaded and modified to reflect the appropriate conditions for the lease. For example, a lease for space on an antenna for a satellite dish would have the wording for building square footage deleted and replaced by wording describing the space on an antenna.

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FEDERAL EMPLOYEE NON-DISCLOSURE STATEMENT

(Title of Acquisition)

The proper treatment of official information related to the acquisition process (requirement definition, validation, evaluation, selection proceedings, negotiations, etc.) is of the utmost importance.

As prescribed in 5 CFR 735.206, an employee may not “directly or indirectly use or allow the use of official information obtained through or in connection with his Government employment.”

Title 18 U.S.C. 201 prescribes specific penalties for a Government official accepting, or anyone directly or indirectly promising to a Government official, anything of value with the intent to influence an official act or otherwise influence the Government official.

U.S.C. Title 18, Sec. 1905, states: “Whoever, being an officer or employee of the United States or any department or agency thereof, publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information coming to him in the course of his employment or official duties or by reason of any examination or investigation made by, or return, report or record made to or filed with, such department concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the identity, confidential statistical data, amount or source of any income profits, losses, or expenditures of any person, firm, partnership, corporation, or association; or permits any income return or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person except as provided by law, shall be fined not more than \$1,000.00 or imprisoned not more than one year; or both; and shall be removed from office of employment.”

Title 18 U.S.C. 207 restricts the participation of former Government officers and employees with regard to any matter in which they have participated personally and substantially. Title 18 U.S.C. 207(a), bans a former employee for life from representing any one (other than the United States) before the United States Government on any particular matter in which they participated personally and substantially while a Federal employee. Title 18 U.S.C.207(b)(91) places a two year ban on a former employee representing anyone (other than the United States) before the United States Government on any particular matter that was under the former employee’s official responsibility during their last year of Federal service. The above statutes prescribe specific penalties for violation which may include a fine of up to \$10,000 or imprisonment for up to two years.

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Employees shall not reveal any information to anyone who is not also participating in the same activities, and then only to the extent that such information is required in connection with such activities. Such information is classified "FOR OFFICIAL USE ONLY." The dissemination of information in this category to other parties will be at the sole discretion of the Contracting Officer. Pre-solicitation and solicitation information, TPEC membership, vendors' proposals, identity of offerors, proposal evaluation information and documents, and similar materials will be handled and discussed on a need-to-know basis only. Under no circumstances may pre-solicitation information, proposals, evaluation information, or selection criteria or plans be removed from the FIPS/ALMRS Acquisition Team without the authorization of the Contracting Officer. In this regard, the methodology used or planned for use in evaluation and selecting equipment/services, will not be discussed or otherwise disclosed except on a "need-to-know" basis established by the Contracting Officer.

With respect to those participating personnel not regularly assigned to the (branch name and mail code), the right to information on a need-to-know basis does not extend to their normal chain of supervision or command, or to lines of authority arising out of technical responsibility for the action being evaluated, except as specifically approved by the Contracting Officer on a case-by-case basis.

Any unauthorized disclosures contrary to the aforementioned provisions may result in appropriate disciplinary action pursuant to applicable statutory provision.

The purpose of this agreement is to make you aware of the preceding statutes and your responsibility to insure confidentiality of sensitive information. To confirm your awareness of this responsibility please sign and date one copy of this statement and return it to the Contracting Officer.

Signature

Date

Typed Name

Office Code

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1510-3.104-4 Statutory and related prohibitions, restrictions, and requirements.

(a) Prohibition on disclosing procurement information (subsection 27(a) of the Act).

(1) A person described in paragraph (a)(2) of this subsection shall not, other than as provided by law, knowingly disclose contractor bid or proposal information or source selection information before the award of a Federal agency procurement contract to which the information relates. (See 3.104-5(a).)

(2) Paragraph (a)(1) of this subsection applies to any person who--

(i) Is a present or former official of the United States, or a person who is acting or has acted for or on behalf of, or who is advising or has advised the United States with respect to, a Federal agency procurement; and

(ii) By virtue of that office, employment, or relationship, has or had access to contractor bid or proposal information or source selection information.

(b) Prohibition on obtaining procurement information (subsection 27(b) of the Act). A person shall not, other than as provided by law, knowingly obtain contractor bid or proposal information or source selection information before the award of a Federal agency procurement contract to which the information relates.

(c) Actions required of agency officials when contacted by offerors regarding non-Federal employment (subsection 27(c) of the Act). If an agency official who is participating personally and substantially in a Federal agency procurement for a contract in excess of the simplified acquisition threshold contacts or is contacted by a person who is a bidder or offeror in that Federal agency procurement regarding possible non-Federal employment for that official, the official shall--

(1) Promptly report the contact in writing to the official's supervisor and to the designated agency ethics official (or designee) of the agency in which the official is employed; and

(2)(i) Reject the possibility of non-Federal employment; or

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(ii) Disqualify themselves from further personal and substantial participation in that Federal agency procurement (see 3.104-6) until such time as the agency has authorized the official to resume participation in such procurement, in accordance with the requirements of 18 U.S.C. 208 and applicable agency regulations, on the grounds that--

(A) The person is no longer a bidder or offeror in that Federal agency procurement; or

(B) All discussions with the bidder or offeror regarding possible non-Federal employment have terminated without an agreement or arrangement for employment.

(d) Prohibition on former official's acceptance of compensation from a contractor (subsection 27(d) of the Act). (1) A former official of a Federal agency may not accept compensation from a contractor as an employee, officer, director, or consultant of the contractor within a period of one year after such former official--

(i) Served, at the time of selection of the contractor or the award of a contract to that contractor, as the procuring contracting officer, the source selection authority, a member of a source selection evaluation board, or the chief of a financial or technical evaluation team in a procurement in which that contractor was selected for award of a contract in excess of \$10,000,000;

(ii) Served as the program manager, deputy program manager, or administrative contracting officer for a contract in excess of \$10,000,000 awarded to that contractor; or

(iii) Personally made for the Federal agency--

(A) A decision to award a contract, subcontract, modification of a contract or subcontract, or a task order or delivery order in excess of \$10,000,000 to that contractor;

(B) A decision to establish overhead or other rates applicable to a contract or contracts for that contractor that are valued in excess of \$10,000,000;

(C) A decision to approve issuance of a contract payment or payments in excess of \$10,000,000 to that contractor; or

(D) A decision to pay or settle a claim in excess of \$10,000,000 with that contractor.

