

Volume II - MP Parts 5301 to 5352

**AIR
FORCE
FEDERAL
ACQUISITION
REGULATION
SUPPLEMENT
-
MP**

MP5301 - FEDERAL ACQUISITION REGULATIONS SYSTEM

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[DAFFARS PART 5301 Knowledge Center](#)

Sec.

	MP5301.6 - CAREER DEVELOPMENT, CONTRACTING AUTHORITY, AND RESPONSIBILITIES	3.0	COR Supervisor
	MP5301.601 (a)(i) Department of the Air Force Approval Authority Matrices	4.0	OGE 450 Determination and Processing
	MP5301.602-2 (d) Designation, Assignment, and Responsibilities of a Contracting Officer's Representative (COR)	5.0	Quality Assurance Program Coordinator (QAPC)
	Contracting Officer Roles and Responsibilities	6.0	Memorandum Templates and Contract Training Syllabus
1.0			MP5301.603-90 Selection, Appointment, and Termination of Appointment of Contracting Officers
2.0	COR Roles and Responsibilities		MP5301.90 - CLEARANCE APPROVAL BY THE DAS(C)/ ADAS(C)

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MP5301.6 - CAREER DEVELOPMENT, CONTRACTING AUTHORITY, AND RESPONSIBILITIES

MP5301.601 (a)(i) Department of the Air Force Approval Authority Matrices

Tables 1 and 2 consist of delegations (or retentions) of authority made by the Department of the Air Force Agency Head (HoA), Senior Procurement Executive (SPE), Service Acquisition Executives (SAEs), and Head of Contracting Activities (HCAs). The Tables do not contain authorities originally invested somewhere other than those positions (e.g., certain class deviations which must be approved by DPC). **Table 3** reflects the authority to enter into, approve, or terminate Grants, Cooperative Agreements, Other Transactions and Procurements for Experimental purposes—including the issuance of a warrant for such purposes.

TABLE 1 – SAF/AQ NON-SPACE SYSTEMS AND PROGRAMS:

SAF/AQ is authorized to execute HoA, SAE, and SPE responsibilities for non-space systems and programs, including product support, unless otherwise noted in regulations or policy. For non-space systems and programs, including product support, SAF/AQC (Deputy Assistant Secretary (Contracting) or the Associate Deputy Assistant Secretary (Contracting)) is designated HCA. Documents requiring HCA approval by SAF/AQC shall be submitted through the SCO to the [SAF/AQC Workflow](#). Approvals from SAF/AQ, SecAF, or DPC require coordination from SAF/AQC.

Packages submitted to SAF/AQ shall include an electronic Staff Summary Sheet (eSSS) in the body of the email or as an attachment (Word document only). Include any applicable documentation and list each attachment under “Tabs” on the eSSS using the exact electronic file name (e.g., ACE Acquisition Strategy) of the corresponding attachment. Changes recommended during the staffing process must be adjudicated by the contracting officer. Submit questions or concerns regarding processing packages that require SAF/AQ approval to [SAF/AQC Workflow](#).

TABLE 2 SAF/SQ SPACE SYSTEMS AND PROGRAMS:

SAF/SQ is authorized to execute HoA, SAE, and certain SPE responsibilities for space systems and programs, unless otherwise noted in regulation or policy. For space related systems and programs, the Director of Contracting, Space Systems Command (SSC/PK); the Space Development Agency (SDA) Director; or Space RCO (SpRCO) Director of Contracting are designated HCAs. Submit documents requiring HCA coordination or approval to the cognizant HCA workflow identified in [DAFFARS 5302.101](#). Approvals from SAF/AQ, SAF/SQ, DPC, or SecAF require coordination from the HCA.

NOTE : Further Delegable Columns with “No” indicate retained responsibilities or those that are non-delegable or cannot be delegated further per regulation or statute. Further Delegable Columns with “Yes” require written delegations approved by the Delegated Authority reflected.

Table 3: AUTHORITIES

Authority to enter into, approve, or terminate Grants, Cooperative Agreements, Other Transactions, and Procurements for Experimental Purposes has been approved as shown in Table 3. This authority may be redelegated within the contracting functional chain of responsibility, in writing, under such terms, conditions, and limitations as may be deemed appropriate.

			TABLE 1 SAF/AQ NON-SPACE SYSTEMS AND PROGRAMS AND SAF/SQ SPACE SYSTEMS AND PROGRAMS; WHEN HCA IS SAF/AQC		TABLE 2 SAF/SQ SPACE SYSTEMS AND PROGRAMS; WHEN HCA IS SSC, SpRCO, SDA [AR1]	
Item	Reference	Responsibility/Designee	Delegated Authority	Further Delegable	Delegated Authority	Further Delegable

1	DAFFARS 5301.601(a)(i) DAFFARS 5301.603-1 DAFFARS MP 5301.603-90(a)	Authority to select and appoint contracting officers and terminate their appointments	SCO	Yes, for zero-dollar, SAT, \$5M, and \$25M warrants, to no lower than the COCO Yes, for unlimited warrants to no lower than the Deputy Director or Tech Director IAW DAFFARS 5302 definition of SCO	SCO	Yes, for zero-dollar, SAT, \$5M, and \$25M warrants, to no lower than the COCO Yes, for unlimited warrants to no lower than the Deputy Director or Tech Director IAW DAFFARS 5302 definition of SCO
2	DAFFARS 5301.601(a)(i) (A)	Authority to enter into, approve, or terminate Grants, Cooperative Agreements, Other Transactions and Procurements for Experimental purposes—including the issuance of a warrant for such purposes.	See Table 3	See Table 3	See Table 3	See Table 3
3	FAR 1.602-3(b) (2) and (3) DAFFARS 5301.602-3(b) (2)	Ratification of unauthorized commitments, subject to the limitations in FAR 1.602-3(c) at or above SAT.	SCO	No	SCO	No
4	FAR 1.602-3(b) (2) and (3) DAFFARS 5301.602-3(b) (2)	Ratification of unauthorized commitments, subject to the limitations in FAR 1.602-3(c) below SAT.	COCO	No	COCO	No

5	FAR 3.104-2(a) DAFFARS 5303.104-2(a)	Approves agency supplementation of 3.104 including specific definitions to identify individuals who occupy positions specified in 3.104-3(d)(1)(ii), and any clauses required by 3.104.	SAF/AQ	No	SAF/SQ	No
6	FAR 3.104-3(c)(1)(ii) FAR 3.104-5(c)(2) DAFFARS 5303.104-3(c)(1)(ii) DAFFARS 5303.104-5(c)(2)	Authorizes the disqualified official to resume participation in the procurement or determine that an additional disqualification period is necessary. (See DAFFARS 5303.104-5(c)(2) when the disqualified official is the SCO or the HCA).	SCO	No	SCO	No
7	FAR 3.104-7(a)(1) DAFFARS 5303.104-7(a)(1)	Individual designated to review the information concerning the violation or possible violation and documentation supporting a contracting officer's determination that there is no impact on the procurement	Clearance Approval Authority; if the HCA is the CAA, then SCO. If there is no CAA, then COCO	No	Clearance Approval Authority; if the HCA is the CAA, then SCO. If there is no CAA, then COCO.	No

8	FAR 3.104-7 DAFFARS 5303.104-7(g)	The HCA may delegate his or her authority under FAR 3.104-7(a)(1)(ii) thru (f) to an individual at least one organizational level above the contracting officer and of General Officer, Flag, Senior Executive Service, or equivalent rank.	SCO, only if GO or SES; otherwise, SAF/AQC	No	SCO, only if GO or SES; otherwise, HCA	No
9	FAR 3.202 DAFFARS 5303.202	Determines, after notice and hearing, that contractor or representative offered or gave a gratuity to officer, official, or Government employee and intended, by the gratuity, to obtain a contract or favorable treatment under a contract; and determines amount of exemplary damages (between 3- and 10-times cost incurred by contractor in giving gratuities to person concerned).	SAF/AQC	No	HCA	No

10	DFARS 203.570-2(a) DAFFARS 5303.570-2(a)	Grants waiver in the interest of national security that the prohibition period described in Paragraph (c) of clause 252.203-7001 may be less than 5 years.	SAF/AQC	No	HCA	No
11	DFARS 203.570-2(b) DAFFARS 5303.570-2(b)	Makes written determination that the prohibition period described in Paragraph (b) of clause 252.203-7001 may be more than 5 years.	SAF/AQC	No	HCA	No
12	FAR 3.602 DAFFARS 5303.602	Authorizes contract award to a Government employee or to a business concern owned or controlled by a Government employee and only if there is a most compelling reason to do so per FAR 3.602.	SAF/AQC	No	HCA	No

13	FAR 3.704(a) and (b) DAFFARS 5303.704(a) and (b)	Shall consider the facts available and, if appropriate, may declare void and rescind contracts, and recover the amounts expended and property transferred by the agency in accordance with the policies and procedures FAR 3.704, where there is a final conviction for any violation of 18 U.S.C.201-224 involving or relating to contracts awarded by an agency. Should also consider initiating debarment proceedings in accordance with subpart 9.4 if debarment has not been initiated, or is not in effect at the time the final conviction is entered.	SCO	No	SCO	No
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14	FAR 3.704(c) DAFFARS 5303.704(c)	Shall consider, in addition to any other penalty prescribed by law or regulation, declaring void and rescinding contracts, as appropriate, and recovering the amounts expended using the procedures at 3.705 (see 3.104-7), and recommending the initiation of suspension or debarment proceedings IAW subpart 9.4, where there is a final conviction, or HoA or designee determination, of an offense punishable under 41 U.S.C. 2105	SCO	No	SCO	No
15	FAR 3.906(c) DFARS 203.906(1) DAFFARS 5303.906(c)(1)	Takes required actions regarding reprisals as prohibited by 203.903 (10 USC 4701).	SAF/AQC	No	HCA	No

16	FAR 3.1104(b) DAFFARS 5303.1104(b)	Determines in writing that such action in FAR 3.1104(a) is in the best interest of the Government (HCA may impose conditions that provide mitigation of a personal conflict of interest or grant a waiver).	SAF/AQC	No	HCA	No
17	FAR 5.102(a)(5)(iii) DAFFARS 5305.102(a)(5)(iii)	Makes written determination that availability of a solicitation through the GPE is not in the Government's interest.	SAF/AQC	No	HCA	No
18	FAR 5.202(b) DAFFARS 5305.202(b)	Makes written determination after consult with Administrator for Federal Procurement Policy and the Administrator of the Small Business Administration that advance notice of proposed contract action is not appropriate or reasonable.	SAF/AQC	No	HCA	No
19	FAR 5.502(a) DFARS 205.502(a) DAFFARS 5305.502(a)	Approves the publication of paid advertisements in newspapers.	SCO	Yes, one level above CO	COCO	No

20	DFARS 206.302-1(a)(2) (i)(1) DAFFARS 5306.302-1(a) (2)(i)(I)	Determines if agency can enter into contracts for studies, analyses, or consulting services on the basis of an unsolicited proposal without providing for full and open competition.	SCO	Yes, no lower than COCO	COCO	No
21	FAR 6.302-1(d) DFARS 206.302-1(d) DFARS PGI 206.302-1(d) DAFFARS 5306.302-1(d)	Approves waiver to post request for information or sources sought notices when using J&A authority FAR 6.302-1.	SCO if GO or SES or MAJCOM SCO if GO or SES; otherwise, SAF/AQC	No	SCO if GO or SES; otherwise, HCA	No
22	DFARS 206.302-4(c) DAFFARS 5306.302-4(c)	Approves a document (DAFFARS prescribes use of International Agreement Competitive Restrictions (IACR)) that describes the terms of an agreement or treaty or written directions, such as a Letter of Offer and Acceptance, which have the effect of requiring the use of other than competitive procedures. J&A is not required.	CO	No	CO	No

23	FAR 6.304(a) (4) DAFFARS 5306.304(a)	Approves in writing the justification for other than full and open competition for proposed contracts over \$100M.	SAF/AQ	No	SAF/SQ	No
24	FAR 7.107-2(b) DAFFARS 5307.107-2(b)	Determines that consolidation is necessary and justified if the benefits of the acquisition would substantially exceed the benefits that would be derived from each of the alternative contracting approaches identified under paragraph (a) (2).	SCO	No	SCO	No
25	FAR 7.107-2(e) DAFFARS 5307.107-2(e)	Determines that consolidation is necessary and justified when the expected benefits do not meet the thresholds for a substantial benefit at paragraph (d)(1) of this subsection but are critical to the agency's mission success; and the procurement strategy provides for maximum practicable participation by small business.	SCO	No	SCO	No

26	FAR 7.107-3(a) DAFFARS 5307.107-3(a)	Makes written determination that the bundling is necessary and justified in accordance with 15 U.S.C. 644(e) after ensuring that conditions at (a)-(e) are met.	SAF/AQ	No	SAF/SQ	No
27	FAR 7.107-3(f) (1) DAFFARS 5307.107-3(f) (1)	Determines that bundling is necessary and justified when the expected benefits do not meet the thresholds for a substantial benefit but are critical to the agency's mission success; and the procurement strategy provides for maximum practicable participation by small business.	SAF/AQ	No	SAF/SQ	No
28	DFARS 207.470(b) DAFFARS 5307.470(b)	Approves D&F for acquisition of vessel/ aircraft/vehicle through a lease/ charter/similar agreement for 18 months or more.	SCO	No	SCO	No
29	FAR 8.404(h) (3)(ii)(C) DAFFARS 5308.404(h)(3) (ii)(C)	Approves D&F when the total performance period, including options, of a T&M/LH order is more than three years.	SCO	Yes, no lower than the COCO	COCO	No

30	FAR 8.405-3(a) (3)(ii) DAFFARS 5308.405-3(a) (3)(ii)	Determination (in writing) to award single- award Blanket Purchase Agreement with an estimated value exceeding \$100 million (including any options).	SCO	No	SCO	No
31	FAR 8.405-6(b) (3)(ii)(C) DAFFARS 5308.405-6(b) (3)(ii)(C)	Makes written determination that access through e- Buy not in Government's interest.	SAF/AQC	No	HCA	No
32	FAR 8.405-6(d) (4) DAFFARS 5308.405-6(d) DAFFARS 5306.304(a)	Approves the justification for limited sources under a BPA with an estimated value over \$100M.	SAF/AQ	No	SAF/SQ	No
33	FAR 9.202(a) DFARS PGI 209.202(a)(1) DAFFARS 5309.202(a)(1)	Is the designee referenced in FAR 9.202(a) (inclusion of other qualification requirements).	SCO	Yes, no lower than the COCO	COCO	No
34	FAR 9.206-1(b) DAFFARS 5309.206-1(b)	Is the designee referenced in FAR 9.206-1(b) (enforcing qualification requirements).	SCO	Yes, no lower than COCO	COCO	No

35	DFARS 209.270-3(a) DAFFARS 5309.270-3(a)	Approves a contract for procurement, modification, repair, or overhaul of an aviation critical safety item with a source approved by the head of the design control activity.	SCO	Yes, no lower than the COCO	COCO	No
36	FAR 9.405(a) DAFFARS 5309.405(a)	Determines compelling reason exists to solicit offers from, award contracts to, or consent to subcontracts with contractor debarred, suspended, or proposed for debarment.	SAF/AQC	No	HCA	No
37	DFARS 209.405(b)(ii) (A) DAFFARS 5309.405(b)(ii) (A)	Grants exemption permitting award to contractor that has violation of Clean Air or Clean Water Act.	SAF/AQC	No	HCA	No
38	FAR 9.405(e) (2)-(3) DAFFARS 5309.405(e)(2)- (3)	Makes written determination of the compelling reason to consider bid received from, evaluate for award, include in competitive range or hold discussions with listed contractor.	SAF/AQC	No	HCA	No

39	FAR 9.405-1(a) (1) DAFFARS 5309.405-1(a) (1)	Directs discontinuance of contracts or subcontracts in existence at time contractor was debarred, suspended, or proposed for debarment.	SAF/AQC	No	HCA	No
40	FAR 9.405-1(a) (2) DAFFARS 5309.405-1(a) (2)	For contractors debarred, suspended, or proposed for debarment, makes written determination of the compelling reasons to place orders exceeding the guaranteed minimum; place orders under FSS, BPAs, or BOAs; or add new work, exercise options, or otherwise extend duration of current contracts or orders.	SAF/AQC	No	HCA	No

41	FAR 9.405-2(a) DFARS 209.405-2(a) DAFFARS 5309.405-2(a)	States in writing that compelling reason exists for CO to consent to proposed subcontracts with contractors debarred, suspended, or proposed for debarment, or that the Secretary of Defense has identified in SAM Exclusions as being owned or controlled by the government of a country that is a state sponsor of terrorism.	SAF/AQC	No	HCA	No
42	FAR 9.503/ 9.506(d)(3) DAFFARS 5309.503 DAFFARS 5309.504(c)	Waives FAR 9.5 requirements -- Organizational and Consultant Conflicts of Interest (OCI).	SAF/AQC	No	HCA	No
43	DFARS 209.571-7(c)(1) DAFFARS 5309.571-7(c) (1)	Determines an exception to Limitation on Future Contracting in systems engineering and technical assistance contracts is necessary.	SAF/AQC	No	HCA	No

44	FAR 11.103(a) DAFFARS 5311.103(a)	Require offerors to demonstrate that items offered have (1) either achieved market acceptance or been satisfactorily supplied to an agency under current or recent contracts for the same or similar requirements, and (2) otherwise meet the item description, specifications, or other criteria prescribed in the public notice and solicitation.	CO	No	CO	No
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45	DFARS 211.274-2(b)(1) DAFFARS 5311.274-2(b) (1)	Determines the items are to be used to support a contingency or humanitarian or peacekeeping operation; to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack; to facilitate the provision of international disaster assistance; or to support response to an emergency or major disaster and, therefore, contractor not required to provide DoD IUID.	SCO	No	SCO	No
46	DFARS 211.274-2(b)(2) (i)(A) DAFFARS 5311.274-2(b) (2)(i)(A)	Executes D&F that it is more cost effective for the Government to assign, mark, and register the unique item identifier after delivery, & item acquired from SB concern or is commercial acquired under FAR Part 12 or 8 for an ACAT I program.	PEO	No	PEO	No

47	DFARS 211.274-2(b)(2) (i)(B) DAFFARS 5311.274-2(b) (2)(i)(B)	Executes D&F that it is more cost effective for the Government to assign, mark, and register the unique item identifier after delivery, & item acquired from SB concern or is commercial acquired under FAR Part 12 or 8 for all other programs.	SCO	No	SCO	No
48	FAR 11.501(d) DAFFARS 5311.501(d)	Waives or reduces the amount of liquidated damages assessed under a contract if Commissioner, Financial Management Service, or designee approves (see Treasury Order 145-10).	SAF/AQC	No	HCA	No

49	DFARS 212.102(a)(ii) (B) DAFFARS 5312.102(a)(ii) (B)	If the contracting officer challenges an existing commercial product or commercial service determination, either confirm the prior determination was appropriate and still applicable, or issue a determination that the prior use of FAR Part 12 procedures was improper, or no longer appropriate, with a written explanation for the basis of the determination.	SCO	No	SCO	No
50	FAR 12.102(f) (1) DAFFARS 5312.102(f)(1)	Determines that an acquisition of supplies or services is to be used to facilitate defense against or recovery from cyber, nuclear, biological, chemical, or radiological attack in order to treat the acquisition as an acquisition of commercial products or commercial services.	SCO	No	SCO	No

