



U.S. Food and Drug Administration Office of Acquisitions & Grants Services (OAGS)

OAGS OVERVIEW

Who we are...What we buy...How we operate...



OAGS Mission

Our mission is to provide **high quality support** to the FDA programs by managing all contracts, technology transfers, and assistance agreements in a **timely manner** and at a **reasonable cost**.





OAGS - Services We Offer...

- Contract Services
- Simplified Acquisition Services
- Interagency Agreement Services
- Grant/Cooperative Agreement Services
- Technology Transfer Services
- Purchase Card Administration Services
- Strategic Business Advisors
- Acquisition policy, customer relations support, and responding to contract related FOIA requests.



OAGS is a

- Consolidated acquisition office
- Located throughout the country
- Aligned by commodity and service
- A “cradle to grave” operation
 - Pre-solicitation
 - Solicitation, Receipt and Evaluation
 - Negotiation, Source Selection and Award
 - Contract Administration and Closeout

OAGS Office Locations



Office of the Director
Glenda Barfell

Associate Director
Leonard Grant

Associate Director
Priscella Sullivan

Division of Acquisition Support And Grants
Michelle Hawley

Division of Acquisition Programs
Ron Rouse

Division of Acquisition Operations
Ted Weitzman

Division of Information Technology Acquisitions
Sandra Bellinger

Grants and Assistance Agreements Team

Technology Transfer

Acquisition Policy & Support Team
Ron Loube

NCTR Contracts Vacant

Scientific Support Team
Doreen Williams

IT Acquisitions Team
Linda Alexander-Giles

Customer Relations Team
Tina Beard

State Contracts Team
Lisa O'Neill

Construction & Facilities Support Team
Gina Jackson

Contract Operations Team
Kimbalynn Dieng

Service Contracts Team
Patricia Pemberton

Systems Technology Acquisitions Team
Jose Bumbray



OAGS Team Specialties

Grants and Assistance Agreements Team

Negotiate, award and monitor federal funds awarded through various grant mechanisms. Award and administer Inter-Agency Agreements (IAGs).

State Contracts and Compliance Team

Contracts to support the MQSA, Food, Tissue and Feed/BSE Programs. These contracts commission the states to conduct inspections to ensure the quality and safety of the nations' food, animal feed and medical devices; Simplified Acquisitions for ORA Headquarters and the Office of Criminal Investigations.

Construction and Facilities Support Team

Provides facility support, furniture, construction and renovation, architect/engineering services contracts and simplified acquisitions for all headquarter locations, Irvine, San Juan, and Dauphin Island.

National Center for Toxicological Research (NCTR)

Provides all support for NCTR and other work as designated.



OAGS Team Specialties

Acquisition Policy and Support

Provides acquisition policy, oversight, compliance and manages purchase card program

Scientific Support Team

Mission specific contracts and simplified acquisitions, including research and development requirements and lab supply and equipment requirements

Contract Operations Team

Service contracts and simplified acquisitions, including but not limited to, chemicals/drugs/reagents, animals, shredding, administrative support, building security, etc.

Services Team

Service contracts and simplified acquisitions, including but not limited to, Document control/records management, events management, guard services, moving, library support, custodial, etc.

Information Technology (IT) Teams (IT Acquisitions & Systems Technology)

All information technology related contracts and simplified acquisitions



Acquisition Principles

- Fairness - all interested parties receive the same information
- Transparency – processes of acquisition are ethical, legal, regulatory and known
- Competition – seek competition whenever possible
- Socioeconomic goals – provide opportunities to designated small business groups – small, disadvantaged, SDVOSB, women-owned, Hubzone
- Acquisition Process – respecting and following process takes time, supports principles, prevents problems

Service Level Agreement Processing Time (1 of 2)

Service	Processing Time	Data Needed from Customer
New Competitive Contracts	180 calendar days or within the established acquisition plan or processed within	Firm MON Package (iProcurement requisition, Statement of Work, IGCE and any other clearances required)
New Competitive Task/Delivery Orders	60 calendar days or within the established acquisition plan	Firm MON Package (iProcurement requisition, Statement of Work, IGCE and any other clearances required)
New Non Competitive Contracts	167 calendar days or within established acquisition plan	Firm MON Package (iProcurement requisition, Statement of Work, IGCE, Justifications for Other than Full and Open Competition (JOFOC), other clearances)
New Non Competitive Task/Delivery Orders	30 calendar days or within the established acquisition plan	Firm MON Package (iProcurement requisition, Statement of Work, IGCE, Justifications for Other than Full and Open Competition (JOFOC), other clearances)
Sealed Bid Contracts	100 calendar days or within the established acquisition plan	Firm MON Package (iProcurement requisition, Statement of Work, IGCE, and any other clearances required)
8(a) Contracts	120 calendar days or within the established acquisition plan or processed within 120 calendar days	Firm MON Package (iProcurement requisition, Statement of Work, IGCE and any other clearances required)
Contract Administration (Modifications)	30 days for unilateral and 60 days for bilateral or within established acquisition plan	iProcurement requisition with all supporting documents is received in OAGS.

