



DEPARTMENT OF THE NAVY
COMMANDER NAVY RESERVE FORCE
1915 FORRESTAL DRIVE
NORFOLK VA 23551-4615

COMNAVRESFORINST 4215.1C
N4
19 Apr 2024

COMNAVRESFOR INSTRUCTION 4215.1C

From: Commander, Navy Reserve Force

Subj: MANAGEMENT AND OVERSIGHT PROCESS FOR THE ACQUISITION OF SERVICES

Ref: (a) Section 812 of the National Defense Authorization Act for Fiscal Year 2006
(b) Joint Assistant Secretary of the Navy (ASN (RD&A)/ASN (FM&C)), Memorandum, "Additional Department of Navy (DON) Implementation Guidance for Defense Acquisition of Services" dtd 30 September 2022

Encl: (1) NMCARS Annex 21 – Management and oversight process for the acquisition of services – Streamlined (MOPAS-S)

1. Purpose. To issue Commander, Navy Reserve Force (COMNAVRESFOR) guidance for management and oversight process for the acquisition of services per references (a) and (b).

2. Cancellation. COMNAVRESFORINST 4215.1B.

3. Scope. This instruction applies to all COMNAVRESFOR and subordinate commands.

4. Background. Reference (a) is a provision of Public Law that directs establishment of new requirements for the Management and Oversight Process for the Acquisition of Services - Streamlined (MOPAS-S) within Department of Defense (DoD), specifically Section 2330 of Title 10 United States Code (U.S.C.), Procurement of Services, Management Structure. Reference (b) directs the Department of the Navy (DON) to provide guidance on policies and procedures regarding MOPAS-S, and the latest implementing instructions on 10 U.S.S. 2330 for Department of Navy (DON) requiring activities. Acquisition of services is broader than contracting for services. It includes execution of one or multiple contracts, purchase orders, work orders, Military Interdepartmental Procurement Requests (MIPRs), General Terms & Conditions (GT&C) Agreements, or other instruments for specific need. MOPAS-S builds on the existing acquisition management structure through tiered approval levels based on the total estimated value of the service acquisition. Oversight of service acquisition within DON is the shared responsibility of requiring activities, contracting activities, and the Senior Official Assistant Secretary of the Navy (Research, Development, and Acquisition) (ASN(RDA)).

5. Procedures. All COMNAVRESFOR activities will:

a. Prepare a DON Acquisition Strategy (AS) for Decision Authority review or approval. Each AS must be updated and submitted to the Decision Authority for review or approval as significant changes occur. This review process is to ensure the acquisition of services within DON is strategic in nature, represents sound business practices, and complies with applicable laws, regulations, directives, and other requirements. Each AS must address the DON Acquisition Strategy requirements.

b. Requirements, development, and management:

(1) The source of the requirement, the outcomes to be achieved and if performance - based, the metrics to measure the outcomes.

(2) Identify as a new requirement or indicate how the requirement was previously satisfied.

(3) The nature and extent of market research conducted.

(4) If a consolidated requirement, whether it complies with Defense Federal Acquisition Regulations Supplement (DFARS) 207.

(5) For bundled requirements, address the benefit analysis as prescribed in the DoD Benefit Analysis Guidebook, www.acq.osd.mil/sadbu/news/contractconsolidation.pdf.

c. Acquisition planning:

(1) The acquisition approach including appropriate milestones.

(2) Cost or price estimate for the total planned acquisition. This includes MIPR, GT&C Agreements, or work orders issued to support the acquisition that did not result in contract action.

(3) How the acquisition will be funded and availability of funding.

(4) Technical, business, management and other significant considerations.

(5) Opportunities for strategic sourcing.

(6) Implementation of performance-based acquisition methods or rational for not using performance-based methods. If non-performance-based strategy is proposed, address actions to convert to performance-based strategy for future acquisitions.

(7) Implementation of socio-economic business considerations.