51	DFARS 212.207(b)(iii) DAFFARS 5312.207(b)(iii)	For any class D&F, approves written determination by the contracting officer to use T&M or LH for commercial services contracts.	SAF/AQC	No	HCA	No
52	DFARS 212.207(b)(iii) DAFFARS 5312.207(b)(iii)	For an individual D&F if the base period plus any option period exceeds 3 years regardless of T&M/LH value, or if the T&M/LH value exceeds \$10M, approves written determination by the contracting officer to use T&M or LH for commercial services contracts.	SCO	No	SCO	No
53	DFARS 212.207(b)(iii) DAFFARS 5312.207(b)(iii)	For an individual D&F if the base period plus any option period is 3 years or less & the T&M/LH value is less than or equal to \$10M, approves written determination by the contracting officer to use T&M or LH for commercial services contracts.	SCO	Yes, no lower than 1-level above the CO	SCO	Yes, no lower than the COCO

54	DFARS 212.272(b)(2)(i) DAFFARS 5312.272(b)(2) (i)	For contracts above \$10M, determines no commercial services are suitable to meet the agency's needs for facilities-related services, knowledge-based services (e.g., Advisory and Assistance Services excluding engineering services), medical services, or transportation services.	SCO	Yes, no lower than the COCO	COCO	No
55	FAR 12.302(c) DFARS 212.302(c) DAFFARS 5312.302(c)	Waiver authority for tailoring provisions and clauses for acquisition of commercial products and commercial services under FAR 12.302(c).	SCO	No	SCO	No
56	DFARS 212.7003 DFARS PGI 212.7003(a) DAFFARS 5312.7003(a)	Approves the written determination prepared by the CO prior to awarding a contract in excess of \$100 million pursuant to a commercial solutions opening (CSO).	SCO	No	SCO	No

57	FAR 13.201(g) (1) DFARS 213.201(g) DFARS PGI 213.201(g) DAFFARS 5313.201(g)(1)	Determines that acquisitions of supplies or services are to be used to support a contingency operation; to facilitate defense against or recovery from cyber, nuclear, biological, chemical, or radiological attack; to support a request from the Secretary of State or the Administrator of the United States Agency for International Development to facilitate provision of international disaster assistance pursuant to 22 U.S.C. 2292 et seq; or to support response to an emergency or major disaster (42 U.S.C. 5122) , which raises the micro-purchase threshold.	SCO	No	SCO	No
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58	FAR 13.500(c)(1) DAFFARS 5313.500(c)(1)	To determine that acquisitions of commercial products or commercial services are to be used to support a contingency operation; to facilitate defense against or recovery from cyber, nuclear, biological, chemical, or radiological attack; to support a request from the Secretary of State or the Administrator of the United States Agency for International Development to facilitate provision of international disaster assistance; or to support response to an emergency or major disaster.	SCO	No	SCO	No
59	FAR 14.201-7(b)(2) and (c)(2) DAFFARS 5314.201-7(b)(2) and (c)(2)	Waives the requirement for inclusion of FAR clauses 52.214-27 and 52.214-28 in a contract with a foreign government or agency of that government.	SCO	No	SCO	No

60	FAR 14.407-3(e) DAFFARS 5314.407-3(e)	Make administrative determinations in connection with mistakes in bids alleged after opening of bids and before award.	COCO	No	COCO	No
61	DFARS PGI 215.300 (DoD Source Selection Procedures) 1.2.3 DAFFARS MP5315.3 1.2.3	Waives requirements of DoD Source Selection Procedures paragraph 1.2 for solicitations valued between \$10M and \$1B	SCO	No	SCO	No
62	DAFFARS MP5315.3 1.2.6.1	Allows for the use of price as the only evaluation factor for an acquisition valued over \$50M	SCO	No	SCO	No

63	DFARS 215.371-4(a)(2) DAFFARS 5315.371-4(a) (2)	Waives the requirements at DFARS 215.371-2 for acquisitions in support of contingency or humanitarian or peacekeeping operations; to facilitate defense against or recovery from cyber, nuclear, biological, chemical, or radiological attack; to facilitate the provision of international disaster assistance; or to support response to an emergency or major disaster	SAF/AQC	No	HCA	No
64	DFARS 215.371-5 DAFFARS 5315.371-5	Waives the requirement at DFARS 215.371-2 to resolicit for an additional period of at least 30 days when only one offer is received as a result of a competitive solicitation allowing fewer than 30 days for receipt of proposals.	SCO	Yes, no lower than the COCO	COCO	No

65	Class Deviation 2022-O0005 Rev 1 DAFFARS 5315.403-1(b)	Determines certified cost or pricing data should be required based on past performance or other information specific to the award.	SCO	No	SCO	No
66	FAR 15.403-1(c)(4) DFARS 215.403-1(c)(4) (A) DAFFARS 5315.403-1(c) (4)(A)	Waives requirement for submission of certified cost or pricing data in exceptional cases.	SAF/AQC	No	HCA	No
67	FAR 15.403-3(a)(4) DAFFARS 5315.403-3(a) (4)	Approves determination to make award without offeror submission of data other than certified cost or pricing data.	SCO	No	SCO	No
68	DFARS PGI 215.403-3(a)(6) (ii) DAFFARS 5315.403-3(a) (6)(ii)	Provides quarterly information within 25 days following the end of the quarter using Contractor Denials of Data Requests.	SCO	No	SCO	No
69	FAR 15.403-4(a)(2) DAFFARS 5315.403-4(a) (2)	Authorizes CO to obtain certified cost or pricing data for actions below the threshold in FAR 15.403-4(a)(1), provided the action exceeds the SAT.	SAF/AQC	No	HCA	No

70	Class Deviation 2022-O0005 Rev 2 DAFFARS 5315.404-2	Determines that auditing of records should be required based on past performance or other information specific to the award.	SCO	No	SCO	No
71	DFARS 215.404-4(c)(2) (C)(2) DAFFARS 5315.404-4(c) (2)(C)(2)	Approves the use of the alternate structured approach for Profit (see DFARS 215.404-73).	SCO	Yes, no lower than the COCO	COCO	No
72	DFARS 215.407-3(b)(i) DAFFARS 5315.407-3(b) (i)	Waives on a case-by-case basis, the use of forward pricing rate agreement (FPRA) rates when such rates are available.	SCO	No	SCO	No
73	DFARS PGI 215.407-4(c)(2) (B) DAFFARS 5315.407-4(c) (2)(B)	Requests an overhead should-cost review for a contractor business unit that does not meet the criteria found in DFARS PGI 215.407-4(c)(2) (A).	SCO	No	SCO	No

74	DFARS 215.408(2)(i) (A)(2) DFARS 225.870-4(c)(2) (ii) DAFFARS 5315.408(2)(i) (A)(2)	Approve determination (when contracting with the Canadian Commercial Corporation) that data other than certified cost or pricing data are needed in order to determine that the price is fair and reasonable.	SCO	Yes, no lower than 2-levels above the CO	SCO	No
75	DFARS 215.408(2)(ii) (A)(2) DFARS 225.870-4(c)(2) (ii) DAFFARS 5315.408(2)(ii) (A)(2)	Approve determination (when contracting with the Canadian Commercial Corporation) that it is reasonably certain that data other than certified cost or pricing data will be needed in order to determine that the price of modifications is fair and reasonable.	SCO	Yes, no lower than 2-levels above the CO	SCO	No
76	FAR 16.206-3(d) DAFFARS 5316.206-3(d)	Approves the use of a fixed- ceiling-price contract with retroactive price redetermination.	SAF/AQC	No	HCA	No
77	FAR 16.401(d) DFARS 216.401(d)(i) DAFFARS 5316.401(d)(i)	Determines that the use of an award- fee contract is in the best interest of the government.	SCO	No	SCO	No

78	FAR 16.401(d) DFARS 216.401(d)(ii) DAFFARS 5316.401(d)(ii)	Determines that the use of an incentive contract is in the best interest of the government.	SCO	Yes, no lower than 1-level above the CO	COCO	No
79	FAR 16.401(e) (3)(i) DAFFARS 5316.401(e)(3) (i)	Designate the Fee Determining Official on an individual contract or class basis. This designation may be made by name, position, or function, without limitation.	PEO for PEO designated programs or SCO for all other programs	Yes	PEO for PEO designated programs or SCO for all other programs	Yes
80	DFARS 216.405-2(1) DAFFARS 5316.405-2(1)	Approves determination that a percentage of award fee available for the final evaluation be set below 40 percent.	SAF/AQC	No	HCA	No
81	FAR 16.504(c) (1)(ii)(D)(1) DFARS 216.504(c)(1) (ii)(D)(1) DAFFARS 5316.504(c)(1) (ii)(D)(1)	Approves D&F to justify award of task or delivery order contract in an amount estimated to exceed \$100 million (including all options) to a single source	SCO	No	SCO	No
82	FAR 16.505(b) (2)(ii)(C)(4) DAFFARS 5316.505(b)(2) (ii)(C)(4)	Approves the justification for exceptions to fair opportunity for a proposed order over \$100M.	SAF/AQ	No	SAF/SQ	No

83	FAR 16.601(d) (1)(ii) DFARS 216.601(d)(i) (A)(2) DAFFARS 5316.601(d)(1) (ii)	When the base period plus any option periods exceeds three years, determines that no other contract type is suitable before using a time-and-materials contract.	SAF/AQC	Yes, SCO may approve individual D&F within scope of class D&F (approved by HCA)	HCA	Yes, SCO may approve individual D&F within scope of class D&F (approved by HCA)
84	FAR 16.601(d) (1)(ii) DFARS 216.601(d)(i) (A)(3) DAFFARS 5316.601(d)(i) (A)(3)	Determines that a contract is excepted from approval requirements of DFARS (d)(i) (A)(1) and (2)	SAF/AQC	No	HCA	No
85	FAR 16.603-2(c)(3) DAFFARS 5316.603-2(c) (3)	Approves the determination of a reasonable price or fee if the CO & contractor fail to reach agreement.	SCO	No	SCO	No
86	FAR 16.603-3 DAFFARS 5316.603-3	Determines a letter contract may be used if no other contract type is suitable.	SCO	Yes, below \$50M but no lower than the COCO	SCO if \$50M or greater, COCO if less than \$50M	No
87	FAR 17.105-1(b) DAFFARS 5317.105-1(b)	Enters into a multi-year contract (MYC) for supplies (DoD) if conditions at (b) (1)-(5) are met.	PEO for PEO designated programs SAF/AQC for all other programs	No	PEO for PEO designated programs HCA for all other programs	No

88	FAR 17.106-3(f) DAFFARS 5317.106-3(f)	Authorizes the use of a solicitation requesting only multi-year prices, provided that dual proposals are not necessary to meet the objectives in FAR 17.105-2.	SCO	No	SCO	No
89	FAR 17.106-3(g) DAFFARS 5317.106-3(g)	Approves the use of variable unit prices on multi-year contracts provided that, for competitive proposals, there is a valid method of evaluation.	SCO	No	SCO	No
90	DFARS 217.170(a) DAFFARS 5317.170(a)	Compares cost of MYC to cost of an annual procurement approach, using present value analysis; award only if MYC will result in the lower cost.	PEO for PEO designated programs SAF/AQC for all other programs	No	PEO for PEO designated programs HCA for all other programs	No
91	DFARS 217.170(b) DAFFARS 5317.170(b)	Provides written notice to the congressional defense committees at least 30 days before termination of any MYC.	PEO for PEO designated programs SAF/AQC for all other programs	No	PEO for PEO designated programs HCA for all other programs	No
92	DFARS 217.171(c) DAFFARS 5317.171(c)	Makes written determination before entering into a MYC that the conditions at (c)(1)-(3) are met.	PEO for PEO designated programs SAF/AQC for all other programs	No	PEO for PEO designated programs HCA for all other programs	No

93	DFARS 217.172(f)(2) DAFFARS 5317.172(f)(2)	Determines the conditions required by DFARS 217.172(h)(2) (i)-(vii) will be met by a multi-year contract equal to or greater than \$750M.	SCO	No	SCO	No
94	DFARS 217.172(g) DAFFARS 5317.172(g)	Enters into a MYC for a weapon system pursuant to DFARS 217.172(g) (1) or advance procurement of components, parts, and materials necessary to manufacture a weapon system pursuant to DFARS 217.172 (g)(2)	SAF/AQC	No	HCA	No
95	DFARS 217.172(h) DAFFARS 5317.172(h)	Ensures that the conditions at (h)(1)-(7) are satisfied before awarding a MYC for a defense acquisition program that has been specifically authorized by law to be carried out using MYC authority.	PEO for PEO designated programs SAF/AQC for all other programs	No	PEO for PEO designated programs HCA for all other programs	No

96	DFARS 217.173 DAFFARS 5317.173	Enters into a MYC for up to 4 years (for supplies and services required for management, maintenance, and operation of military family housing) and pay for each year from annual appropriations.	PEO for PEO designated programs SAF/AQC for all other programs	No	PEO for PEO designated programs HCA for all other programs	No
97	DFARS 217.174(b) DAFFARS 5317.174(b)	Determines, on the basis of a business case analysis, that the proposed purchase of electricity from sources of renewable energy under such contract is cost effective; and it would not be possible to purchase electricity from the source in an economical manner without the use of a contract for a period in excess of five years.	SCO	No	SCO	No
98	DFARS 217.204(e)(i) (C) DAFFARS 5317.204(e)(i) (C)	Determines in writing that exceptional circumstances require an ordering period that exceeds 10 years.	PEO for PEO designated programs SAF/AQC for all other programs	No	PEO for PEO designated programs HCA for all other programs	No

99	DFARS 217.204(e)(iii) DAFFARS 5317.204(e)(iii)	Approves issuance of an order subject to 217.204(e)(i) if performance under the order is expected to extend more than 1 year beyond the 10-yr limit or extended limit described in (e)(i)(C).	PEO for PEO designated programs SAF/AQC for all other programs	No	PEO for PEO designated programs HCA for all other programs	No
100	FAR 17.502-2(c)(2) DAFFARS 5317.502-2(c)(2)	Approves D&F for an Economy Act order to obtain supplies or services by interagency acquisition when the servicing agency is not covered by the FAR.	SAF/AQ	No	SAF/SQ	No
101	FAR 17.703(e) DAFFARS 5317.703(e)	Determine in writing that it is necessary in the interest of DoD to acquire supplies and services through the nondefense agency during the fiscal year, absent certification required by 17.703(a).	SAF/AQC	No	HCA	No

102	DFARS 217.7404(a)(1) (ii) DFARS 217.7404-1 DAFFARS 5317.7404(a)(1) (ii) DAFFARS 5317.7404-1	Approves Undefinitized Contract Actions (UCA), to include Foreign Military Sales & including requirements for non-urgent spare parts and support equipment in a UCA; or modifying the scope of a UCA when performance has already begun.	SCO	Yes, below \$50M no lower than the COCO	SCO if \$50M or greater, COCO if less than \$50M	No
103	DFARS 217.7404(b)(2) DFARS 252.217-7027(c) DAFFARS 5317.7404(b)(2)	Approves unilateral definitizations by the Contracting Officer (in writing) for UCAs with a value greater than \$50M.	SAF/AQC	No	HCA	No
104	DFARS 217.7404(b)(2) DFARS 252.217-7027(c) DAFFARS 5317.7404(b)(2)	Approves unilateral definitizations by the Contracting Officer (in writing) for UCAs with a value of \$50M or below.	SCO	Yes, no lower than the COCO	COCO	No
105	DFARS 217.7404-3(a) (1) DAFFARS 5317.7404-3(a) (1)	Determines in writing that extending definitization beyond an additional 90 days is in the best interest of the Government.	SAF/AQC	No	HCA	No

106	DFARS 217.7404-5(b) DAFFARS 5317.7404-5(b)	Waives limitations of 217.7404(a) Foreign military sales contracts; 217.7404-2 Price ceiling; 217.7404-3 Definitization schedule; and 217.7404-4 Limitations of obligations, if necessary to support cont. ops or humanitarian/ peacekeeping op.	HCA	No	HCA	No
107	DFARS PGI 217.7504(4)(ii) DAFFARS 5317.7504(4) (ii)	Authorizes reverse engineering.	SCO	No	SCO	No
108	DFARS 217.7505(b) DAFFARS 5317.7505(b)	Contracting Officer submits certification for a replenishment part price increase that increased by 25 percent or more over the most recent 12-month period to the appropriate authority.	SCO	No	SCO	No
109	FAR 18.125 DAFFARS 5318.125	Determines that the contracting process may continue after GAO has received a protest (See FAR 33.104(b) and (c)).	SAF/AQC	No	HCA	No

110	<p>FAR 18.2 FAR 18.201 DFARS 218.271 DFARS 218.202 DFARS 218.201(2) DFARS 218.201 DAFFARS 5318.202 DAFFARS 5318.201(c)(2) DAFFARS 5318.201(c) DAFFARS 5318.201(b) DAFFARS 5318.271(S-90) DAFFARS 5318.271 <u>Associated References</u> FAR 2.101, paragraph (3) FAR 2.101 FAR 12.102(f)(1) FAR 13.500(c)(1) FAR 13.201(g)(1) DFARS 211.274-2(b)(1) DFARS 215.371-4(a)(2) DFARS 216.601(d)(i)(A)(3) DAFFARS 5311.274-2(b)(1) DAFFARS 5312.102(f)(1) DAFFARS 5313.201(g)(1) DAFFARS 5313.500(c)(1) DAFFARS 5315.371-4(a)(2) DAFFARS 5316.601(d)(i)(A)(3)</p>	<p>Determines that micro-purchases and simplified acquisitions of supplies or services (or the supplies or services themselves as applicable) are to be used in support of a contingency operation; to facilitate defense against or recovery from cyber, nuclear, biological, chemical, or radiological attack; to facilitate the provision of international disaster assistance; or to support response to an emergency or major disaster.</p>	SCO	Yes, no lower than COCO	COCO	No
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111	FAR 19.201(b) DAFFARS 5319.201(b)	Implements small business programs within their activities, achieve program goals, and ensure contracting personnel maintain knowledge of program requirements.	SCO	No	SCO	No
112	DFARS 219.201(c)(8) DAFFARS 5319.201(c)(8)	Assigns small business technical advisors to perform this function in accordance with DFARS 219.201(c)(8).	SCO	No	SCO	No
113	FAR 19.502-8(b) DFARS 219.502-8(b) DAFFARS 5319.502-8(b)	Renders a decision regarding the CO's rejection of an SBA recommendation.	SCO	Yes, no lower than the COCO	COCO	No
114	FAR 19.1305(d) (2) DAFFARS 5319.1305(d)(2)	Determines not to suspend action on the acquisition because urgent and compelling circumstances exist.	SCO	No	SCO	No
115	FAR 19.1405(d) DAFFARS 5319.1405(d)	Determines not to suspend action. Replies to SBA after receipt of a formal appeal from SBA concerning rejection of a set-aside for Service-disabled Veteran-owned Small Business.	SCO	No	SCO	No