Service Level Agreement Processing Time (2 of 2)

Service	Processing Time	Data needed from Customer
Simplified Acquisitions: \$0 to \$10,000 \$10,001 to \$25,000 \$25,001 to \$100,000 GSA/GWAC (SOW) GSA/GWAC (equipment) GSA/GWAC (supplies) HHS Strategic Sourcing	15 calendar days 25 calendar days 60 calendar days 120 calendar days 30 calendar days 60 calendar days 30 calendar days	iProcurement requisition all supporting documents is received in OAGS.
IAGs	40 OAGS days	Complete, accurate package received in OAGS
Grants and Cooperative Agreements	45 calendar days from the date of the rank order memo	Receipt of a Grant Applications in OAGS
Purchase Card Administration – applications for new cards	5 days	Receipt of Cardholder's application in OAGS

2010 Acquisition Cut-Off Dates (1 of 2)

Type of Acquisition Award

Required Receipt Date*

1. Contracts

a. Competitive with technical evaluation factors	March 12, 2010
b. Non-competitive	March 29, 2010
c. New 8(a) non-competitive	May 14, 2010
d. Sealed Bid/IFB Price Competitive	June 4, 2010



2. Modifications

a. Bilateral Modifications (Options)	July 12, 2010
b. Unilateral Modifications	August 19, 2010

3. Orders under FDA/GSA/GWAC/BPA Contract and FDA Task Orders

a. GSA/GWAC/BPA with a Scope of Work	May 14, 2010
b. FDA Task Order – Multiple Award	May 14, 2010
c. FDA Task Order – Single Award	July 12, 2010
d. GSA/GWAC (Services)	July 12, 2010
e. GSA/GWAC (Supplies)	August 2, 2010



***Dates are predicated upon the receipt of a complete workable acquisition package.**

2010 Acquisition Cut-Off Dates (2 of 2)

4. *Simplified Acquisitions*

a. \$25,001 - \$100,000	July 12, 2010
b. \$10,001 - \$ 25,000	July 12, 2010
c. \$ 3,001 - \$ 10,000	August 13, 2010
d. \$3,000 or less**	September 2, 2010

5. *Blanket Purchase Agreements*

a. Orders against DHHS Strategic Sourcing BPAs	July 12, 2010
b. Competitive Orders against DHHS Strategic Sourcing BPAs	July 12, 2010
c. FY 11 Blanket Purchase Agreements to begin 10/01/10	July 12, 2010

6. *Interagency Agreements*

a. Reimbursable (funds to be used on contracts/orders)	June 19, 2010
b. Service and Reimbursable (salary)	August 7, 2010

7. *Grants (competing)*

a. Competing	February 19, 2010
b. Sole Source/Earmarks	April 15, 2010
c. Non-Competing Continuations	July 19, 2010

Acquisition Goals and Statistics

COMPETITION

Team	Total actions excluding micropurchases	Total Available Actions excluding micropurchases	Competed	Not Competed	Not Available for Competition	Competition Percentage	Total dollars excluding micropurchases	Dollars Eligible for Competition	Dollars Completed	Dollars Not Completed	Dollars Not Available for Competition	Dollars Completed Percentage
CBER	68	66	59	7	2	89.4%	\$3,514,498.71	\$3,439,560.31	\$2,452,816.21	\$986,744.10	\$74,938.40	71.31%
CDER	41	40	31	9	1	77.5%	\$6,495,858.22	\$6,488,005.72	\$4,701,184.67	\$1,786,821.05	\$7,852.50	72.46%
CDRH	24	22	21	1	2	95.5%	\$2,152,212.33	\$1,502,343.45	\$1,483,543.45	\$18,800.00	\$649,868.88	98.75%
CFSAN	81	79	72	7	2	91.1%	\$4,012,224.86	\$2,962,535.71	\$2,332,645.87	\$629,889.84	\$1,049,689.15	78.74%
CTP	7	6	6	0	1	100.0%	\$3,939,427.01	\$2,624,679.30	\$2,624,679.30	\$0.00	\$1,314,747.71	100.00%
CVM	31	27	25	2	4	92.6%	\$661,816.98	\$620,608.98	\$483,259.88	\$137,349.10	\$41,208.00	77.87%
NCTR	74	71	66	5	3	93.0%	\$16,744,336.73	\$15,970,303.61	\$15,935,749.98	\$34,553.63	\$774,033.12	99.78%
ORA	277	249	207	42	28	83.1%	\$8,898,002.36	\$7,366,796.65	\$5,813,277.63	\$1,553,519.02	\$1,531,205.71	78.91%
OC	178	155	136	19	23	87.7%	\$59,001,337.09	\$53,715,106.59	\$51,816,480.97	\$1,898,625.62	\$5,286,230.50	96.47%
Total FDA	781	715	623	92	66	87.1%	\$105,419,714.29	\$94,689,940.32	\$87,643,637.96	\$7,046,302.36	\$10,729,773.97	92.56%