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(2) Nothing in paragraph (d)(1) of this subsection may be construed to prohibit a former official of a Federal agency from accepting compensation from any division or affiliate of a contractor that does not produce the same or similar products or services as the entity of the contractor that is responsible for the contract referred to in paragraph (d)(1) of this subsection.

1510-3.104-5 Disclosure, protection, and marking of contractor bid or proposal information and source selection information.

(a) Except as specifically provided for in this subsection, no person or other entity may disclose contractor bid or proposal information or source selection information to any person other than a person authorized, in accordance with applicable agency regulations or procedures, by the head of the agency or designee, or the contracting officer, to receive such information.

(b) Contractor bid or proposal information and source selection information shall be protected from unauthorized disclosure in accordance with 14.401, 15.207, applicable law, and agency regulations.

(c) In determining whether particular information is source selection information, see the definition in 3.104-3 and consult with agency officials as necessary. Individuals responsible for preparing material that may be source selection information under paragraph (10) of the definition shall mark the cover page and each page that the individual believes contains source selection information with the legend "Source Selection Information--See FAR 3.104." Although the information in paragraphs (1) through (9) of the definition in 3.104-3 is considered to be source selection information whether or not marked, all reasonable efforts shall be made to mark such material with the same legend.

(d) Except as provided in subparagraph (d)(4) of this subsection, if the contracting officer believes that information marked as proprietary is not proprietary, information otherwise marked as contractor bid or proposal information is not contractor bid or proposal information, or information marked in accordance with 52.215-12 is inappropriately marked, the contractor that has affixed the marking shall be notified in writing and given an opportunity to justify the marking.

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ECONOMY ACT DETERMINATION

(31 U.S.C. 1535 and 48 CFR 17.503)

1. (Office) has a requirement for (brief description of supplies or services) in support of (describe program, project, mission). The estimated total cost of the (supplies or services) over the life of the agreement, including all task orders and modifications, is (estimated cost). Funding in the amount of (dollar amount) is available, and legal authority exists for this acquisition.
2. This order is in the best interest of the United States Government.
3. The (Agency) is able to (provide or get by contract) the required (goods or services).
4. It is (more convenient or least costly) to acquire the (supplies/services) from the (Agency) than from a commercial firm. The (Agency) is especially suited and available to (provide or perform) the (supplies or services) because (state circumstances such as legislative mandates to do similar work, only source with capabilities or facilities, etc., which make it impractical to award a contract to a commercial source vs. a Federal source. If the basis is cost, attach a cost comparison.)
5. This action does not conflict with any other Federal Agency's authority or responsibility.

Signature of Requester and Date

Approval of Contracting Officer and Date

Approval of Chief of the Contracting Office and Date

Approval of Solicitor and Date (if required)

Approval of Bureau Procurement Chief and Date (if required)

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-A-

acceptance:

(1) On the part of a supplier, receipt of and consent to the Government's offer to buy. See FAR 13.108(a) and (b).

(2) See FAR 46.101 and 46.501 for the definition of "acceptance" as it applies to the Government's receipt of supplies and services."

acquisition: see FAR 2.1.

administrative change: see FAR 43.101 and 43.103(b).

aggregate amount: all costs of a given requirement, including freight and handling charges paid to a vendor. The aggregate amount may not exceed \$100,000 if simplified acquisitions procedures are used.

amendment: a revision of a solicitation, usually issued on SF-3O.

-B-

bid: a prospective contractor's (bidder's) reply to an invitation for bid (IFB) in a sealed bid procurement. A bid is binding on the offeror, and may be accepted by the Government to create a contract. The term is used interchangeably with "sealed bid." It does not refer to quotes received in simplified acquisition.

bidders' mailing list: list of sources maintained by the procuring office from which bids, proposals, or quotations are solicited. Often shows business status (i.e., small, minority, woman owned, etc.).

bill of lading: a carrier's contractual agreement to transport goods from one place to another and to deliver them to a designated person or location, for the compensation and under the terms stated in the agreement. The Government has its own bill of lading form (GBL).

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-B-

blanket purchase agreement (BPA): a charge account type of arrangement established by the Government with sources from which repetitive simplified acquisitions are likely to be made. Allows verbal placement of orders and consolidated billings. Establishes no contractual obligation either to buy or to sell.

-C-

capitalized property: items which are in a property class defined and listed in BLM Manual Section 1522 and its Appendix 2.

change order: see FAR 43.101 and 43.2.

Chief of the Contracting Office (CCO). The responsibilities of the CCO are described throughout the DIAR and this Manual Section. The CCOs are:

1. The Procurement Analyst for the State Offices and the National Interagency Fire Center (NIFC), except Oregon.
2. The Chief, Branch of Procurement Management, in the Oregon State Office.
3. The Group Administrators of the operational procurement groups at the National Business Center (NBC).
4. The BPC in the Washington Office.

closeout: process of declaring a purchase or contract file both physically and administratively complete. Can occur when (1) the contractor's goods or work is accepted and paid for and (2) all documentation on the procurement is finalized and properly assembled.

Commerce Business Daily (CBD): the official Government publication used to announce business opportunities pertaining to the sale and purchase of goods and services. Contains announcements of procurement actions, contract awards, and subcontracting opportunities. Published by the Department of Commerce.

connection charge: see FAR 8.301.

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Glossary of Terms

-C-

consignee: person or organization named on the bill of lading and to whom a shipper directs the carrier to deliver goods.

construction: see FAR 36.102. Detailed coverage is included in Handbook H-1510-3, Contracting for Construction.

contract: a legal binding relationship obligating the seller to furnish something and the buyer to pay for it. It includes all types of commitments which obligate the Government to an expenditure of funds and which is usually in writing. In addition to a two-signature (bilateral) document, it includes letter orders, purchase orders, and modifications to a proper contract. See FAR 2.101

contract administration: management and monitoring of all facets of contract work to assure that contractor performance is in accordance with contractual commitments and that all Government obligations are fulfilled. The Contracting Officer is assisted by Government personnel who are delegated certain authority and responsibility (i.e., COR, project inspectors).

contract type: a specific pricing arrangement employed for the performance of work under contract. Examples of contract types frequently used in Government contracting are firm fixed-price, fixed-price incentive, cost-plus-fixed-fee, or labor-hour, for example. Procurements by small procedure generally use the firm fixed-price type.

contracting: see FAR 2.1.

Contracting Officer (CO): see FAR 2.1 and 1510-1.6. In BLM, the authority to act as a Contracting Officer must be specifically delegated individuals. The term "Contracting Officer" is a title denoting signature authority, which is not to be confused with the individual's job title (i.e., purchasing agent, administrative officer, procurement analyst, etc.). See DIAR 1401.603 for information on selection, appointment, and termination of Contracting Officers.