116	FAR 19.1505(i)(3) DAFFARS 5319.1505(i)(3)	Issues a written determination on SBA's appeal of the CO rejection of SBA's PCR recommendation.	SAF/AQC	No	HCA	No
117	FAR 19.1505(i)(3) DAFFARS 5319.1505(i)(3)	Makes a written determination that urgent and compelling circumstances which significantly affect the interests of the United States compel award of the contract.	SAF/AQC	No	HCA	No
118	FAR 19.1505(i)(5) DAFFARS 5319.1505(i)(5)	Specifies in writing the reasons for a denial of an SBA formal appeal.	SAF/AQC	No	HCA	No
119	FAR 22.101-1(e) DAFFARS 5322.101-1(e)	Designates programs for contractors to notify Government of actual or potential labor disputes.	SCO	Yes, no lower than the COCO	COCO	No
120	DFARS 222.101-3-70(b) DFARS PGI 222.101-3-70(b)(ii) DAFFARS 5322.101-3-70(b)(ii)	Submits impact reports on labor disputes to agency head when sufficient urgency warrants the attention of the agency head or when specifically requested.	SCO	No	SCO	No

121	FAR 22.406-13 DFARS 222.406-13 DAFFARS 5322.406-13	For construction contracts, submits Semiannual Enforcement Reports to the labor advisor.	SCO	No	SCO	No
122	FAR 22.504(d) DAFFARS 5322.504(d)	Exceptions to project labor agreement requirement at 22.503(b)	SCO	No	HCA	SCO
123	FAR 22.805(a)(8) DAFFARS 5322.805(a)(8)	Approves an urgent or critical award, without pre-award clearance from the Office of Federal Contract Compliance Programs (OFCCP), if OFCCP cannot complete the evaluation by required date. Applies for contracts/subcontracts \$10M or more excluding construction.	SCO	No	SCO	No
124	FAR 22.1802(d) DAFFARS 5322.1802(d)	Waives the E-Verify requirement for a contract or subcontract or a class of contracts or subcontracts, either temporarily or for the period of performance.	SAF/AQC	No	HCA	No

125	DFARS 222.7003 DAFFARS 5322.7003	Waives the requirements of 222.7002 on case-by-case basis for national security.	SAF/AQC	No	HCA	No
126	DFARS PGI 223.370-4(1)(i) (A)(2) DAFFARS 5323.370-4(1) (i)(A)(2)	Waives the mandatory requirements for safety precautions for ammunition and explosives.	SCO	No	SCO	No
127	FAR 25.101(d) (1) DFARS 225.101(d)(1) DFARS PGI 225.101(d)(1) DAFFARS 5325.101(d)(1)	Allows for application of an alternate domestic content test for a contract under which the domestic content threshold in effect at time of contract award will apply to the entire period of performance for the contract.	SAF/AQ	No	SAF/SQ	No
128	FAR 25.103(a) DFARS 225.103(a)(ii) (B)(1) DAFFARS 5325.103(a)(ii) (B)(1)	Determines that domestic preference for foreign end product would be inconsistent with the public interest for acquisitions valued at or below SAT.	1-level above the CO	No	COCO	No

129	FAR 25.103(a) DFARS 225.103(a)(ii) (B)(2) DAFFARS 5325.103(a)(ii) (B)(2)	Determines that domestic preference for foreign end product would be inconsistent with the public interest for acquisitions with a value greater than SAT but less than \$1.5M.	SCO	No	SCO	No
130	FAR 25.103(a) DFARS 225.103(a)(ii) (B)(3) DAFFARS 5325.103(a)(ii) (B)(3)	Determines that domestic preference for foreign end product would be inconsistent with the public interest for acquisitions valued \$1.5M or more.	SAF/AQ for ACAT I Programs SAF/AQC for other than ACAT I Programs	No	SAF/SQ for ACAT I Programs HCA for other than ACAT I Programs	No
131	FAR 25.103(b) (2)(i) DFARS 225.103(b)(ii) (A) DAFFARS 5325.103(b)(ii) (A) DAFFARS MP5325.103(a)	Approves determination that an article/material/supply is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality for acquisitions valued at or below SAT.	1-level above the CO	No	COCO	No

132	FAR 25.103(b) (2)(i) DFARS 225.103(b)(ii) (B) DAFFARS 5325.103(b)(ii) (B) DAFFARS MP5325.103(a)	Approves determination that an article/ material/supply is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality for acquisitions with a value greater than the SAT but less than \$1.5M.	COCO	No	COCO	No
133	FAR 25.103(b) (2)(i) DFARS 225.103(b)(ii) (C) DAFFARS 5325.103(b)(ii) (C) DAFFARS MP5325.103(a)	Approves determination that an article/ material/supply is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality for acquisitions valued at \$1.5M or more.	SCO	No	SCO	No

134	FAR 25.202(a)(1) DAFFARS 5325.202(a)(1)	Determines that application of the restrictions of the Buy American statute to a particular construction material would be impracticable or would be inconsistent with the public interest.	SAF/AQ for ACAT I Programs SAF/AQC for other than ACAT I Programs	No	SAF/SQ for ACAT I Programs HCA for other than ACAT I Programs	No
135	FAR 25.202(a)(2) DFARS 225.202(a)(2) DAFFARS 5325.202(a)(2)	Buy American Exception. Approves determination that a particular construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality for acquisitions valued at or below SAT.	SCO	Yes, no lower than 1-level above the CO	SCO	Yes, no lower than the COCO

136	FAR 25.202(a) (2) DFARS 225.202(a)(2) DAFFARS 5325.202(a)(2)	Buy American Exception. Approves determination that a particular construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality for acquisitions with a value greater than the SAT but less than \$1.5M.	COCO	No	COCO	No
137	FAR 25.202(a) (2) DFARS 225.202(a)(2) DAFFARS 5325.202(a)(2)	Buy American Exception. Approves determination that a particular construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality for acquisitions valued at \$1.5M or more.	SCO	No	SCO	No

138	FAR 25.204(b) DAFFARS 5325.204(b)	Specifies a higher percentage than 20 percent that the CO adds to the offered price of any foreign construction material proposed for exception from the requirements of the Buy American statute based on the unreasonable cost of domestic construction materials.	SAF/AQ for ACAT I Programs SAF/AQC for other than ACAT I Programs	No	SAF/SQ for ACAT I Programs HCA for other than ACAT I Programs	No
139	DFARS 225.403(c)(ii) (A) DAFFARS 5325.403(c)(ii) (A)	Approves a national interest waiver for a purchase by an overseas purchasing activity if the product is critical for the support of U.S. forces stationed abroad.	SCO	No	SCO	No

140	FAR 25.603(a) (1)(i) DAFFARS 5325.603(a)(1) (i)	American Recovery and Reinvestment Act-Buy American Statute- Construction Materials. Approves determination that a particular construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality for acquisitions with a value at or below the SAT.	SCO	Yes, no lower than 1-level above the CO	SCO	Yes, no lower than the COCO
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141	FAR 25.603(a) (1)(i) DAFFARS 5325.603(a)(1) (i)	American Recovery and Reinvestment Act-Buy American Statute- Construction Materials. Approves determination that a particular construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality for acquisitions with a value greater than the SAT but less than \$1.5M.	COCO	No	COCO	No
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142	FAR 25.603(a) (1)(i) DAFFARS 5325.603(a)(1) (i)	American Recovery and Reinvestment Act-Buy American Statute- Construction Materials. Approves determination that a particular construction material is not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality for acquisitions valued at \$1.5M or more.	SCO	No	SCO	No
143	FAR 25.603(a) (1)(iii) DAFFARS 5325.603(a)(1) (iii)	Determines that application of the restrictions of section 1605 of the Recovery Act to a particular manufactured construction material, or the restrictions of the Buy American statute to a particular unmanufactured construction material would be inconsistent with the public interest.	SAF/AQ for ACAT I Programs SAF/AQC for other than ACAT I Programs	No	SAF/SQ for ACAT I Programs HCA for other than ACAT I Programs	No

144	FAR 25.603(a) (2) DAFFARS 5325.603(a)(2)	Determines that application of the Buy American statute to a particular unmanufactured construction material would be impracticable.	SAF/AQ for ACAT I Programs SAF/AQC for other than ACAT I Programs	No	SAF/SQ for ACAT I Programs HCA for other than ACAT I Programs	No
145	FAR 25.603(b) (2) DAFFARS 5325.603(b)(2)	When a determination is made, for any of the reasons stated in FAR 25.603 , that certain foreign construction materials may be used, provides a notice to the Federal Register within three business days after the determination of the inapplicability of Section 1605 of the Recovery Act is made, with a copy to the Administrator for Federal Procurement Policy and to the Recovery Accountability and Transparency Board.	SAF/AQC	No	HCA	No

146	FAR 25.1001(a)(2)(iii) DAFFARS 5325.1001(a)(2)(iii)	Executes D&F in accordance with 25.1001(b), that use of 52.215-2 w/Alt III or 52.212-5 w/Alt I will best serve interest of the United States.	SAF/AQC	No	HCA	No
147	DFARS 225.7008(b) DAFFARS 5325.7008(b)	Waives restrictions on certain foreign purchases under 10 U.S.C. 4864 .	SCO	No	SCO	No
148	DFARS 225.7021-3 DAFFARS 5325.7021-3	Determines that the disclosure requirements regarding use of facilities and employment of individuals who perform work in the People's Republic of China would not be in the national security interests of the US.	SAF/AQ	No	SAF/SQ	No
149	DFARS 225.7501(c) DAFFARS 5325.7501(c)	Any time during the acquisition process, determines that it is not in the public interest to apply the restrictions of the Balance of Payments Program to the end product or construction material.	SAF/AQC	No	HCA	No

150	DFARS 225.7703-2(b) (2)(i) DAFFARS 5325.7703-2(b) (2)(i)	Makes written determination that it is in the national security interest of the US to use a procedure in 225.7703-1(a) for products or services not limited to use by the military forces, police, or other security personnel of Afghanistan (individual action D&F with a value of less than \$100M).	SAF/AQC	No	HCA	No
151	DFARS 225.7703-2(b) (2)(ii) DAFFARS 5325.7703-2(b) (2)(ii)	Makes written determination that it is in the national security interest of the US to use a procedure in 225.7703-1(a) for products or services not limited to use by the military forces, police, or other security personnel of Afghanistan (individual action D&F with a value of \$100M or more, or to a class of acquisitions).	SAF/AQ	No	SAF/SQ	No
152	FARS 26.203(b) DAFFARS 5326.203(b)	Determines in writing that transition to local firms is not feasible or practicable (individual or class basis).	SAF/AQC	No	HCA	No

153	FAR 27.201-2(e) DAFFARS 5327.201-2(e)	Approves to exempt U.S. patents from the patent indemnity clause.	SAF/AQC	No	HCA	No
154	FAR 27.306(a) DAFFARS 5327.306(a)	In contracts with small business concerns or nonprofits, approves and signs written justification allowing Government to require licensing to 3rd parties of inventions. May only authorize if (1) Use of the invention by others is necessary for the practice of a subject invention or for the use of a work object of the contract; and (2) Action is necessary to achieve the practical application of the subject invention or work object.	SAF/AQ	No	SAF/SQ	No
155	FAR 28.105 DAFFARS 5328.105	Approves using other types of bonds when acquiring particular supplies or services.	SCO	Yes, no lower than the COCO	COCO	No

156	FAR 28.106-2(a) DAFFARS 5328.106-2(a)	Approves the use of a new surety bond during the performance of the contract.	SCO	Yes, no lower than the COCO	COCO	No
157	FAR 28.106-6(c) DAFFARS 5328.106-6(c)	Provides a certified copy of the payment bond and the contract in accordance with FAR 28.106-6(c); including determining the reasonable and appropriate costs the requestor must pay.	SCO	Yes, no lower than the CO	CO	No
158	DFARS 228.311-1 DAFFARS 5328.311-1	Waives the requirement for use of FAR clause 52.228-7, Insurance -- Liability to Third Persons.	SCO	No	SCO	No
159	DFARS 228.370(a)(2) DAFFARS 5328.370(a)(2)	Disallows the contractor to buy insurance for war-hazard losses. If so, the CO shall insert the clause at DFARS 252.228-7000.	SCO	No	SCO	No
160	DFARS 228.370 DAFFARS 5328.370(b)(3)	Refers to AFI 10-220/DCMA Instruction 8210-1D for the appointment of primary and alternate Government Flight Representatives (GFR)	SCO	No	SCO	No

161	FAR 30.201-5(a) DFARS 230.201-5(a) DAFFARS 5330.201-5(a)	Waive CAS applicability in accordance with the conditions at FAR 30.201-5(b).	SAF/AQC	No	SAF/AQC	No
162	FAR 30.202-6(b) DAFFARS 30.202-6(b)	Authorizes award of a CAS-covered contract w/o obtaining submission of the required disclosure statement.	SAF/AQ	No	SAF/SQ	No
163	Class Deviation 2011-O0006 DAFFARS 5331	Waives the requirements of FAR 31.	SCO	No	SCO	No
164	Class Deviation 2011-O0006 DAFFARS 5331	Determine that incurrence of the Contribution in Aid of Construction (CIAC) tax is necessary to achieve the most beneficial business case for the Government and allowing the CIAC tax will result in significant benefits to the Government that outweigh the cost of allowing the tax.	SCO	No	SCO	No
165	FAR 32.402(c) (1)(iii) DAFFARS 5332.402(c)(1) (iii)	Determines, based on written findings, that advance payment is in public interest or facilitates national defense.	SAF/AQC	No	HCA	No

166	DFARS 232.901(1)(ii) DAFFARS 5332.901(1)(ii)	Makes determination, after consultation with the cognizant comptroller, that conditions exist that limit normal business operations.	SCO	No	SCO	No
167	FAR 32.906(a) DAFFARS 5332.906(a)	Determines that (1) making invoice and contract financing payments earlier than 7 days prior to the dates specified in the contract is warranted in a specific case; or (2) use of accelerated payment methods described in 5 CFR §1315.5 is necessary.	SAF/AQC	No	HCA	No
168	FAR 32.1106(b) DAFFARS 5332.1106(b)	Authorizes electronic funds transfer (EFT) for a non-domestic transaction if (1) the political, financial, and communications infrastructure in the foreign country supports EFT payment; or (2) payments of other than United States currency may be made safely.	SAF/AQC	No	HCA	No

169	FAR 33.102(b)(3)(ii) DAFFARS 5333.102(b)(3)(ii)	At the request of the contractor, reviews agency records associated with a request for reimbursement of protest costs by the Government.	SCO	Yes, no lower than the COCO	COCO	No
170	FAR 33.104(b)(1) or (c)(2) DAFFARS 5333.104(b)(1) or (c)(2)	Authorizes contract award notwithstanding a GAO protest before award, or continued contract performance notwithstanding a GAO protest after award.	SAF/AQC	No	HCA	No
171	FAR 33.104(g) DAFFARS 5333.104(g)	Reports to the GAO why their recommendations have not been followed by the agency not later than 5 days after the expiration of the 60-day response period.	SAF/AQC	No	HCA	No
172	DFARS 233.215(3) DAFFARS 5333.215(3)	Determines that continued performance is necessary pending resolution of any claim that might arise under or be related to the contract.	SCO	Yes, no lower than 1-level above CO	COCO	No

173	DFARS 234.004(2)(v) (B) DAFFARS 5334.004(2)(v) (B)	Waives the limitation at DFARS 234.004(2)(v)(A) that the CO shall not procure more than one lot for Low-Rate Initial Production (LRIP) associated with a major defense program.	SCO	Yes, no lower than the COCO	COCO	No
174	DFARS 234.7002(d)(4) DAFFARS 5334.7002(d)(4)	Determines the information submitted is not sufficient to determine the reasonableness of price for items developed exclusively at private expense.	SCO	No	SCO	No
175	DFARS 235.015-70(c) & (d)(3)(ii) DAFFARS 5335.015-70(c) & (d)(3)(ii)	Approves special use allowance for research facility acquired by educational institutions.	SCO	No	SCO	No
176	DFARS 235.070-1(a) DAFFARS 5335.070-1(a)	Approves requests for indemnification of unusually hazardous risks under 10 U.S.C. 3861.	AFMC/PK SCO AFLCMC/PK SCO	No	HCA	No
177	FAR 36.208 DAFFARS 5336.208	Approves concurrent performance of firm-fixed-price and other types of construction contracts at the same work site.	SCO	Yes, no lower than the COCO	COCO	No

178	FAR 36.209 DAFFARS 5336.209	Approves contract awards for the construction of a project to the firm that designed the project or its subsidiaries or affiliates	SCO	No	HCA	No
179	FAR 36.213-2(a) DAFFARS 5336.213-2(a)	Waives the requirement for pre-solicitation notices for proposed construction contracts expected to exceed the SAT.	SCO	Yes, no lower than the COCO	COCO	No
180	DFARS 236.270(a) DAFFARS 5336.270(a)	Certifies that the additional expenditures are necessary to protect the National interest AND establishes a reasonable completion date for the project (Approval to expedite the completion date of a contract funded by a MILCON appropriations act, if additional costs are involved).	SAF/AQ	No	SAF/SQ	No

181	DFARS 236.272(b)(1) & (b)(2) DAFFARS 5336.272(b)	(1) Authorizes the use of prequalification for urgent or complex construction projects; and (2) Approves the prequalification procedures of construction sources.	SCO	Yes, no lower than the COCO	COCO	No
182	FAR 36.301(b)(3)(vi) DAFFARS 5336.301(b)(3)(vi)	Establishes other criteria for use of two-phase design-build selection procedures.	SCO	Yes, no lower than the COCO	COCO	No
183	DFARS 236.303-1(a)(4)(i)(B) DAFFARS 5336.303-1(a)(4)(i)(B)	Approves determination to allow more than five offerors to submit phase two design-build proposals for acquisitions exceeds \$4.5M.	SCO	No	SCO	No
184	DFARS 236.570(b)(2) DAFFARS 5336.570(b)(2)	Approves use of a separate bid item for mobilization and preparatory work.	SCO	Yes, no lower than the COCO	COCO	No
185	FAR 36.602-3 DAFFARS 5336.602-3	Oversees evaluation board functions for A&E contracts.	SCO	Yes, no lower than the COCO	COCO	No
186	FAR 36.602-4(a) DAFFARS 5336.602-4(a)	Makes the final slate selection for A&E contracts.	COCO - Refer to AFI 32-1023 Para. 4.3.3.6 for the slate selection authority for A&E services exceeding \$1M per contract.	No	COCO - Refer to AFI 32-1023 Para. 4.3.3.6 for the slate selection authority for A&E services exceeding \$1M per contract.	No

187	FAR 36.609-1(c)(1) DAFFARS 5336.609-1(c) (1)	Determines that, in fixed-price A&E contracts, cost limitations are secondary to performance considerations and additional project funding can be expected, if necessary.	SCO	No	SCO	No
188	DFARS 237.104(b)(iii) (A)(2) DAFFARS 5337.104(b)(iii) (A)(2)	Approves a proposed personal services contract for services to be provided by individuals outside the U.S. and directly supports defense intelligence components or special operations command. Services must be urgent, cannot be obtained by other means, and are supporting DoD activities or programs outside the U.S.	SCO	No	SCO	No