(8) Top level discussion of the planned source selection process, formal or informal, proposed evaluation criteria and basis for award.

(9) Required waivers or deviations.

(10) If other than full and open competition, address why full and open competition will not apply and cite appropriate statutory authority. Address actions to improve the competitive environment for foreseeable follow-on acquisitions.

(11) Include a Lease-Purchase analysis required by Office of Management and Budget (OMB) Circular A-94, Section 13, if proposed.

(12) Multi-year contracts: If the acquisition strategy call for a multi-year contract (as defined in Part 17.1 of the Federal Acquisition Regulation (FAR)), address compliance with 10 U.S.C. 2306c and OMB Circular A-11. Address the budget scorekeeping that will result from proposed contracting strategy.

d. Solicitation and contract award:

(1) The proposed business arrangement(s) anticipated (e.g., single/multiple contract award(s), multiple award task order contracts; task order under existing task order contract, interagency purchase request or interdepartmental work order, etc.).

(2) The timing and duration for each business arrangement, including base period and option periods.

(3) Pricing arrangements for each business arrangement (e.g., fixed price, cost reimbursements, labor hour, etc., based on FAR/DFARS Parts 16 and for commercial services, Part 12).

(4) Address contract administration and oversight considerations.

e. Risk management. An assessment of current and potential technical cost, schedule, performance risks and plan for mitigation or retiring those risks.

f. Contract tracking and oversight:

(1) Existing or proposed management approach for contract administration, quality assurance surveillance plans, oversight plans and responsibilities.

(2) Tracking procedures/processes to monitor contract performance.

g. Performance evaluation:

(1) Plan for evaluating whether performance metrics or other measures identified to guide the acquisition have been achieved. Such measures will include thresholds for cost, schedule and performance for each proposed business arrangement.

(2) Identify personnel responsible for assessing and reporting contractor performance into the Contract Performance Assessment Reporting System (CPARS).

(3) Collect/record data to address the full value of the acquisition and the amount of services required. The following data for each contract, task/delivery order or contract/task or delivery order subsequently placed under a MIPR or GT&C Agreement issued to support the acquisition:

- (a) Types and amounts (man hours) of services acquired.
- (b) Total estimated value(s) (base and option periods).
- (c) The type of contract vehicle (i.e., fixed priced/cost-type/time and material).
- (d) Whether contract action was:
 - 1. Performance-based contract, performance-based task order, or other performance-based arrangement that contains firm fixed prices for the specific tasks to be performed.
 - 2. Any other performance-based contract/task order/other performance-based arrangement.
 - 3. A contract/task order/other arrangement that is not performance-based.
- (e) The identity of the agency/office which placed the action.
- (f) The extent of competition received in placing the action (where practicable, include number of errors).
- (g) Whether the contractor is a large business, an educational or non-profit small business (type), or required source of supply (FAR Part 8).

(4) Record by AS, the following data for each MIPR, GT&C Agreement, or work order issued to support the acquisition that did not result in contracting actions:

- (a) Supporting Activity.
 - (b) Types and amounts (man hours) of services provided.
 - (c) Total estimated values.
 - (d) Reason acquisition cancelled.
- h. Approval authority for service acquisitions:
- (1) For Commander, Navy Reserve Forces Command (COMNAVRESFORCOM):
 - (a) \$0 - \$25 million (Executive Director)

(b) Above \$25 million (Commander)

(2) For Commander, Naval Air Force Reserve (COMNAVAIRFORES):

(a) \$0 - \$25 million (COMNAVAIRFORES N43)

(b) \$25 - \$50 million (COMNAVAIRFORES Commander)

(c) Above \$50 million (COMNAVRESFOR Deputy Commander)

6. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per Secretary of the Navy Manual 5210.1 of September 2019.