Contracting Officer's Representative (COR): the technical monitor on a given contract, designated in writing by a Contracting Officer, to provide contract administration at the contract site.

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Glossary of Terms

-C-

counteroffer: a vendor response to the Government's offer to buy (i.e., the purchase order) which expresses only conditional acceptance, introduces a new term, or varies in any way from the term of the offer.

-D-

data: writings, drawings, etc., concerning design, manufacturing processes, or functioning of an item produced under a contract. These can include proprietary data, or descriptive data. See FAR 27.4 for a discussion of rights in data and acquisition of data.

Davis-Bacon Act: the law requiring that prevailing minimum wages must be paid on all construction contracts over \$2,000.

debarred, suspended, or ineligible list: see FAR 9.403.

delivery order: see FAR 13.101.

Department: the Office of the Secretary, Department of the Interior.

determination and findings (D&F): see FAR 1.701.

DIAR: the Department of the Interior Acquisition Regulations, published in 48 CFR Chapter 14.

disadvantaged business: a business at least 51 percent of which is owned by socially and economically disadvantaged individuals, or, in the case of publicly owned businesses, at least 51 percent of the stock is owned by socially and economically disadvantaged members.

domestic end product: see FAR 25.101.

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Glossary of Terms

-E-

economically disadvantaged individuals: see FAR 19.001.

emergency: fire, flood, explosion, or other disaster endangering life or involving serious property damage or loss.

equipment rental contract: a contract whereby the seller agrees to furnish the Government equipment, with or without operator, on an hourly basis, to be operated under direct Government supervision. Under such a contract, the seller is not responsible for a final work product. Instead, the seller is only obligated to furnish the specified equipment for the time it is ordered and, if it is furnished with operator, to perform work as the Government directs.

established sources: Federal and non-Federal sources which are designated by law or regulation as the mandatory sources of supply for a particular item or service. Sources are designated in a set order of priority which must be used unless an exception applies. The priority order for supplies differs from the priority order for services.

evaluation: the analysis of offers or quotes for the purpose of an award decision. It includes the determination of whether a quote or offer is responsive to the Government's requirements and is made by a responsible offeror. It also includes an analysis of cost or price, and may include analysis of technical proposals, depending on the method of procurement.

excess personal property: see FAR 8.101.

-F-

FAR: the Federal Acquisition Regulations published in Title 48, Chapter 1, of the Code of Federal Regulations.

Federal sources: the GSA stores depots, and other Federal agencies which have personal property or services available to the Government in general.

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Glossary of Terms

-F-

Federal Supply Schedules: schedules of contracts managed by GSA which offer a simplified process for obtaining commonly used supplies and services at prices associated with volume buying. Information on ordering from Federal supply schedules is included in FAR 8.4 and H-1510-1.

firm fixed-price contract: see FAR 16.202-1.

F.O.B.: "Free on board." See FAR 47.001. Also see this reference for "FOB origin" and "FOB destination."

foreign end product: see FAR 25.101.

F.P.A.S. Act: the Federal Property and Administrative Services Act of 1949, as amended. This is the basic law which authorizes civilian agencies of the Federal Government to enter into contracts and sets the procedures and limitations on contracts.

FPMR: the Federal Property Management Regulations published in Title 41, Chapter 101, of the Code of Federal Regulations (CFR).

-G-

general provisions: mandatory contract clauses that define the basic rights of the parties (as distinguished from provisions that set forth specific terms for the particular procurement, called Special Contract Requirements). General provisions are usually found in Section I of the uniform contract format; they may also be found in other Sections instead if required by FAR.

Government-Furnished Property (GFP): see FAR 45.101.

-H-

Head of the Agency: Secretary of the Interior (see DIAR 1402.1).

Head of the Contracting Activity (HCA): The Assistant Director, Business and Fiscal Resources (see FAR 2.1, DIAR 1402.1).

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Glossary of Terms

-I-

indefinite delivery contract: type of contract establishing that, for a given period of time, the contractor will deliver items or perform services at the price and in accordance with the provisions stipulated in the contract, upon receipt of delivery orders for those items or services.

May be set up to provide for either definite or indefinite amounts and either definite or indefinite delivery times; may also provide for certain user agencies to fill all of their requirements for the supplies or services during the specified period. See FAR 16.5.

inspection: see Far 46.101.

invitation for bid (IFB): a solicitation document used in sealed bid procurements. IFB's are not used in simplified acquisitions.

IPMR: the Interior Property Management Regulations, published in Title 41, Chapter 114, of the CFR.

-J-

justification for single source acquisition: under simplified acquisition procedures, the recommendations made by the requisitioner stating that competition is not feasible and recommending one contractor. The Contracting Officer must review the justification and either approve it or reject it (in which case the purchase would be competitive).

justification for other than full and open competition (JOTFOC): the documentation required for procurements which are subject to the Competition in Contracting Act (CICA) and which provide for less than other than full and open competition. The documentation must include a discussion of which CICA authority applies, results of a market search, if required, certification of accuracy and completeness of the data, and approval at the appropriate level. See FAR 6.303.

-L-

labor surplus area: see FAR 20.101.

labor surplus area concern: see FAR 20.101.

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Glossary of Terms

-L-

lease: in the BLM, a contractual arrangement by which one conveys real estate, equipment, or facilities for longer than 60 days, for a specified payment.

-M-

major noncapitalized property: items which are in a property class identified in Manual Section 1522 and its Appendix 2.

method of procurement: the procedures followed to translate requirements into contracts. The Government uses three major methods of procurement: simplified acquisition procedures, sealed bids, and negotiation.

micro-purchase: a purchase of \$2,500 or less.

minority business enterprise: a business at least 50 percent of which is owned by minority group members or, in the case of publicly owned businesses, at least 51 percent of the stock of which is owned by minority group members.

minority group: see "Economically Disadvantaged Individuals." This term does not include Women-Owned Businesses.

modification: any written change in the terms of a contract (including accepted purchase order). See also supplemental agreement, change order, and administrative change.

-N-

National stock number: a 13 digit number used by all Federal agencies to order any common item stocked by GSA, DOD, or VA.

negotiation: see Far 15.101 and 15.102.

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-N-

noncompetitive procurement: procurement made without soliciting quotes or offers from competing sources.

non-Federal sources: private industry, nonprofit organizations, educational institutions, and individuals who are manufacturers of or regular dealers in supplies, equipment, or services, or who offer themselves as providing services.

non-personal service contract: see FAR 37.101.