189	FAR 37.113-1(a) DAFFARS 5337.113-1(a)	May waive the 31.205-6(g) (6) cost allowability limitations on severance payments to foreign nationals that meet the conditions at 37.113-1(a)(1)- (2).	SAF/AQC	No	HCA	No
190	FAR 37.204(a) DAFFARS 5337.204(a)	Determines if sufficient personnel with the requisite training and capabilities are available within the agency to perform the evaluation or analysis or proposals submitted for the acquisition.	PEO for PEO designated programs SAF/AQC for all other programs	No	SCO	No
191	DFARS 237.7401(c) DAFFARS 5337.7401(c)	Determines the services being acquired under contract with the local government are in DoD's best interest.	SCO	Yes, no lower than the COCO	COCO	No
192	DFARS 239.101(1) DAFFARS 5339.101(1)	Determines no commercial products or commercial services are suitable to meet the agency's needs for information technology products or services in excess of the SAT.	SCO	Yes, no lower than the COCO	COCO	No

193	FAR 41.202(c) (2) DAFFARS 5341.202(c)(2)	Approves determination to pay the non-negotiated utility rates due to contract impasse.	SCO	Yes, no lower than the COCO	COCO	No
194	FAR 41.204(c) (1)(ii) DAFFARS 5341.204(c)(1) (ii)	Determines use of the area-wide contract for utility services is not advantageous to the Government.	SCO	Yes, no lower than the COCO	COCO	No
195	FAR 42.202(c) (2) DAFFARS 5342.202(c)(2)	Approves the delegation of additional functions to the CAO.	SCO	Yes, no lower than the COCO	COCO	No
196	DFARS PGI 242.7100(4) DAFFARS 5342.7100(4)	Approves the solicitation of voluntary refunds from a contractor.	SCO	No	SCO	No
197	DFARS 243.204-70-3 DAFFARS 5343.204-70-3	Determines in writing that extending definitization beyond an additional 90 days is in the best interest of the Government for UCOs with a value greater than \$50M	HCA	No	HCA	No
198	DFARS 243.204-70-3 DAFFARS 5343.204-70-3	Determines in writing that extending definitization beyond an additional 90 days is in the best interest of the Government for UCOs between \$5M and \$50M	SCO	Yes, no lower than the COCO	COCO	No

199	DFARS 243.204-70-5(c) DAFFARS 5343.204-70-5(c)	Waives limitations of 243.204-70-2 (price ceiling); 243.204-70-3 (definitization schedule); and 243.204-70-4 (limitations on obligations) if necessary to support cont. ops or humanitarian/ peacekeeping op.	SAF/AQC	No	HCA	No
200	FAR 44.302(a) DAFFARS 5344.302(a)	Raises or lowers the \$25 million contractor purchasing system review (CPSR) level if considered to be in the Government's best interest.	SAF/AQC	No	HCA	No
201	FAR 45.102(e) DAFFARS 5345.102(e)	Determines installation or construction of Government property on contractor- owned real property in such a fashion as to become non-severable is necessary and in the Government's interest.	SCO	No	SCO	No

202	DFARS 245.102(4)(ii) (B) DAFFARS 5345.102(e)(4) (ii)(B)	Determines contractor will not be required to tag, label, or mark items that are to be in support of contingency operation or to facilitate defense against/recovery from Nuclear, Biological, Chemical and Radiological (NBCR) attack.	SAF/AQC	No	HCA	No
203	DFARS 245.102(4)(ii) (C)(1)(i) DAFFARS 5345.102(e)(4) (ii)(C)(1)(i)	Executes D&F concluding that it is more cost effective for the Government requiring activity to assign, mark, and register the unique item identification after delivery of an item acquired from a small business concern or a commercial product acquired under FAR part 12 or part 8 for an ACAT I program.	PEO	No	PEO	No

204	DFARS 245.102(4)(ii) (C)(I)(ii) DAFFARS 5345.102(e)(4) (ii)(C)(1)(ii)	Approves a determination and findings concluding that it is more cost effective for the Government requiring activity to assign, mark, and register the unique item identification after delivery of an item acquired from a small business concern or a commercial product acquired under FAR part 12 or part 8 for all other programs.	SCO	No	SCO	No
205	FAR 45.301(f) DAFFARS 5345.301(f)	Approves use of Government property for commercial use expected to exceed 25 percent of the total use of Government and commercial work performed.	SCO	Yes, no lower than the COCO	COCO	No
206	FAR 48.104-3(a) FAR 48.202 DAFFARS 5348.104-3(a)	Determines if the cost of calculating and tracking collateral savings will exceed the benefits to be derived.	SCO	Yes, no lower than the COCO	COCO	No

207	DFARS 249.501-70(a) DAFFARS 5349.501-70(a)	Approves the use of 252.249-7000, Special Termination Costs in incrementally funded contract.	SAF/AQC	No	HCA	No
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TABLE 3: AUTHORITIES [AR2]See [SCO Delegations](#) or HCA designations memos for additional delegations

SCO	Grant Authority	Cooperative Agreement Authority	Other Transactions Authority	Procurements for Experimental Purposes
HQ AFDW/PK	Yes	Yes	Yes	Yes
HQ AFMC/PK	Yes	Yes	Yes	Yes
HQ AFRC/A7K	No	No	No	Yes
AFICC/KF	Yes	Yes	Yes	Yes
AFOTEC/A7K	No	No	No	Yes
AFRCO/PK	No	No	Yes	Yes
SDA	No	No	Yes	Yes
SCC/PK	Yes	Yes	Yes	Yes
SpRCO/PK	No	No	Yes	Yes

MP5301.602-2 (d) Designation, Assignment, and Responsibilities of a Contracting Officer's Representative (COR)

The following are mandatory procedures (MP) for standardizing the Department of the Air Force (DAF) contracting process regarding designation, assignment, and responsibilities of a Contracting Officer's Representative. The assignment of a COR is not necessary when the CO retains or delegates surveillance to DCMA, or for one of the categories of services exempted in [DAFI 63-138 Acquisition of Services](#). [DoDI5000.72](#) requires COs to designate a COR for Construction contracts, unless the contracting officer retains and executes contract oversight responsibilities when the conditions of [DFARS 201.602-2](#) exist.

In accordance with DFARS PGI 201.602-2(d)(v), contracting officers must designate a COR for all service contracts, and supply contracts with cost-reimbursable line items including both firm-fixed-price and other than firm-fixed-price contracts within 3 business days of contract award unless an exemption applies. See DFARS PGI 201.602-2(d)(v)(A) and (B) for exemptions.

1.0 Contracting Officer Roles and Responsibilities

1.1 As part of the acquisition planning process, the CO must determine the nature of the work/requirement (Type A, B, or C) as specified in [DoDI 5000.72](#), *DoD Standard for Contracting Officer's Representative (COR) Certification*.

1.2 If the requiring activity has not yet initiated a COR nomination, the CO must initiate the Request for COR Support to notify the requiring activity of the need for COR(s) support and to prompt requiring activity nomination of a qualified COR via the Joint Appointment Module (JAM) (formerly CORT Tool) in [Procurement Integrated Enterprise Environment \(PIEE\)](#).

1.2.1 The Request for COR Support memorandum initiated by the CO should be routed through requiring activity (e.g., COR Supervisor, Functional Commander/Director (FC/FD)). See Enclosure 5 of [DoDI 5000.72](#), Qualification Requirements for CORs and Enclosure 6 of [DoDI 5000.72](#), Examples of COR Responsibilities and COR Certification Requirements. The COR must file the CO's Request for COR Support memorandum (if used) in the "COR Online File."

1.2.2 The CO must provide contract specific training (see paragraph 1.3.7). COR management is responsible for ensuring that any COR performing under a waiver pursuant to sections 1701-1764 of Title 10, United States Code completes all required training. New entrant and required DoD Component provided ethics (U.S. Air Force Annual Ethics Training for OGE Form 450 filers or [DAU ACQ 00301](#) for non-OGE Form 450 filers) and combating trafficking in persons (CTIP) training may not be waived.

1.2.3 The CO shall perform, with participation of the COR and COR supervisor, a yearly administrative review of the COR's online file during the anniversary month of appointment, or more often, at the discretion of the CO. The CO shall upload the COR File Annual Checklist to the Surveillance and Performance Monitoring (SPM) (Formerly CORT Tool) in PIEE comprised of the minimum requirements of, COR-related documents necessary for the effective discharge of COR duties and responsibilities. The Checklist (available in SPM) shall guide the COR in populating the online COR File and serve as the basis for the CO to judge the accuracy and completeness of the COR file during each review. 1.2.4

1.2.4 The COR Designation from the CO must also:

- (a) Designate the COR (if required) as an Assessing Official Representation (AOR) supporting the CPAR process;
- (b) Stipulate that the COR will be required to have access to the [Synchronized Pre-Deployment & Operation Tracker \(SPOT\)](#) (if required due to overseas deployment support); and
- (c) Stipulate whether the COR will require access to the System for Award Management (SAM) to review the contractor's service contract reports.

1.2.5 Notification of COR designation should be provided to the QAPC.

1.2.6. Distribution of the fully executed COR designation must be made to the COR, COR Supervisor, Contractor, and Property administrator. In addition, notification must be sent to the local Judge Advocate General office or Office of General Counsel immediately upon the appointment of a COR designated as an OGE Form 450 filer, and annually by January 1st.

1.3 CO, Contract Specialist, or QAPC Led Training. The CO must ensure contract-specific training is scheduled and provided to the prospective COR, unless waived (see 1.2.2). The training may be conducted by the CO, Contracting Specialist, or QAPC, and must consist of the following at a minimum prior to contract award:

- 1.3.1 Duties/responsibilities to be delegated;
- 1.3.2 Importance of COR performance;
- 1.3.3 Personal conflicts of interest and potential conflicts of interest;
- 1.3.4 Unauthorized commitments;
- 1.3.5 Ethics/integrity in relationships with the CO, COR management (e.g., COR Supervisor, Services Designated Official (SDO), Functional Commander/ Directors (FC/FD)), and the contractor;
- 1.3.6 Discussion of the [Seven Steps to the Services Acquisition Process](#).
- 1.3.7 Contract-specific training consisting as a minimum of the following:
 - 1.3.7.1 A discussion of the contract (SOW, PWS, Specifications, etc.), and surveillance plan/QASP;
 - 1.3.7.2 An awareness of any areas in the contract susceptible to fraud, waste, and abuse;
 - 1.3.7.3 Creation, maintenance, and submission of all surveillance documentation and contractor performance assessment information required by the contract and applicable regulations;
 - 1.3.7.4 How the COR can stay abreast of contract modifications;
 - 1.3.7.5 How the COR can monitor contract fund status; and,
 - 1.3.7.6 Joint CO and COR review of the "COR File Annual Checklist" to ensure mutual understanding of the level/ quality of surveillance and documentation must be maintained in the on-line SPM file.

1.3.8 Refer to the [Suggested Contract-Specific Training Syllabus](#) template for conducting contract-specific training. The template may be tailored to fit your acquisition.

COR Performance and Appraisal

1.4 At a minimum, the CO and COR supervisor must review the COR's reports, files, and other documentation for completeness/accomplishment, on an annual basis.

1.5 The CO must provide an annual assessment, as a minimum, on the COR's performance to the COR supervisor. The assessment may be performed concurrently with the administrative review of the COR online file detailed in 1.2.3.

1.6 The COR must complete and upload reports to the SPM, as required, to enable the CO to review and approve/ reject reports in the SPM.

1.7 When the CO terminates the COR's duties (see [Termination of COR Designation](#)), a new COR can be nominated prior to terminating the former COR. The requiring activity must nominate a COR replacement via the JAM to ensure continuous contract monitoring by a qualified individual. Copies of the designation for the successor COR will have the same distribution requirements as the COR letter of designation.

1.8 When the requiring activity requests termination of COR designation, the CO must terminate the COR designation in writing (use of the “Smart Form” in the JAM is authorized). Include the signed [Termination of COR Designation](#) in the official contract file.

1.9 The CO must forward a copy of the fully executed [Termination of COR Designation](#) to the COR, COR Supervisor, Contractor, and as applicable, to the contract administration office(r).

2.0 COR Roles and Responsibilities

2.1 Register for JAM and SPM access through the PIEE e-Business Suite at <https://piee.eb.mil/>, and complete training to effectively perform duties in the SPM. Training includes a review the JAM and SPM Users Guide and FAQs, and if necessary, a request for additional training from a local Department Administrator (DA).

2.2 Provide information necessary to assess whether any actual or potential personal conflicts of interest with performing the responsibilities to be designated exist. Conflicts of interest determination will be reviewed again prior to contract award.

2.3 Participate, as requested, in annual CPAR procedures and contract close-out.

2.4 Remain abreast of changes to terms and conditions of the contract resulting from contract modifications.

2.5 Perform only those duties/responsibilities delegated by the CO in the [COR Designation](#).

2.6 CORs may be designated as the Assessing Official’s Representative (AOR) by the CO in the [Contractor Performance Assessment Reporting System \(CPARS\)](#) IAW the CPARS Guide. If designated as an AOR, the COR would be responsible for providing a timely, accurate, quality, and complete narrative for a report on the contractor’s performance. If the CO requires the COR to have access to the contractor performance assessment reporting system (CPARS), the [synchronized pre-deployment and operational tracker](#) (SPOT) or the [System for Award Management](#) (SAM), an account would be authorized and granted after COR designation.

2.7 If a Chief-Contracting Officer’s Representative (C-COR) is appointed for a service contract pursuant to [DAFI63-138, Acquisition of Services](#), Chapter 2, the C-COR must maintain the sole online COR file in SPM for the contract. When a CO appoints a C-COR and CORs on the same contract, the relationship shall be annotated on the COR Designation.

3.0 COR Supervisor

3.4 Conduct regular reviews of COR inputs into SPM, and follow-up as necessary, on the content, timeliness, and completeness of COR Reports, online files, and other COR-related documentation.

3.1 Register for SPM access via the Procurement Integrated Enterprise Environment (PIEE) e-Business Suite at <https://piee.eb.mil/>, and then complete training to effectively perform duties in the SPM. Training includes a review of the JAM and SPM Tool Users Guide and FAQs, and if necessary, a request for additional training from a local DA.

3.2 Review and approve (certify) or reject COR nominations in the JAM, when submitted by an assigned COR in the JAM and notified by a system-generated email that a nomination is “Awaiting Approval”.

3.3 The COR Supervisor shall ensure that the COR completes and uploads COR Reports to SPM, as required, to enable the CO to review and approve/ reject reports in the SPM.

4.0 OGE 450 Determination and Processing

4.1 A COR must file an [OGE 450](#) if determined to meet the criteria for filing a Confidential Financial Disclosure Report (OGE Form 450) as set forth in section 2634.904 of Title 5, Code of Federal Regulations, and section 7-300 of DoD 5500.07-R.

4.1.1 A COR need not be designated as an OGE 450 filer, IAW section 2634.904 of Title 5, if all of the following apply:

- (a) The COR will NOT participate personally and substantially in any contracting process,
- (b) The COR will NOT exercise substantial discretion, through interactions, decisions, or reports, that will influence the contractor’s activities and result in a substantial economic effect on the contractor’s interests,
- (c) The COR’s work and judgment WILL BE subject to “substantial supervision and review” by the CO & COR Supervisor, with final authority deferred to the CO for contractor direction and contract-related matters, and (d) The COR’s actions will NOT cause any conflict of interest (real or apparent) between the interests of the COR and the government and/or the contractor

4.2 The COR must submit the completed [OGE 450](#) directly to his or her supervisor and provide the information contained on the OGE 450 to the CO for review prior to submission to the local legal office by the required date.

5.0 Quality Assurance Program Coordinator (QAPC)

5.1 Train CORs and COR management [e.g., COR Supervisor, Services Acquisition Decision Authority (SADA), Services Acquisition Lead (SAL)] on the contracting requirements associated with the quality assurance program and any MAJCOM/FLDCOM/DRU/DAFRCO procedures prior to contract award. See paragraph 1.5 herein.

5.2 Assist the CO in providing contract-specific training (to include refresher training) to the COR (Reference paragraph 1.3 above) and ensuring required training is accomplished in accordance with DoDI 5000.72, DoD Standard for Contracting Officer's Representative (COR) Certification, 26 Mar 15.

5.3 Monitor the inputs and use of SPM for the assigned organization. This requires registration, training, and designation as a local JAM/SPM DA or Manager Role by all QAPCs. DAs/Managers provide functional, not technical support, and provide for the continued deployment of JAM and SPM for new users and for the support of existing users in the local organization, by performing three categories of duties:

5.3.1 GETTING STARTED:

(a) Advise or assist new users with initial JAM/SPM registration, or existing users with registration and profile updates, through the PIEE e-Business Suite platform;

(b) Activate new roles (if designated as a DA) and added roles (only if a DA) after verifying proper completion of the automated DD2875; and,

(c) Conduct JAM SPM training or provide training resources to users.

5.3.2 USER SUPPORT:

(a) Advise and assist on the functions & features of JAM/SPM;

(b) Use Administrator or Manager privileges to research, troubleshoot, and advise on reported functional issues;

(c) Refer users to the PIEE Helpdesk, when a reported issue involves accounts, errors, or technical support;

(d) Monitor records of all COR nominations, designations, and terminations of designations, to include COR's acknowledgement of their duties, by contract number and CO's name;

(e) Monitor records of all COR and COR management training, including refresher training regardless of provider (e.g., QAPC, CO, contract specialist, contract administrator, Defense Acquisition University, or commercial training provider)

6.0 Memorandum Templates and Contract Training Syllabus

[Request for COR Support](#)

[Suggested Contract-Specific Training Syllabus](#)

MP5301.603-90 Selection, Appointment, and Termination of Appointment of Contracting Officers

(a) Applicability. This MP must be used when selecting, nominating, appointing, and terminating contracting officers (CO) to maximize standardization across the AF. Warrants are issued in accordance with [FAR 1.603](#), [DFARS 201.603](#), [10 U.S.C. § 1724](#), [DODI 5000.66](#), and this MP. Warrants may only be issued for the following values: zero-dollar (administrative warrant for accomplishing zero-dollar, administrative actions only), Simplified Acquisition Threshold (SAT), \$5M, \$25M, and unlimited. See [MP5301.601\(a\)\(i\)](#) for identification of the appointing official with the authority to issue and terminate Contracting Officer warrants.

For any DAF military members under administrative control (ADCON) of AFDW and assigned to non-DAF organizations (e.g. DAU, DCMA, DCAA, etc.), the AFICC/CC SCO will serve as the warranting authority.

The authority limitations of this MP do not apply to administrative terminations (for retirement or separation) or administrative documentation relating to warrant transfers. Authority to sign this documentation is delegable to no lower than the COCO, the Chief of the Clearance and Program Support Division, or Chief of Policy.

(b) Warranting. An individual selected for contracting officer appointment must be a military member in Air Force Specialty Code (AFSC) 64PX or 6C0X1 or a civilian in the GS-1102 occupational series who occupies a manned authorization listed under these specialty codes/series, and complies with the requirements at [DFARS 201.603-2](#) and this MP.

