



Highlights of [GAO-03-983](#), a report to Congressional Committees

CONTRACT MANAGEMENT

Civilian Agency Compliance with Revised Task and Delivery Order Regulations

Why GAO Did This Study

Multiple-award task and delivery order contracts were intended to streamline the acquisition of goods and services. Prior GAO reviews cited concerns that some agencies using these contracts were not attaining the level of competition Congress had initially envisioned. In response, Congress required that additional guidance be published in the Federal Acquisition Regulation and asked GAO if the guidance conformed to the law and agencies were complying with it.

To evaluate compliance, GAO examined how agencies provided vendors with a fair opportunity to be considered for orders, clearly described the services or supplies needed, and complied with capital planning requirements.

What GAO Recommends

The Departments of Veterans Affairs and Health and Human Services should review the guidance and training provided to their acquisition personnel on using the fair opportunity process to ensure that agencies receive the best value through task and delivery orders. The Office of Management and Budget should clarify the responsibilities of acquisition and other staff regarding capital planning for information technology products and services.

www.gao.gov/cgi-bin/getrpt?GAO-03-983.

To view the full product, including the scope and methodology, click on the link above. For more information, contact William Woods at (202) 512-8214 or woodsw@gao.gov.

What GAO Found

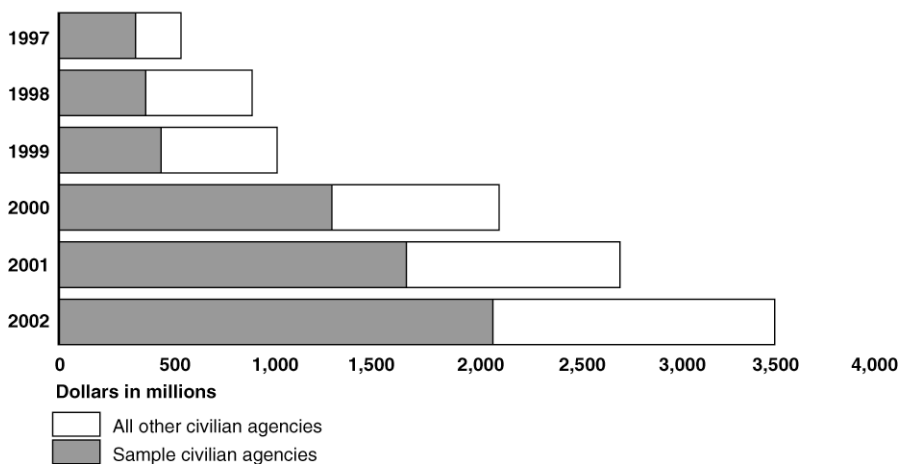
The revisions to the Federal Acquisition Regulation conform to statutory requirements. The revisions provide additional, though generally limited, guidance on how agencies should implement the fair opportunity process, describe the supplies and services needed, and meet capital planning requirements. Agency officials did not view the regulatory changes as significant, and made minimal changes in their internal policies and procedures.

The agencies GAO reviewed provided eligible contractors a fair opportunity to be considered for award of an order in 18 of 26 selected cases. The remaining eight orders were issued using exceptions to the fair opportunity process. Four of those were not adequately justified.

The orders GAO reviewed appeared to clearly describe the supplies and services required. However, statements of work for four information technology (IT) services orders were defined broadly, and required subsequent sub-task orders or modifications to completely define the work. Although agencies are required to use performance-based statements of work as widely as possible, only 3 of 22 orders for services met the performance-based criteria.

Regulations on capital planning and investment controls for purchases of IT products and services went into effect in August 2002, and agencies are still trying to determine how they will comply with them and who is to be responsible for them. As part of these efforts, several agencies plan to require that their chief information officer certify that the capital planning requirements have been met.

Multiple-Award Contracts by Civilian Agencies
Fiscal year



Source: Federal Procurement Data System "Federal Procurement Reports" for fiscal years 1997 through 2002, the latest data available.