-O-

offer: see FAR 2.1.

open market purchase: procurement from a commercial source by simplified acquisition procedures authorized by statute for procurements of \$100,000 or less.

oral order: an order placed verbally by purchasing personnel.

-P-

personal service contract: see FAR 37.101.

price: see FAR 15.801.

price analysis: see FAR 15.801.

procurement: acquisition from non-Federal sources, with or without cost, of personal property and nonpersonal services by purchasing, contracting, renting, leasing or transfer but not by seizure condemnation, donation, or requisition. All stages of the process of acquiring property or services, beginning with the process for determining a need for property or services, and ending with contract completion and closeout.

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Glossary of Terms

-P-

procurement administrative lead time (PALT): period of time encompassing (1) the interval between the initiation of a requisition and the placing of an order ("administrative lead time") and (2) the interval from placing of the order to delivery, which the buyer must reasonably allow the vendor to prepare for shipment or to complete performance.

program personnel: staff members involved in administering a specific program or carrying on a specific activity. Often the requisitioner of specific supplies and services.

project inspector: Government employee designated by the Contracting Officer to give direct and continuing inspection for construction and service contracts to enforce the contract terms.

proposal: a prospective contractor's reply to a request for proposal (RFP). Usually consists of two parts, a technical proposal and a cost proposal. A proposal is binding on an offeror, and may be accepted by the Government to create a contract.

protest: a written objection by a potential contractor to a solicitation, a proposed award, or an award.

purchase: term used to denote acquisition under procedures contained in FAR 13; used interchangeably with "simplified acquisition"

purchase file: the backup file which supports a purchase. It should include the purchase request, any clarification action taken, the solicitation (if oral, documented on Form 1510-18), a record of pertinent discussion, other backup data, and a copy of the purchasing document.

purchase order: see FAR 13.101.

purchase requisition (PR): see requisition.

purchasing: acquisition of goods and services from established sources of supplies and the open market.

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-P-

purchasing agent: any employee with purchasing responsibility. This responsibility includes preparing and soliciting offers and quotes, and preparing contracts for award. A purchasing agent may not sign an order or contract unless they have also been appointed a Contracting Officer with authority to obligate the Government.

-Q-

quotation: a prospective contractor's response to a Request for Quotation solicitation document. A quotation is not binding on the quoter. In order to create a contract, the Government must make an offer based on the quote and the vendor must accept the offer. See FAR 13.108.

-R-

Regional Federal Supply Schedules: schedules which cover only a particular GSA Region.

rental: in the BLM, a contractual arrangement under which one conveys equipment or facilities for up to 60 days, at a specified price.

request for proposal (RFP): a solicitation document used in negotiated procurements.

request for quotation: a solicitation document used in simplified acquisitions.

requisition (RQ): internal document, prepared by program personnel, that describes required supplies or services, estimated cost, required delivery date, and other information necessary to initiate procurement. Serves as the basis on which the procurement office solicits and awards an order or contract, or acquires supplies and services from an established source.

requisitioner: employee who has a need and prepares a requisition describing the need. The user sends the requisition to purchasing personnel and may inspect the item or service upon delivery or performance.

responsible: term used to indicate that an offeror has the financial resources, personnel, facilities, integrity, and overall capability to complete a Government contract successfully.

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Glossary of Terms

-R-

responsive: term used to indicate that an offeror proposes to supply the precise materials or services under the terms set forth in the solicitation document.

-S-

sealed bid: see "bid" and FAR 14.

service contract: see FAR 37.101.

Service Contract Act: law requiring the Department of Labor to determine the minimum labor rates that must be paid if a contract is for services and exceeds \$2,500.

set-aside: procurement action that is reserved exclusively for award to an offeror meeting specified criteria. Types of set-asides which are authorized by statute include all simplified acquisitions between \$25,000 and \$100,000 and small business set-asides.

Small Business Administration: a Federal agency created to foster and protect the interests of small business concerns. Among other functions, it verifies certification of small business size status and issues Certificates of Competency.

small business concern: see FAR 19.001.

small purchase: see FAR 13.101.

small purchase procedures: see FAR 13.101.

solicitation: oral or written process by which the Government communicates its requirements for specific items or services, and requests quotes or offers from prospective contractors. Written solicitations in small purchasing include requests for quotations and requests for proposals. Solicitations under contracting procedures are requests for proposals and invitations for bids.

source list: see bidder's mailing list.

specification: see FAR 10.001.

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-S-

statement of work: the portion of a solicitation document or resulting contract for services that introduces and describes in precise terms the work (tasks, materials, reports, etc.) to be procured in order to fulfill requirement.

subcontract: see FAR 44.101.

supplemental agreement: see FAR 43.101 and FAR 43.103(a).

supplies: see FAR 2.201.

-T-

termination: exercise of the Government's right to terminate, in whole or in part, the contractor's right to proceed. There are two types of termination: for convenience of the Government, which entitles the contractor to payment of costs incurred for performance to date plus a proportional allowance for profit; and for default, where the contractor has failed to perform the contractual obligations and may have to pay the Government excess procurement costs or damages.

-U-

utilities: electricity, gas, steam, water and sewerage, and the installation of facilities necessary to supply the services from the utility companies' main lines to the point of use or metering.

-W-

women-owned business: a business at least 51 percent owned by women who are U.S. citizens and who also control and operate the business.

work statement: see statement of work.

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Purchase of Promotional and Informational/Educational Materials

This document describes the Bureau of Land Management's (BLM) authority and policy regarding purchasing items used as promotional material, or for informational and educational purposes, for distribution to members of the public. These items might include such things as bumper stickers, key chains, ice scrapers, paper clips, plaques, ash trays, coffee mugs, T-shirts, belt buckles, litter bags, book covers, emblems of various forms, etc. These items generally have agency logos, slogans or other messages. Items which might be provided to employees, such as non-monetary awards under the Incentive Awards Act, and items for safety purposes, are not covered in this memorandum.

There are few clear-cut answers in the decision on whether an item can appropriately be purchased and distributed to the public with appropriated funds. This policy has been developed as a result of our analysis of the existing statutes and case law, in an attempt to offer BLM managers the most possible flexibility in light of the available guidance.

BACKGROUND. The General Accounting Office (GAO) provides opinions as to the propriety of Federal expenditures. If there is no specific statute prohibiting an expenditure, GAO uses two principles to determine if an expense using appropriated funds is proper: (1) Is it specifically provided for in the agency's authorizing legislation? (2) If not, is the purchase a necessary expense to help accomplish the purpose of the appropriation? In other words, is there a direct connection between the expense and the purpose for which the appropriation is made, and is the expense essential to carrying out the purpose?