October 1, 2009 - March 31, 2010 data pull (Snapshot)

FDA Goals (over the micropurchase threshold)

Percent eligible Dollars awarded through competition

80% or more Green
 55%-79% Yellow
 Less than 55% Red

OR

Percent eligible actions awarded through competition

65% or more Green
 50%-64% Yellow
 Less than 50% Red

Acquisition Goals and Statistics

SOCIOECONOMIC

	FY 10 Goals	FY 10 Achieved (% / \$ Thousands)	Performance Assessment
Small Business Award Categories			
Small Businesses	37%	39.55% / \$55,881	Green
8(a) Businesses	5.0%	5.76% / \$8,141	Green
Small Disadvantaged Businesses	5.0%	21.05% / \$29,749	Green
Women-Owned Small Businesses	5.0%	8.21% / \$11,603	Green
HubZone Businesses	3.0%	2.98% / \$4,215	Yellow
Service Disabled Veteran owned Small Businesses	3.0%	2.46% / \$3,483	Yellow

Green – 100%

Yellow – 99% - 60%

Red – 59% or less

Acquisition Goals and Statistics

AWARDS

Acquisition Summary	Actions	Dollars (in Millions)
FY 06	3361	\$283 (excludes Grants & IAGs)
FY 07	3848	\$462.5 (includes Grants & IAGs)
FY 08	5160	\$617.7 (includes Grants & IAGs)
FY 09	6045	\$831.1 (includes Grants & IAGs)
FY10	1,784	\$232.6 (excludes Grants)



Federal Government Acquisitions

The Statutory Framework and the Goal:

- Framework: The Federal Acquisition Regulation (FAR), DHHS Supplements (HHSAR) and FDA specific supplements.
- The Goal: To negotiate an instrument that satisfies the requiring Agency's needs at a fair and reasonable cost.



THE PLAYERS

- Contracting Officers/Contract Specialists
- Project Officers (Contracting Officer Technical Representative (COTR))
- Contractors



Contracting Officers:

Serve as business managers and advisors to their customers

- Perform all steps of the contract award process, which include:
 - Acquisition Planning
 - Soliciting Offers
 - Evaluating offers
 - Negotiating terms and prices
 - Awarding contracts

- Administer contracts, which include:
 - Modifying Contracts
 - Exercising Options
 - Monitoring Performance (with the COTR)
 - Closing Out Contracts



Project Officer:

- Project Officer/Program Office identifies a need for goods or services (called a requirement)
- The Project Officer is responsible for preparing and submitting the following documents:
 - Acquisition Plan/Memorandum of Need (MON)
 - Independent Government Cost Estimate (IGCE)
 - Statement of Work
 - Special Clearance Checklist
 - Requisition
 - Evaluation Factors



Contracting Officer's Technical Representative (COTR):

- The Contracting Officer's Technical Representative plays an essential role in the planning, awarding and administration of a government contract/purchase order. They are the “eyes and ears” of the contracting officer in ensuring that technical requirements are being met and that the contractor is adhering to the terms and scope of the contract.
- Project Officer may be identified in the contract as the official Contracting Officer Technical Representative
 - COTR must be certified
 - Additional responsibilities established via letter from Contracting Officer
- A COTR may not:
 - Obligate money
 - Authorize a contractor to perform work
 - Provide technical direction that is not included in the scope of work.



Contractor:

- Responsible for performing the Statement of Work
- Responsible for complying with the terms and conditions of the contract
- Responsible for marshalling and controlling resources, and managing performance



Working Together

- The Contracting Officer/Contract Specialist (CO/CS), Contracting Officer's Technical Representative (COTR)/Project Officer (PO) and other acquisition officials form an acquisition team responsible for ensuring that the necessary goods or services are successfully acquired and utilized.
- The CO/CS assists the program as business advisors in attaining the goals set forth by the Center/Office.
- The contractor provides the supplies and services required by the Government.



