

**Government  
Data Services - End Product / Best Value Determination Checklist**

**Purpose:** This worksheet provides decision-making guidance when there is a need for a product, such as an aerial photograph, that could be obtained by a commercial company that uses unmanned aircraft systems (UAS). This worksheet should be used to make a best value determination by comparing UAS-obtained products and costs with alternative methods of obtaining the needed product. Contact a government aviation specialist or contracting office for additional UAS platform or sensor guidance.

**Directions:** For each option, place a check in the box that applies (Yes or No). Do not fill out the grayed-out boxes. To fill out the “Cost” column, you must obtain a quote from commercial companies. Contact the controlling government aircraft office for additional guidance.

All Options Should be Considered:	Will the government Have Operational Control?		Take-Off/Landing Operation Within Restricted Boundaries		Complies with All Relevant Legal and Policy Requirements <sup>3</sup>		Data Captured Meets Projected Need		Provider for this Option is Available		Cost
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	
<b>Ground-Based Options</b> (e.g. elevated structures, land masses)											
<b>Manned Aircraft</b>	1		2								
<b>Unmanned Aircraft</b>	1		2								
<b>Other</b> (e.g. kites, balloons, satellites)											

If Unmanned Aircraft meets all requirements and represents the best value to the government, go to Section 2.

If your answer is “Yes” for the “Operational Control” column, either the flight services must be procured through government approval is required and the agency’s internal approval process for UAS operations must be completed. For definition purposes, “Operational Control, with respect to a flight, refers to the exercise of authority over initiating, conducting, or terminating a flight.” (14 CFR 1.1)

<sup>2</sup> If the answer is “Yes” for “Take-Off/Landing Operation within Restricted Boundaries” for manned aircraft, airspace / area managers approval is required. For UAS operations, approval is required and the government internal approval process for UAS operations.

<sup>3</sup> Examples include but are not limited to requirements associated with the Wilderness Act (including a Minimum Requirements Analysis), Endangered Species Act, National Historic Preservation Act, Marine Mammal Protection Act, Migratory Bird Treaty Act, National Environmental Policy Act, and other applicable legal or policy requirements.

### Government Simplified Acquisition Procedures for UAS End Product Contracts

From all legal and policy aspects, the Federal Aviation Administration (FAA) considers UAS as aircraft. While government agency policies may require that all *aviation services* must be obtained through an aviation oversight office, an "End Product Contract" or "Data Buy" is used to acquire a product for the government. The intent of this type of procurement is for the contractor to supply all personnel and equipment in order to provide an "end product" or "end result."

Generally, if the cost of the supply is over the micro-purchase threshold, a government contracting officer must issue a solicitation. Otherwise, in general, if the cost of the supply is under the micro-purchase threshold (currently \$2,500-5000), a purchase charge card may be used. Refer to the site's specific policy regarding procurement. In either case, some or all of the following will apply:

1. Supervisory approval must be obtained.
2. An authorized government credit card holder with purchase authority must make the purchase. **Note:** the vendor must invoice for the supply or product, not "services provided."
3. Verify the vendor meets all FAA requirements.
4. A written agreement with the vendor must be signed by both parties and will include, at a minimum:
  - a. A detailed description of the product desired, the date of delivery, and note all products are the property of government.
  - b. Windows of opportunity to achieve best results for obtaining the product(s).
  - c. Vendor's responsibility for complying with all local, state, and federal regulations, such as minimum altitudes above area commensurate with Federal Aviation Regulations including FAA certifications, waivers and exemptions.
  - d. Areas to be avoided; measures to avoid impacts on natural resources and personnel.
  - e. A vendor-provided operational safety plan.
  - f. Procedures for data management and processing.
  - g. Procedures and responsibility for recovering a downed aircraft and any associated damage to resources.
  - h. Representations that the operator is properly insured and adequately indemnifies the government (as applicable).
5. The written agreement **shall not** include:
  - a. Specified aircraft type
  - b. Pilot requirements
  - c. Point(s) of departure
  - d. Any authorization for take-off, landing, or operation.
6. The government may need to coordinate with the vendor to restrict areas of operations for public/resource protection.