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12/17/2002 08:48:10 AM

Record Type: Record

To: David C. Childs A-76comments/OMB/EOP@EOP  
cc:  
Subject: OMB Job Competition Deadlines

Thank you for the opportunity to offer comments on the current proposed revision to the OMB A-76 Circular:

Although I have never been involved in a job competition I have provided oversight on a significant number of studies. I am extremely concerned about the time limitations imposed in the proposed revision to OMB Circular A-76. Not only does it expect government employees to compete while performing their current duties, but it also expects them to compete with unrealistic timelines. We don't have the expertise it takes to compete against contractors who compete for a living. How do we "ramp up" to become the experts they are (at competition) while trying to fight a war on two battlefields and bringing the Army a logistics modernization program that is expected to bring about efficiencies? If you want us to fight for our jobs, let us fight fair. Give us the time and resources we need to compete with contractor's who want our jobs. Another consideration, should the contractor's win, will there be a mandatory retreat plan put in place provided they don't follow through for any reason? As logisticians, our first concern is the soldier in the field. I have to wonder what the contractor's concerns will be?

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12/17/2002 08:48:05 AM

Record Type: Record

To: David C. Childs A-76comments/OMB/EOP@EOP  
cc: cfleenor@acec.org  
Subject: Proposed Revisions, OMB Circular A-76

Mr. David C. Childs  
Office of Federal Procurement Policy  
Office of Management and Budget  
725 17<sup>th</sup> Street, NW  
New Executive Office Building-Room 9013  
Washington, D.C. 20503

Dear Mr. Childs:

GPD Associates is pleased to comment on the proposed revisions to OMB Circular A-76. I applaud your office for its positive efforts to restructure Circular A-76 to align it with Federal Acquisition Regulations (FAR). The proposed revisions will pave the way for the Administration's competitive sourcing policy, allowing the private sector to fairly compete for public contracts.

I am particularly supportive of the language to expand competition to now include services provided under commercial interservice support agreements (ISSA). In the past, these types of agreements were typically off-limits to private industry, which has not allowed for efficiency, innovation and best value to taxpayers.

I also applaud your office's recognition of the importance of restricting Federal agencies from displacing private sector firms by providing services to state or local governments. Many Federal agencies continue to aggressively market their services to state, local and tribal governments, often by providing matching funds. Engineering companies simply cannot compete with agencies that offer partial project funding. As our firm tries to enter the Federal market place your help to create an even playing field is deeply appreciated.

Lastly, I urge OMB to fully recognize qualifications-based selection (QBS) procedures described in FAR Part 36 when writing the final rule for the A-76 revisions. For many years there has been a conflict between Circular A-76 procedures and Federal law that mandates QBS for architectural and engineering ("A/E") services (40 USC § 541 et seq). This conflict should be addressed in the revised circular to ensure that the government selects the company that is most qualified to meet a project's needs. Since the proposed A-76 revisions are largely based on the FAR, inclusion of an exemption for direct conversion of A/E services would align the new A-76 process more closely with FAR Part 36.

Again, I commend OMB for the clarity with which these revisions to Circular A-76 were developed and appreciate the opportunity to submit these comments.

Sincerely,

**Ralph A. Hendrick, P.E.**

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