\*\*ID\_\_AFFARS\_5301\_topic\_21\_\_ID\*\*

### 5301.602-2 Responsibilities

(c)(i) Legal Review

(A) Contracting officers must obtain legal advice during all phases of acquisitions. See the tailorable [Legal Review](https://usaf.dps.mil/sites/AFCC/KnowledgeCenter/contracting_templates/legal_review.pdf) template. In particular, contracting officers must obtain legal advice, coordination, and review from the supporting legal office for the following situations, regardless of dollar amount:

(1) When there is doubt or controversy about the interpretation or application of statutes, directives, and regulations;

(2) When using or applying unique or unusual contract provisions;

(3) When actions are likely to be subject to public scrutiny or receive higher-level agency attention;

(4) When a protest or claim is likely;

(5) When contemplating the use of alternative dispute resolution;

(6) Use of liquidated damages provisions in contracts for other than construction;

(7) (deleted);

(8) Source selection decisions and supporting documentation for actions accomplished pursuant to the requirements of MP5315.3;

(9) Issues dealing with licensing, technical data rights and patents;

(10) Mistakes in bid (See FAR 14.407);

(11) Protests before and after award;

(12) Ratifications;

(13) Disputes;

(14) Contractor claims;

(15) Termination for default/cause;

(16) Terminations for convenience, except cancellations or terminations of purchase orders;

(17) Debarment or suspension actions;

(18) Individual or class deviations; and,

(19) Any other legal issue at the discretion of the contracting officer or supporting legal office.

(B) All Justifications and Approvals (J&A) requests for actions expected to exceed $750,000

(C) In addition to the general conditions identified in 5301.602-2(c)(i)(A) above, contracting officers must obtain legal review of Operational contract actions expected to exceed $500,000 and AFDW, AFMC and SMC Non-Operational contract actions expected to exceed $1,000,000, as follows:

(1) Solicitations and amendments, except administrative amendments;

(2) Proposed contracts and modifications;

(3) Orders for supplies or services issued under indefinite delivery type contracts (FAR 16.5), including GWACs, and Federal Supply Schedules (FSS), that require negotiation at the order level; and

(4) Orders under Blanket Purchase Agreements (BPA) established under FSS.

(D) Legal review is not normally required for:

(1) Funding actions without any other changes;

(2) Unilateral exercise of pre-priced options that were reviewed and approved at the time of award of the basic contract; or

(3) Except as indicated at 5301.602-2(c)(i)(C)(3), order solicitations and orders issued against existing contracts in accordance with all terms and conditions of the basic contract.

See [AFMC PGI 5301.602-2(c)(i)(A)](AFMC_PGI_5301_602_2.dita#AFFARS_pgi_5301_topic_29) and [(C)](AFMC_PGI_5301_602_2.dita#AFFARS_pgi_5301_topic_29) .

See [SMC PGI 5301.602-2](SMC_PGI_5301_602_2.dita#AFFARS_pgi_5301_topic_44).

(d) For Designation, Assignment, and Responsibilities of a Contracting Officer’s Representative, see MP5301.602-2(d).