(c) Focal Point (FP). FPs must be designated in writing via the FP designation form and may be assigned unlimited or limited duties as indicated in the [Warrant Process Focal Point Designation Form](#). Each SCO is responsible for appointing FPs and must designate at least one FP with full duties. SCOs may delegate authority to appoint limited FPs to the COCO. This authority is not further delegable. Follow the form instructions when appointing FPs.

(d) AF CO Warrant Tracking Tool. All warrants are entered into and tracked via the AF CO Warrant Tracking Tool ([AFCOWTT](#)). FPs obtain access to the AFCOWTT by submitting a copy of the Warrant Process Focal Point Designation Form to [HQ AFMC/PK](#). Prior to obtaining access, FPs must request training on the use of the AFCOWTT by contacting

HQ AFMC/PK, as applicable. FPs are responsible for entering all warrant data into the tool, and for uploading warrants ([SF1402s](#)) (and up to three past SF1402s), a copy of the Contracting Officer Test (COT) certificate, and the [Contracting Officer Appointment/Warrant Eligibility Transfer/Termination Request \(COWER\)](#). FPs also administer all other warrant actions and are responsible for maintaining current, accurate, and complete warrant data in the AFCOWTT, including ensuring that all mandatory attachments are uploaded for each warrant holder, including the SF-1402, the COT certificate, and a copy of the completed COWER. A new warrant threshold requires a new warrant number; If a new warrant is obtained (for example, someone's warrant threshold is increased from \$5M to \$25M, or someone obtains an Unlimited Warrant where a Limited Warrant was previously held), a new Warrant Number will be assigned. The old warrant will be placed in an "Inactive" status and the new warrant with new Warrant Number will be created and set to "Active" status. A new warrant number is not necessary in the case of someone changing their official name with no change to their warrant threshold; administrative changes do not require a new warrant number.

(e) [CO Warrant Nomenclature](#). All transferable warrants shall list "Department of the Air Force" on the 'Organization' and 'Agency/Department' lines of the [SF1402](#). All transferable warrants are numbered as follows: the first two positions are "AF", the third and fourth positions are the last two digits of the fiscal year (FY) in which the appointment is made, and positions 5-9 are obtained from the identification (ID) field of the AFCOWTT; for example, in FY21 an ID field number of 12345 would yield an appointment number of AF-21-12345. Current transferable warrants will be updated through attrition. All new non-transferable warrants will be numbered as follows: Organization-FY-XXXXX e.g., SSC-21-12499 for SSC; last 5 positions are obtained from the ID field of the AFCOWTT.

(f) [Nominating Warrant Candidates](#). Warrant candidates are nominated by a candidate sponsor who shall be no lower than the candidate's first level supervisor. Submit warrant nominations to the designated FP using the [COWER](#).

(g) [Contracting Officer Test](#). Candidates for warrants above the simplified acquisition threshold (SAT) must pass the two-hour timed, open book COT by achieving a minimum score of 80%.

(1) The COT is a proctored, computer-generated test containing 25 randomly selected true/false and multiple-choice questions from the FAR, DFARS, and/or DAFFARS. Each question is worth up to two points.

(2) During the COT, candidates are limited to the use of electronic regulations available via www.acquisition.gov and hard copies of the FAR and DFARS (free of tabs and notes); however, hard copies will not be provided. Notes and electronic devices are not permitted in the testing site. Use of email, instant messaging, or any other form of electronic communication is prohibited during the COT.

(3) Candidates must provide the correct answer and the correct, associated complete reference (e.g., [FAR 15.401\(a\)\(2\)\(i\)\(B\)](#)), in order to earn two points. If the candidate answers the question correctly but provides an incorrect reference, one point will be received. If the candidate answers the question incorrectly but the reference correctly, the candidate will not receive any points as this indicates a failure to understand the regulation. The COT is automatically and electronically scored.

i. If the candidate fails to pass the COT, the candidate may challenge missed questions and/or references in accordance with the Proctor User Guide only when approval of the challenge would result in a passing score. (NOTE: Access to the guide is restricted to warrant focal points.)

ii. A candidate who fails the COT may retake it if authorized by their immediate supervisor and space is available. If the candidate fails to pass the COT on the second attempt, the candidate may not retake the COT until a three-month waiting period has passed.

iii. Supervisors are authorized to approve a maximum of two continuous learning points per 12-month period for an individual who completes the COT, whether for a warrant request action or for training purposes.

(4) Practice COT: A practice test titled Contracting Officer Demo Test - C10979 was developed to help familiarize warrant candidates with the question structure of the COT. The practice test is available via the [myLearning](#) site. It is a non-proctored, 50-minute, timed test consisting of ten questions which are electronically and randomly selected from a 20-question pool. There is no limit on the number of times the practice COT may be taken. The completion of a practice test shall not be used as the basis for warrant eligibility.

(h) Warrant Boards. Warrant boards are reserved exclusively for warrants exceeding \$25M and are used to further assess the candidate's experience, qualifications, communication skills, and overall demeanor.

(1) Warrant boards must be chaired by the appointing official or designee at a level no lower than:

- i. Deputy Director or Assistant Director of Contracting;
- ii. Technical Director/Assistant to the Director of Contracting;

(2) Warrant boards must have a minimum of five members, including the board chairperson, participating to constitute a quorum. Suggested board composition includes:

- i. Contracting office supervisors;

- ii. Representative from the staff judge advocate office;
- iii. Competition Advocate;
- iv. Clearance/program support procurement analyst;
- v. Small business specialist/liaison;
- vi. Supervisors/Directors/Deputy Directors from other disciplines; and/or
- vii. Cost/Price Analyst

(3) Warrant board members may be held in person by teleconference, or video conference at the discretion of the board chairperson.

(4) The warrant candidate must correctly answer and/or discuss no fewer than 10 questions, seven of which must be obtained from the scenario-based AF question repository. To obtain access to the question repository, submit the Warrant Process Focal Point Designation Form to [HQ AFMC/PK](#). The appointing official has the discretion to develop new question(s) for the remaining three questions, which may be scenario- or knowledge-based. The board shall include questions that address PEO, Enterprise, and Operational portfolios, as well as pricing, fiscal law, contract law, legal, and problem solving.

(5) The appointing official (See Section a), in consultation with the board members, may appoint an unlimited warrant, a limited warrant, or none. Individuals awarded an unlimited warrant as a result of a warrant board shall not be required to sit before the board again, except in the case of a reappointment after a termination for cause (See Para. (s)).

(i) Unlimited Warrants. Unlimited warrants require a minimum of two years of contracting experience, a baccalaureate degree, successful completion of the COT and passing a warrant board. Additionally, unlimited warrant candidates, at a minimum, shall possess the DoD Contracting Professional Certification (Back-to-Basics) or legacy DAWIA Contracting certification. All unlimited warrants are transferable across the AF.

(j) Limited Transferable Warrants. Warrants limited by a monetary threshold are transferable across the DAF. A Limited Warranted CO shall not sign contract documents associated with award, to include RFPs and D&Fs, above the dollarized warrant limitation. Dollarized warrant limitations apply to all contract award documentation and to the value of the instant contract action a CO is executing. For example, if a CO holds a limited warrant of \$5M and the contract award amount of the instant action is \$6M, the CO is not authorized to sign the contract action.

(1) For zero-dollar and SAT limited warrants, contracting personnel (including purchasing agents in the GS-1105 series) must have at least one year of contracting experience.

(2) For \$5M limited warrants, contracting personnel must have a minimum of two years of contracting experience, [DoD Contracting Professional Certification](#) (i.e., successful completion of the Contracting Certification Exam at DAU) or legacy DAWIA Contracting certification (Level I, II, or III), and have successfully completed the COT. Warrant boards shall not be convened for warrants within this threshold.

(3) For \$25M limited warrants, contracting personnel must have a minimum of two years of contracting experience, [DoD Contracting Professional Certification](#) (i.e., successful completion of the Contracting Certification Exam at DAU) or legacy DAWIA Contracting certification (Level I, II, or III), successful completion of the COT, and vetting process established by the appointing official and documented on the COWER. Warrant boards shall not be convened for warrants within this threshold.

(k) Local National (LN) Warrants. LNs in an equivalent occupational series to GS-1102 may be selected for a contracting officer appointment in accordance with this MP. LN candidates for zero-dollar and SAT limited warrants must meet the same requirements for zero dollar and SAT warrants described in para (j)(1). LN candidates for \$5M and \$25M limited warrants must have successfully completed the COT, possess a baccalaureate degree and a minimum of two years of contracting experience, and shall complete all contracting courses required for [DoD Contracting Professional Certification](#) (LNs do not have access to the system for the certification portion) or shall possess legacy DAWIA Contracting certification (Level I, II, or III). LN Unlimited Warrant candidates must meet all of the requirements described in this paragraph for \$5M and \$25M limited LN Warrants and must also pass a warrant board. All LN Warrants are non-transferable.

(l) Contingency Contracting Force. In accordance with 10 USC 1724 and DODI 5000.66, a member of the contingency contracting force in AFSC 6C0X1 and 6C000 who do not possess a baccalaureate degree from an accredited institution may be nominated, evaluated, and selected for a zero dollar (administrative warrant for accomplishing zero-dollar, administrative actions only), SAT, \$5M, or \$25M limited warrant provided that the individual meets all other requirements for the warrant type and dollar value described in paragraph (j). Since all active duty enlisted members of the DAF Contracting AFSCs 6C0X1 and 6C000 who are serving in an Air Force acquisition coded position are members of the Contingency Contracting Force, regardless of the place of duty performance or the position held, there is no need to issue a separate Contingency

Contracting Officer warrant. Military and Civilian personnel with an active DAF warrant may use their existing warrant in support of both non-contingency and Contingency Operations.

(m) Non-Transferable Warrants. Non-transferable warrants may be issued for specific functions or buying activities (e.g., contract closeout, defective pricing actions, funding modifications, administrative modifications, specific contracts, units, etc.) Candidates for zero-dollar and SAT warrants must meet the same requirements for the warrant type and dollar value described in paragraph (j)(1). Candidates for limited non-transferable warrants valued at \$5M must meet the same requirements for the warrant type and dollar value described in paragraph (j)(2); however, in the case of a non-transferable \$5M warrant limited strictly to incremental funding-only and/or admin-only actions, passage of the COT is recommended but not required. Candidates for limited non-transferable warrants valued at \$25M must meet the same requirements for the warrant type and dollar value described in paragraph (j)(3). The SF1402 must clearly state "Limited Non-Transferable Warrant" and cite the specific warrant limitations.

(n) Warrant Transfer and Reinstatement.

(1) Warrants issued in accordance with this MP, except for those issued in accordance with paragraphs (l) and (m) above, are transferable across the DAF. As long as a warrant is in good standing, an individual shall not be required to test or board again. However, warrant transferability does not guarantee immediate utilization, as the gaining appointing official (see paragraph (g)(1)) may determine that time is needed to facilitate familiarity with new workload responsibilities and organizational procedures. When a Contracting Officer moves from one organization to another, the losing organization's FP shall change the affected warrant record to Inactive and annotate any pertinent information in the notes. The gaining FP shall review the incoming Contracting Officer's warrant record to ensure it is current, accurate, complete, and in good standing. Further instructions regarding electronically transferring a warrant to a new organization are located in the [AFCOWTT](#).

(2) Warrant reinstatement is applicable to an individual who previously held an AF warrant and whose warrant was subsequently terminated for reasons such as reassignment or resignation. A request to reinstate an AF warrant must be submitted to the appointing official for approval through the designated FP using the [COWER](#). The appointing official shall document their assessment and rationale for warrant reinstatement on the [COWER](#).

(o) Grandfathered Contracting Officers. Current COs are not required to be tested, boarded, or reappointed as a result of the issuance of, or changes to, this MP; however, those with limited non-transferable or limited transferable warrants must meet the requirements of this MP to obtain a transferable and/or higher dollar value warrant.

(p) Warrants Issued Based on External Warrant Credentials. A new AF 1102 with external, federal government CO experience may be issued an DAF warrant without meeting the requirements of this MP (COT and vetting process or warrant board) based on the discretion of the appointing official, provided they meet the qualification requirements at [DFARS 201.603-2](#). The appointing official must conduct an assessment of the candidate's qualifications and experience prior to the issuance of a DAF warrant. The appointing official shall document the rationale for appointment on the COWER ([See sample criteria](#).)

(q) Warrant Reciprocity. In December 2023, the Assistant Secretaries of the Air Force and the Army (Acquisition, Technology, and Logistics) signed Memorandum of Agreement (MOA), [Cross-Service Contingency Warranting Procedures](#), between the two Departments. This MOA, which expires in December 2033, established a warrant reciprocity relationship during contingency operations as defined in 10 U.S.C. § 101(a)(13), or in support of an emergency or major disaster as defined in 42 U.S.C. § 5122, or as otherwise directed by the Secretary of Defense in support of U.S. government-led operations (hereinafter, "contingency operations"). The MOA mandates recognition of cross-service warrants and qualifications for both military and civilian personnel and requires each services' Head of the Contracting Activity (or delegated warranting authority) to recognize cross-service warrants and the qualifications and thresholds identified therein without additional testing, assessments, or issuing a new warrant. The intent of this MOA is to enable the lead Service for a contingency operation to avoid delays in providing expeditionary contracting support.

(r) Reissuance of Warrant Certificates. A request to reissue an existing warrant certificate for administrative purposes (e.g., damage to or deterioration of the original SF1402, name changes, etc.) is not a new appointment and may be submitted directly to the FP for processing to the appropriate appointing official; use of the COWER is not required. (s)

(s) Warrant Suspension or Termination for Cause. Warrants may be suspended or terminated for unsatisfactory performance. The appointing official may suspend a warrant in writing until proficiency is demonstrated to the satisfaction of the appointing official. If a warrant is terminated for cause, the candidate must be reappointed in accordance with paragraphs (i), (j), or (k) of this MP, to include a warrant board for reappointment of an unlimited warrant.

(t) Contracting Officer's Signature. The Contracting Officer's wet and digital signature must match the name listed on the SF1402, as should the Contracting Officer's signature block.

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MP5301.90 - CLEARANCE APPROVAL BY THE DAS(C)/ADAS(C)**(A) Business Clearance Approval for Non-Competitive Actions**

(1) The contracting officer will submit notifications to [SAF/AQ C](#) thirty days prior to the anticipated Business Clearance Session with the DAS(C)/ADAS(C). Obtain DAF IP Cadre (SAF/AQCC) feedback on draft documents prior to submission to SAF/AQC for DPC Peer Review. Request DAF IP Cadre input by completing the [Cadre Support Request Intake Form](#) and submit to the [DAF IP Cadre Workflow](#).

(2) No later than 10 business days prior to the desired Business Clearance Session, the contracting officer will forward the following documents through the SCO to [SAF/AQ C](#):

- (a) Completed [Request for Business Clearance](#) (non-competitive);
- (b) Copies of the Commercial Item Determination(s) ([DFARS 212.102\(a\)\(i\)](#)) that are greater than or equal to \$1M;
- (c) [Preliminary Price Negotiation Memorandum](#) and related attachments;
- (d) [Request for Business Clearance](#) (non-competitive) briefing charts; and
- (e) On a case-by-case basis, additional documentation may be requested in support of the SAF/AQC and/or DPC

Peer Review.

(f) The designated CR will conduct the clearance review prior to submitting the required clearance documents to SAF/AQC. Recommend obtaining DAF IP Cadre (SAF/AQCC) feedback on draft documents prior to submission to SAF/AQC by contacting the [DAF IP Cadre Workflow](#).

(g) If DPC Peer Review is required, the Business Clearance Session to brief the clearance approval official occurs prior to the commencement of the DPC Peer Review Phase 1. The Business Clearance Approval document may be signed by the clearance approval official prior to Phase 1, but commencement of negotiations are conditioned upon successful completion of the Peer Review. If DPC Peer Review is required, and the Business Clearance Session has been delegated to the SCO, follow the procedures above for notification and document submission to [SAF/AQC](#).

(h) The contracting officer shall submit a revised Business Clearance Approval document for DAS(C)/ADAS(C) approval, prior to concluding negotiations, when changes to the original negotiation range or parameters that were set forth on the approved Business Clearance Approval document are required. Submit the documents through the SCO to [SAF/AQC](#) for approval. Negotiation offers that exceed the approved negotiation range or parameters may not be made until a revised negotiation range or parameters are approved.

(B) Business Clearance Approval for Competitive Actions

(1) The contracting officer will submit notifications to [SAF/AQ C](#) thirty days prior to the anticipated Business Clearance Session with the DAS(C)/ADAS(C). Obtain DAF IP Cadre (SAF/AQCC) feedback on draft documents prior to submission to SAF/AQC for DPC Peer Review. Request DAF IP Cadre input by completing the [Cadre Support Request Intake Form](#) and submit to the [DAF IP Cadre Workflow](#).

(2) No later than 10 business days prior to the desired Business Clearance Session, the contracting officer will forward the following documents through the SCO to [SAF/AQ C](#):

- (a) Completed [Request for Business Clearance](#);
- (b) [Request for Business Clearance \(competitive\) briefing charts](#);
- (c) Request for Proposal (including attachments); and
- (d) On a case-by-case basis, additional documentation may be requested in support of the SAF/AQC and/or DPC

Peer Review (e.g., Source Selection Plan, Acquisition Strategy Document, Acquisition Strategy Plan Charts).

(e) The designated CR will conduct the clearance review prior to submitting the required clearance documents to SAF/AQC. Recommend obtaining DAF IP Cadre (SAF/AQCC) feedback on draft documents prior to submission to SAF/AQC by contacting the [DAF IP Cadre Workflow](#).

(f) If DPC Peer Review is required, the Business Clearance Session to brief the clearance approval official occurs either before or after the commencement of the DPC Peer Review Phase 1. The decision to hold Peer Reviews prior to Business Clearance approval will be made in coordination with SAF/AQC. Should Business Clearance be held prior to the Peer Review, Business Clearance is conditioned upon successful completion of the Peer Review. If DPC Peer Review is required, and the Business Clearance Session has been delegated to the SCO, follow the procedures above for notification and document submission to SAF/AQC.

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MP5305 - PUBLICIZING CONTRACT ACTIONS

Revised: June 2024

[DAFFARS PART 5305 Knowledge Center](#)

Sec.

MP5305.3 - SYNOPSES OF CONTRACT AWARDS

MP5305.303 Announcement of Contract Awards

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MP5305.3 - SYNOPSIS OF CONTRACT AWARDS

MP5305.303 Announcement of Contract Awards

The following mandatory procedure is provided for preparing 1279 Reports under [DFARS 205.303](#) and Reports of Intent to Award multiyear contracts under [DAFFARS 5317.170](#).

(a)(i) The 1279 Report is used for Congressional notification and public announcement of contract awards that exceed the DoD threshold. Use the 1279 Report Format in (d), tailored where appropriate, when preparing Reports of Intent to Award IAW [DAFFARS 5317.170](#). It is important to note that the Notice of Intent to Award IAW [DAFFARS 5317.170](#) does not satisfy the requirement for a 1279 Report.

