



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OFFICE OF FEDERAL
PROCUREMENT POLICY

February 11, 2008

MEMORANDUM FOR CHIEF ACQUISITION OFFICERS
SENIOR PROCUREMENT EXECUTIVES

FROM:

Paul A. Denett
Administrator

SUBJECT:

Alternative Dispute Resolution Awards in Acquisition

I am pleased to announce the fifth annual competition to recognize outstanding examples of alternative dispute resolution (ADR) by federal agencies and private sector organizations in acquisition matters. The Office of Federal Procurement Policy (OFPP) established the awards in 2002 as a result of a suggestion from the Contracts and Procurement Section of the Interagency ADR Working Group. The awards program is co-sponsored by OFPP and the Chief Acquisition Officers Council. Last year's 2006 ADR Award winners were the Department of Justice (DOJ) Federal Bureau of Prisons and Hensel Phelps Construction Company, the private sector contracting partner, for implementing the ADR Design/Build Partnering Program at DOJ.

The competition recognizes agencies and private sector organizations that use a variety of consensual techniques to resolve federal acquisition disputes. Appropriate use of voluntary ADR resolves disputes in a manner that is more efficient and timely than traditional litigation processes, while preserving the business relationships between agencies and their private sector partners.

The attached materials provide complete information on award eligibility and selection criteria. We are asking for nominations that recognize a specific ADR initiative that was particularly noteworthy. If your organization was involved with a particularly significant or innovative use of procurement-related ADR, please submit a nomination. I would appreciate your sharing this announcement with interested agency personnel, including your program managers, office of general counsel, dispute resolution specialists, and any interested private sector organizations.

Nominations are due by Friday, April 4, 2008. If you have any questions, you may contact Julia Wise of the OFPP staff at (202) 395-7561 or at jwise@omb.eop.gov.

Attachment
ADR Award Nomination Requirements

ADR AWARD NOMINATION REQUIREMENTS

Purpose

Traditional dispute resolution through formal administrative procedures and court litigation often imposes a “solution” handed down by a third party, typically after significant expenditures of time and resources. By contrast, alternative dispute resolution (ADR) is often significantly less costly and time consuming, and can provide long-term solutions to conflicts between federal agencies and private sector contractors, while helping to preserve working relationships.

ADR is designed to satisfy an organization’s needs and should be administered in such a way as to optimize the possibility of amicable resolution of disputes. ADR awareness and skills training is essential to the effective use of ADR. Successful ADR initiatives achieve significant positive results in terms of fair and expeditious dispute resolution, and include appropriate means of measuring, evaluating, and institutionalizing ADR best practices.

This award intends to:

- Recognize federal and private sector organizations that are innovatively and effectively utilizing ADR to resolve disputes relating to federal acquisitions and contracts;
- Encourage the establishment and improvement of highly effective, voluntary ADR mechanisms throughout the Government and similar initiatives in private industry; and
- Publicize exemplary acquisition-related ADR initiatives and “best ADR practices.”

Nomination Eligibility

- Any department, agency, private sector entity, or component thereof, may nominate itself for this award.
- Nominations may describe ADR-related activities and initiatives undertaken by an entire agency or private sector organization, or activities, or initiatives undertaken by their respective subdivisions, facilities, or offices.
- An award may recognize a particularly significant ADR effort or achievement, even if focused on an individual matter, or a single project or acquisition program.

Selection Criteria

OFPP encourages organizations to focus the discussion supporting their nominations on elements that have contributed to fair and efficient resolution of acquisition-related disputes, organizational effectiveness, and fostering of positive relationships between federal agencies and their private sector partners.

CRITERIA FOR ADR INITIATIVE NOMINATIONS

CRITERION #1 –Innovation

- How and why was the initiative conceived?
- What type of ADR was used?
- What creative or innovative techniques were employed?

CRITERION #2 – Significance

- What was the significance of the ADR effort to the Agency and to the private sector participant?
- How did the ADR effort contribute to the overall goals and objectives of the Agency and the private sector participant?

CRITERION #3 – Relationship Building

- How did the ADR effort foster the working relationship of the parties and contribute to a mutually beneficial outcome?

CRITERION #4 – Training/Preparation

- What training or other steps were taken to institutionalize the ADR best practices used for this initiative?

Submission of Nominations

Nomination program descriptions should be no more than 5 pages. Due to mail delays at the White House complex, please do not mail nomination materials to OFPP. Please electronically submit your nominations, including the attached form, to jwise@omb.eop.gov no later than Friday, April 4, 2008.

Selection of Award Winners. A distinguished panel of judges that work in the ADR field will review the nominations and make recommendations to OFPP. OFPP will make the final award decision. The award recipient will be notified and honored at an award ceremony in FY 2008.

ADR AWARD NOMINATION FORM

Please type all information requested below and attach a description of the ADR initiative. The description must address each of the selection criteria listed in the award announcement. The description should be limited to no more than 5 pages.

1. Nominee

Name of Agency, Department, or Private Sector Organization

Name of Individual Submitting the Nomination

Name of Program or Initiative Being Nominated

Address

2. Contact person if further information is needed

Name

Title

Address

Telephone Number

Fax Number

E-mail address

Nominations must be sent electronically to OFPP by Friday, April 4, 2008. The e-mail address is jwise@omb.eop.gov.