



UNITED STATES MARINE CORPS

MARINE FORCES RESERVE
2000 OPELOUSAS AVENUE
NEW ORLEANS, LA 70146-5400

IN REPLY REFER TO:

4200

RCO

OCT 01 2011

FORCE POLICY LETTER 05-11

From: Commander, Marine Forces Reserve
To: Distribution List

Subj: CONTRACTING FOR SERVICES WITHIN MARINE FORCES RESERVE
(MARFORRES) AND MARINE FORCES NORTH (MARFORNORTH)

Ref: (a) Federal Acquisition Regulation

Encl: (1) Sample Format for Statement of Work
(2) Sample Format to Request Contractor Services

1. Situation. To provide policy and procedural guidance on contracting for services, per the reference.

2. Mission. When properly used, contracted services are extremely useful and play an important part in helping commands accomplish its mission. Contracting for services is a proper means to acquire special knowledge and skills not available in the government workforce, to obtain cost effective services which are not inherently governmental functions, and to obtain temporary or intermittent services. It is important to remember that the Government is buying a service or end product when employing a contractor. Desiring a specific individual to perform the service is not a relevant factor.

a. An "inherently governmental function" is defined in the reference as a function that is so intimately related to the public interest as to mandate performance by Government employees.

b. Inherently governmental functions include activities that require the exercise of discretion in applying Government authority or applying value judgments in making decisions for the Government. Normally, these fall into two categories: the act of governing (i.e. the discretionary exercise of Government authority) and monetary transactions and entitlements. Reference (a) also lists a number of inherently governmental

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functions including the determination of budget policy, guidance, and strategy; determining what supplies and services are to be acquired by the Government; approving any contractual documents; and directing or controlling Federal employees.

c. A personal services contract is one that makes the contractor employee appear to be a government employee due to the employer-employee type relationship it creates. The Marine Corps is not allowed to award personal services contracts unless specifically authorized by statute. This is to avoid the circumvention of federal civil service laws including competitive appointment.

d. The acquisition and administration of contracted services raises legal, fiscal and resource concerns. Proper documentation of necessary requirements for services before they are obtained is essential. Maintaining a single, systematic approach to acquire services is needed to ensure we are acting within our fiduciary responsibility to the nation's citizenry.

3. Execution. In order to provide command awareness of contractor employees working for MARFORRES/MARFORNORTH, to ensure the propriety of the duties such contractor employees perform, to comply with security requirements, and to properly plan for and execute the command budget, all contracted services within MARFORRES/MARFORNORTH will be acquired through the MARFORRES Regional Contracting Office (RCO) after staffing as described herein.

a. Prior to initiating a request for contracted services, MARFORRES/MARFORNORTH Department Heads and Major Support Command Staffs shall ensure their requests comply with the guidance and principles set forth herein.

b. Offices desiring contracted services shall submit a statement of work describing the specific tasks to be performed and the deliverables to be produced per the format in enclosure (1).

c. The statement of work shall be routed to the MARFORRES Counsel, RCO, Security Manager, and Comptroller for comments.

d. MARFORRES/MARFORNORTH Department Heads and Major Subordinate Command Staffs shall prepare a request for services

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using the format in enclosure (2). The request shall analyze and validate the requirement by examining the nature of the services, the duration of the requirement, the other available alternatives, and the cost. The analysis shall include a minimum of three alternatives to include assigning the tasks to current personnel, utilizing Marines through Active Duty Operational Support (ADOS) orders, Selected Marine Corps Reserve (SMCR) or Individual Mobilization Augmentees (IMA) drills, and hiring a contractor. The validation shall include a long-term plan to meet any continuing requirement.

e. The request, statement of work, and the staffing comments shall be forwarded to a standing Contracted Services Approval Board (CSAB) consisting of the Comptroller, Counsel, Contracting Officer, MARFORRES Chief of Staff (C/S), MARFORNORTH and such other members as the MARFORRES C/S shall direct. The CSAB shall review the request and determine whether the requirement is valid, is best met with contractor services, and provide recommendations to the Executive Director

f. After obtaining approval, the originator of the request shall submit a funded Purchase Request to the RCO using authorized procedures and shall provide an appropriate line of accounting. The RCO is responsible for properly acquiring the services.

4. Administration and Logistics. Direct any questions concerning this guidance to the MARFORRES RCO.

5. Command and Signal

a. This policy letter is applicable to all MARFORRES and MARFORNORTH units and is effective upon the date it is signed.



R. E. BRAITHWAITE
Executive Director

Directives issued by this Headquarters are published and distributed electronically. Electronic versions of MARFORRES directives can be found at:
<http://www.marines.mil/unit/marforres/MFRHQ/G1/Adjutant/ForceOrders/default.aspx>

SAMPLE FORMAT FOR STATEMENT OF WORK

Introduction: [Describe your intent]

Statement of Need: [Describe your requirement]

Scope: [State the nature of the services to be provided]

Tasks: [Identify in as much detail as possible what the contractor is expected to do]

Deliverables: [State what products you expect the contractor to provide]

Period of Performance: [State the period of the award which cannot exceed one year]

Place of Performance: [State the location where the work will be performed]

Government Furnished Property and Equipment: [Office, computers, web access, data, etc.]

Security: [Will the contractor need access to classified material; if so, what level of clearance will be required? If the place of performance will be MARFORRES, state what spaces the contractor will be required to access]

Travel: [Describe and explain the amount of travel to be performed and the locations where it will occur]

On-Site Task Manager: [State the individual to provide surveillance of contract performance]

SAMPLE REQUEST FOR CONTRACTOR SERVICES



UNITED STATES MARINE CORPS

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2000 OPELOUSAS AVENUE
NEW ORLEANS, LA 70146-5400

IN REPLY REFER TO:

4200

RCO

From: [_____]
To: Executive Director (Attn: Contracted Services Approval Board)

Subj: REQUEST FOR CONTRACTED SERVICES AT MARFORRES/MARFORNORTH
[DEPT NAME]

Ref: (a) Force Policy Letter 05-11

Encl: (1) Statement of Work
(2) Staff Routing Sheet/Comments

1. As provided by the reference, approval is requested to contract for the services described in enclosure (1).

2. These services are required to [state the reason the services are needed or what would happen if the services are not approved].

3. In making this request, I have validated this requirement by analyzing the following alternatives:

a. Assigning the tasks to current personnel. [Explain why this option is not available now. Will it be available in the future?]

b. Utilizing Marines. Marines on ADOS orders or SMCR/IMA drilling reservists will not meet the requirement because [state reasons].

c. Contracting for services. Outsourcing this requirement will meet immediate needs. There is adequate funding available.

4. The anticipated duration of this requirement is [months, years, etc. If the requirement will persist beyond the current fiscal year, state the long-term plan to meet the continuing requirement. Service contracts are limited to 12 months or less

Enclosure (2)

Subj: REQUEST FOR CONTRACTED SERVICES AT MARFORRES/MARFORNORTH
[DEPT NAME]

(options acceptable with justification), since long-term requirements for contractors conflict with federal civil service laws. For long term requirements, submit TOECR for FTE]

5. Enclosure (1) has been routed to Counsel, RCO, Security Manager, and Comptroller. Their comments are attached as enclosure (2).

[SIGNATURE]