

7.103 Agency-head responsibilities.

The *agency head* or a designee *shall* prescribe procedures for the following:

- (a) Promoting and providing for *full and open competition* (see [part 6](#)) or, when *full and open competition* is not required in accordance with [part 6](#), for obtaining competition to the maximum extent practicable, with due regard to the nature of the *supplies* and services to be acquired ([10 U.S.C. 3206\(a\)\(1\)](#) and 41 U.S.C. 3306(a)(1)).
- (b) Encouraging *offerors* to supply *commercial products* or *commercial services*, or to the extent that *commercial products* suitable, to meet the agency needs are not available, *nondevelopmental items* in response to agency *solicitations* ([10 U.S.C. 3453](#) and 41 U.S.C. 3307).
- (c) Ensuring that *acquisition planners* address the requirement to specify needs, develop specifications, and to solicit *offers* in such a manner to promote and provide for *full and open competition* with due regard to the nature of the *supplies* and services to be acquired ([10 U.S.C. 3206\(a\)\(1\)](#) and 41 U.S.C. 3306(a)(1)). (See [part 6](#) and [10.002](#).)
- (d) Ensuring that *acquisition planners* document the file to support the selection of the contract type in accordance with subpart [16.1](#).
- (e) Establishing criteria and thresholds at which increasingly greater detail and formality in the planning process is required as the *acquisition* becomes more complex and costly, including for cost-reimbursement and other high-risk contracts (*e.g.*, other than firm-fixed-price contracts) requiring a written *acquisition* plan. A written plan *shall* be prepared for cost reimbursement and other high-risk contracts other than firm-fixed-price contracts, although written plans *may* be required for firm-fixed-price contracts as appropriate.
- (f) Ensuring that the statement of work is closely aligned with performance outcomes and cost estimates.
- (g) Writing plans either on a systems basis, on an individual contract basis, or on an individual *order* basis, depending upon the *acquisition*.
- (h) Ensuring that the principles of this subpart are used, as appropriate, for those *acquisitions* that do not require a written plan as well as for those that do.
- (i) Designating *planners* for *acquisitions*.
- (j) Reviewing and approving *acquisition* plans and revisions to these plans to ensure compliance with FAR requirements including [7.104](#) and [part 16](#). For other than firm-fixed-price contracts, ensuring that the plan is approved and signed at least one level above the *contracting officer*.
- (k) Establishing criteria and thresholds at which *design-to-cost* and life-cycle-cost techniques will be used.
- (l) Establishing standard *acquisition* plan formats, if desired, suitable to agency needs.
- (m) Waiving requirements of detail and formality, as necessary, in planning for *acquisitions* having compressed delivery or performance schedules because of the urgency of the need.

(n) Assuring that the *contracting officer*, prior to *contracting*, reviews:

(1) The *acquisition* history of the *supplies* and services; and

(2) A description of the *supplies*, including, when necessary for adequate description, a picture, drawing, diagram, or other graphic representation.

(o) Ensuring that agency *planners* include use of the metric system of measurement in proposed *acquisitions* in accordance with 15 U.S.C. 205b (see 11.002(b)) and agency metric plans and guidelines.

(p) Ensuring that agency *planners*-

(1) Comply with the policy in 11.002(d) regarding *procurement of sustainable products and services* (as defined in 2.101) in accordance with subpart 23.1;

(2) Comply with the Guiding Principles for Sustainable Federal Buildings and Associated Instructions (Guiding Principles), for the design, *construction*, renovation, repair, or deconstruction of Federal buildings (see 36.104). The Guiding Principles can be accessed at https://www.sustainability.gov/pdfs/guiding_principles_for_sustainable_federal_buildings.pdf; and

(3) Require contractor compliance with Federal environmental requirements, when the contractor is operating Government-owned facilities or vehicles, to the same extent as the agency would be required to comply if the agency operated the facilities or vehicles.

(q) Ensuring that *acquisition planners* specify needs and develop plans, drawings, work statements, specifications, or other product or service requirements (*e.g.*, help desks, call centers, training services, and automated self-service technical support) descriptions that address *information and communication technology (ICT)* accessibility standards (see 36 CFR 1194.1) in proposed *acquisitions* and that these standards are included in requirements planning (see subpart 39.2).

(r) Making a determination, prior to issuance of a *solicitation* for *advisory and assistance services* involving the analysis and evaluation of proposals submitted in response to a *solicitation*, that a sufficient number of covered personnel with the training and capability to perform an evaluation and analysis of proposals submitted in response to a *solicitation* are not readily available within the agency or from another *Federal agency* in accordance with the guidelines at 37.204.

(s) Ensuring that no purchase request is initiated or contract entered into that would result in the performance of an *inherently governmental function* by a contractor and that all contracts or *orders* are adequately managed so as to ensure effective official control over contract or *order* performance.

(t) Ensuring that knowledge gained from prior *acquisitions* is used to further refine requirements and *acquisition* strategies. For services, greater use of *performance-based acquisition* methods *should* occur for follow-on *acquisitions*.

(u) Ensuring that *acquisition planners*, to the maximum extent practicable-

(1) Structure contract requirements to facilitate competition by and among small business concerns; and

(2) Avoid unnecessary and unjustified *bundling* that precludes small business participation as contractors (see 7.107) (15 U.S.C. 631(j)).

(v) Ensuring that agency *planners* on *information technology acquisitions* comply with the capital planning and investment control requirements in 40 U.S.C. 11312 and OMB Circular A-130.

(w) Ensuring that agency *planners* on *information technology acquisitions* comply with the *information technology* security requirements in the Federal *Information Security* Management Act (44 U.S.C. 3544), OMB's implementing policies including Appendix III of OMB Circular A-130, and guidance and standards from the Department of Commerce's National Institute of Standards and Technology.

(x) Ensuring that agency *planners* use project labor agreements when required (see subpart [22.5](#) and [36.104 Policy](#)).

(y) Ensuring that *contracting officers* consult the *Disaster Response Registry* via <https://www.sam.gov>, Search Records, Advanced Search, *Disaster Response Registry* Search as a part of *acquisition planning* for debris removal, distribution of *supplies*, reconstruction, and other disaster or *emergency* relief activities inside the *United States* and *outlying areas*. (See [26.205](#)).

Parent topic: [Subpart 7.1 - Acquisition Plans](#)