

## **FACT SHEET**

**SUBJECT:** Contacts with Contractor Representatives

1. **PURPOSE.** To provide standards of conduct guidance on dealings with contractor representatives.

2. **FACTS.**

a. The Competition in Contracting Act (41 USC 253), and regulations implementing the Procurement Integrity Act (48 CFR 3.1) closely govern the conduct of government employees toward contractors. Both acts are intended to ensure full and fair competitions among contractors. They prohibit preferential treatment toward one contractor and the disclosure of any information that might give one contractor a competitive edge over another.

b. Dealings with contractor representatives should be conducted at arm's length, professionally, and in such a manner as to instill confidence in the integrity of the Army acquisition process. When dealing with contractor representatives, government employees should be careful not to release any information about agency needs, other contracts, or other contractors that is not otherwise publicly available.

c. Any officials must be vigilant in all dealings with contractor representatives, including private social contacts. Such contacts involve inherent risks that may lead to accusations of favoritism. In addition, increased social contacts increase the risk of unguarded communications involving information not generally released and may invite problems with gratuities.

c. Questions concerning the propriety of dealings with contractor representatives should be addressed to the Office of the Staff Judge Advocate, Military Law and Ethics Division, 624 – 7414.

Chief, Military Law and Ethics Division