PROMOTIONAL PURCHASES. There is no specific authority in the BLM's general authorizing legislation to acquire and distribute promotional materials to the public. We do have general authority to communicate information reasonably necessary to administer laws and carry out our mission.

Since we do not have specific legislative authority for promotion, we have to rely on the second of the GAO's principles for determining if an expense is proper: is it necessary to accomplish the purpose of the appropriation? The GAO has consistently held that novelty, promotional items are not necessary expenses, and therefore are considered personal expenses (gifts) which cannot be charged to appropriated funds. Cases in which the GAO has decided that the requested items were gifts include:

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sweaters to boost Job Corps enrollees' morale at Christmas;

ashtrays with the Small Business Administration seal, to be handed out to SBA officials attending a conference;

decorative key chains given to educators attending Forest Service-sponsored seminars, intended to generate future responses from participants;

plastic garbage cans containing candy in the shape of solid waste, distributed by EPA at an exposition, to promote understanding of proper waste disposal practices; and

plaques and paperweights distributed by the Department of the Army to government officials and distinguished citizens who support missions of the Command.

The GAO has ruled in all these cases that there is insufficient evidence to conclude that missions could not be accomplished without these items. The GAO has not ruled that entertainment, gifts, and other personal items may never be construed as furthering an agency mission. However, the GAO feels that such uses are so subject to abuse that either specific Congressional authorization or a very unusual case must exist before general agency appropriations may be used.

An example of the possibility of justifiable use of promotional items appears in the Wild Horse and Burro Program. The Wild Horse and Burro Act requires that the BLM remove excess animals from the range. It establishes an adoption program as the means to place healthy excess animals in private care. The Act does not specifically provide authority for promotion. However, the BLM has taken the position that promotion of the adoption program meets GAO's test as necessary to the purpose of our appropriations. It is essential to spread the word about availability of the animals, and to actively solicit the interest of potential adopters in order to accomplish the mission. We suffer a negative impact on our mission if wild horses are unadopted. Promotional items or campaigns associated with the wild horse and burro adoption program which are necessary to accomplish the purposes of the Act, therefore, would be appropriate for purchase and use. Managers must determine on a case-by-case basis whether a specific proposed promotional activity or item is necessary to the success of the adoption program.

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INFORMATIONAL/EDUCATIONAL PURCHASES. The Federal Land Policy and Management Act (FLPMA) provides direct authority to provide information/education (I/E), and utilitarian items which are reasonably necessary to administer the law and carry out our mission. We also have I/E authority written into a number of other statutes, such as the Archaeological Resources Protection Act, the Wilderness Act, and outdoor recreation legislation. For example, we clearly can hand out informational material, such as brochures, leaflets, information packets, maps, etc. We can also hand out trash bags at recreation sites, because the bags provide for proper litter disposal. A packet of information could be assembled in a bag, which could have a promotional message on it. We can use appropriated funds to buy items which are primarily I/E in function. Packaging I/E material to enhance its promotional value is acceptable, as long as the content of the package is I/E material.

POLICY. The BLM personnel may acquire and use only items which can be reasonably justified to either meet (a) the GAO test of necessity, which is required to buy promotional items, or (b) the definition of I/E materials. The succeeding paragraphs provide guidelines which must be considered in determining whether use of an item is informational/educational. The nature of the message itself and the item on which it appears are both factors which must be considered. In establishing requirements, and making those decisions, managers and Public Affairs Officers (PAO's) must consider all of the following criteria:

1. An I/E item must contain a message about a BLM program, or information that will be of use to the public, as opposed to merely a logo. The GAO has consistently ruled that items which contain only logos are promotional items, and therefore gifts. The message might be a reminder to protect historic artifacts, or an invitation to become a BLM volunteer. The message could convey factual information about some aspect of a BLM program. Good judgment must be used in the determination as to whether there is enough content to a message that it can be considered informational or educational, as opposed to being merely a logo.
2. The message must be directly pertinent to the BLM's mission and programs. Even items with messages which promote laudable public purposes, such as drug-free schools, are not appropriate unless there is a direct connection to the BLM's mission.
3. Messages must be about specific BLM programs, rather than the BLM's existence. Providing the information that the BLM exists is promotional; the fact that dead trees provide homes for wildlife, in conjunction with Animal Inn, is educational. Information must be about specific public initiatives (e.g., Back Country Byways) to which individuals can relate, rather than general awareness of the BLM programs (e.g., Recreation 2000) or philosophies (multiple use) from which the initiatives derive.

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4. The existing knowledge, interest, and applicability of the topic to the audience must be considered in determining whether the use is I/E or a gift. Consideration would include whether the audience needs the message, and the benefit to the BLM of their receipt of the message. Groups of students, Scouts, or 4-H'ers would be appropriate recipients of I/E materials. Book covers with informational material about Tread Lightly or the wild horse and burro program are a good example. Members of conservation or leisure activity-related organizations or groups of prospective volunteers are examples of candidates for receipt of I/E materials on a variety of BLM programs.
5. The higher the dollar value of the item, the more significant the message must be, in terms of quantity of information, or likely visibility of the message. Managers should aim to get increased exposure from more expensive items.
6. Items must not contain messages which could be considered lobbying, which is illegal with appropriated funds, or manipulation of public opinion. Consideration must also be given to the degree of acceptance or controversy of a message. For example, a bumper sticker in the Northwest espousing a position on spotted owls would be inappropriate.
7. Considering the BLM's environment-based mission, managers must consider the potential environmental effects of the eventual disposition of the item. Such considerations would include possible injury to wildlife, the possibility of recycling, and biodegradability. Balloons, for instance, are less desirable than other items on which messages would be printed. Plastic items degrade very slowly and may be hazardous to wildlife.
8. Items and their messages must reflect a high quality of manufacturing or production, and good taste, that will reflect well on the BLM.
9. Items which have a strong personal connotation, such as T-shirts and caps, are not generally appropriate for I/E programs, except for limited use situations, where the impact of the message would be a clearly effective I/E tool. An example might be T-shirts proclaiming that the wearer was the adopter of a BLM wild horse.

In light of the above guidelines, it is clear that a number of the items the BLM currently uses are appropriate, such as Tread Lightly coloring books, or book covers with educational messages for school groups. Some items might be justified in specific situations, such as travel mugs and key chains (or other travel-related items) with pertinent messages targeted for Back Country Byways events. Mugs, key chains and other items with only the BLM logo, are not appropriate for purchase with appropriated funds. Each situation must be reviewed in light of this policy.

