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*Draft DoD Procurement Policy
for Implementing
'Higher-Level' Contract Quality
Requirements*

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For DoD Environmental Data Quality Workgroup

Contracting Subgroup

Why is Procurement Policy Needed?

- More than 90% of DoD laboratory testing is outsourced
- Inadequate data quality, improper practices, and fraud command a high price
- Improved procurement strategies needed
 - Government chemist/QAM guides laboratory selection
 - Basis for selection is best-value, not cost
 - Laboratory reviews QAPP *before* it is finalized

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Draft DoD Procurement Policy Topics

- Purpose and Applicability
- Background
- Key Provisions
- Sample Contract Clauses
- Prohibited Practices
- Summary

Purpose and Applicability

Provide policy and guidance for implementing 'higher-level' contract quality requirements, including:

- Federal Acquisitions Regulations Subpart 46.2, *Contract Quality Requirements*
- May 1999 *DoD Best Practices for Data Quality Oversight*
- February 2003 DepSecDef Policy, *Ensuring the Quality of Information Disseminated to the Public by the Department of Defense*
- Intergovernmental, DoD, and Component-specific quality systems policy
(*e.g. DoD QSM, UFP-QS, and UFP-QAPP*)

Purpose and Applicability

- Applies to all solicitations, contracts, and purchases involving environmental measurements
(Including orders placed by non-DoD agencies on behalf of DoD)
- Provides flexibility
 - Accommodates Components' unique contracting requirements and practices
 - Accommodates large, long-term contracts, as well as smaller, short-term acquisitions

Purpose and Applicability

Examples of Activities Subject to Policy

- Determining environmental conditions
- Evaluating environmental or human health risks
- Characterizing wastes
- Monitoring discharges
- Developing environmental technology
- Developing, evaluating, and using models
- Performing chemical hygiene or occupational safety & health monitoring

Background

1995 - 1997 – Concurrent EPA and DoD IG audits of laboratory services for cleanup and compliance programs

1999 – DoD EDQW developed *Best Practices for Data Quality Oversight*

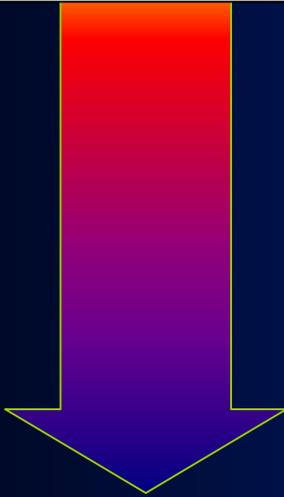
1999 – FAR amended to address contract quality systems requirements on a government-wide basis (FAR Subpart 46.2)

2002 – Office of Management and Budget (OMB) issued data integrity guidelines for Federal agencies

Background

Best Practices for Data Quality Oversight

DoD Best Practices



END RESULT:
Quality Systems
Implemented Throughout DoD

- *Use a systematic planning process*
- *Implement National and International standards*
- *Issue quality assurance policy & guidance*
- *Improve laboratory oversight*
- *Improve management and contracting practices*

Background

Federal Acquisitions Regulations (FAR)

FAR 46.202-4

- Provides for inclusion of ‘higher-level’ contract quality requirements
- Contains guidance on when requirements should be implemented
- Recognizes ANSI/ASQC E4 as an acceptable consensus standard
- Permits ‘tailoring’ of the standard for contract-specific requirements
(FAR Clause 52.246-11)

Background

Data Integrity Guidelines

- Section 515(a) of *Treasury and General Government Appropriations Act, FY 2001*, directed OMB to issue guidelines
- January 2002 OMB guidelines:
 - *Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies*
 - “Information must be capable of being substantially reproduced”
- DoD-specific guidelines issues 10 Feb 2003

Key Provisions

- Acquisition team roles and responsibilities
- Contractor roles and responsibilities
- Quality Systems documentation requirements
- Minimum laboratory qualifications
- Minimum qualifications for Quality Assurance Managers (QAMs) and Project Chemists

Key Provisions

Acquisition Team Roles and Responsibilities

Project Manager – Leader of Acquisition Team

Contracting Officer – Ultimate contracting authority; incorporates technical and quality requirements into solicitation and contract

Contracting Officer's Representative – Obtains input from QAM, government chemist, and technical experts, as appropriate

Key Provisions (cont'd)

Acquisition Team Roles and Responsibilities

Government QAM – Provides QA oversight during the procurement process and following contract award

