**AFFARS PGI 5343**

**Contract Modifications**

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**AF PGI 5343**

**Contract Modifications**

**AF PGI 5343.103-90 Types of Contract Modifications**

(a) This table is a guide for buyers and contracting officers to help determine the appropriate authority for issuance of specific types of modifications. The specific facts surrounding the individual modification should always be analyzed. Contracting officers may use the [Modification Authority Justification Template](https://cs2.eis.af.mil/sites/10059/afcc/knowledge_center/affars_pgi_related_documents/modification_authority_justification_template.pdf) to document their decision. The general rule is to cite the explicit authority, which is that authority expressly written into the contract, before citing a more general authority such as “By Mutual Agreement between both Parties”. 10 U.S.C Chapter 137 should not be used as it is too broad and does not address modification authority. FAR 1.602, Authority for contracting officers, should not be used because it only defines the authority of the contracting officer (who is only one party to the original agreement) and does not cite a pre-agreed to condition or authority within the original contract that would allow a change.

(b) Explicit authority can be provided in the general clauses contained in Section I of the contract. The Changes clause (FAR 52.243-1), Definitization clause (FAR 52.216-25), or Options clauses (FAR 52.217-6 thru 9) are examples. Explicit authority can also be provided for under special contract requirements contained in Section H of the contract. Finally, explicit authority may be provided for under provisions contained elsewhere in the contract, such as the SOW.

(c) When citing a specific clause/provision as the authority for the modification, ensure the contract contains that specific clause/provision.

(d) Types of Contract Modifications & Modification Authority Table:

