

## **Safety and Mission Assurance (S&MA) Support Services Contract (SSC) Organizational Conflict of Interest (OCI)**

In performing work under the S&MA SSC, the contractor may be required to inspect, evaluate, assess, critique, review, or perform other similar services with respect to products or services provided by that contractor under other NASA contracts. The occurrence of situations of this kind could possibly cause the contractor's judgment to be influenced favorably toward such products or services in performing S&MA tasks under this contract. In addition, the contractor may be required to perform tasks which will affect the quantum or nature of work to be performed by the contractor under other Government contracts.

During the comment period that occurred recently, NASA JSC received a substantial amount of feedback from industry concerning OCI. JSC recognizes that any restrictions imposed regarding organization conflicts will impact decisions with teaming arrangements and whether companies will be able to participate as prime contractors. The exact wording of the OCI contract clause/evaluation provisions is under consideration and will be included in the RFP. This language will be consistent with FAR Part 9. However, the philosophy on the OCI issue is provided as guidance below in order to give prospective offerors insight into the Government's position. Our hope is that the early publication of this information will allow prospective offerors adequate time to make teaming/proposal decisions.

### **OCI – S&MA Proposed Implementation**

The Government does not plan to, either in the RFP or the contract, limit participation to only firms with no hardware/software development related to JSC present or future tasks and programs. However, in the proposals in response to the RFP, potential vendors should be prepared to identify and address any potential conflicts. Proposals will be evaluated to determine, among other things, the quality and effectiveness of offeror's proposed plans for avoiding existing and potential organization conflicts of interest and the appearance thereof. Offerors are further advised that, pursuant to FAR 9.504(e), no award will be made to an offeror which submits an organizational conflict of interest plan which is determined to be unacceptable. The notification and opportunity to respond process described in FAR 9.504(e) will be accomplished, if necessary, by means of oral or written discussion with firms determined to be in the competitive range, and subsequent final proposal revisions.