



POLICY FLASH 2010-41

DATE: April 20, 2010

TO: Procurement Directors

FROM: Office of Procurement and Assistance Policy, MA-61
Office of Procurement and Assistance Management

SUBJECT: Update of Acquisition Guide Chapter 6.1, "Competition Requirements"

SUMMARY: Policy Flash 2010-05, issued on October 15, 2009, provided an overview of Federal Acquisition Circular (FAC) 2005-37. In reference to Policy Flash 2010-05, the subject Acquisition Guide Chapter has been updated to prescribe Department of Energy implementing procedures pursuant to changes to Federal Acquisition Regulation 6.302-2 which now limits the length of contracts awarded noncompetitively under unusual and compelling urgency circumstances to the minimum contract period necessary to meet the requirements, and no longer than one year, unless the head of the agency determines that exceptional circumstances apply. The chapter is revised to state that the Senior Procurement Executive can make the determination that exceptional circumstances apply. It also includes additional guidance when these exceptional circumstances apply.

This Flash will be available online at the following website:
http://www.management.energy.gov/policy_guidance/policy_flashes.htm.

Questions concerning this policy flash should be directed to Barbara Binney at (202) 287-1340 or barbara.binney@hq.doe.gov.



Melissa D. Rider
Director
Office of Procurement
and Assistance Policy

Attachment