

**DEFENSE SUPPLY CENTER PHILADELPHIA-EUROPEAN REGION
(DSCPE)
CONTRACT QUALITY MANAGEMENT PLAN - JANUARY 2002**

DSCP-G LEGAL REVIEW

PURPOSE: The DSCPE Contract Quality Management Plan (CQMP): DSCP-G Legal Review (the "the DSCP-G Supplement") supplements the DSCPE CQMP SEPT 2001 by establishing review and approval levels for DSCPE contract actions by the Office of Counsel, Defense Supply Center Philadelphia (DSCP-G). The DSCP-G Supplement mirrors the current legal review levels in place at DSCP. It is issued in response to the recommendations of the Commander's Acquisition Assistance Program (CAAP) Review for DSCPE dated November 3-13, 1997 and the Report on Procurement Management Review (PMR) for DSCPE from July 17-28, 2000. As such, in order to maintain an effective legal review for DSCPE contract actions, the following actions will be reviewed by DSCP-G:

- A. Solicitations
 - 1. All High Risk Acquisitions (as defined below).
 - 2. All solicitations with an anticipated award over \$100,000.00.

- B. Competitive Range Determinations (CRD)
 - 1. CRDs for High Risk Acquisitions (as defined below).
 - 2. CRDs that remove any offer.
 - 3. CRDs for all Trade Off Process Acquisition.

- C. Pre-Negotiation Briefing Memorandum (PBM)/Price Negotiation Memorandum (PNM)
 - 1. PBMs for High Risk Acquisitions (as defined below).
 - 2. PBMs and PNMs for all Trade Off Process Acquisition.

- D. Proposed Awards
 - 1. All High Risk Acquisitions (as defined below).
 - 2. All Low Price Technically Acceptable Source Selection Acquisition with an estimated total dollar value of \$100,000.00 or more.
 - 3. All awards \$100,000.00 or over without full and open competition.
 - 4. All procurements which use other than simplified acquisition procedures (except orders placed against IDIQ or GSA schedule contracts less than \$50,000.00).

E. Options

1. If basic award was subject to legal review.

F. Contract Modifications

1. All Termination Modifications (including no cost terminations) and Final Decisions.
2. Modifications, Claims and Warranty Actions involving increases/decreases of \$5,000.00 or more, including final decisions.
3. Change to any material term of the contract, including but not limited to, scope of contract, authorized customers, impact on the competitive process, past performance, late delivery, etc.

G. Other

1. Waivers to the Berry Amendment

The term "High Risk Acquisition" includes the following contract actions:

1. Unpriced actions, including letter contracts and unpriced options and subsequent definitizations.
2. Noncompetitive procurements resulting on a sole bid or offer.
3. All procurements over \$100,000.00.
4. Technically complex items purchased for the first time.
5. Procurements over \$50,000.00 negotiated using other than full and open competition procedures.
6. Procurements involving determinations to have only one proposal in the competitive range (PBM stage).
7. Complex procurements such as those involving Broad Agency Announcements, Cost-Type Contracts, Service Contracts, Warstopper/IBP Funds for stock purchase, acquisitions using innovative logistics support initiatives, and acquisitions determined to be high risk by the Director of Contracting DSCP or the Assistant for the Commander for Acquisition DSCPE.

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