(ii) Alternate 1279 reporting for the announcement of source selection contract awards. If the awardee information cannot be provided three days in advance, the report does not need to identify the offeror that has been selected for award. Insert "Source Selection Information - Will Advise" for "Contractor Data" and either "\$50 million or above" or "below \$50 million" for "Face Value" and "Funding Data". When using these procedures, provide the successful offeror, face value of the award, and funding data to [SAF/LLW](#) no later than 1300 hours Eastern the day before the anticipated award date. If [SAF/LLW](#) is not notified by 1300 hours Eastern the day before the anticipated award date, announcement of the award may need to be delayed.

(b) After a 1279 Report has been submitted, report any changes in plans promptly to [SAF/LLW](#).

(c) When immediate award is required and advance notification under paragraph (a) above was not accomplished, prepare the 1279 Report as usual and send it to [SAF/LLW](#). Include the justification for immediate award. If the Congressional and public announcement cannot be made the same day as the award, the contracting officer must obtain the contractor's agreement to withhold public announcement of the award until the award is posted on <https://www.defense.gov/News/Contracts/>. Include in the report a statement that this non-disclosure agreement has been made. The contracting officer will notify the contractor of the agreed upon date of public announcement. The award may then be made without the three-day coordination.

(d) Format (do not include classified information in the report):

(1) Format the SUBJECT line of the email as follows:

CUI: Release Date is DD MMM YY, Program Name, Contracting Activity, DD-LA-(AR) 1279 Report

(2) Release Date: Enter the date award is expected; exclude Saturdays, Sundays and holidays.

(3) Contract Action to be Taken (Select One): Contract Award, Contract Modification or Notice of Intent to Award

(4) The following information shall be included in the 1279 Report. The italicized information below serves as a placeholder for "fill-ins". Utilize the paragraph format provided to ensure the contract announcement is published. Do not use abbreviations and use full names of all contractors, including all subsidiary and division designations as appropriate. (Paragraphs 5 through 7 are to be incorporated into the report directly below one of the following paragraphs.):

Contract Award:

Name of Contractor, address (city and state), and place of performance (if significant work is performed at a different location), has been awarded a face value type of contract action, for contract deliverable (e.g., F-22 Sustainment). This contract provides for description of the scope of work of the contract. The location of performance is location as indicated in the contract award. The work is expected to be complete by date. If applicable: This contract involves foreign military sales to country names. This award is the result of a competitive or sole source acquisition and (for competitive acquisitions), number of solicitations mailed (as applicable) and number of offers received. Fiscal year and type of funds (operations and maintenance, research and development, etc.) in the amount of \$figure are being obligated at the time of award. Contracting activity is the contracting activity (base, city and state, contract number). (Do not list fund cites here, see paragraph 6 below.) There is known/no known congressional interest pertaining to this acquisition.

OR

Contract Modification:

Name of contractor, address (city and state), and place of performance (if significant work is performed at a different location), has been awarded a face value, type of contract action modification (modification number) to previously awarded (contract number) for contract deliverable (e.g., F-22 Sustainment). The contract modification is for description of the scope of the contract (see examples). The location of performance is location as indicated in contract award. If applicable: This modification involves foreign military sales to country names. The work is expected to be completed by date. Fiscal year and type of funds are being obligated at the time of award. Total cumulative face value of the contract is \$figure. Contracting activity is the contracting activity (base, city and state). (Do not list fund cites here, see paragraph 6 below.) There is known/no known congressional interest pertaining to this modification.

Examples of explanatory statements for description of scope of contract are as follows:

- (1) This modification adds the (# of increment, i.e., second, third, etc.) increment of the (length of multi-year contract, i.e., three, four, etc.) year multi-year basic contract.*
- (2) This modification provides for the purchase of an additional quantity of (quantity and item, e.g., 500 widgets) being produced under the basic contract. (If appropriate, indicate that the contracting action is the result of a competitive negotiated procurement).*
- (3) This modification provides for the exercise of an option for an additional quantity of (quantity and item, e.g., 200 gadgets) being produced under the basic contract.*
- (4) This modification changes the specifications for the (indicate item(s)) being produced under the basic contract.*

OR

Reports of Intent to Award IAW [DAFFARS 5317.170](#): Call your [cognizant HCA](#) action officer to confirm receipt. Use the format for Contract Award, state the face value for the total multiyear period and, separately, the value of any options; and include the estimated cancellation ceilings for each program year of the proposed contract and the estimated savings over annual procurement methods. If award is an Energy Savings Performance Contract (ESPC) with a cancellation ceiling, also state the maximum cancellation ceiling amount [see [42 U.S.C. 8287\(a\)\(2\)\(D\)](#), as amended by [Public Law 106-291](#)]. (This paragraph does not apply to 1279 Reports under [DFARS 205.303](#).) (Do not list fund cites here see paragraph 6 below.)

(5) Foreign Military Sales (FMS) information, if applicable: Indicate whether the current action relates to classified or unclassified FMS and identify the country/countries concerned on unclassified sales. Indicate, by percentage, the portion of the current effort that supports FMS. A breakdown by country is not required.

(6) Funding data: Identify type of appropriation and fiscal year of the funds, whether the contract is multiyear and amount obligated at time of award.

(7) Contracting Officer Name

MP5306 - COMPETITION REQUIREMENTS

Revised: June 2024

[DAFFARS PART 5306 Knowledge Center](#)

Sec.

MP5306.5 - COMPETITION ADVOCATES
MP5306.502 Air Force Competition and Commercial Advocacy
Program
MP5306.502-1. Objectives.
MP5306.502-2. Duties and Responsibilities.

MP5306.502-3. Appointment of the Competition and Commercial
Advocate.
MP5306.502-4. Annual Competition and Commercial Reporting
Requirements.

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MP5306.5 - COMPETITION ADVOCATES

MP5306.502 Air Force Competition and Commercial Advocacy Program

This Mandatory Procedure (MP) implements, in part, [AFPD 64-1](#), The Contracting System, and 41 USC 1705. This MP provides guidance and procedures for personnel implementing the Air Force Competition and Commercial Advocacy Program.

MP5306.502-1. Objectives.

The objective of the DAF Competition and Commercial Advocacy Program is to promote and support full and open competition and commercial practices to the maximum extent possible. In addition to the requirements at [FAR 6.501](#), DAF Competition and Commercial Advocate(s) must:

- 1.1. Have extensive qualifications and knowledge of the types of acquisitions of the activity.
- 1.2. Be in a contracting position, commensurate in grade or rank with the senior level program, product, or laboratory personnel with whom the Advocate interacts.
- 1.3. Have direct access to the MAJCOM/FLDCOM/DRU/DAFRCO or Center/Installation commander, as applicable, on matters relating to competition, the acquisition of commercial items and services, and must not have duties or responsibilities inconsistent with Competition and Commercial Advocate duties and responsibilities.

MP5306.502-2. Duties and Responsibilities.

In addition to the duties and responsibilities identified at [FAR 6.502](#), DAF Competition and Commercial Advocates are responsible for the following:

- 2.1. Support the DAF Competition Advocate General in formulating, managing, and providing oversight of the DAF Competition and Commercial Advocacy Program.
- 2.2. Promote commercial practices and competition in acquisition programs managed by their procuring activity. Identify, track, and follow-up on actions to remove impediments to commercial practices and competition. Emphasize competition strategies for creating and maintaining competitive environments. Seek to improve the overall competitive performance and increase the use of commercial practices.
- 2.3. Support the DAF Competition Advocate General in formulating, managing, and providing oversight of the DAF Competition and Commercial Advocacy Program.
- 2.4. Promote commercial practices and competition in acquisition programs managed by their procuring activity. Identify, track, and follow-up on actions to remove impediments to commercial practices and competition. Emphasize competition strategies for creating and maintaining competitive environments. Seek to improve the overall competitive performance and increase the use of commercial practices.
- 2.5. Ensure the organization's policies and procedures: encourage full and open competition whenever possible, promote the use of commercial practices. Review acquisition planning documents and ensure market research demonstrates that competitive and commercial opportunities were considered.
- 2.6. Participate in acquisition strategy planning through forums such as the Acquisition Strategy Panel process.
- 2.7. The Competition Advocate General will establish and assign fiscal year competition goals based on annual projections utilizing Project Management Resource Tools (PMRT) or other data provided by the Competition and Commercial Advocates.
- 2.8. Encourage contracting professionals to complete the Defense Acquisition University (DAU) Contracting course (CON) [CON 0161](#), *Competition in Contracting* and other related training that may be provided.
- 2.9. Convey to program managers, contracting personnel, and senior leaders the advantages of full and open and effective competition, share success stories, and assist contracting officers in doing the same. Competition advocates should provide training to the various functionals involved in acquisition. Competition advocates are encouraged to use resources available in the [5306 DAFFARS Library](#) and [training template](#) developed by OUSD(A&S) DPC.
- 2.10. Identify the potential for full and open competition and effective competition and commercial opportunities through the sole source or limited source and acquisition planning document review process. Review and approve sole source/limited source Justification and Approval (J&A), Limited Sources Justifications (LSJ), and Exception to Fair Opportunity (EFO) justifications in accordance with [DAFFARS 5306.304\(a\)](#), [DAFFARS 5308.405-6\(d\)](#), and [DAFFARS 5316.505\(b\)\(2\)](#). When SAF/AQ is the approval authority, ensure the enhanced instructions have been considered and appropriately addressed in the written justification per SAF/AQ memo, [Ensuring J&As Adequately Describe Efforts Taken to Promote Competition First](#), dated 22 Nov 2022.

2.11. Work with Government and industry to eliminate barriers to competition and the acquisition of commercial products and commercial services.

2.12. The procuring activity Competition and Commercial Advocate must ensure operational contracting Squadrons/Flights have access to an Installation/Center Competition and Commercial Advocate.

2.13. Establish a competition and commercial advocacy program for activities within the procuring activity. The activities' Competition and Commercial Advocacy Program must meet the oversight and management and reporting requirements identified throughout this MP.

2.14. Ensure that requirements are stated in the least restrictive manner to maximize competition and the use of commercial practices.

2.15. Review and provide appropriate comments on determinations made in accordance with [FAR 9.202\(b\)](#) that it would be unreasonable to specify the standards for qualification that a prospective offeror (or its product) must satisfy in order to meet established qualification requirements.

2.16. Provide support as required for the preparation of the annual competition and commercial report in accordance with [FAR 6.502\(b\)\(2\)](#) and Paragraph 4 of this MP.

MP5306.502-3. Appointment of the Competition and Commercial Advocate.

3.1. Procuring activity Competition and Commercial Advocate Appointments.

3.1.1. The DAF Competition Advocate General appoints procuring activity Competition and Commercial Advocates for the procuring activities identified in 5306.501(a)(1) via certificate. SCOs must nominate a primary and alternate Competition and Commercial Advocate. The AFICC SCO or civilian deputy must be the primary Competition and Commercial Advocate for the MAJCOM they support. SCOs must submit nominations via the [Competition and Commercial Advocate Nominations](#) SharePoint site, unless otherwise directed by SAF/AQCP.

3.1.2. The Heads of Contracting Activity for the procuring activities identified in [DAFFARS 5306.501\(a\)\(2\)](#) appoint their primary and alternate Competition and Commercial Advocates in writing.

3.1.3. Once appointed, the competition action officer updates the [Competition and Commercial Advocates list](#) with the required information.

3.2. Subordinate Contracting Activity Competition and Commercial Advocate Appointments.

3.2.1. For any subordinate procuring activity designated IAW [DAFFARS 5306.501\(b\)](#), the procuring activity Competition and Commercial Advocates must appoint a subordinate primary and alternate Competition and Commercial Advocates. Designations and appointments must be in writing.

3.2.2. The names and telephone numbers of the subordinate procuring activity Competition and Commercial Advocate, the procuring activity Competition and Commercial Advocate, and the DAF Competition Advocate General must be displayed on a [poster](#) in a prominent location in each unit.

3.2.3. Once appointed, the competition action officer updates the [Competition and Commercial Advocate list](#) with the required information.

3.2.4. The following subordinate organizations are designated "procuring activities" in AFMC:

3.2.4.1 Air Force Life Cycle Management Center (AFLCMC), Hanscom Operating Location, Eglin Operating Location

3.2.4.2 Air Force Sustainment Center (AFSC), Hill Operating Location, Robins Operating Location

3.2.4.3 Air Force Research Lab (AFRL), Air Force Office of Scientific Research (AFOSR), Rome Research Site, Phillips Research Site, Wright Research Site, and Eglin Research Site.

3.2.4.4 Air Force Test Center (AFTC) --- AFTC is the competition advocate for Air Force Operational Test and Evaluation Center (AFOTEC).

3.2.4.5 Air Force Nuclear Weapons Center (AFNWC)

3.2.4.6 Air Force Installation and Mission Support Center (AFIMSC)

MP5306.502-4. Annual Competition and Commercial Reporting Requirements.

4.1. SAF/AQCP is responsible for submitting the annual report required by [FAR 6.502\(b\)\(2\)](#). The procuring activity Competition and Commercial Advocates must provide support as requested in the preparation of the annual report and provide supplementary information at any time in support of requests for information or other tasks regarding competition and the use of commercial practices.

MP5315 - CONTRACTING BY NEGOTIATION

Revised: June 2024

[DAFFARS PART 5315 Knowledge Center](#)

Sec.

	MP5315.3 Source Selection	4.1	Minimum Requirements
1	PURPOSE, ROLES, AND RESPONSIBILITIES	4.2	Electronic Source Selection
1.1	Purpose	4.3	Tactics, Techniques and Procedures (TTP), Samples, and Tailorable Templates
1.2	Applicability and Waivers		DEFINITIONS (No DAF Text)
1.3	Best Value Continuum (No DAF Text)	5	MANDATORY AIR FORCE SOURCE SELECTION TRAINING
1.4	Source Selection Team Roles and Responsibilities	6	Purpose
2	PRE-SOLICITATION ACTIVITIES	6.1	Responsibilities of Senior Contracting Officials (SCO)
2.1	Conduct Acquisition Planning	6.2	Required Training for Designated Trainers
2.2	Develop a Source Selection Plan (SSP)	6.3	Acquisition/Source Selection Team Training
2.3	Develop the Request for Proposals	6.4	Source Selection Training Material
2.4	Release the Request for Proposals (No DAF Text)	6.5	Training Certificates.
3	EVALUATION AND DECISION PROCESS	6.6	Source Selection Training Survey.
3.1	Evaluation Activities	6.7	Continuous Learning Points (CLP).
3.2	Documentation of Initial Evaluation Results	6.8	LIST OF TABLES AND FIGURES (No DAF text)
3.3	Award without Discussions		MP5315.4 Contract Pricing
3.4	Competitive Range Decision Document		MP5315.400-1 Proposal Instructions.
3.5	Discussion Process		MP5315.400-2. Requesting data/documentation after receipt of the proposal.
3.6	Final Proposal Revisions		MP5315.404-1-90 Pricing Assistance or Pricing Assistance Waiver
3.7	Documentation of Final Evaluation Results		MP5315.407-90 Contract Audit Follow-up (CAFU)
3.8	Conduct and Document the Comparative Analysis		MP5315.6 — UNSOLICITED PROPOSALS
3.9	Best Value Decision		MP5315.606-90 Receipt, Evaluation, and Disposition of Unsolicited Proposals
3.10	Source Selection Decision Document		
3.11	Debriefings (No DAF Text)		
3.12	Integrating Proposal into the Contract		
4	DOCUMENTATION REQUIREMENTS		

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MP5315.3 Source Selection

1 PURPOSE, ROLES, AND RESPONSIBILITIES

1.1 Purpose

This Mandatory Procedure (MP) establishes supplemental procedures for conducting competitively negotiated source selections of \$10M or more within the Department of the Air Force (DAF), and follows the numbering convention of the [DOD Source Selection Procedures](#), dated 20 August 2022.

1.2 Applicability and Waivers

This MP must be used in conjunction with [FAR Part 15](#), as supplemented, to include the [DFARS Part 215](#) and its companion resource entitled Procedures, Guidance and Information (PGI), DoD Source Selection Procedures, and related laws, regulation, and policy. As guidance, this MP also provides hyperlinks to non-mandatory best practices, TTPs, sample RFP and contract language, tailorable templates and training materials.

1.2.3 Waivers. Waivers for solicitations valued at \$1B or more for approval by the Director, Defense Pricing and Contracting (DPC), must be forwarded through the SCO to the [cognizant HCA Workflow](#) for review and processing. See [MP 5301.601\(a\)\(i\)](#) for the waiver approval authority when the solicitation value is above \$10M but less than \$1B. For waivers pertaining to SSAC establishment, SCOs should consider input from the SSA.

1.2.4.1. Waiver procedures apply only to the DoD Source Selection Procedures (CAUTION: read paragraph 1.2 of the [DOD Source Selection Procedures](#)) and this MP. The requirements of [FAR 15.3](#), as supplemented, cannot be waived as these requirements are subject to the FAR deviation process (see [DAFFARS 5301.402\(2\)](#), [DAFFARS 5301.403\(1\)\(i\)](#), [\(ii\)](#), and [DAFFARS 5301.404\(b\)\(i\) and \(ii\)](#)).

1.2.6 Acquisitions with an estimated dollar value less than or equal to \$50M may use price as the only evaluation factor and, therefore, be exempt from the [DoD Source Selection Procedures](#), dated 20 August 2022, and from this MP, if all of the following conditions are met:

(1) The requirement is non-complex and well-defined, such that consideration of non-cost/price evaluation factors (e.g., technical, past performance, etc.) would not provide any meaningful differentiation amongst proposals and would add no value to the selection of a successful offeror;

(2) Past performance record and history will be assessed as one of the multiple standards required for a successful offeror to be determined responsible as described in [FAR 9.104](#);

(3) Use of price as the only evaluation factor is the most advantageous approach to the government; and

(4) The acquisition strategy approving official has determined that use of price as the only evaluation factor is the most appropriate source selection methodology for the requirement and the justification for this determination is included in the approved acquisition strategy/plan.

1.2.6.1 See [MP 5301.601\(a\)\(1\)](#) for acquisitions with an estimated dollar value over \$50M that meet the conditions at 1.2.6 (1)-(4).

1.3 Best Value Continuum (No DAF Text)

1.4 Source Selection Team Roles and Responsibilities

1.4.1 Source Selection Authority (SSA).

1.4.1.1 SSA Appointment.

SSA Designations	\$10M to less than \$100M	\$100M and above
Program Acquisition Category (ACAT) I, IA	Cognizant SAE (Note 1)	Cognizant SAE (Note 2)
All other ACAT programs in a PEO portfolio	Program Executive Officer (PEO) (Note 1)	PEO (Note 2)
Services subject to DAFI 63-138	Services Acquisition Decision Authority (SADA) (Note 3)	SADA (Note 3)

All other acquisitions for which formal PCO source selection procedures are used

One level above the PCO

Note 1: Delegable to no lower than the Procuring Contracting Officer (PCO)/equivalent or higher position within the PEO/ requiring organization chain.

Note 2: Delegable to no lower than one level above the PCO or equivalent or higher position within the PEO/ requiring organization chain.

Note 3: See [DAFI 63-138](#) Tables 2.1 and 2.2 for delegations

A tailorable [Delegation of Source Selection Authority \(SSA\) template](#) is available for use, as desired.

