



DEFENSE LOGISTICS AGENCY  
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IN REPLY  
REFER TO J-33  
PROCLTR 0 1- 07

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MEMORANDUM FOR PROCLTR DISTRIBUTION LIST

SUBJECT: Alternative Dispute Resolution Included in Post Award Orientations (DLAD 42.501)

This PROCLTR provides supplemental policy concerning Alternative Dispute Resolution (ADR). Specifically, it supplements the Federal Acquisition Regulation (FAR) coverage on postaward orientations found at [FAR 42.5](#) to emphasize that, as part of post award orientations, the subject of dispute avoidance, early dispute resolution, and alternative dispute resolution should be addressed.

Post award orientations are held in a number of situations outlined in FAR 42.502, where the nature of the requirement, the characteristics of the contractor, or the type of contract make dialogue desirable. The FAR 42.502 factors can be summarized as those indicating the contract is likely to have more performance risk than more straightforward contracts. These types of contracts are exactly those where it is important to discuss ways to avoid disputes, and ways to promptly resolve them if they do arise, through early dispute resolution and alternative dispute resolution procedures. Thus, dispute avoidance and early dispute resolution should be part of post award orientation discussions, and should be specifically listed on the agenda for the parties' consideration. This supports the Defense Logistics Agency's policy to resolve disputes early and constructively as part of its alternative dispute resolution program.

This PROCLTR is effective immediately and expires upon incorporation into the DLAD. The point of contact for this PROCLTR is Mr. William Latimer, J-336, (703) 767-3 154, DSN 427-3 154 or email [william\\_latimer@hq.dla.mil](mailto:william_latimer@hq.dla.mil).

WILLIAM J. KENNY  
Executive Director  
Logistics **Policy** and **Acquisition Management**

Attachment



PART 42 -- Contract Administration and Audit Services

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*SUBPART 42.5 Postaward Orientation*

**42.501(e)(90)**

*Post award orientation agendas should include discussion of dispute avoidance, early dispute resolution, and alternative dispute resolution.*

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