Government's Pre-award Goals

- Obtain the optimum market response to requirements for supplies and services in terms of – Quality, Timeliness and Price.
- While – Minimizing business and technical risks, accomplishing socioeconomic objectives, maximizing competition and maintaining integrity.



Government's Post-award Goals

Ensure that purchased supplies and services are:

- Delivered or performed when and where specified in the contract
- Acceptable, in terms of conforming to the contract's specifications or statement of work
- Furnished in compliance with all other terms and conditions of the contract.



Doing Business with the Government

Identify your product or service. Find the North American Industry Classification System (NAICS) code for your product or service.

- **Check with the Small Business Administration (SBA)** to determine whether your business falls within established guidelines for small business size standards matched to NAICS codes. At this time discuss whether your business could qualify for a Small Business 8(a), Small Disadvantaged Business (SDB) or Historically Underutilized Business Zone (HUBZone) certification. Certain acquisitions are “set aside” for certified firms, which means that the award can be made directly to your firms without competing with other firms.
- **Obtain a DUNS number from Dun & Bradstreet and Register in Centralized Contractor Registration (CCR) System.** A DUNS number is a business identification number and businesses must have DUNS numbers to do business with the Federal Government. There is no cost to obtain a DUNS number. You must be registered in CCR to do business with the Federal government. <http://www.ccr.gov>
- **Register in Online Representations and Certifications (ORCA).** Your company’s required representations and certifications, which are necessary for contract awards, are stored in this system. <https://orca.bpn.gov>



Get Information on Contracting Opportunities

Visit FedBizOpps Website at <https://www.fbo.gov> . Fedbizopps is the single point of entry to which all business opportunities worth in excess of \$25,000 and is searchable by NAICS code. You can register to be automatically notified whenever business opportunities relevant to your industry appear.

- **Look at the Procurement Forecasts for the Agencies Most Likely to Buy the Products and/or Services that Your Business Sells.** Federal agencies are required by the law to produce an Annual Procurement Forecast, which businesses can view. In the federal government, advance planning for all acquisitions is mandated. The FDA and other HHS OPDIVs develop their Annual Acquisition Plan (AAP) prior to the start of each fiscal year.
- **Attend Vendor Outreach Sessions, Trade Fairs, and Other Business Networking Events.** Federal agencies often send representatives to trade fairs, industry meetings, etc. You can hear about upcoming acquisitions firsthand. There is also the possibility that you will be able to discuss contractor teaming arrangements and subcontracting opportunities with established government contractors at these events.



Information on Contracting Opportunities for Small Business

- **Attend Vendor Outreach Programs.** Many Federal agencies hold periodic outreach sessions for small business at which businesses may meet with the Office of Small and Disadvantaged Business Utilization (OSDBU) representatives. HHS holds monthly vendor outreach sessions. Visit the following website for more information:
<http://www.hhs.gov/osdbu/events/>
- **Explore Subcontracting Opportunities.** Each Federal agency has small business goals that it is required to meet. These goals are passed, through contracts, to prime contractors. There is no single point of entry for subcontracting opportunities, but the SBA's Sub-Net is a good place to go for information.



General Information

- **Become Familiar with Federal Contracting Procedures.**
Federal agencies must follow certain rules relating to procurement, which can be different than typical business practices. The Federal Acquisition Regulation (FAR) is the primary source of guidance on federal contracting. Most agencies have agency-specific supplements to the FAR.
- **Maintain High Standards of Integrity.**
Do not attempt to act outside of the boundaries set in the FAR and various agencies supplements. Federal officials involved in the procurement process are limited in what information they can disclose to whom and when. Do not pressure them for additional information and do not attempt to circumvent the boundaries set.



DOs and DON'Ts

Do Market Your Business to the Right Contacts. Do not send your information to the highest official that you can find. It is more effective to send information to the contracting office, the Small Business Specialist, or the appropriate program official.

- **Do Understand the Agency's Needs.** Tailor your pitch to what you know the agency needs. This is more effective than trying to “sell” your technology solely on its merits.
- **Don't Promise the Impossible.** Federal managers know what is and is not feasible.



Marketing to FDA

- Review FDA Acquisition Forecast
 - <http://www.hhs.gov/osdbu/publications/forecast.html>
- Know about the FDA and what we acquire
 - www.FDA.gov
 - <http://www.hhs.gov/osdbu/read/active.html>
- Awareness of FDA Small Business Goals
- Respond to Requests for Information (RFI)
 - Submit detail sufficient to determine capabilities
- Reference successful prior performance with other Government agencies



FDA Priorities

- Food Safety
- Center for Tobacco Products
- IT
 - Migration to new data centers
 - Legacy system – changes; new requirements
 - IT planning



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Questions