1.4.1.2 SSA Responsibilities. In addition to the responsibilities listed in [FAR 15.303\(b\)](#), [DFARS 215.303\(b\)\(2\)](#), and the [DOD Source Selection Procedures](#), the SSA shall:

1.4.1.2.3 Be accessible to the PCO, SSEB Chairperson and SSAC Chairperson (if applicable) to ensure that necessary leadership and guidance is provided to the SST. Promote active communication within the SST and encourage the team to raise concerns/issues.

1.4.1.2.6 See the following tailorable templates:

1.4.1.2.6.1 [Source Selection Non-Disclosure Agreement \(NDA\)](#) . An NDA may be executed on an annual basis in accordance with [DAFFARS 5303.104-4\(a\)](#).

1.4.1.2.6.2 [Conflict of Interest Statement](#).

1.4.2 PCO.

1.4.2.2 PCO Responsibilities. In addition to the responsibilities listed in [FAR 15.303\(c\)](#) and the [DoD Source Selection Procedures](#), the PCO shall:

1.4.2.2.2 Consider sample RFP Section L language for [Use of Non-Government Advisors](#), when applicable.

1.4.2.2.3 Manage all source selection documents, control and record all exchanges with offerors, and protect all documents (see Section 4). Consider identifying a Source Selection Records Custodian (SSRC) familiar with the contracting process to manage all source selection documents (PCO or someone under PCO oversight). Ensure source selection material is not removed, circulated, or disseminated outside of the source selection work area without PCO review and approval. Ensure all means of electronic communications receive additional scrutiny to preclude inadvertent release of documents that contain sensitive or embedded source selection files. It is a good practice that prior to transmission of Source Selection Information to offerors via any means, the information is reviewed by a second person to preclude inadvertent inclusion of inappropriate data. Additionally, Source Selection Information transmitted to offerors electronically (e.g., via email or disc) or posted to a website must be distributed in a “locked” format, such as scanned .pdf file, .jpeg file, or other protected format, unless offerors are required to fill-in or complete portions of a document, such as Section K Representations and Certifications, or a pricing matrix. Using e-mail to transmit source selection information should be done judiciously and it must be encrypted and digitally signed. Include in the subject line the phrase “Source Selection Information – See [FAR2.101](#) and [3.104](#)”. Use the [Source Selection Information Cover Sheet](#) to identify source selection information. A [sample Verification of Correspondence Going to Offeror checklist](#) may be utilized, as desired.

1.4.2.2.4 Maintain in the official contract file (whether in hard copy or electronic media) all evaluation material and any related supporting information, including minority and dissenting opinions, that has been presented in any form to the SSA as an official record that must not be altered. Updates, revisions, or changes to that evaluation information must be captured in subsequent documentation such that the original record remains distinct.

1.4.2.2.4.1 Working papers, calculations, and personal notes must be clearly identified as such and are not normally part of the official source selection record unless they include information relevant to the source selection decision and the information has not been captured in the official record. Solicit the advice of legal counsel and representatives from the Acquisition Center of Excellence (ACE) (if used) regarding the management and/or retention determination of any paper or digital document generated during the source selection. Legal counsel, the SSEB Chair, SSRC (if other than the PCO) and the PCO must review any notes, working papers, and other documents for a retention determination at regular intervals during the source selection process and upon completion.

1.4.2.2.4.2 Preserve documents and data that are not stored within the electronic official contract filing system (e.g., classified documents, product samples, electronic media) as part of the official record and identify their physical location. A sample [Source Selection File Checklist](#) may be tailored for use, as desired.

1.4.2.2.4.3 Ensure that any requests for source selection delegations are properly accomplished and documented in the source selection file.

1.4.2.2.7 Send a notice to all appropriate organizations (e.g., user or requirements personnel, public affairs offices, etc., that could be contacted by offerors or media outlets concerning the requirement or acquisition) concurrent with issuance of the solicitation announcing that a source selection is in progress. For acquisitions estimated at \$100M or more, send the notice to the [cognizant HCA Workflow](#) for HAF-level notification. The notice shall:

- 1) identify the system, subsystem, service, or project involved;
- 2) identify the anticipated period of the source selection activities;
- 3) include a statement to the effect that contacts or briefings concerning the program by industry are no longer allowed outside of the formal source selection process; and
- 4) state that the PCO (include name and phone number) controls all contact or exchanges with industry/offerors and is the only person authorized to release source selection information before and after contract award.

A tailorable template for [Notice Announcing that a Source Selection is in Progress](#) is available for use, if desired.

1.4.2.2.12 Post [source selection lessons learned](#) no later than 90 days after contract award or termination/cancellation of the source selection.

1.43 SSAC.

1.4.3.2 SSAC Composition.

1.4.3.2.1 It is preferable that the SSAC Chairperson not be in the chain of command of the SSA.

1.4.3.2.2 For all new Milestone B (Pre-MDAP on Major Defense Acquisition Program lists) ACAT I and II competitive acquisitions, the specific composition of the SSAC should consist of senior leaders (flag rank or O-6/GS-15/NH-04 to the maximum extent practicable) from Program Management, Engineering, Finance, Legal, Contracting, Small Business, the ACE, and any other participants as determined appropriate by the SSA, who have recent experience in the successful conduct of source selections. For all other acquisitions when an SSAC is used, the specific composition of the SSAC is at the discretion of the SSA, based upon the expertise required to accomplish a successful source selection. The SSAC may be augmented with senior leaders from the SAF/AQ or SAF/SQ staff, when appropriate, to provide additional experience and expertise. The SSAC may also be supplemented by other subject matter experts at comparable functional positions.

1.44 SSEB.

1.4.4.4 SSEB Responsibilities.

1.4.4.4.1.7 It is considered a best practice for the Program Manager (PM), when one is assigned, to serve as the SSEB Chairperson. It is also a best practice that the SSEB chair not serve in multiple roles.

1.4.4.4.3 For source selections without an SSAC, the SSEB Chairperson must document in the source selection plan, whether or not the SSA wants the SSEB to perform the comparative analysis of proposals and provide that analysis and an award recommendation in the [SSEB Final Report](#).

1.4.6 Other Advisor's.

1.4.6.1 Government Advisor's. Foreign Military Sales (FMS) customers and international cooperative project partners may only participate in the source selection process as advisor's. The PCO must not disclose to the FMS customer any form of cost or price data that is proprietary unless the offeror authorizes its release.

1.4.6.2.2 Limitations on use of nongovernment advisor's. Nongovernment advisor's shall not attend the past performance portion of evaluation briefings

2 PRE-SOLICITATION ACTIVITIES

2.1 Conduct Acquisition Planning

2.2 Develop a Source Selection Plan (SSP)

The PCO and the SSEB chair, with assistance from SSEB members, as necessary, prepare the SSP. A [Source Selection Plan](#) template is available for use, if desired.

2.2.5 Evaluation Factors and Subfactors. When using VATEP, address the decision to use, or not use, an affordability cap, along with supporting rationale for the decision. If an affordability cap will be used, describe how it will be evaluated and whether offerors whose proposals exceed the affordability cap will be eligible for award.

2.2.6 Documentation. Briefing charts shall not serve as the SSEB Initial Report, Competitive Range Decision Document, updated SSEB Initial Report, or SSEB Final Report, but may be used to present summaries of these reports to the SSA. If briefing charts are used to comply with any other source selection documentation requirements set forth in the DoD Source

Selection Procedures, a written script for each briefing must be maintained in the official (permanent) contract file. Briefings should summarize the evaluation and not duplicate the content of written reports.

2.2.9 Securing Source Selection Materials. Section 9.0 of the SSP (“Securing Source Selection Materials”) must include a plan and procedures which address the filing, protection, handling, maintenance, release, retention and disposition of all documents that constitute the complete source selection record. For those source selections utilizing an electronic system for source selection documentation, the SSP must include the process for handling documentation, such as the process for documenting the basis for any changes made to an evaluator’s finalized document. The plan must address training for all SST members to familiarize them with the plan/procedures and mechanism(s) to ensure compliance with the plan/procedures.

2.2.10 The PCO shall maintain the SSP after approval. Subsequent proposed changes to the source selection organization, to include the SSEB and the SSAC (when used), shall be documented in an addendum to the SSP and approved by the SSA unless the SSA delegates this approval responsibility to the SSEB Chairperson within the SSP.

2.3 Develop the Request for Proposals

2.3.1 Evaluation Factors/Subfactors. RFP [Section L and M samples](#) are available for use, as desired.

2.3.4.1 Cost or Price. The analysis technique(s) identified in [FAR 15.404](#), as supplemented, for the evaluation of the proposed cost or price shall be included in the evaluation criteria (Section M or equivalent provisions of the solicitation for commercial acquisitions).

2.3.4.1.1 When used, the Probable Cost estimate is the government estimate of the cost to acquire specified goods and/or services based on each offeror’s proposed approach. The Probable Cost is based upon an analysis of each offeror’s unique proposal in accordance with [FAR 15.404-1\(d\)](#). Define all the components that make up the aggregate government Probable Cost and specify them in Section M (or equivalent provisions of the solicitation for commercial acquisitions).

2.3.4.2.4 Affordability Cap. When an affordability cap is established, the affordability cap must be specified in the RFP and affordability must be included either as a go/no go gate or as an evaluation criterion in the RFP. The RFP must state whether proposals that exceed the affordability cap can be considered for award.

2.3.6. Requirements that fall within the areas of traditional offeror responsibility factors may trigger the Small Business Administration Certificate of Competency (CoC) process if such requirements are evaluated on an acceptable/unacceptable basis, as a rating of unacceptable for an otherwise apparently successful business offeror equates to a non-responsibility determination. For example, issues related to facility clearance/security requirements or evaluation of professional employee compensation as an element of responsibility are areas that may trigger the CoC process for small business offerors. PCOs should consult with small business and legal counsel regarding the use and treatment of such evaluation factors/subfactors.

2.4 Release the Request for Proposals (No DAF Text)

3 EVALUATION AND DECISION PROCESS

3.1 Evaluation Activities

3.1.1.5 When [FAR 52.222-46](#), Evaluation of Compensation for Professional Employees (Feb 1993), is included in the RFP, the Government shall evaluate whether all offerors considered for award understand the contract requirements and have proposed a compensation plan appropriate for those requirements. This evaluation may be accomplished through a technical subfactor to evaluate offerors’ proposed management approach and or/staffing plan, or including the evaluation under the cost/price factor or as a “Volume I” proposal submission and element of proposal compliance and offeror responsibility.

3.1.1.5.1 When including the professional employee compensation evaluation as a “Volume I” proposal submission and element of proposal compliance and offeror responsibility in a source selection with small business offerors, a finding of non-responsibility due to an inadequate professional employee compensation plan for an otherwise successful small business offeror requires the PCO to engage the Small Business Administration Certificate of Competency (CoC) process.

3.2 Documentation of Initial Evaluation Results

3.2.1 SSEB Initial Evaluation. The SSEB Initial Report is used to document the results of the SSEB’s initial evaluation. The rationale for initial evaluation results and assignment of initial ratings will be fully and contemporaneously documented in the SSEB Initial Report. The SSEB Initial Report shall be signed by the PCO and SSEB Chairperson after the completion of initial evaluations and prior to presentation of the initial evaluation results to the SSA. The following tailorable templates are available for use, as desired:

[SSEB Report](#)

Initial Evaluation Briefing

3.2.1.1 For all programs for which DoDI 5000.75 or DoDI 5000.85 designates USD(A&S) as the Milestone Decision Authority, for which AFI63-101/20-101 designates SAF/AQ or SAF/SQ as the Milestone Decision Authority, all SCAT-I services acquisitions, all BCAT I and II systems, and all constructions projects with an estimated total value of \$1 billion or more, request the DAF IP Cadre (SAF/AQCC) review the source selection record by completing the Intake Form (available at the internal IP Cadre MS Teams Channel Link) and submitting that form to SAF/AQCC via the DAF IP Cadre Workflow Email address (SAF.AQ.SAF-AQCC.Workflow@us.af.mil).

3.3 Award without Discussions

3.3.3 Documentation Required Prior to Contract Award. The PCO must obtain contract clearance approval in accordance with [DAFFARS 5301.9000\(e\)\(1\)](#) prior to the SSA making the decision to award without discussions.

3.4 Competitive Range Decision Document

3.4.1 The tailorable [Competitive Range Decision Document](#) (CRDD) template is available for use, as desired.

3.5 Discussion Process

3.5.5 Best Practices. The PCO may provide offerors in the competitive range with their own initial ratings and results of their own initial pricing analysis or total evaluated price. When interim ratings and pricing analysis are provided prior to requesting final proposal revisions, the ratings must reflect the results of discussions with the offeror. PCOs may use the actual briefing charts used to brief the SSA as a method of disclosing an offeror's ratings and price analysis to them. The PCO must require offerors to provide proposal change pages along with their EN responses for any aspect of the proposal that will be incorporated into the awarded contract.

3.5.7 The SSEB Initial Report shall be updated, as necessary, following evaluation of offeror responses to discussions. The rationale for updated (interim) evaluation results and assignment of updated (interim) ratings will be fully and contemporaneously documented in the SSEB Initial Report. The updated SSEB Initial Report is reviewed by the SSAC (if an SSAC is used) and must include, if applicable, any minority and dissenting opinion(s). At a minimum, the report shall be updated and signed by the PCO and SSEB Chairperson prior to presentation of the pre-Final Proposal Revisions evaluations and briefing to the SSA.

The following tailorable templates are available for use, as desired:

[SSEB Report](#)

[Pre-Final Proposal Revisions \(FPR\) Request Briefing](#)

3.6 Final Proposal Revisions

3.6.3 The PCO must obtain contract clearance approval in accordance with [DAFFARS 5301.9000\(e\)\(2\)\(i\)](#) prior to submission of all material (e.g., Pre-FPR briefing) to the SSA to obtain approval for releasing the FPR request.

3.7 Documentation of Final Evaluation Results

3.7.1 The rationale for final evaluation results and assignment of final ratings will be fully and contemporaneously documented in the SSEB Final Report. The SSEB Final Report is prepared by the SSEB and reviewed by the SSAC (if an SSAC is used) and signed by the PCO and SSEB Chairperson after the evaluation of FPRs. The tailorable [SSEB Report](#) template is available for use, as desired.

3.7.1.1 For all programs for which DoDI 5000.75 or DoDI 5000.85 designates USD(A&S) as the Milestone Decision Authority, for which AFI63-101/20-101 designates SAF/AQ or SAF/SQ as the Milestone Decision Authority, all SCAT-I services acquisitions, all BCAT I and II systems, and all constructions projects with an estimated total value of \$1 billion or more, request the DAF IP Cadre (SAF/AQCC) review the source selection record by completing the Intake Form (available at the internal IP Cadre MS Teams Channel Link) and submitting that form to SAF/AQCC via the DAF IP Cadre Workflow Email address (SAF.AQ.SAF-AQCC.Workflow@us.af.mil).

3.7.2 The SSEB Final Report must document, if applicable, any minority and dissenting opinion(s).

3.7.3 A decision briefing, prepared by the SSEB, will generally be conducted whenever the SSA is other than the PCO. The tailorable [Final Decision Briefing](#) template is available for use, as desired.

3.8 Conduct and Document the Comparative Analysis

3.8.1 The SSAC's comparative analysis of proposals and award recommendation is documented in the Comparative Analysis Report and Award Recommendation (CAR). The tailorable [Comparative Analysis Report and Award Recommendation](#) template is available for use, as desired.

3.9 Best Value Decision

3.9.1 The PCO must obtain contract clearance approval prior to the SSA making a source selection decision in accordance with [DAFFARS 5301.9000\(e\)\(2\)\(ii\)](#).

3.10 Source Selection Decision Document

3.10.1 The tailorable [Source Selection Decision Document \(SSDD\)](#) template is available for use, as desired.

3.11 Debriefings (No DAF Text)**3.12 Integrating Proposal into the Contract**

The RFP must advise offerors that the awarded contract document will reflect all beneficial aspects of the awardee's proposal and all above threshold (minimum) attributes, performance levels, or capabilities for which evaluation credit was given in the source selection process (e.g., purple or blue technical or technical/risk rating, above threshold elements proposed for valued requirements), regardless of source selection process utilized.

4 DOCUMENTATION REQUIREMENTS**4.1 Minimum Requirements**

4.1.15 All briefing charts presented to the SSA (including, but not limited to, competitive range briefing charts, pre-FPR request briefing charts, and decision briefing charts) must be included in the official (permanent) contract file.

4.1.16 Evaluation worksheets and summaries shall be included in the official (permanent) contract file.

4.2 Electronic Source Selection

EZ Source is the standard Air Force documentation tool that shall be used for all unclassified competitive acquisitions valued at \$100M or more (unless waived by the CAA), or when an acquisition has been designated a high visibility program by a PEO or Center/Complex/Wing Commander. EZ Source may be used for acquisitions valued at less than \$100M. In order to ensure proper support is available to the team, PCOs must use the [SharePoint EZ Scheduler](#) to request the use of EZ Source and input information relative to their acquisition not later than 60 days prior to the projected RFP release.

4.3 Tactics, Techniques and Procedures (TTP), Samples, and Tailorable Templates

Source Selection TTPs can be accessed at the [DAF Contracting TTP Team](#) page.

Templates: A comprehensive collection of source selection samples and tailorable templates, including those listed below, are located on the [Contracting Templates](#) and [DAFFARS Library, Part 5315](#) pages within the Air Force Contracting Central (AFCC) SharePoint site (please note: this link requires CAC and is not available to all users.)

Source Selection Documentation Templates

Abstract of Proposals/Quotations (Negotiated Procurement)

Delegation of Source Selection Authority (SSA)

Past Performance Questionnaire (Sample 1)

Past Performance Questionnaire (Sample 2)

Past Performance Questionnaire (Sample 3)

Section L Attachment - Past Performance Information

Solicitation Cross Reference Matrix

Source Selection File Checklist

Source Selection Plan

Subcontractor Consent Letter

Verification of Correspondence Going to Offeror Checklist

Source Selection Information Coversheet

SF 901, Controlled Unclassified Information (CUI) Cover Sheet (AF Template)

Source Selection Non-Disclosure Agreement (NDA)
 Conflict of Interest Statement
 Sample RFP Section L language – Use of Non-Government Advisors
 RFP Section L & M Samples
 Notice Announcing that a Source Selection is in Progress
 Competitive Range Decision Document
 Comparative Analysis Report & Award Recommendation
 Source Selection Decision Document
Source Selection Evaluation Board (SSEB) Templates
 Rating Team Worksheet (Methodology 1)
 Rating Team Worksheet (Methodology 2)
 Rating Team Worksheet (PPT)
 Tradeoff Technical Evaluator Template
 LPTA Technical Evaluator Template
 Tradeoff Subfactor Chief Template
 LPTA Subfactor Chief Template
 Evaluation Notice (EN)
 SSEB Report
 Initial Evaluation Briefing
 Pre-Final Proposal Revisions (FPR) Request Briefing
 Final Decision Briefing
Past Performance Evaluation Team Documents
 Relevancy Template
 Tradeoff Performance Quality Template
 LPTA Performance Quality Template
 Business Relationship Template
 Past Performance Information Template
 Tradeoff Past Performance Confidence Assessment Template
 LPTA Past Performance Evaluation Template
 Performance Confidence Rating Evaluation
Cost/Price Evaluation Team Document
 Cost/Price Template

5 DEFINITIONS (No DAF Text)

6 MANDATORY AIR FORCE SOURCE SELECTION TRAINING

6.1 Purpose

This Section establishes and standardizes the mandatory Air Force source selection training process for acquisition/SSTs.