Government Chemist – Determines technical requirements, develops technical evaluation criteria, and evaluates responsiveness of submittals

Key Provisions

Contractor QAM Responsibilities

- Approves project-specific DQOs and MQOs
- Verifies appropriateness of methods
- Approves final QAPP
- Verifies laboratory selection
- Coordinate assessments (per contract specs)
- Notifies Government QAM/Chemist of non-conformance
- Monitors corrective action as needed

Key Provisions

Contractor Project Chemist Responsibilities

- Oversees QAPP preparation
- Verifies that methods and project-specific MQOs will meet DQOs
- Verifies laboratory qualifications
- Provides laboratory coordination and oversight during implementation
- Performs data evaluation, per contract
- Monitors corrective action

Key Provisions

Documentation Requirements

- The organization's (prime contractor) quality system must conform to the *Uniform Federal Policy for Implementing Quality Systems (UFP-QS)*
- Project-specific QA and QC requirements and procedures must conform to the *Uniform Federal Policy for Quality Assurance Project Plans (UFP-QAPP)*
- The laboratory's quality system must conform to the *DoD Quality Systems Manual for Environmental Laboratories (DoD QSM)*

Key Provisions

Minimum Laboratory Qualifications

- Nationally recognized (e.g. NELAP) accreditation or relevant State accreditation/certification
- Self-certification of compliance with the DoD QSM
- Approval from one or more DoD Components, including program or project-specific on-site assessment, as appropriate
- Acceptable Proficiency Testing (PT) results

Sample Contract Clauses

Clause A: Higher-Level Contract Quality Requirements

The contractor shall comply with the higher-level quality standard(s) indicated below: [Contracting Officer to select all that apply]

Selection (x)	Title	Specification
	Specifications and Guidelines for Quality Systems for Environmental Data Collection and Environmental Technology Programs	ANSI/ASQC E4, 1994
	[other – list]	

Sample Contract Clauses

Clause B: Required Quality Systems Documentation (Pre-award)

The offeror shall submit the following quality systems documentation as a separate and identifiable part of its technical proposal: [Contracting Officer to select all that apply]

Selection (x)	Title	Specification
	Quality Management Plan	UFP-QS, November 2002
	Laboratory Quality Management Plan	DoD QSM, V2
	Data Management Plan	[insert relevant specification]
	[Other]	[Insert relevant specification]

Sample Contract Clauses

Clause C: Required Quality Systems Documentation (Post-award)

Following contract award, Contractor shall submit the following quality systems documentation to the Contracting Officer's Representative:
[Contracting Officer to select all that apply]

Selection (x)	Title	Specification
	Quality Management Plan	UFP-QS, November 2002
	Laboratory Quality Management Plan	DoD QSM, V2
	Project-Specific Quality Assurance Project Plan (QAPP)	UFP-QAPP [final]
	[Other]	[Insert relevant specification]

Sample Contract Clauses

Clause D: Required Quality Control Reporting (Post-award)

During project implementation, Contractor shall submit the following quality control documentation to the Contracting Officer's Representative:
[Contracting Officer to select all that apply]

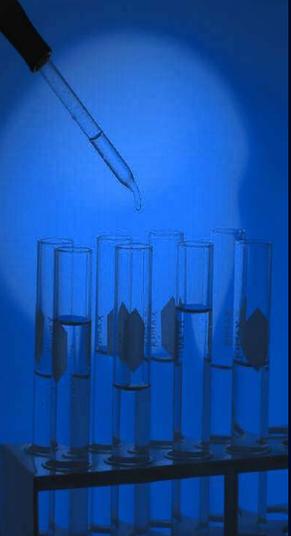
Selection (x)	Title	Specification
	Contractor Daily Quality Control Report	IRCDQM, 1999
	Contractor Daily Production Report	IRCDQM, 1999
	[Other]	[Insert relevant specification]

Prohibited Practices

- Fabrication, falsification, or misrepresentation of data
- Improper date/time recording
- Unwarranted manipulation of samples, software, or analytical conditions
- Improper representation of quality control samples and/or results
- Improper calibration practices
- Concealing known sample/analytical problems
- Concealing improper/unethical behavior

Next Steps

- Prepare final draft, based on July EDQW comments
- Submit for formal Component review and comment
- Address comments
- Submit for formal Component concurrence
- Issue final Policy
- Conduct training



Any Questions?