



**Department of Energy  
Acquisition Regulation**

**No. AL-2006-04  
Date 12/14/05**

# **ACQUISITION LETTER**

This Acquisition Letter is issued under the authority of the DOE and NNSA Procurement Executives.

**Subject: Acquiring Information Technology-Requirement to Comply With Internet Protocol Version 6 (IPv6)**

**Attachment: Model Contract Clause**

**What is the Effective date of this Acquisition Letter (AL)?**

This AL is effective upon issuance.

**When does this AL Expire?**

This AL remains in effect until superseded or canceled.

**What are the Points of Contact?**

For procurement related questions, contact: Michael Righi of the Office of Procurement and Assistance Policy at (202) 287-1337 or [Michael.Righi@hq.doc.gov](mailto:Michael.Righi@hq.doc.gov); or Douglas Baptist of the Office of Management Systems and Services at (202) 287-1658 or [Douglas.Baptist@hq.doc.gov](mailto:Douglas.Baptist@hq.doc.gov).

For technical questions in DOE, contact DOE Office of Chief Information Officer, Pete Johnson, Chief Technology Officer, IM-1, (202) 586-1216. For technical questions in NNSA, contact NNSA Office of Chief Information Officer, Linda Wilbanks, NA-65, (202) 586-5242.

Visit our website at [www.pr.doc.gov](http://www.pr.doc.gov) for information on Acquisition Letters and other policy issues.

**What is the Purpose of this AL?**

The purpose of this Acquisition Letter is to ensure that all new Information Technology (IT) procurements are IPv6 compliant to the maximum extent practicable. It addresses the respective responsibilities of program and procurement officials to acquire IPv6 compliant products and services in order to transition from Internet Protocol version 4 (IPv4) to IPv6. As used in this AL, reference to DOE includes both DOE and NNSA sites and reference to the Chief Information Officer (CIO) includes both the DOE CIO for DOE sites and the NNSA CIO for NNSA sites.

## **What is the Background?**

The Office of Management and Budget (OMB) has issued OMB Memorandum M-05-22 entitled "Transition Planning for Internet Protocol Version 6 (IPv6)" to agency Chief Information Officers (CIO's). This memorandum: advises agencies to ensure that all new IT procurements are IPv6 compliant to the maximum extent practicable to avoid unnecessary costs in the future; and requires that any exceptions be approved by the agency's CIO.

This memorandum requires that "any new IP product or system developed, acquired, or produced must:

- Interoperate with both IPv6 and IPv4 systems and products,
- If not initially compliant, provide a migration path and commitment to upgrade to IPv6 for all application and product features by June 2008, and
- Have available contractor/vendor IPv6 technical support for development and implementation and fielded product management."

OMB states in its memorandum that "an IPv6 compliant product or system must be able to receive, process, and transmit or forward (as appropriate) IPv6 packets and should interoperate with other systems and protocols in both IPv4 and IPv6 modes of operation."

The memorandum states that "the National Institute for Standards and Technology (NIST) will develop, as necessary, a standard to address IPv6 compliance for the Federal government. Also, GSA will examine the need for revising the Federal Acquisition Regulation (FAR) to implement this requirement." Until such time as NIST publishes a standard, vendors must certify their products are IPv6 compliant. Further, Contracting Officers should use the model contract clause attached to this AL, or its equivalent, pending the development of a FAR clause.

The Department's CIO and the NNSA Associate Administrator for Management and Administration requested that the DOE and NNSA procurement offices issue direction to require the acquisition of IPv6 compliant products and services and ensure that any exceptions be approved by the CIO in writing in advance of the acquisition.

This Acquisition Letter affects the planning, solicitation, evaluation, and award of new contracts for IT that uses IP. Examples of the items most likely to require compliance with IPv6 include Ethernet cards, network switches, routers, printers, related software, and commercial services for connectivity.

This Acquisition Letter also affects, if they require the delivery of IT that uses IP, procurements pending award, existing contracts with pending deliveries, and awards by management and operating contractors. This Acquisition Letter requires amendments to solicitations and, in some cases, modifications to existing contracts to ensure compliance with IPv6.

