



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY EUROPE REGIONAL MEDICAL COMMAND  
CMR 442  
APO AE 09042

MCEU-ECC

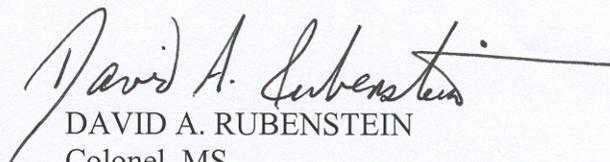
12 APR 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Procurement Year End Cutoff Dates for Fiscal Year 2004

1. Enclosed are the Fiscal Year 2004 cutoff dates from the Europe Regional Contracting Office (ERCO). These dates are applicable only to those contract actions submitted to the ERCO for action. Please review your contract requirements and determine your FY 2004 needs, and then provide the ERCO with as much lead time as possible to process your requirements. Successful advanced acquisition planning is critical to ensure your contracting actions are executed, and making every effort to meet ERMCCC's cut-off dates is essential. The cut-off date is the date the complete packet, including PR&C with funding, SOW, and recommended sources is due at the ERCO.
2. Point of contact is Major John Pastino, Chief, Europe Regional Contracting Office, who can be reached at DSN 486-7964.

Encl

  
DAVID A. RUBENSTEIN  
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## Fiscal Year 2004 Cutoff Date Protocol

1. A cutoff date for “submitting” requirements to Europe Regional Contracting Office (ERCO) is defined as the last day the ERCO will accept your request and documents required by Public Law. Note that sending your acquisition request to your local Logistics or RMD, doesn't mean it's in contracting or meets Public Law requirements for acquisition. Requests submitted after the cutoff date are at the customer's own risk that current FY funds may not be obligated and that FY05 funds may be required to meet the incurred obligation.
2. Option Year Contracts:
  - a. Minimum 90 days before contract ends: Notice to ERCO of your intent to continue with the current contract. *The contractor must be notified a minimum of 60 days in advance of the new option period of the government's intent to exercise an option.* If we don't notify them, we may lose the right to exercise that option, yet if we put them on notice, we still have the right to change our minds.
  - b. Minimum 60 days before contract ends: Purchase requests to contracting. *Options must be exercised at least 30 days prior to the start of the option period; otherwise the government may lose its guarantee of being able to unilaterally exercise that option and the guarantee of the negotiated prices for that period.*
3. What happens when you don't meet the cutoff dates?
  - a. FY04 funds may not be obligated
  - b. FY05 options may not be exercised timely
    - i. May lose the right to prices under the current contract
    - ii. Vendor may choose not to accept the option
    - iii. Vendor's performance at risk and may not be paid
    - iv. Vendor may not be paid timely
    - v. Possible ratification action
4. Post 1 Oct 2004 contract actions are awarded subject to the availability of FY2005 funds (SAF). Until the FY05 budget is passed by Congress, no contracts in support of new work can begin. It is only a notice to the contractor that we plan to use their services as soon as possible after 1 October 2004. Keep in mind that the contractor has no obligation or authority to perform work until the contract is funded and a contracting officer notifies them in writing. If work is performed, the contractor assumes the risk that payment may not be made.

## Fiscal Year 2004 Cutoff Date Protocol

<u>Procurement Type</u>	<u>2004 Cutoff Date</u>
1. 02 Urgent and 05 High Priority	Anytime
2. Supplies and Equipment	
a. \$2,501 > \$99,999	30 July
b. \$100,000 > \$5M	1 July
c. Over \$5M	1 June
d. Options	Minimum 90 days before contract ends
3. Services	
a. \$2,501 > \$99,999	1 July
b. \$100,000 > \$5M	1 June
c. Over \$5M	30 April
d. Options	Minimum 90 days before contract ends
4. Direct Health Care Providers (DHCP)	
a. New starts	30 April
b. Options	Minimum 90 days before contract ends
5. VA and GSA	
a. \$2,501 > \$99,999	1 September
b. \$100,000 > \$5M	30 July
c. \$100,000 > \$5M (Services)	1 July
d. Over \$5M	1 July
e. Options	Minimum 90 days before contract ends
6. FY04 Subject to Availability of Funds (SAF)	
a. 02 Urgent and 05 High Priority	Anytime
b. \$2,501 > \$99,999	30 July
c. \$100,000 > \$5M	1 July
d. Over \$5M	1 June
e. Options	Minimum 90 days before contract ends

## Fiscal Year 2004 Cutoff Date Protocol

### Date Sequence

<u>Date</u>	<u>Procurement Type</u>
Anytime	Urgent and 05 High Priority
90 Days Prior to the expiration date	Options
30 April	DHCP New Starts Services: Over \$5M
1 June	Supplies and Equipment: Over \$5M Services: \$100,000 > \$5M FY04 SAF: Over \$5M
1 July	Supplies and Equipment: \$100,000 > \$5M Services: \$2,501 > \$99,999 VA and GSA: \$100,000 > \$5M (Services) VA and GSA: Over \$5M FY04 SAF: \$100,000 > \$5M
30 July	Supplies and Equipment: \$2,501 > \$99,999 VA and GSA: \$100,000 > \$5M FY04 SAF: \$2,501 > \$99,999
1 September	VA and GSA: \$2,501 > \$99,999