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OTHER OPTIONS. For items which do not meet the test for purchasing using appropriated funds, the use of non-appropriated funds offers additional flexibility. The BLM has authority under Section 307(c) of the FLPMA, to accept contributions or donations of money, services and property for the management, development, acquisition and conveying of the public lands. Our appropriations acts include authority for BLM to spend whatever donated funds we receive, which are deposited into a separate trust fund account, and are available until expended.

Donated funds are not subject to all of the restrictions applicable to direct appropriations. The GAO has ruled that agencies receiving donated funds have discretion to determine whether expenditures of those funds are in furtherance of official purposes. This does not mean that agencies have blanket authority to use these funds; each agency must justify its use as consistent with the terms and conditions of the donation, and as related to the authorized programs of the agency. Donated funds may not be used for personal expenses (for instance Christmas cards or business cards), or to pay expenses otherwise prohibited by law. However, accepting funds for promotion of Bureau programs, and buying promotional items related to the authorized programs of the Bureau with those funds, may be a legitimate use of donated funds. Acceptance of promotional items themselves, developed in partnership with a private organization, is also an option. If partners develop such items using our logo, we should approve them in advance, to assure they are appropriate. When such partnerships are established, they must relate to the authorized programs of the agency. When we participate in a State centennial celebration, for instance, the BLM's activities must be related to activities and events on the public lands.

RESPONSIBILITY. It is important that this policy be implemented and actively managed throughout the BLM, in order to assure consistency and application of good judgment. Managers must be aware of both the positive and negative impacts of public use and visibility of these items. State Directors, the SCD and D-BIFC shall distribute the policy and ensure its application to all programs in the State. They shall establish a system within the State, to provide guidance, control and review of implementation, and approval of requisitions by program or public affairs officials for consistency with this policy. Procurement and printing will then be done in the normal manner.

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Document Identification Numbering System (DINS)

Note: The following information is current through Instruction Memorandum No. BC-098-050, Change 4 dated December 22, 1999.

A DINS was jointly developed and adopted by the State Procurement Analysts and Bureau Finance Office representatives during the BLM Procurement Conference in Portland, Oregon, the week of February 8, 1998.

Effective October 1, 1998, you must assign the new DINS listed in Appendices 2, 3, and 4 to **all** new acquisition awards and obligations. Use of the new DINS is optional for the contract administration of existing awards made prior to FY 1999.

Establishing a standard Bureauwide DINS numbering system has enable us to:

- Correct Interior Procurement Data System (IPDS) deficiencies identified in the Inspector General's audit (Report No. 90-26, dated December 1989)¹.

- Begin transitioning to a Bureauwide acquisition DINS for implementing the Interior Department Electronic Acquisition System - Procurement Desktop (IDEAS-PD) and PD-Web. IDEAS-PD and PD-Web implementation in the BLM will began in FY 1998 and was completed in FY1999.

- Establish a standard integrated DINS that complies with Federal Financial System (FFS) standards for recording commitments and obligations. The new DINS has allowed a successful interface between IDEAS-PD and the FFS.

- Provide a Y2K-compliant document numbering system.

As DINS continues to evolve and BLM's organization and operating environment change over time, this guidance will be periodically updated.

¹ IM No. 91-433, dated September 24, 1991, Decade problem related to the use of a single fiscal year character.

BLM DOCUMENT IDENTIFICATION NUMBERING SYSTEM
Effective October 1, 1998

Type of Acquisition	Office Code	Document Instrument Type	Fiscal Year	Serial Number	Example
Requisition (Using IDEAS-PD)	None - System Default	One character- Alpha Systems default to an 'R' @ Pos. 1	2 character Numeric Pos. 2-3	7 character Numeric Pos. 4-10	R-990000001 - BUREAU WIDE
Requisition (Other than IDEAS-PD)	2-Character Alpha Pos. 1-2	One character- Alpha Pos. 3	2 character Numeric Pos. 4-5	4 character Alpha Numeric Pos. 6-9	BFR990001 - California Desert District
Blanket Purchase Agreement (BPA)	2-Character Alpha Pos. 1-2	One character- Alpha Pos. 3	2 character Numeric Pos. 4-5	4 character Alpha Numeric Pos. 6-9	NAB990001 - NBC-BC660A
Individual BPA Call (Refer to Attachment 1 - BLM Instrument Types)	2-Character Alpha Pos. 1-2	One character- Alpha Pos. 3	2 character Numeric Pos. 4-5	6 character Alpha Numeric Pos. 6-11	NAB99000101 - NBC-BC660A
Simplified Purchase Awards	2-Character Alpha Pos. 1-2	One character- Alpha Pos. 3	2 character Numeric Pos. 4-5	4 character Alpha Numeric Pos. 6-9	HBP990001 - Burns DO, Oregon KCP990001 - Rawlins FO, Wyoming HAP990001 - Oregon State Office
Contract Awards	2-Character Alpha Pos. 1-2	One character- Alpha Pos. 3	2 character Numeric Pos. 4-5	4 character Alpha Numeric Pos. 6-9	NDC990001 - NBC-BC670B HAC990001 - Oregon State Office NAC990001 - NBC-BC660A

BLM DOCUMENT IDENTIFICATION NUMBERING SYSTEM
Effective October 1, 1998

Type of Acquisition	Office Code	Document Instrument Type	Fiscal Year	Serial Number	Example
Solicitations:					
— Request for Quotation	2-Character Alpha Pos. 1-2	One character- Numeric Pos. 3	2 character Numeric Pos. 4-5	4 character Alpha Numeric Pos. 6-9	ESQ990001 - Montana State Office BAQ990001 - California State Office GDQ990001 - New Mexico State Office
— Request for Proposal	Same as above	Same as above	Same as above	Same as above	HAR990001 - Oregon State Office NBR990001 - NBC-BC660B
— Invitation for Bid	Same as above	Same as above	Same as above	Same as above	NDB990001 - NBC-BC670B HAB990001 - Oregon State Office
— Request for Information	Same as above	Same as above	Same as above	Same as above	NBI990001 - NBC-BC660B HAI990001 - Oregon State Office
— Solicitation for Offer	Same as above	Same as above	Same as above	Same as above	NCS990001 - NBC-BC670A
Travel Authorizations/Vouchers	Same as above	Same as above	Same as above	Same as above	FAT990001 - Nevada State Office
GBL's*	2 character Alpha = BL - pos. 1-2	One character Alpha =D - Pos. 3	2 character numeric - 37 - Pos. 4-5	5 character numeric - 85634 - Pos. 6-11	BLD3785634
GF's*	2 character Alpha =GF - pos. 1-2	4 character -numeric BOAC	2 character numeric Pos. 4-5	3 character numeric - Julian Date - Pos. 6-9	GF403299252

