



# AUSA BACKGROUND BRIEF



No. 28

November 1990

## Army Competition Advocacy Program

The Competition in Contracting Act (CICA) of 1984 (Public Law 98-369, enacted on 18 July 1984) significantly strengthened the requirement for increased competition in government procurement by requiring each U.S. Government executive agency to establish an agency advocate for competition. The CICA further prescribes the designation of competition advocates for each procuring activity of the executive agency. The Act outlines the basic requirements for appointment and the general responsibilities of the agency position.

In keeping with the mandate of Congress, the Department of the Army policy is to acquire all goods and services on a competitive basis to the maximum extent practicable as a means of achieving economic, technical, schedule, and supportability benefits. In the execution of the Army competition advocacy program, the Army's number one obligation is to provide the soldier with the highest quality, most reliable products available from the marketplace. Reduced cost through competition should not mean diminished quality.

Oversceing the execution of this policy is the Competition Advocate General of the Army who carries out the responsibilities prescribed in the CICA. These responsibilities include: challenging barriers to and promoting full and open competition in the procurement of property and services by the Army; reviewing the procurement activities of the Army; identifying and reporting to the Assistant Secretary of the Army (Research, Development and Acquisition) those actions taken to achieve full and open competition as well as reporting unnecessary restrictions on procurement competition. As stated in the legislative history of CICA " ... the objective is to instill accountability into the procurement process."

The competition advocates for *procuring activities* are responsible for challenging barriers to and promoting full and open competition in the procuring activity, including unnecessarily detailed specifications and unnecessarily restrictive statements of need. There are designated competition advocates at all Army major activities.

Applicable regulations on competition include:

Federal Acquisition Regulation (FAR) - Part 5 requires contracting officers to publicize contract actions offering competitive opportunities for contractors and subcontractors. Part 6 prescribes policies and procedures and identifies allowable circumstances permitting other than full and open competition, outlines requirements for justification of acquisitions that are not fully competitive and defines the duties and responsibilities of the competition advocates. Part 7 requires agencies to perform acquisition planning to conduct market surveys to promote full and open competition.

Defense Federal Acquisition Regulation Supplement (DFARS) - Supplements each of the FAR parts and provides more specific guidance relevant to DOD.

Army Federal Acquisition Regulation Supplement (AFAR) - Supplements FAR Parts 5, 6, and 7.

Army Regulation 715-31, "Procurement: Army Competition Advocacy Program, 30 May 1986 - Provides supplementary and explanatory information, policy, guidance and reporting requirements.

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