7. Review and Effective Date. Per OPNAVINST 5215.17A, COMNAVRESFOR N4 will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency, and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed for cancellation as soon as the need for cancellation is known following the guidance in OPNAV Manual 5215.1 of May 2016.



M.J. STEFFEN
Deputy Commander

Releasability and distribution:

This instruction is cleared for public release and is available electronically only via COMNAVRESFOR Web site at <https://www.navyreserve.navy.mil/Resources/Official-RESFOR-Guidance/Instructions/>

NMCARS ANNEX 21 – MANAGEMENT AND OVERSIGHT PROCESS FOR THE
ACQUISITION OF SERVICES - STREAMLINED (MOPAS-S)

(Classification: UNCLASSIFIED/FOR OFFICIAL USE ONLY)

MOPAS Number:	TBD	Rev:
Program Title:		
ACAT	N/A	
Acquisition Manager:	Code:	

APPROVED BY:

	Date:	
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Name and Title

RECOMMEND APPROVAL:

	Date:	
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Name and Title

	Date:	
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Name and Title

Attachments

MOPAS-S FORMAT AND CONTENT

Section 1. Requirements Development and Management

1.1 Statement of Need.

Requiring Activity:			
Date Received:		RCP/PR Number:	
Required Award Date:		PALT Award Date:	
Supplies/Services:			
Delivery Date:		Period of Performance /Ordering Period: (include Options if applicable)	
Dollar Estimate: (inclusive of options)		Funded Amount:	
Contract Type:	☐ FFP ☐ CPFF ☐ T&M ☐ LH ☐ Other _____		
J&A Number:			
Clearance Total:			

Describe the requirement, its source, the outcomes to be achieved and, if performance based, the metrics to measure the outcomes. In your description of the product or service, explain the choice of product or service description code ensuring it aligns with the DoD taxonomy associated with the acquisition of services, supplies and equipment. (See USD(ATL) memorandum entitled, "Taxonomy for the Acquisition of Services and Supplies & Equipment" dated August 27, 2012.)

1.2 Historical Summary. Identify how the requirement was previously satisfied or identify it as a new requirement.

Name of Contractor:		
Contract Number:		
Dollar Amount of Award:	Basic Period	
	Option Period 1	
	Option Period 2	
	Option Period 3	
	Option Period 4	
	Total	
Type of Contract:	☐ FFP ☐ CPFF ☐ T&M ☐ LH ☐ Other _____	
Differences between this Procurement and New Procurement:		

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<i>Procurement Process Used:</i>	Procedures used: ☐ FAR 15 ☐ FAR 13.5 (SAP-CI) ☐ FAR 8 ☐ FAR 16.5 ☐ Other _____ Commerciality: ☐ Non-Commercial ☐ Commercial Competition: ☐ Full and Open Competition ☒ Small Business Set-Aside ☐ Sole Source ☐ Other _____		
<i>Number of Offers Received:</i>		<i>Number of Offers Within Competitive Range:</i>	
<i>Name of Each Offeror Within the Competitive Range:</i>		<i>Proposed Dollar Amount from Each Offeror Within the Competitive Range:</i>	
	1.	1. \$	
	2.	2. \$	
	3.	3. \$	
	4.	4. \$	

1.3 Market Research. Discuss how market research was performed and the results.

a. Market Research Summary (provide answers for (1) through (4))

The market research involved obtaining information specific to the item being acquired and included –

- ☐ (1) Required Sources of Supplies and Services, listed in FAR Part 8, have been reviewed.
- ☐ (2) As fully discussed in the Market Research Memorandum, Attachment _____, information obtained in this Market Research allowed the Contracting Officer to (see FAR 10.001(a)(3)) -
 (check all that apply)
 - ☐ (a) Determine if sources capable of satisfying the agency's requirements exist
 - ☐ (b) Determine if commercial items (CI) or non-developmental items (NDI) are available
 - ☐ (c) Determine if CI or NDI could meet the agency's requirements if those requirements were modified to a reasonable extent
 - ☐ (d) Determine the extent to which CI or NDI could be incorporated at the component level
 - ☐ (e) Determine the practices of firms engaged in producing, distributing, and supporting CI, such as terms for warranties, buyer financing, maintenance and packaging, and marking
 - ☐ (f) Ensure maximum practicable use of recovered materials (see FAR 23.4) and promote energy conservation and efficiency

