

# EASY ACQUISITIONS

**Situation:** As a new acquisitions officer I was assigned to a major command and placed in charge of regional contracting. It was a dream job because foreign travel was involved. Often I was able to take care of business within a few hours and catch some of the local flavor before departing the next day. I attended planning conferences where I met the exercise planners and coordinated a list of their requirements for support based on the local economy. The contracts were usually the same with rental vehicles, cell phones, and fuel requirements usually at the top of the exercise list. It was during one of these conferences that a local vendor, Joshua, invited me to his home for dinner. I knew he was competing for one of the contracts and I could get into trouble, but I'd known him for a while and decided to go anyway. It was just dinner and if he offered anything more I would cordially decline. After dinner we discussed the contracting process and how the contracting officers always look for reputable services to provide flexible ways to buy supplies in the government's best interest as well as being fair and equitable to industry. He listened closely and said he hoped we could continue doing business. I returned to my hotel and turned in for the night. The next day the conference ended early and Joshua asked if I would like to join him later at a club down the street. After a few drinks he introduced me to some friends and told me the next time I was in town he could hook me up at a better hotel. This was the best time I'd had at one of these conferences and I could hardly wait for my next trip. When I came back to finalize the contracts we met and discussed who was providing supplies and services. Joshua mentioned that one of the contracts I awarded was to a vendor who could not meet the standards I described. Joshua said he knew who was good and he could help me to get good vendors for the next exercise. His assessment of the vendor was 100% correct.

Since it made it easier for me, I started contacting Joshua about future contracts, even discussing details of how to write the statement of work to keep disreputable vendors from bidding. Afterwards, I provided him the statement of work and he delivered three or four bids that met the requirements. It was so easy, plus I always got the best car from the rental company, stayed at the best hotel, and the paperwork was always in order. Sometimes we paid more on a contract, but we always had a reputable vendor. What I was doing was in the government's best interest and I never took any of the cash he offered. Did I do wrong?

## REFLECTION...

I know I violated regulations and made poor ethical choices but I was taking care of Army needs to the best of my ability. I do not see myself as a crook because I never enriched my bank account. I regret I did not take the time to correct my behavior. Each year during the annual ethics training I thought about what could potentially happen, but I knew my paperwork was always in order and extra perks could always be attributed to frequent flyer benefits. I wish I had worked harder to make things right, but I could not be there to personally handle every detail.

Ethical Dilemma at the Time of the Incident: Should a contracting officer take special favors and edit statements of work in order to ensure one vendor always gets the contract?

Rules/Laws that Apply: Federal Acquisitions Regulation, Defense Federal Acquisitions Regulation (DFAR), Contracting Policy Memorandums, Uniformed Code of Military Justice.

At What Point Did You Say "Enough is Enough"? When and How Did You Take Action? I never said "enough" or took any action to correct my behavior. I was periodically abashed at my actions, but eventually moved on to another assignment and had lost contact with Joshua.

Conflict or Tension of the 7 Army Values? How Did You Resolve Those Conflicts? Duty and Integrity are the two Army values that are most applicable. I had a duty to fulfill my obligations as an Acquisitions Officer and by violating DFAR I compromised my integrity.

Consideration of Other COAs and the 2nd and 3rd Order Effects. I have personal regrets that I did not take the time to correct my behavior. Since I traveled alone most of the time there were no noticeable 2nd or 3rd order effects on my unit. There were some complaints from the Contracting Officers Representatives when Joshua's company was late with services, but they must realize this was the best solution.

How Did You Get the Courage To Do the Harder Right? I did not do the harder right.