



Competition in Sub-Contracting Policy

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*Supporting our
Armed Forces*

*Improving
Health Worldwide*

PURPOSE: The Henry M. Jackson Foundation for the Advancement of Military Medicine, Inc. (HJF) receives substantial funding from Federal agencies and is obligated to maintain a contracting and purchasing system that is compliant with Federal requirements. Accordingly, HJF is committed to conducting all contracting and purchasing activity in an efficient and effective manner and consistent with all applicable Federal statutes, regulations, and Executive Orders.

POLICY: Competition. All Subcontract Actions¹ shall be conducted in a manner to provide free and open competition to the maximum extent practical. HJF shall be alert to organizational conflicts of interest or noncompetitive practices among contractors that may restrict or eliminate competition or otherwise constrain trade. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft any substantial portion of specifications, requirements, statements of work (SOWs), invitations for bids (IFBs) and/or requests for proposals (RFPs) shall be excluded from competing for procurements that use such specifications, requirements, SOWs, IFBs, or RFPs. Awards shall be made to the bidder or offeror whose bid or offer is responsive to the solicitation and is most advantageous to HJF, price, quality and other factors considered. Solicitations shall clearly set forth all requirements that the bidder or offeror shall fulfill in order for the bid or offer to be evaluated by HJF. Any and all bids or offers may be rejected when it is in HJF's interest to do so.

- a. Subcontract Actions greater than or equal to \$25,000: Reasonable efforts must be made to obtain at least three competitive bids, quotes, or proposals from multiple sources.
- b. Subcontract Actions less than or \$25,000: Seeking competition should be based on quotes, knowledge of prevailing market prices, historical purchases, or government schedule prices.
- c. Sole Source Justifications. Subcontract Actions , greater than or equal to \$25,000, where only one contractor is capable, authorized, or available to

¹ A Subcontract Action, for purposes of this policy, is an agreement (1) for the purchase or lease by HJF of services, supplies, equipment, construction, renovations, or property funded by a Federal contract or assistance agreement (grant or cooperative agreement); (2) for the award by HJF of financial assistance pursuant to a Federal grant or cooperative agreement; or (3) constituting a modification or amendment to (1) or (2). The term Subcontract Action includes any legal agreement, regardless of whether it is called a contract, subcontract, award, subaward, purchase order, modification, amendment, or other agreement name, provided it is paid for by HJF using Federal funds.

perform the required work must have a sole source, non-competitive justification prepared.

1. The cognizant purchasing or subcontract manager is responsible for preparing Sole Source Justifications in consultation with the Requestor².

2. The Requestor is responsible for providing the technical input and facts necessary to support Sole Source Justifications.

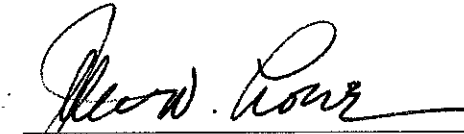
3. All Sole Source Justifications must be individually approved by the HJF Vice President for Acquisitions, or designee.

d. If a proposed Subcontract Action was included and clearly described in an application or proposal submitted to the Government (in terms of the proposed subcontractor, subcontracted work, subcontracted amount, and how and why the subcontractor was selected) and the Government, by the express terms of a subsequent award, accepts said application or proposal and includes funding for the proposed Subcontract Action, the requirements of this policy have been satisfied unless the terms and conditions of the award indicate otherwise.

EFFECTIVE DATE: This policy is effective immediately:

19 Feb 10

Date



John W. Lowe
President

² A Requestor is the Principal Investigator, Program Manager, or lead program representative, as applicable, who initiates or requests a Subcontract Action.