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- ☐ (g) Determine whether bundling is necessary and justified (see FAR 7.107)
 - ☐ (h) Assess the availability of electronic and information technology that meets all or part of the applicability standards issued by the Architectural and Transportation Barriers Compliance Board at 36 CFR part 1194 (see Subpart 39.2).
- ☐ (3) The Contracting Officer has determined the Market Research indicates or establishes that -
- ☐ (a) CI or NDI are not available to satisfy agency needs. The requiring activity was asked to reevaluate the need in accordance with FAR 10.001(a)(3)(ii) and determine whether the need can be restated to permit CI or NDI to satisfy the agency's needs. Their response is discussed below.
 - ☐ (b) The Government's need may be met by a type of item or service customarily available in the commercial marketplace that would meet the definition of a commercial item at FAR Subpart 2.1. The contracting officer shall solicit and award any resultant contract using the policies and procedures in FAR Part 12.
 - ☐ Written Commercial Item Determination for actions over \$1 million:
For acquisitions greater than \$1.0 million, pursuant to DFARS 212.102 and DFARS PGI 212.102, the Contracting Officer, by marking this block and signing this clearance document, hereby determines that the acquisition meets the commercial item definition in FAR 2.101.
 - ☐ (c) The Government's need cannot be met by a type of item or service customarily available in the marketplace; FAR Part 12 shall not be used. If synopsis is required, the contracting officer shall include a notice to prospective offerors that the Government does not intend to use FAR Part 12 for the acquisition.
- b. Market Research was conducted to ascertain (1) if there are private sector concerns that can fulfill the requirement; (2) if the requirement can be met by a commercial supply or service, and (3) if the requirement can be met through the use of a socio-economic program under the Small Business Program.
- c. In accordance with FAR Part 10, a determination has been made that the required services **are/are not** of a type offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog or market prices for specific tasks performed under standard commercial terms and conditions.
- d. Market research was performed through review of previous acquisitions for the same or similar requirements, discussions with the requiring activity and potential supply or service providers, and internet searches including utilizing the Dynamic Small Business Search tool.

Conclusions:

- (1) The requirement **is/is NOT** commercial;
- (2) The requirement **should not/should be** set-aside for a socio-economic program, small business set-aside;
- (3) The requirement **will/will not** generate robust competition,

e. If the requirement is for non-commercial, competitive services, can the requirement be satisfied through the use of NAVSEA's SeaPort?

All acquisition planning for non-commercial, competitive services shall consider the use of SeaPort in task orders for services. Pursuant to NMCARS 5237.102 "the consideration of using SeaPort to satisfy the requirements for the functions areas shown in Annex 22 is mandatory", unless one of the below exceptions applies:

1. Actions approved pursuant to authorities at FAR 6.302-1 through 7
2. Actions set aside for 8(a) participants
3. Actions for Commercial Items under FAR Part 12
4. Actions using Simplified Acquisition Procedures under FAR Part 13

A Determination and Findings is required to be approved at the DASN(AP) level to utilize a contract solution other than SeaPort for the acquisition of non-commercial, competitive services as identified in NMCARS Annex 22, unless one of the exceptions applies.

1.4 Bundling/Consolidation. Discuss the impact of any bundling or consolidation that might affect small business participation in the acquisition. When the proposed acquisition strategy involves bundling, identify the incumbent contractors and contracts affected by the bundling.

1.5 Technical Data. Discuss the requirements for contractor data (including repurchase data) and data rights, their estimated cost, and the use to be made of the data. Explain how the use of the technical data and data rights will be used to sustain competition.

