

**SOURCE SELECTION EVALUATION BOARD (SSEB)**  
**WHEN PERFORMING THE A-76 COST COMPARISON PROCESS**

This guidance augments DoD Instruction 4100.33, *Commercial Activities Program Procedures*, September 9, 1985.

In accordance with OMB Circular A-76 Revised Supplemental Handbook, Part 1, Chapter 3, Paragraph H.3.b., a Source Selection Authority (SSA) should be established as required by the Federal Acquisition Regulation (FAR), and requisite action shall be taken to assure there are no potential conflicts of interest in the membership of the Authority. Adequate measures shall be in place to avoid the potential for or appearance of a conflict of interest. During the source selection phase of the A-76 cost comparison process, "directly affected" civilian employees and their representatives, as well as individuals who participated in developing the Government's Management Plan (e.g., developing the most efficient organization (MEO), in-house cost estimate) shall be excluded from participating as members of the SSEB or as evaluators in the evaluation of competing contract offers. Unless an exception is authorized by the head of the contracting activity. Exceptions shall be authorized only in compelling circumstances and, in such cases, the head of the contracting activity shall provide a written statement of the reasons for the action. A "directly affected" civilian employee is a civilian employee (e.g., DoD civilian, non-appropriated fund employee, contractor, etc.) whose work is being competed. This exclusion is due to the inherent concern arising out of the fact that such civilian employee's continued Federal employment may be affected by the outcome of the A-76 cost comparison process.

It may be necessary for Government civilian employees or military personnel from other installations or locations to serve on the SSEB or otherwise as evaluators in order to avoid the appearance of conflict of interest. Directly affected military personnel (i.e., military personnel whose work is included in the PWS) and non-directly affected civilians may serve on the SSEB or as evaluators unless they have a direct, personal interest in the outcome of the A-76 cost comparison process (e.g., their own or a spouse's civilian employment, stock ownership, etc.) or they participated in the development of the Government's Management Plan (e.g., MEO, in-house cost estimate). Directly affected military may serve as technical advisors. Technical advisors may not have access to contractor cost proposals.

The individual certifying the MEO may not serve on the SSEB or be an evaluator or be the SSA.