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PSC Urges Defense Department to Issue Overdue LPTA Regulations

Arlington, Va. (Nov. 28, 2018)—The Professional Services Council (PSC) is urging the Department of Defense (DoD) to issue long overdue regulations on the appropriate use of lowest price technically acceptable (LPTA) source selection criteria for DoD services contracts.

PSC [sent a letter](#) last week to Assistant Secretary of Defense for Acquisition Kevin Fahey, which [followed a report](#) by the Government Accountability Office in which DoD disclosed that it does not expect to revise its regulations or issue additional guidance before late Fiscal Year 2019.

“Ultimately, success depends on the Department awarding contracts based on the outcomes needed to fulfill mission requirements,” said David Berteau, PSC president and CEO. “Requiring contracting officers to consider the statutorily-mandated LPTA criteria—which, as the report highlights, will not occur until the regulations are issued—is the best defense against defaulting to lowest price, regardless of results or demonstrated capability.”

The National Defense Authorization Act for Fiscal Year 2017 prohibited the use of LPTA in most circumstances for the acquisition of certain services and required a Defense Federal Acquisition Regulation Supplement revision to implement the changes within 120 days of enactment, which should have been by April 2017.

“PSC understands that there are additional considerations relating to issuing regulations, but we believe those with a statutory foundation should get the highest priority,” Berteau stated in the letter to Fahey. “Accordingly, PSC respectfully urges you to prioritize, finalize, and issue the Section 813 LPTA regulation as expeditiously as possible and prior to the end of this calendar year.”

PSC [strongly supported](#) enactment of Section 813 and worked to secure inclusion of legislation imposing [similar restrictions](#) on the civilian agencies in the FY19 NDAA.

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About PSC: PSC is the voice of the government technology and professional services industry. PSC’s nearly 400-member companies represent small, medium and large businesses that provide federal agencies with services of all kinds, including information technology, engineering, logistics, facilities management, operations and maintenance, consulting, international development, scientific, social, environmental services, and more. Together, the trade association’s members employ hundreds of thousands of Americans in all 50 states. Follow PSC on Twitter [@PSCSpeaks](#). To learn more, visit www.pscouncil.org.