Section 2. Acquisition Planning

2.1. Acquisition Approach. Discuss the acquisition approach including appropriate milestones, including actual or anticipated SRRB approval.

Acquisition Milestones

Acquisition Strategy Approval:

Issuance of Solicitation:

Evaluation of Proposals:

Contract Award:

Contract Performance begins:

Planned (P) or Actual (A)

2.2 Budget. Identify the estimated cost for each option/phase for acquisitions that contemplate the use of options or a multiple phased approach. Explain how budget estimates were derived and discuss the schedule for obtaining adequate funds at the time they are required.

How costs were determined:

2.3 Funding. Identify funding to support the action by fiscal year and appropriation.

2.4 Strategic Sourcing. Describe how strategic sourcing will be considered for incorporation into this acquisition.

Pursuant to NMCARS 5237.102 "the consideration of using SeaPort to satisfy the requirements for the functions areas shown in Annex 22 is mandatory", unless an exception applies:

2.5 Performance-based Acquisition. Discuss the use of performance-based acquisition methods or rationale for not using performance-based methods.

2.6 Socioeconomic Considerations. Discuss the consideration of small businesses. Clearly identify how small business will be utilized to meet program or contract requirements, as either a prime contractor or through the use of subcontract provisions.

2.7 Source-selection procedures. Explain the type of source selection procedure being contemplated (i.e., Lowest Price Technically Acceptable (LPTA), Price/Technical Tradeoff or Value Adjusted Total Evaluated Price (VATEP)) in the evaluation of proposals and source selection. Discuss why the choice is appropriate and in the best interest of the Government.

2.8 Deviations. Discuss any applicable FAR or DFARS deviations that will be required.

2.9 Competition. Describe how competition will be sought, promoted, and sustained throughout the course of the acquisition. If full and open competition is not contemplated, cite the appropriate FAR authority. Discuss the basis for the application of that authority, identify the source(s), and discuss why full and open competition cannot be obtained.

2.10 Special Contracting Methods. Discuss the use and authority of multi-year contracting or other special contracting methods.

"X" all those that are appropriate

- ☐ a. Not applicable. The acquisition does not contain any option quantities.
- ☐ b. Option quantities will be included in the solicitation/contract. Justification as required by FAR 17.205 is included below.
- ☐ c. Option quantities will be considered in the award evaluation.
- ☐ d. It has been determined that evaluating the option quantities is not in the best interest of the Government, for the reason cited below.

If this review board is not presented to the CRB, approval at a level above the PCO is required, in order to satisfy the requirements of FAR 17.206(b).

- (1) ☐ There is reasonable certainty that funds will be unavailable to permit exercise of the option.
- (2) ☐ Other. _____

Government Furnished Property (GFP)

The Contracting Officer shall ensure that the appropriate GFP clauses will be included in the resultant solicitation/contract. Check all that apply:

- ☐ a. Not Applicable. The resultant contract will not contain Government Furnished Property (GFP) and is not a cost-reimbursement contract.
- ☐ b. The resultant contract will contain GFP and/or is a cost-reimbursement contract. If this block is checked, you must complete (1) and either (2) or (3) below:
 - ☐ (1) Description of GFP and Estimated Value of GFP are outlined in Attachment _____.
 - ☐ (2) Property administration will be assigned to DLA.
 - ☐ (3) Property administration is being retained. The required Government Property Status Report will be completed and forwarded to NAVSUP on a quarterly basis.
- ☐ c. Pursuant to FAR 45.103(a)(2), "Agencies shall eliminate, to the maximum practical extent any competitive advantage a prospective contractor may have by using Government property."
 - ☐ (1) The Contracting Officer knows of no competitive advantage a prospective contractor may have by using Government property.
 - ☐ (2) The Contracting Officer is aware of a potential competitive advantage a prospective contractor may have through the use of Government property and additional information is provided below.

