



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

JUL 29 2005

MEMORANDUM FOR THE DEFENSE ACQUISITION REGULATIONS COUNCIL

SUBJECT: Defense Federal Acquisition Regulation Supplement Case No. 2004-D009

We generally agree with the proposed Defense Federal Acquisition Regulation Supplement (DFARS) Case No. 2004-D009, "Competition Requirements for Federal Supply Schedules and Multiple Award Contracts," in which DoD proposes to update and clarify requirements for competition in the placement of orders under Federal Supply Schedules and multiple award contracts. However, the proposed subsection 208.405-70(c)(2) should be revised to eliminate the last sentence that references the General Services Administration electronic quote system "e-Buy." The e-Buy system is not the only medium that could be used to provide fair notice. Therefore, to be consistent with the DFARS Transformation, the sentence should be transferred to the Policy, Guidance, and Information (PGI) resource as it describes a method of satisfying the requirement to provide fair notice versus being an actual requirement. Instead, DFARS 208.405-70(c)(2) should referenced the appropriate PGI section.

Thank you for the opportunity to comment on the proposed rule. If you have any questions, please contact Ms. Patricia Bartron at (703) 604-8753.

A handwritten signature in cursive script, reading "Patricia A. Brannin", is positioned above the typed name.

Patricia A. Brannin
Assistant Inspector General
Audit Policy and Oversight