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NATO Consultation, Command and Control Agency

Non-Article 5 NATO Led Operations – NSIP Procurement Regulation

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1 July 2010

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The Allied Operations and Missions (AOM) Procurement Regulation

*The NATO Infrastructure Committee agreed
acquisition framework in support of Non-Article 5
NATO led operations and missions.
AC/4-D(2007)003*

Objective:

*To provide for a streamlined acquisition
methodology aimed to expedite NSIP
procurements in support of NATO Missions and
Operations*

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OBJECTIVE ACHIEVED

- Uniform Applicability
- Acknowledgement of mission peculiar requirements
- Host Nation (HN) presence in theatre
- WEB Based Technology
- Best Value Source Selection Methodologies (BV SSP)
- Life Cycle Capabilities (LCC) Considerations
- Indefinite Delivery Indefinite Quantity (IDIQ) Contracts
- Waiver on 2 stage funding procedure
- HN enhance planning

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AGREED PROCUREMENT METHODS

	Financial Limit	Procurement Competition Requirements	Status
Level 1	up to 20% of Minor Works ceiling	Sole source to the winner of a previous competitive bid on an NSIP project ¹ Troop Labour and Materials Level 2 agreed methods	all at host nation discretion
Level 2	in excess of Level 1 up to 50% of MW ceiling	Limited Competition (solicitation of bids from at least 3 eligible bidders) ² Level 3 agreed methods	all at host nation discretion
Level 3	in excess of 50% of MW ceiling up to Level 4	NCSA Basic Ordering Agreement B-SC Directive 60-70 including NSIP Bidders Lists NAMSA Procurement Regulations including NSIP Bidders Lists National Competitive Bidding Level 4 agreed methods	all at host nation discretion
Level 4	in excess of Minor Works ceiling	Alliance Operations and Missions (AOM) ICB Procedure (Annex 2) AC/4-D/2261(1996 Edition) Other Procurement Methods as described in paragraph 21	default method host nation discretion IC agreement required

¹ The current value of the Minor Works ceiling is EUR 500,000 per reference AC/4-D(04)004(FINAL)-ADD1. For Civil Works Projects in support of AOM the financial limits applicable are calculated based on doubling the Minor Works ceiling.

² Seeking use of all existing options in a contract or, alternatively, by negotiation within one year of award of a contract.

³ Solicitation of a greater number of bids is encouraged. In all cases the identification of three potential bidders shall not be grounds to exclude others.

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AGREED THRESHOLDS

- Advantages
 - Competitive Methodology only requires IC confirmation
 - Discretionary application of allowed methodologies
 - Competitive Process is commensurate to acquisition value

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AGREED THRESHOLDS

- Caveats
 - Deviation from agreed methodologies requires IC approval
 - BV SSM Application requires approval
 - Multiple acquisition methodologies require approval
 - Splitting requirement is not allowed

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AOM ICB

- Default method of procurement for AOM acquisition
- Embraces the spirit of AC/4-D(2007)003
 - Reduced Timeline (PALT)
 - Web-Based tools
 - Lack of automatic extension mechanisms
 - Simplified Dispute Procedure

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Timelines

- Firms Nomination Process
 - Initiated by HNs on the basis of BOA and Eligible Bidders' lists
 - Can be augmented by the Nations (NOI Process) 10 Days
- Firms' Nomination Process
 - NOI Published Electronically for 10 Days
 - Notified to National Representation

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AOM ICB

- Bidding
 - Bidding Time (minimum)
 - 35 days for large scale projects
 - 20 days for all other work and supplies
 - Extensions (minimum)
 - At the discretion of the HN
 - Translation related granted only if bid docs in other than NATO official languages
 - For clarifications only to bridge the gap between mid-term and issuance and limited to changes to docs

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AOM ICB

- Clarifications
 - Allowed within half of bidding period –condition for extension if changes are implemented to the bidding docs
 - Further clarifications are discretionary
- Review of Bidding Specifications
 - Allowed before half bidding period has elapsed

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AOM ICB

- Disputes
 - To be lodged before bid closing date:
 - Non observance of procurement procedures
 - Non admission of firms
 - Restrictive terms
 - Restrictive specs
 - To be lodged within 10 days from notification
 - Incorrect determination of price
 - Non conformity of bid received
 - To be lodged within 10 days from event
 - Non observance of time limits

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Conclusion

Geo-political environment mutations impose changes to the way we conduct business.

Acquisition methodologies alone are not sufficient to achieve effective delivery of capabilities. Equally adequate procedural frameworks are necessary.

Awareness of such frameworks is key to successful competitions.

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DO YOU HAVE
ANY
QUESTIONS ?