Additional Information:

Enterprise-wide Contractor Manpower Reporting (NMCARS 5237.102-90)

DoD contracting activities awarding or administering contracts shall incorporate the Enterprise-wide Contractor Manpower Reporting Application (ECMRA) standard language into all contracts which include services, provided the organization that is receiving or benefiting from the contracted service is a Department of Defense organization, including reimbursable appropriated funding sources from non-DoD executive agencies where the Defense Component requiring activity is the executive agent for the function performed. The reporting requirement does not apply to situations where a Defense Component is merely a contracting agent for another executive agency.

- a. ☐ Not applicable. No services are being acquired.
- b. ☐ The ECMRA standard language is included in the SOW/PWS.

- c. ☐ The ECMRA language was NOT included in the SOW/PWS, because:
 - a. ☐ W, Lease/Rental of Equipment;
 - b. ☐ X, Lease/Rental of Facilities;
 - c. ☐ Y, Construction of Structures and Facilities;
 - d. ☐ D, Automatic Data Processing and Telecommunications, IT and Telecom-
Telecommunications Transmission (D304) and Internet (D322) ONLY
 - e. ☐ S, Utilities ONLY;

2.11 Requirements Validation.

2.11.1 Discuss the Government process to ensure contractors are not performing inherently governmental functions or functions closely associated with inherently governmental functions. If the contract does contain functions closely associated with inherently governmental functions, discuss the safeguards planned to ensure effective management of contractor personnel in these positions.

2.11.2 Discuss the Government process to ensure contractors are not performing personal services. If the contract does contain requirements requiring personal services, discuss the safeguards planned to ensure effective management of contractor personnel in these positions.

2.11.3 Discuss the Government process to address an organizational conflict of interest (if applicable).

2.12 Service Acquisition Workshop (SAW). For Services acquisitions greater than \$1 billion, discuss the use of the SAW (include the anticipated participants in the multi-functional team) to maximize SAW benefits.

Section 3. Solicitation and Contract Award

3.1 Contract type selection. Discuss the rationale for the selection of contract type. Provide an analysis of why the use of that contract type is appropriate (e.g., complexity of the requirements, uncertain duration of the work, contractor's technical capability and financial responsibility, or adequacy of the contractor's accounting system). Discuss the opportunity to transition from cost type to fixed priced contracts, if applicable. Provide rationale if procuring services that are performance-based and a contract type other than a firm-fixed price is contemplated.

3.2 Delivery Schedule/Period of Performance. Describe the basis for establishing delivery schedule or period of performance. Include the rationale for the appropriate period of performance relative to the type of procurement.

Section 4. Risk Management

Risks. Discuss technical, cost, and schedule risks and describe what efforts are planned or underway to reduce risk and the consequences of failure to achieve goals. If concurrency of development and production is planned, discuss its effects on cost and schedule risks.

Section 5. Contract Tracking and Oversight

5.1 Contract Administration Office and Functions. Identify the organization performing contract administration functions.

5.2 Contract Administration Management Approach. Discuss existing or proposed management approach for contract administration, quality assurance surveillance plans, oversight plans and responsibilities.

5.3 Contracting Officer's Representative (COR)

(a) Discuss the COR qualifications to support effective contract management and oversight.

(b) Discuss COR workload management to ensure effective job performance (e.g., number of contracts managed, other duties assigned, etc.).

Section 6. Performance Evaluation

6.1. Performance Measures. Describe the plan for evaluating performance metrics or other measures to identify what has been achieved. Such measures shall include thresholds for cost, schedule and performance.

6.2 Delivery Tracking Process. Discuss the Government process for tracking and overseeing contractor delivery.

6.3 CPARS. Identify personnel responsible for assessing and reporting contractor performance into the Contractor Performance Assessment Reporting System (CPARS).

See Paragraph 2.5