

SEP 18 1997

MEMORANDUM FOR COMPONENT ACQUISITION EXECUTIVES

Subject: Requiring Processes on Contract

It is Department of Defense policy to not require standard management approaches or manufacturing processes in solicitations and contracts, but rather to rely on performance based requirements whenever practicable. Many have interpreted this to apply only to processes described in Military Specifications and Standards. The policy applies to processes from any source whether MIL-STD, industry standard, company process, locally prepared technical document, or a process written into the system specification or other solicitation or contract document. This is mandatory for Major Defense Acquisition Programs (MDAP), and is the preferred approach for all new system acquisitions.

There may be rare occasions, however, where certain critical processes must be contractually required in order to protect both parties' interests. After reviewing program complexity and risk, it may be necessary as a last resort to require potential offerors to commit to critical processes. This should be done in a graduated fashion, first using the contractor's own processes specified in key attributes or performance parameters, then using industry accepted standards for the critical processes, and progressing through the least desirable step of placing government developed processes on contract. The RFP preparation team should ensure a flexible approach that encourages use of alternatives to government developed processes when specifying critical processes.

If, after due consideration, the government team decides to contractually specify a critical process, the program manager shall obtain a waiver from the appropriate Service or Agency authority. Note that existence of processes accepted under the Single Process Initiative may be cited as part of the justification for seeking such waivers. While this may be appropriate in instances where such processes are truly critical, the default should still be the elimination of contractually mandated processes.

Each acquisition executive shall establish, not later than two months from the date of this memorandum, a process for implementing this guidance. This guidance will be reflected in the next update to DoD Regulation 5000.2-R.

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Noel Longuemare
Acting Under Secretary of Defense
(Acquisition and Technology)