



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
ACQUISITION AND GRANTS OFFICE

May 18, 2015

MEMORANDUM FOR: Deputy Assistant Administrators  
Staff Office Directors

FROM: Mitchell J. Ross   
Director

SUBJECT: Acquisition Alert 15-05 - Approval of Determination and Findings  
That No Other Contract Type is Suitable

The purpose of this memorandum is to establish the NOAA acquisition policy for the approval of a determination and findings (D&F) that no other contract type is suitable prior to the execution of the base period if base period plus any option periods exceeds three years when using a time-and-materials type contract or order.

The Federal Acquisition Regulation (FAR) requires approval by the head of the contracting activity for a determination and findings that no other contract type is suitable prior to the execution of the base period if base period plus any option periods exceed three years on a time-and-materials contract or order. In July 2014, the Department of Commerce (DOC) Office of Acquisition Management revised the Commerce Acquisition Manual (CAM) Chapter 1316.1, *Selecting Contract Types*, and delegated the responsibility for this approval to the Senior Bureau Procurement Official (SBPO). This Acquisition Alert delegates the subject approval authority from the SBPO to the Head of Contracting Office (HCO).

Questions pertaining to the Acquisition Alert should be directed to Justin Cofer, Acquisition and Grants Office (AGO), Policy and Oversight Division (POD) at [Justin.L.Cofer@noaa.gov](mailto:Justin.L.Cofer@noaa.gov), or by telephone at (816) 823-3820.

Attachment

Acquisition Alert 15-05 - Approval of Determination and Findings That No Other Contract Type is Suitable

May 18, 2015

## ACQUISITION ALERT 15-05

### Approval of Determination and Findings That No Other Contract Type is Suitable

This Acquisition Alert (AA) is being transmitted to all NOAA Heads of Contracting Offices (HCO) for dissemination within their respective Acquisition Divisions.

1. **Purpose:** The purpose of AA 15-05 is to establish the NOAA acquisition policy for approving the determination and findings (D&F) when no other contract type is suitable prior to the execution of the base period if the base period plus any option periods exceeds three years on time-and-materials type contracts. This AA also modifies the AGO Review and Approval Matrix located in Subchapter J of the NOAA Acquisition Manual.
2. **Background:** The Federal Acquisition Regulation (FAR) requires approval of a D&F that no other contract type is suitable when using a time-and-materials contract or order. The FAR also requires approval of the D&F by the head of the contracting activity prior to execution of the base period when the base period plus any option periods exceeds three years. On July 31, 2014, the Department of Commerce (DOC) Office of Acquisition Management issued the revised Commerce Acquisition Manual (CAM) Chapter 1316.1, *Selecting Contract Types*. The revised CAM chapter policy gave the Senior Bureau Procurement Official (BPO) the responsibility to approve determination and findings that no other contract type is suitable prior to execution of the base period if the base period plus any option periods exceeds three years on time-and-materials type contracts.
3. **Applicability:** This acquisition policy is applicable to all NOAA Line and Staff Offices.
4. **Policy:**
  - (a) The SBPO has delegated the authority to the Heads of Contracting Offices (HCO) to approve a determination and findings when no other contract type is suitable prior to execution of the base period if the base period plus any option periods exceed three years on time-and-materials types contracts .
  - (b) This authority is non-delegable and will remain in effect until rescinded.
5. **Point of Contact:** Questions concerning this Acquisition Alert should be directed to Justin Cofer, Acquisition and Grants Office (AGO), Policy and Oversight Division (POD) at [Justin.L.Cofer@noaa.gov](mailto:Justin.L.Cofer@noaa.gov), or by telephone at (816) 823-3820.