

An update on the SARA panel's recommendations on competition

The Services Acquisition Reform Act of 2003 called for a panel of acquisition experts to make recommendations to the Office of Federal Procurement Policy on ways to improve federal acquisition. The SARA panel made more than 30 suggestions in its final report to OFPP in January. Since then, OFPP and Congress have acted on some of the panel's recommendations but not on others.

PANEL RECOMMENDATION	PENDING LEGISLATION	REGULATION OR POLICY INITIATIVES	OTHER RELATED LEGISLATION OR POLICY INITIATIVE
Agencies must receive at least three bids for all orders exceeding \$100,000 under multiple-award contracts.	S. 680 and H.R. 6069 would extend this rule governmentwide.	OFPP issued a policy memo May 31 calling for the Federal Acquisition Regulation to be updated to require agencies to obtain three bids when using multiple-award schedules. The FAR Council also opened a case to implement the recommendation.	None.
For any order exceeding \$5 million under a multiple-award contract, agencies should develop a statement of work, have a reasonable response period, disclose evaluation factors and document any trade-off between quality and price in determining best value.	S. 680 and S. 1547 would adopt the recommendation.	OFPP's May memo requests that the FAR be changed to require agencies to identify evaluation factors and subfactors for large task order contracts to make comparisons easier. The FAR Council also opened a case to implement the recommendation.	None.
The General Services Administration should establish a new schedule for information technology services, under which prices for each order are established by competition rather than posted rates.	None.	None.	H.R. 1585 would extend for two years a pilot program authorized by the Clinger-Cohen Act for procuring IT services.
The government should amend the Federal Acquisition Regulation to require agencies to post award notices on FedBizOpps.gov if they award sole-source contracts worth more than \$100,000 under multiple-award or blanket purchase agreement contracts.	S. 680 and H.R. 1632 would require agencies to publish post-award notices of sole-source orders in excess of \$100,000 and publish justification and approval documents related to noncompetitive contracts.	The FAR Council opened a case to implement the recommendation.	S. 680 and H.R. 1585 would require agencies to publish justification and approval documents related to noncompetitive contracts.
The government should permit protests of multiple-award contract task orders worth more than \$5 million.	S. 680 would authorize protests of task orders worth more than \$5 million, unless the OFPP administrator determines the threshold is burdensome. The threshold shall be no more than \$25 million. S. 1547 would authorize protests of task orders worth more than \$5 million.	None.	None.
GSA should be required to establish a central market research database.	None.	OFPP's May policy memo asks GSA to develop a governmentwide centralized market research database related to products and services.	H.R. 6069 would mandate that OFPP modify the Federal Procurement Data System to make it more user friendly.