## **What is the Guidance?**

Contracting officers should use the model contract clause attached to this AL or its equivalent, tailored appropriately, in affected new awards, procurements pending award, and existing contracts with pending

deliveries. They should require management and operating contractors to use a similar clause in their procurements.

**A. Acquisition Planning.**

The Contracting Officer must not process procurements for IT products or services that use IP unless the program office/requestor attests that the requirements documentation it will provide for purposes of preparing the resulting solicitation calls for products or services that are IPv6 compliant.

**B. Procurements Pending Award.**

If a solicitation for the acquisition of IT products or services that use IP has been issued and no award yet made, the Contracting Officer must either: (1) require the program office/requestor to attest that the solicitation's requirements for IT products that use IP are IPv6 compliant and amend the solicitation to add the model clause attached to this AL or its equivalent, tailored appropriately; or (2) require the program office/requestor to provide solicitation requirements for IT products that use IP that are IPv6 compliant, amend the solicitation to reflect those requirements, and add the model clause attached to this AL or its equivalent, tailored appropriately.

**C. Existing Contracts with Pending Deliveries.**

In the case of undelivered items under an existing contract for IT that uses IP, the Contracting Officer must require the program office/requestor to assess the practicality of requiring remaining deliveries to be IPv6 compliant. If the guidance received requires it, the Contracting Officer must modify the contract.

The Contracting Officer must first attempt to negotiate a bilateral modification, and if unsuccessful, issue a change order pursuant to the Changes clause of the contract. If necessary additional funds are not available, the Contracting Officer, in coordination with the program office/requestor, should attempt to negotiate reduced quantities, other changes in the contract, or issue a partial termination for convenience.

**D. Waiver.**

Program offices/requestors requiring IT that employs IP technology, that is not initially IPv6 compliant and for which the vendor will not provide a migration path and commitment to upgrade to IPv6 for all application and product features by June 2008, may request a waiver from the requirement to acquire IPv6 compliant items from the CIO. (DOE requests shall be forwarded to the DOE CIO. NNSA requests shall be forwarded through the NNSA CIO.) Contracting Officers may not process such procurements until the program office/requestor provides the approved waiver.

**E. DOE's Management and Operating and Other Major Facilities Contracts.**

Contracting Officers must instruct DOE's contractors that manage and operate major DOE facilities to comply with IPv6 standards in their purchases of IT involving IP.

**AL 2006-04 (12/14/05)**

Contracting Officers must direct each such contractor to identify an employee to act as liaison with the CIO where needed. Contracting Officers must also direct contractors to refrain from waiving any requirement unless the waiver has been approved in writing/email by the CIO. The contractor must provide a copy of any waiver within 45 days of its execution to the Contracting Officer.

If there is any doubt as to whether a contractor will follow the above directions, contracting officers shall modify the affected contract to require the contractor's compliance.

**Is Training Available Regarding the Guidance?**

Currently, no specific training is being contemplated to aid contracting officers in applying the guidance provided in this AL. You are encouraged, however, to contact any of the points of contact listed earlier if you conclude training would be helpful.

**MODEL CONTRACT CLAUSE TO IMPLEMENT OMB MEMORANDUM M-05-22**

**Compliance with Internet Protocol version 6 (IPv6) In Acquiring Information Technology**

This contract involves the acquisition of Information Technology (IT) that uses Internet Protocol (IP) technology. The contractor agrees that: (1) all deliverables that involve IT that uses IP (products, services, software, etc.) will comply with IPv6 standards and interoperate with both IPv6 and IPv4 systems and products; and (2) it has IPv6 technical support for development and implementation and fielded product management available. If the contractor plans to offer a deliverable that involves IT that is not initially compliant, the contractor agrees to: (1) obtain the Contracting Officer's approval before starting work on the deliverable; (2) provide a migration path and firm commitment to upgrade to IPv6 for all application and product features by June 2008; and (3) have IPv6 technical support for development and implementation and fielded product management available.

Should the contractor find that the statement of work or specifications of this contract do not conform to the IPv6 standard, it must notify the Contracting Officer of such nonconformance and act in accordance with instructions of the Contracting Officer.

**ATTACHMENT**