# PART 5312 - Acquisition of Commercial Items

**2019 Edition**

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## SUBPART 5312.1 — ACQUISITION OF COMMERCIAL ITEMS - GENERAL

### 5312.102 Applicability

(a)(ii)(B) See [MP5301.601(a)(i)](mp_5301.601(a)(i).docx#p5312_102_a_ii_B).

(f)(1) See [MP5301.601(a)(i)](mp_5301.601(a)(i).docx#p5312_102_f_1).

## SUBPART 5312.2 — SPECIAL REQUIREMENTS FOR THE ACQUISITION OF COMMERCIAL ITEMS

### 5312.207 Contract Type

(b)(iii) See [MP5301.601-90](mp_5301.601-90.docx). Submit determinations through the SCO to [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) for approval. See [AFFARS 5316.601(d)(i)(A)(1)](5316.docx#p5316_601_d_i_A_1) for approvals when base period plus any option periods is three years or less.

### 5312.272 Preference for Certain Commercial Products and Services

(b)(2)(i) See [MP5301.601(a)(i)](mp_5301.601(a)(i).docx).

## SUBPART 5312.3 – SOLICITATION PROVISIONS AND CONTRACT CLAUSES FOR THE ACQUISITION OF COMMERCIAL ITEMS

### 5312.302 Tailoring of Provisions and Clauses for the Acquisition of Commercial Items

(c) See [MP5301.601(a)(i)](mp_5301.601(a)(i).docx#p5312302c).

## SUBPART 5312.4 – UNIQUE REQUIREMENTS REGARDING TERMS AND CONDITIONS FOR COMMERCIAL ITEMS

### 5312.403 Termination

(b) See [AFFARS 5349.101](5349.docx) for termination approval requirements.

## SUBPART 5312.90 –DEFENSE COMMERCIAL SOLUTIONS OPENING

**Restrictions.** Prior to a Commercial Solutions Opening (CSO) award in excess of $100M, the SAE must make the [determination](https://usaf.dps.mil/sites/AFCC/KnowledgeCenter/Documents/CSO_Library/SAE_determination_for_awards_greater_than_100M.pdf) required by [Class Deviation 2022-O0007](https://www.acq.osd.mil/dpap/policy/policyvault/USA000138-22-DPC.pdf). In such cases, the contracting officer must submit the determination for approval to [SAF/AQ](mailto:SAF.AQ.Workflow@us.af.mil) and [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) concurrently after coordination by the MAJCOM/DRU/AFRCO/SCC SCO. Allow 30 days for staffing and approval after receipt by SAF/AQ.

**Award Notification Requirements.** For CSO awards in excess of $100M, the contracting officer must prepare the required Congressional Defense Committee Notification Letters posted on the [Commercial Solutions Opening AFFARS Library page](https://usaf.dps.mil/sites/AFCC/KnowledgeCenter/Pages/cso.aspx) and forward them to [SAF/LLW](mailto:usaf.pentagon.saf-ll.mbx.saf-llp-contract-ancmt@mail.mil) and [SAF/FMBL](mailto:USAF%20Pentagon%20SAF-FM%20List%20All%20SAF-FMBI) for processing within 30 days after award. When sending the notification, courtesy copy [SAF/AQC](mailto:SAF.AQ.SAF-AQC.Workflow@us.af.mil) and [USD(A&S)/DPC](mailto:osd.pentagon.ousd-a-s.mbx.dpc-cp@mail.mil). Maintain proof of submission of award notification in the contract file. This notification does not take the place of the Announcement of Contract Awards made via the DD1279 in accordance with [DFARS 205.303](https://www.acquisition.gov/dfars/part-205-publicizing-contract-actions#DFARS-205.303) and [AFFARS 5305.303](5305.docx#p5305_303).