| **Modification Subject** | **Authority** |
| --- | --- |
| Commercial Modification | FAR 52.212-4(c) Contract Terms and Conditions – Commercial Items |
| Data, adding of (within the limits of the J&A) | FAR 52.243-1 Changes--Fixed Price,  52.243-2 Changes--Cost Reimbursement, or  52.243-3 Changes Time-and- Material or Labor-Hour |
| Data, changing or revising | FAR 52.243-1 Changes--Fixed Price,  52.243-2 Changes--Cost Reimbursement, or  52.243-3 Changes Time-and- Material or Labor-Hour |
| Defects in supplies, correction of | Inspection clauses 52.246-2/52.246-3, Warranty clauses, or Correction of Deficiency Clauses in contract |
| Defective cost or pricing data, Price reduction for | FAR 52.215-10 Price Reduction for Defect Cost or Pricing Data or  52.215-11 Price Reduction for Defective Cost or Pricing Data--Modifications |
| Definitization of a Change Order | FAR 52.243-1 Changes--Fixed Price,  52.243-2 Changes--Cost Reimbursement, or  52.243-3 Changes Time-and- Material or Labor-Hour |
| Definitization of a Letter Contract | FAR 52.216-25 Contract Definitization |
| Delivery, change in the place of | FAR 52.243-1 Changes--Fixed Price,  52.243-2 Changes--Cost Reimbursement, or  52.243-3 Changes Time-and- Material or Labor-Hour |
| Delivery, schedule extension (CR) | FAR 52.249-14 Excusable Delays |
| Delivery, schedule extension (FP) | FAR 52.242-17 Government Delay of Work or  52.249-8 Default Fixed-Price Supply and Service |
| Differing Site Conditions (fixed-price construction contract or a fixed-price dismantling, demolition, or removal of improvements contract) | FAR 52.236-2 Differing Site Conditions |
| ECP, incorporation of | FAR 52.243-1 Changes--Fixed Price,  52.243-2 Changes--Cost Reimbursement, or  52.243-3 Changes Time-and- Material or Labor-Hour |
| Economic Price Adjustment (EPA) | FAR 52.216-2 Economic price Adjustment--Standard Supplies  52.216-3 Economic Price Adjustment—Semi-standard Supplies  52.216-4 Economic Price Adjustment--Labor and Material |
| Funding an overrun (fully funded cost reimbursement (CR) contract) | FAR 52.232-20 Limitation of Cost |
| Funding, increase of (fixed-price contract) | DFARS 252.232-7007 Limitation of Government's Obligation |
| Funding, increase of (incrementally funded CR contract) | FAR 52.232-22 Limitation of Funds |
| GFP (Government Furnished Property)  disposition of / increase or decrease of /  replacement of / repair of | FAR 52.245-1 Government Property |
| Incentive price revision (FPIF), final price revision or funding to ceiling | FAR 52.216-16 Incentive Price Revision--Firm Target |
| Incentive price revision (FPIS), establishing a firm-fixed price or firm targets | FAR 52.216-17 Incentive Price Revision--Successive Targets |
| Make or buy program, changes in | FAR 52.215-9 Changes or Additions to Make-or-Buy Program |
| New work, requiring J&A | Cite the appropriate exemption to CICA ([10 U.S.C. 2304 (c) (1) thru (7)](http://uscode.house.gov/uscode-cgi/fastweb.exe?getdoc+uscview+t09t12+1420+0++%28%29%20%20AND%20%28%2810%29%20ADJ%20USC%29%3ACITE%20AND%20%28USC%20w%2F10%20%282304%29%29%3ACITE%20%20%20%20%20%20%20%20%20)) |
| Option, exercise of (IAW contract, unilateral) | FAR 52.217-6 Option for Increased Quantity,  52.217-7 Option for Increased Quantity--Separately-Priced Line Item,  52.217-8 Option to Extend Services, or  52.217-9 Option to Extend the Term of the Contract |
| Option, exercise of (not IAW contract, bilateral) | Cite the appropriate exemption to CICA ([10 U.S.C. 2304 (c) (1) thru (7)](http://uscode.house.gov/uscode-cgi/fastweb.exe?getdoc+uscview+t09t12+1420+0++%28%29%20%20AND%20%28%2810%29%20ADJ%20USC%29%3ACITE%20AND%20%28USC%20w%2F10%20%282304%29%29%3ACITE%20%20%20%20%20%20%20%20%20)) |
| Packing or shipment, change in the method of | FAR 52.243-1 Changes--Fixed Price,  52.243-2 Changes--Cost Reimbursement, or  52.243-3 Changes Time-and- Material or Labor-Hour |
| Progress payments, adding after award | FAR 52.232-16 Progress Payments |
| Progress payments, increasing rate or liquidation rate | FAR 52.232-16 Progress Payments |
| Shipment or packing, change in the method of | FAR 52.243-1 Changes--Fixed Price,  52.243-2 Changes--Cost Reimbursement, or  52.243-3 Changes Time-and- Material or Labor-Hour |
| SOW, specification, designs, and drawings, change in | FAR 52.243-1 Changes--Fixed Price,  52.243-2 Changes--Cost Reimbursement,  52.243-3 Changes Time-and-Material or Labor-Hour, or  52.243-4 Changes |
| Stop Work | FAR 52.242-15 Stop-Work Order |
| Termination for Convenience | FAR 52.249-1 thru 7 |
| Termination for Default | FAR 52.249-8 thru 10 |
| Value Engineering Change Proposal (VECP), incorporation of | FAR 52.248-1 Value Engineering,  52.248-2 Value Engineering--Architect-Engineer, or  52.248-3 Value Engineering--Construction |
| Modification of Contractual Terms not covered by any other Clause or Section H  (Default authority) | FAR 43.103(a), Mutual Agreement between both Parties |

**SMC PGI 5343**

**Contract Modifications**

**SMC PGI 5343.102-90 General**

(a) When issuing a modification to an existing contract (or order), the contracting officer should consider documenting the scope determination in writing. See the [SMC Scope Determination Guide and sample Memorandum for Record (MFR)](https://cs2.eis.af.mil/sites/10059/afcc/knowledge_center/affars_pgi_related_documents/scope_determination_guide_and_sample_MFR.docx). Written scope determinations are not generally necessary for administrative modifications that do not impact the substantive rights of the parties (e.g., a change in the paying office or the appropriation data) or unilateral modifications that are authorized by clauses other than the Changes clause (e.g., property clause, options clause).​

(b) If the legal reviewer does not find the contracting officer’s scope determination to be legally sufficient and the contracting officer disagrees with the legal reviewer’s opinion, the contracting officer should elevate the dispute to the COCO and SCO quickly to ensure the issue is resolved in a timely manner.

(c) Training: [Scope Determination Point of Need Training](https://insidesmc.losangeles.af.mil/sites/pk/Style%20Library/PON/modules/05-Scope/default.aspx)