*Exceptions to the Standard Numbering System

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BLM DOCUMENT IDENTIFICATION NUMBERING SYSTEM
BLM OFFICE CODE CONVERSION TABLE

ALASKA

AK953, State Office = LA
AK020, Northern Field Office = LE
AK040, Anchorage Field Office = LF
AK050, Glenallen Field Office = LC
AK328, Alaska Fire Service = LB
AK930, Juneau FO = LD
AK970, Utilities Cons. Team = LX
AK980, Utilities Cons. Team = LY
AK990, Utilities Cons. Team = LZ

ARIZONA

AZ950, State Office = AA
AZ010, Arizona Strip Field Office = AB
AZ020, Phoenix Field Office = AC
AZ030, Kingman Field Office = AD
AZ040, Safford Field Office = AE
AZ050, Yuma Field Office = AF
AZ060, Tucson Field Office = AG
AZ070, Lake Havasu Field Office = AH
AZ970, Utilities Cons. Team = AX
AZ980, Utilities Cons. Team = AY
AZ990, Utilities Cons. Team = AZ

NATIONAL TRAINING CENTER

TC100 = TC
TC970, Utilities Cons. Team = TX
TC980, Utilities Cons. Team = TY

NATIONAL BUSINESS CENTER

BC600, National Business Center Directors Office = NJ
BC610, Accounting Group = NF
BC620, Payments Group = NG
BC640, Business Information Systems = NH
BC650, Denver Center Support Services Group = NK
BC660A, Professional Services Team = NA
BC660B, Information Technology Team = NB
BC670A, Leasing Team = NC
BC670B, Constr., Supplies and Equipment = ND
BC680, Property Operations = NE
BC970, Utilities Cons. Team = NY
BC980, Utilities Cons. Team = NZ

**NATIONAL APPLIED RESOURCE SCIENCES
CENTER**

RS100, Director = NL
RS110, Architecture & Engineering = NL
RS120, Geographic Sciences = NM
RS130, Natural Resources Sciences = NN
RS140, Resource Analysis and Assessment = NO
RS150, Information & Communications = NP
RS190 = NQ

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BLM OFFICE CODE CONVERSION TABLE

NATIONAL HUMAN RESOURCES MANAGEMENT CENTER

HR200, Personnel Officer = NR

HR210, Employment & Compensation = NS

HR220, Employee/Labor Relations = NT

HR230, Equal Employment = NU

HR240, Occupational & Env. Safety & Health = NV

HR250, Information Resources Mgmt. = NW

HR290 = NX

CALIFORNIA

CA940, California State Office = BA

CA100, Central Region Office =BD

CA160, Bakersfield Field Office =BG

CA170, Bishop Field Office =BH

CA180, Folsom Field Office = BE

CA190, Hollister Field Office =BI

CA300, Susanville Field Office = BC

CA320, Alturas Field Office = BP

CA330, Arcata Field Office = BR

CA350, Eagle Lake Field Office = BT

CA360, Redding Field Office = BU

CA370, Surprise Field Office = BW

CA340, Ukiah Field Office - BB

CA610, California Desert District Office = BF

CA650, Ridgecrest Field Office=BJ

CA660, Palm Springs/South Coast Field Office=BK

CA670, El Centro Field Office=BL

CA680, Barstow Field Office=BM

CA690, Needles Field Office=BN

CA970, Utilities Cons. Team = BX

CA980, Utilities Cons. Team = BY

CA990, Utilities Cons. Team = BZ

COLORADO

CO100, Little Snake Field Office = CF

CO110, White River Field Office = CG

CO120, Kremmling Field Office = CH

CO130, Grand Junction Field Office = CI

CO140, Glenwood Springs Field Office = CJ

CO150, Uncompahgre Field Office = CK

CO160, Gunnison Field Office = CL

CO170, San Juan Field Office = CM

CO180, Anasazi Heritage Center = CN

CO190, Imagination Team, CO

CO200, Royal Gorge Field Office = CP

CO210, Lajara Field Office = CQ

CO220, Saguache Field Office = CR

CO500, Front Range Center = CD

CO600, Northwest Center Office = CE

CO610, Craig/Routt Interagency Fire = CS

CO620, Upper Colorado River Intagcy Fire = CT

CO700, Southwest Center = CC

CO951, State Office = CA

CO970, Utilities Cons. Team = CX

CO980, Utilities Cons. Team = CY

CO990, Utilities Cons. Team = CZ

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BLM OFFICE CODE CONVERSION TABLE

EASTERN STATES

ES910, State Office = MA
ES020, Jackson Field Office = MC
ES030, Milwaukee DO = MB
ES970, Utilities Cons. Team = MX
ES980, Utilities Cons. Team = MY

IDAHO

ID950-ID953, ID955, ID958 = DL
ID010, Lower Snake River DO = DB
ID017 = DR
ID070, ID071, ID072, ID074, Upper Snake River District = DD
ID077, Burley Field Office = DC
ID073, ID076, Shoshone Field Office = DF
ID075, Pocatello Field Office = DG
ID080, Upper Columbia-Salmon/Clearwater District = DE
ID081, Business Mgmt. Services = DU
ID082, Field Operations Support = DV
ID084, Challis Field Office = DS
ID085, Salmon Field Office = DT
ID086, Coeur d'Alene Field Office = DW
ID087, Cottonwood Field Office = DQ
ID910-15, 918 = DA
ID930 = DH
ID931 = DI
ID932 = DJ
ID933 = DK
ID940 = DZ

ID954 = DM
ID956 = DN
ID957 = DP
ID960 = DY
ID970, Utilities Cons. Team = DX
ID980, Utilities Cons. Team = DY
ID990, Utilities Cons. Team = DZ

MONTANA

MT930, State Office = ES
MT010, Billings Field Office = EU
MT020, Miles City FO = EM
MT030, North Dakota Field Office = ED
MT040, South Dakota Field Office = EV
MT050, Dillon Field Office = EW
MT060, Lewistown FO = EL
MT070, Butte FO = EB
MT080, Great Falls Field Office = EX
MT090, Malta Field Office = EY
MT100, Missoula Field Office = EZ
MT970, Utilities Cons. Team = EE
MT980, Utilities Cons. Team = EF
MT990, Utilities Cons. Team = EG

