DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
Washington, D.C. 20314-1000

ER 15-1-22

CEPR-P

Regulation
No. 15-1-22

31 May 2001

Boards, Commissions, and Committees
UNITED STATES ARMY CORPS OF ENGINEERS (USACE)
Changes to the
ENGINEER FEDERAL ACQUISITION REGULATION SUPPLEMENT (EFARS)
Through the
USACE EFARS WORKING GROUP (EWG)

1. Purpose. This regulation establishes the USACE EWG.

2. Applicability. This regulation applies to all HQUSACE elements and all USACE.

3. Distribution Statement. Approved for public release; distribution is unlimited.

4. References.

a. Federal Acquisition Regulation (FAR)

b. Defense Federal Acquisition Regulation Supplement (DFARS)

c. Army Federal Acquisition Regulation Supplement (AFARS)

d. Engineer Federal Acquisition Regulation Supplement (EFARS)

5. General. The EFARS must be maintained to provide current acquisition guidance and procedures to all elements of USACE, implementing the FAR, DFARS, and AFARS, and clarify both methodology and language.

6. The USACE EWG.

a. FAR Guidance. In its "Statement of Guiding Principles for the Federal Acquisition System," FAR 1.102(a) states "Participants in the acquisition process should work together as a team and should be empowered to make decisions within their area of responsibility." The rest of 1.102 establishes the team approach as the way to implement the principles of the FAR System. This is the primary guidance in establishing the USACE EWG.

This regulation supersedes ER 15-1-22 dated 24 January 1986

b. Composition and Responsibilities of the EWG. The Principal Assistant Responsible for Contracting (PARC) is the Review and Approval Authority for all changes recommended by the EWG, pursuant to EFARS 1.201-100, which states the EFARS will be maintained by the PARC, and all revisions to the EFARS will be prepared by the PARC.

c. The EWG Leader is the Chief, Contracting Policy Division, Office of the PARC, unless otherwise determined by the PARC. The EWG Leader will present submitted issues (see paragraph 7, below) to the EWG for screening, review, and recommendations.

d. Regular members of the EWG will be representatives from HQUSACE functions of contracting, counsel, small business, engineering, construction, and programs and project management. Representatives from other HQUSACE functions (such as environmental) and from field activities will be invited to participate in the EWG review and recommendations, depending on the issue, so that all stakeholders will be heard.

e. The EWG Leader will be responsible for staffing issues through the EWG, preparing recommendations, submitting them to the PARC for review and approval/disapproval, and assuring adequate deliberation and expediency throughout the EWG process. Approved recommendations will be processed as amendments to the EFARS. Disapproved recommendations will be processed in accordance with paragraph 7, below.

7. Submittal of Issues for EWG Action. Issues will be submitted via the Problem-Discussion-Recommendation (PDR) approach (see Appendix A). The EWG will act on issues submitted from USACE elements based on a convincing need for change. Incomplete PDRs, or those found not to be convincing in the screening process, or after review by the EWG including submittal to the PARC, will be returned, with appropriate comments, to the originator. The EWG will use best efforts to resolve cases within 60 days of submission.

8. Posting. EFARS changes will be posted on the PARC Web Page and other on-line sites after approval by the PARC. The PARC Pagemaster is responsible for posting.

FOR THE COMMANDER:

ROBERT L. DAVIS
Colonel, Corps of Engineers
Chief of Staff

1 Appendix
APP A - Procedure for Submitting Proposed Changes to the FARS

Appendix A

Procedure for Submitting Proposed Changes to the Engineer Federal Acquisition Regulation Supplement (EFARS) to the United States Army Corps of Engineers (USACE) EFARS Working Group (EWG)

USACE elements will submit proposed revisions of EFARS through channels to the USACE EWG Leader. A proposed revision will be processed as a memorandum in the format below, addressed to the Chief, Contracting Policy Division, Office of the Principal Assistant Responsible for Contracting (OPARC), Headquarters, U.S. Army Corps of Engineers, 441 G Street NW, Washington, DC 20314-1000. The signed memorandum may be data faxed to (202) 761-4752, or the signed memorandum may be electronically transmitted by email to the OPARC:

I. Problem: Succinctly state the problem created by current EFARS coverage and describe the factual and/or legal reasons necessitating the change to the regulation.

II. Recommendation: Identify the EFARS citations to be revised. As TAB A, attach a copy of the text of the existing coverage, conformed to include the proposed additions and deletions. Indicate deleted coverage with dashed lines through the current words being deleted and insert proposed language in brackets at the appropriate locations within the existing coverage. If the proposed deleted portion is extensive, it may be outlined by lines forming a box with diagonal lines drawn connecting the corners.

III. Discussion: Include a complete, convincing explanation of why the change is necessary and how the recommended revision will solve the problem. Address advantages and disadvantages of the proposed revision, as well as any cost or administrative impact on Government activities and contractors. Identify any potential impact of the change on automated systems, e.g., automated financial and procurement systems. Provide any other background information that would be helpful in explaining the issue.