NEW MEXICO

NM910, State Office = GD
NM010, Albuquerque Field Office = GA
NM020, Taos Field Office = GX

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NM030, Las Cruces Field Office =GL
NM040, Tulsa Field Office =GT
NM050, Socorro Field Office =GS
NM060, Roswell Field Office =GR
NM070, Farmington Field Office =GF
NM080, Carlsbad Field Office=GC
NM090, Amarillo Field Office=GH
NM970, Utilities Cons. Team = GW
NM980, Utilities Cons. Team = GY
NM990, Utilities Cons. Team = GZ

NEVADA

NV950, State Office = FA
NV010, Elko Field Office = FB
NV020, Winnemucca Field Office = FC
NV030, Carson City Field Office = FD
NV040, Ely Field Office = FE
NV050, Las Vegas Field Office = FF
NV060, Battle Mountain Field Office = FG
NV970, Utilities Cons. Team = FX
NV980, Utilities Cons. Team = FY
NV990, Utilities Cons. Team = FZ
WO260, Wild Horse & Burro Office = FW

NATIONAL INTERAGENCY FIRE CENTER

FC220, Acquisition Office = RA
FC970, Utilities Cons. Team = RX
FC980, Utilities Cons. Team = RY
FC990, Utilities Cons. Team = RZ

NATIONAL IRM CENTER

NI100, Office of IRM/Modernization = UA
NI110, Div. Of Data Management = UC
NI120, Div. Of IRM Applications Support = UE
NI130, Div. Of IRM Operations Support = UJ
NI140, IOC Project = UD
NI150, Div. Of Eng. = UB
NI160, Div. Of Con. Mgmt. = UF
NI170, Div. Of Config. Mgmt. = UG
PO100, LRIS Program Office = UH

OREGON

OR952, State Office = HA
OR010, Lakeview DO = HL
OR020, Burns DO = HB
OR030, Vale DO = HV
OR035, Baker Field Office = HK
OR050, Prineville DO = HP
OR080, Salem DO = HS
OR090, Eugene DO = HE
OR100, Roseburg DO = HR
OR110, Medford DO = HM
OR120, Coos Bay DO = HC
OR130, Spokane DO = HW
NHOTIC = HN
OR970, Utilities Cons. Team = HX
OR980, Utilities Cons. Team = HY
OR990, Utilities Cons. Team = HZ

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BLM OFFICE CODE CONVERSION TABLE

UTAH

UT910, State Office = JS
 UT010, Fillmore FO = JF
 UT020, Salt Lake Field Office = JL
 UT030, Grand Staircase Escalante NM = JG
 UT040, Cedar City District Office = JC
 UT044, Cedar City Field Office - JB
 UT045, Dixie Field Office = JD
 UT046, Kanab FO = JK
 UT050, Richfield Field Office = JR
 UT060, Moab Field Office = JM
 UT070, Price FO = JP
 UT080, Vernal Field Office = JV
 UT090, Monticello FO = JT
 UT970, Utilities Cons. Team = JX
 UT980, Utilities Cons. Team = JY
 UT990, Utilities Cons. Team = JZ

WYOMING

WY910, State Office = KA
 WY010, Worland Field Office = KW
 WY020, Cody Field Office = KD
 WY030, Rawlins Field Office = KR
 WY040, Rock Springs Field Office = KS
 WY050, Lander Field Office = KL
 WY060, Casper Field Office = KC
 WY070, Buffalo Field Office = KB
 WY080, Newcastle Field Office = KN
 WY090, Kemmerer Field Office = KM
 WY100, Pinedale Field Office = KP

WY911, WY912, WY913 = KA
 WY920, WY922, WY924 = KE
 WY930 = KF
 WY950, WY951, WY952, WY953, WY954, WY955,
 WY956 = KG WY970 = KX
 WY980, WY985 = KG
 WY981 = KW
 WY983 = KR
 WY984 = KS
 WY986 = KC
 WY990, Utilities Cons. Team = KZ

WASHINGTON OFFICE

WO800, Acquisition Office = PA
 WO100, Directors Office = PB
 WO200, Renewable Resources & Planning = PC
 WO300, Minerals, Realty & Resource Protection = PD
 WO500, Information Resources Mgmt. = PE
 WO600, Communications = PF
 WO700, Human Resources = PG
 WO107, Special National Projects Team = PS
 WO970, Utilities Cons. Team = PX
 WO980, Utilities Cons. Team = PY

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BLM DOCUMENT TYPE

DOCUMENT INSTRUMENT TYPE:	DOCUMENT INSTRUMENT CODE:
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Requisition.....	R
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Solicitations:

Request For Quotation.....	Q
Scaled Bids.....	B
Request For Proposal.....	R
Request For Information.....	I
Solicitation For Offer.....	S

Awards (OBLIGATIONS):

*Assistance Agreements, Grants, Law Enforcement.....	A
Task Orders under another States Agreement.....	W
Task Orders under same States Agreements.....	F

Blanket Purchase Agreements and individual calls	B
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(Partial Obligation/Payment Sequence: 01-99, A1-A9, B1-B9, AA-AZ, BA-BZ)

Contracts.....	C
Task Orders/Delivery Orders against Contracts (including delivery orders placed against GSA FSS contracts)	D

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*Inter/Intra-Agency Agreements.....	I
Task Orders issued against agreement.....	H
Space Leasing.....	L
 Simplified Purchases (Use code D for delivery orders placed against a contract - including GSA FSS contracts)	P
(Purchase) Cards and Checks.....	K
 *Government Bill of Lading (GBL).....	BL
 *GSA Fedstrip.....	GF
 *GSA SLUC Bills, Reimbursable WA.....	G
 *Gas Credit Cards, SF182's.....	M
 *Emergency Equipment Rentals.....	E
 *Utilities.....	U
 *Motorvehicles.....	V
 *Refunds.....	**
 *OAS.....	AS
 *Tort Claims, Land Acquisitions, SF44's, SF1164's.....	M
 Ratifications.....	M

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BLM OFFICE CODE CONVERSION TABLE

*GPO.....	G
*Travel.....	T
*BV's, SV's, JV's.....	J

*Note: will not be processed through the Interior Department Electronic Acquisition System (IDEAS).

**For Example: CA99351001 = office code (2 characters), fiscal year (2 digits), julian date (3 digits), sequential number (3 digits).

CA	99	351	001
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