6.2 Responsibilities of Senior Contracting Officials (SCO)

SCOs must:

- (a) implement a robust source selection training program;
- (b) designate a Training Manager/Point of Contact (POC);
- (c) designate experienced source selection trainers; and
- (d) maintain current lists of the Training Managers/POCs for use at their respective locations.

The lists should be updated as necessary, but at a minimum shall be updated annually. A [Designation of Source Selection Training Manager/Trainers](#) template is available for use, as desired.

6.3 Required Training for Designated Trainers

6.3.1 Designated trainers must receive “Train-the-Trainer” training and be certified as source selection trainers. Periodic “Train-the-Trainer” sessions are conducted by [SAF/AQCP](#) personnel every quarter via webinar; however, this training may be conducted by any SCO-designated and experienced source selection trainer. Note that this is summary-level training

designated trainers and not for use by source selection teams and other individuals to satisfy the source selection training requirements set forth in paragraph 6.4.1.

6.3.2 Training Managers/POCs must maintain a record of the source selection training provided by designated trainers, including the name of the acquisition, training date, names of individuals trained, and training provided (e.g., Phase I (Acquisition Planning) or Phase II (Source Selection Execution) training).

6.3.3 6.3.3 Designated trainers who have not participated in “Train-the-Trainer” training within a two (2) year period must be recertified. Recertification requires that the SCO confirm the individual’s continued designation as a source selection trainer and that the individual re-complete the “Train-the-Trainer” training.

6.4 Acquisition/Source Selection Team Training

6.4.1 Conducting Source Selection Training Sessions.

Source selection training must be presented to the entire SST, including the SSA, SSAC Chair and members, PM (where one is assigned), RO, and all advisors. Independent review of source selection training materials by SST members and/or attendance at “Train-the-Trainer” training is not sufficient to satisfy this training requirement.

Specialized executive level training modules are available for the [SSA](#) and [SSAC](#).

[Phase I](#) (Acquisition Planning) training should be presented at the earliest stage of an acquisition and covers the acquisition process up to release of the RFP. If an SST member has participated in Phase I training within 12 months, the SCO may waive the Phase I training requirement for that member.

[Phase II](#) (Source Selection Execution) training is presented prior to or immediately after receipt of proposals.

6.4.2 Training Content and Process.

The SAF/AQCP Knowledge Management Team develops and maintains source selection training modules to assist Source Selection Trainers. Trainers are encouraged to tailor the modules, as needed, to meet the unique elements of the instant acquisition.

The **Ethics, Procurement Integrity, and Conflicts of Interest** topic should be presented by the local legal advisor. Links to Ethics training material are included in both Phase I and Phase II source selection training materials. The use of locally-developed Ethics training by local legal advisors is encouraged. The length of the source selection training and the level of detail presented in either Phase I (Acquisition Planning) or Phase II (Source Selection Execution) depends on the complexity of the specific acquisition and the experience level of the SST.

6.4.3 Advance Preparation.

Effectiveness of the source selection training experience can be enhanced with advance preparation. The Defense Acquisition University (DAU) offers [continuous learning modules](#) on source selection and related topics. Some suggested DAU courses include the following:

[CON 0040– Market Research](#)

[CON 0072 – Source Selection](#)

[CLC028 - Past Performance Information](#)

[CLC 132 - Organizational Conflicts of Interest](#)

[ACQ 0490 - Procurement Fraud Indicators](#)

6.5 Source Selection Training Material

The Source Selection Training Modules, Trainer’s Lesson Plans, and Resource/Reference Material are accessible by designated trainers and training managers on SharePoint [here](#). Additional training materials for teams are available in the [DAFFARS Library, Part 5315](#).

6.6 Training Certificates.

Any Trainer conducting “Train the Trainer” training will provide a Source Selection Training Certificate to the Training Managers/POCs and Trainers upon completion of the source selection training. Trainers must provide the Source Selection Training Certificate for [Phase I](#) and [Phase II](#) to the personnel they train.

6.7 Source Selection Training Survey.

Following training, personnel are encouraged to complete the [Source Selection Training Survey](#). The feedback provided through the survey will enable the SAF/AQCP Knowledge Management Team to gauge the effectiveness of its source selection training material and obtain suggestions for improvement.

6.8 Continuous Learning Points (CLP).

Designated Source Selection trainers may grant CLPs to source selection attendees. As a general rule, CLPs must be given based on the length and intensity of the training provided. Trainers may grant six (6) CLPs for each full day of instruction, three (3) CLPs for half-day, and one (1) CLP for a two-hour session.

LIST OF TABLES AND FIGURES (No DAF text)

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MP5315.4 Contract Pricing

MP5315.400-1 Proposal Instructions.

To facilitate timely awards of sole source contract actions and definitization of Undefined Contract Actions (UCA) within 180-days after receipt of qualifying proposal, contracting officers:

- a. provide contractors with clear and concise proposal instructions, including a suspense date for proposal submission;
- b. require that contractor proposals (both prime and subcontractors) are submitted as adequate for evaluation and valid for the anticipated time required to conduct evaluation, audit, negotiation and award, with data updates provided until the conclusion of negotiations in accordance with Truthful Cost or Pricing Data Act.
- c. Include DFARS provision [252.215-7009](#) in sole-source draft and final Requests for Proposals (DRFPs/RFPs) and RFPs for UCAs when the contract value is anticipated to exceed the threshold for obtaining certified cost or pricing data, and no exception to the requirement to submit certified cost or pricing data applies. (See [FAR 15.403-1\(b\)](#).)
- d. Include a provision substantially the same as L-XXX, Cost Proposal Adequacy and Structure, in the solicitation, or as a paragraph within a letter RFP, whenever DFARS provision [252.215-7009](#) is included. Add paragraph (e) to provision L-XXX, Cost Proposal Adequacy and Structure, only when an electronic version of the cost proposal with active formulas (e.g., in Excel) is required. Contracting officers may tailor this provision as necessary to reflect the unique circumstances of each acquisition.

L-XXX COST PROPOSAL ADEQUACY AND STRUCTURE

NOTE : *The blue italicized text below represents instructions for the contracting officer and should be removed prior to incorporating Section L into the solicitation.*

(a) In response to this Request for Proposals (RFP), the offeror shall prepare and submit certified cost or pricing data and supporting attachments in accordance with Table 15-2 of [FAR 15.408](#). Further, the offeror shall (1) utilize the DFARS provision [252.215-7009](#), *Proposal Adequacy Checklist (PAC)*, in pre-submission proposal quality reviews, and (2) furnish the completed checklist as part of their proposal submission.

(1) The responsibility for providing a well-prepared and fully supported cost proposal lies solely with the offeror. The basis and rationale for all proposed costs shall be provided as part of the proposal so that the contracting officer has the information necessary to evaluate the reasonableness of the proposed price.

(2) If the offeror is unsure as to whether a checklist item is required in support of the proposal, or how to adequately comply with a checklist item, the offeror shall contact the contracting officer as soon as possible after receipt of the RFP, but in any case prior to proposal submittal, to resolve the questions.

(3) Non-compliances with the DFARS Proposal Adequacy Checklist and the additional requirements of this provision will require immediate correction; however, completion of the checklist does not relieve the offeror from the responsibility to comply with all applicable regulations and any special requirements of the solicitation.

(4) The offeror is encouraged to flow down this provision to subcontractors/affiliates required to submit certified cost or pricing data in support of this RFP.

(b) The offeror is advised that the contracting officer may find costs associated with revision/rework of inadequate cost proposals unreasonable and will consider the nature and extent of any proposal inadequacies when assessing/negotiating profit.

(c) In order to preclude delays in negotiations and contract award, the completed PAC submitted with the proposal shall provide a clear explanation for any checklist items not included in the proposal, particularly items not provided based on any of the exceptions to certified cost or pricing data found at [FAR 15.403-1\(b\)](#) and [DFARS 212.102\(a\)\(i\)\(B\)](#).

(d) Cost Proposal Requirements. In addition to the requirements identified in the DFARS PAC, the following also apply to the cost proposal submitted in response to this RFP.

(1) Breakout by Year. If the proposal includes more than one CLIN, the proposal shall include a breakout of CLIN prices by cost element by Contractor Fiscal Year (CFY). At the contracting officer's direction, the breakout by year shall also be provided by: *(select applicable breakouts)*

Government Fiscal Year (GFY)

Calendar Year (CY)

The proposal shall define the timeframe of the Contractor Fiscal Year (for example, January – December).

(2) If the proposal includes more than one CLIN/subCLIN, recurring/non-recurring costs shall be identified for each CLIN/subCLIN.

(3) When the proposal includes material costs, the proposal shall include a consolidated bill of materials (CBOM) at the total contract level in an electronic, sortable format (Excel spreadsheet or other format approved by the contracting officer).

i. When the amounts proposed in the CBOM include application of escalation, the proposal shall identify the base value, the escalation rate(s) used, and the escalation amount associated with each item escalated.

ii. When the proposed amount is based on historical data which has been adjusted (for example, for differences in quantity), the CBOM shall clearly identify the adjustments made to the historical data and the reason for each adjustment.

(4) All costs proposed on the basis of Cost Estimating Relationships (CER) shall be fully supported. The proposal shall identify the basis for the proposed rate, shall identify the base to which the rate is applied, and shall clearly demonstrate the calculation of proposed costs based on CERs.

(5) For any costs incurred prior to proposal submission, the proposal shall identify actual hours and cost incurred as well as hours/costs to complete and the time phasing associated with these hours/costs. This information/data shall be provided in a time-phased cost element summary format.

(6) Submission of Historical Actual Costs Incurred. *(Insert in RFPs for follow-on efforts as applicable. The contracting officer may identify specific contracts for which submission of actual cost data is required (for example, the last three lot buys of the same item), or may require that the contractor identify its most recent sales of the items to any customers, if the contractor's sales base is broader than the current buying office. Language may be tailored to request insight into specific areas of cost (e.g., sustaining engineering hours). However, the contracting officer should take into consideration the extent to which the contractor's existing business systems can support requests for granularity in reporting of actual costs incurred, as well as the potential time and cost involved in obtaining very detailed or low-level historical actuals.)*

(i) The contractor shall provide the following information for these prior acquisitions: *[contracting officer identifies the specific acquisitions for which actual cost data is required. Alternately, the contracting officer may require the contractor to identify prior and current contracts for the same items covered in this RFP.]* For these contracts, the contractor shall provide the following information:

- a. contract number (including modification number if applicable) or other identifier;
- b. contract type;
- c. contract quantity;
- d. contract price; and

e. actual cost incurred, including a breakout of actuals as recurring/non-recurring costs. If performance is not complete on any of the specified contract actions, provide an estimate to complete and the basis for that estimate.

(ii) The contractor shall also request that its top five major sole source subcontractors provide the information listed in the above paragraphs (i) a. through e. on prior contracts for items the prime is purchasing from the subcontractors for this effort. If a subcontractor's information on prior actuals is not included in the prime's proposal, the proposal should identify status and anticipated receipt date(s). If the subcontractor deems the information proprietary, the subcontractor may submit the information directly to the contracting officer.

(7) The proposal shall identify those actions where assist audits have been requested by the prime or sub-tier contractors and identify the request date and scheduled receipt date for those audits. The need for assist audits resulting from proprietary data rights assertions at any tier shall be identified to the contracting officer as soon as the offeror becomes aware of the need. Government performance of assist audits does not relieve the offeror of the responsibility to accomplish and provide its price/cost analysis of the subcontracts.

(8) If the offeror intends to request Performance-Based Payments (PBP), the offeror's proposal shall include a monthly expenditure profile, proposed events and their projected completion dates, rationale on why the proposed event demonstrates significant progress towards the completion of the end item, proposed values for each event, completion criteria for each event, and an identification of each event as severable or cumulative.

(9) Commercial product and commercial service considerations:

i. The offeror's proposal shall provide support for any subcontractor commercial product or commercial service determinations, addressing, at a minimum, the following:

- a. A description of the supplies or services;
- b. Specific identification of the type of commercial product or commercial service claim ([FAR 2.101](#) commercial product sub-definitions (1) through (6) or commercial service sub-definitions (1) through (3)), and the basis on which the product or service meets the definition; and
- c. For modified commercial products (commercial product sub-definition (3)), classification of the modification(s) with supporting rationale as either:

1. Of a type customarily available in the commercial marketplace ([FAR 2.101](#) commercial product sub-definition (3) (i)); or

2. A minor modification of a type not customarily available in the commercial marketplace made to meet Federal Government requirements ([FAR 2.101](#) commercial product sub-definition (3)(ii)).

Note that per [FAR 15.403-1\(c\)\(3\)\(iii\)\(B\)](#), modifications that meet the definition of minor modifications of a type not customarily available in the commercial marketplace as defined in [FAR 2.101](#), paragraph (3)(ii) of the commercial product definition, will require the submission of certified cost and pricing data when the total price of all such modifications exceeds the greater of the threshold for certified cost or pricing data ([FAR 15.403-4](#)) or 5% of the total price of the contract at the time of contract award.

ii. For proposed subcontract commercial products or commercial services “of a type”, or “evolved” or modified ([FAR 2.101](#) commercial product sub-definitions (1) through (3) or commercial service sub-definition (2)), the offeror shall provide a technical description of the differences between the proposed product or service and the comparison product or service and thoroughly address the cost differences between the proposed product or service and the comparison product or service.

iii. The proposal shall include, or the offeror shall make available, data other than certified cost or pricing data to establish price reasonableness of the proposed subcontract commercial product or commercial service (to include any modifications not subject to the requirement to submit certified cost or pricing data) by supplying:

a. Information/data related to competition, if competition is the offeror’s basis for asserting the reasonableness of the proposed subcontract price.

b. Information/data related to prices (sales data, market price assessments, etc.). Note that subcontractors may submit sales data directly to the contracting officer if the subcontractor deems the data proprietary.

c. The prime contractor’s or higher tier subcontractor’s price analysis/price reasonableness determination for the commercial subcontract in accordance with [FAR 15.404-3\(b\)\(1\)](#) and (2).

d. Cost information/data (cost element breakdown and supporting documentation not subject to certification in accordance with [FAR 15.406-2](#)). Instances where cost information may be required include but are not limited to commercial products offered but never actually sold to the public, “of a type” commercial products or commercial services, or when sales data is limited and/or not recent and/or not for the same/similar quantities.

Note that the preferred method of establishing the price reasonableness of commercial products and commercial services is to obtain commercial sales data. It is recognized that other methods, such as market price assessment data or evaluation of cost data not subject to certification, are also acceptable when prior sales data cannot be obtained. Sales data shall (1) demonstrate sales to the general public; (2) be current; and (3) where possible, be in like quantities. Products sold to state, local, or foreign governments or products sold with applications only to state, local, or foreign government or US Government end items are not considered to be sales to the general public unless the proposed commercial product meets the [FAR 2.101](#) commercial product definition sub-definition (6).

(10) Additional Cost/Price Proposal Requirements: *(Identify any additional requirements applicable to the solicitation, or enter “N/A”.*

- If an electronic CBOM providing traceability to the CLIN level, to WBS paragraph, etc. is required, identify that requirement in this paragraph.

- If sales data supporting price reasonableness of a commercial product or commercial service is required, use this paragraph to provide specifics as to the level of detail and applicable date range(s) of the sales data.

- If a breakout of basic and options is required, detail that requirement here)

Add the following paragraph to provision L-XXX, Cost Proposal Adequacy and Structure, only when an electronic version of the cost proposal with active formulas (e.g., in Excel) is required. This paragraph may be tailored as necessary to describe the specific requirements of the electronic cost model.

(e) Submission of electronic cost model. *(Tailor as needed for each specific circumstance. If electronic cost models are required for any subcontractors or affiliates, identify those requirements within this paragraph.)* The proposal submission shall include an electronic cost model with active formulas demonstrating the mathematical calculation of the proposed cost (in Excel or other format approved by the contracting officer). The electronic cost model shall include build-up by year of cost in total and by CLIN/subCLIN, consistent with the yearly breakout required by paragraph (d)(1) of this provision, or as directed by the contracting officer. If applicable, the electronic cost model shall link each Work Breakdown Structure (WBS) to the applicable CLINs. The electronic cost model shall roll up to an annual and total program summary by cost element. All information supporting each CLIN should be visible and verifiable in the electronic cost model. The formulas included in the electronic cost model shall not be locked, and the model shall be editable by the Government.

NOTE : *The blue italicized text above represents instructions for the contracting officer and should be removed prior to incorporating Section L into the solicitation.*

MP5315.400-2. Requesting data/documentation after receipt of the proposal.

- a. A contracting officer request for supporting data/documentation from a contractor (whether verbally or in writing) after proposal receipt, must clearly state what data/documentation is needed and when it should be provided.
- b. If requested data/documentation is not readily available because of extenuating circumstances (e.g., data that did not form the basis of the contractor's proposal), the contracting officer and the contractor should agree in writing as to a reasonable time for submittal of data.
- c. Where system generated data is to be provided, the contracting officer should review the data fields to be reported before the data is generated to ensure a common understanding of what is needed. Inform the contractor that all data requests will be tracked and will be considered open action items until the Government concurs that the data has been received and is complete.
- d. If the data is not provided by the requested date or, if applicable, the agreed-to-date, and an acceptable resolution cannot be achieved, the contracting officer must elevate the issue to appropriate senior contracting management for both the Government and the contractor until an appropriate resolution is reached. The contracting officer must document the outcome of the elevation process in writing to include any revised dates for receipt of requested data/documentation. See the [DoD Sole Source Streamlining Tool Box](#) for the recommended elevation process, as well as other streamlining techniques.
- e. If, after elevation, an acceptable resolution has not occurred or the contractor fails to provide the data/documentation within the revised agreed-to date, the contracting officer may take remedial actions:
 - for UCAs, contracting officers should consider reducing or suspending progress payments ([FAR 32.503-6](#)) when the contractor does not submit a timely qualifying proposal or has otherwise not supported the established definitization schedule; and/or
 - assign an unsatisfactory rating for a singular performance problem, such as the failure to submit a timely, complete and quality proposal (or subsequent data submissions), in connection with a UCA when the problem is of such serious magnitude that it alone justifies an unsatisfactory Contractor Performance Assessment Reporting System (CPARS) rating in the assessment of Management Responsiveness (Block 18d(1) for a Systems CPAR) or Business Relations (Block 18d for a Non-Systems CPAR). Ratings must track to the Evaluation Ratings Definitions found in [FAR 42.1503\(h\)\(4\)](#).
- f. Consistent with the notice given to contractors in the provision L-XXX, Cost Proposal Adequacy and Structure, in situations when the contractor's original proposal is inadequate and requires revision or rework, contracting officers should consider whether to recognize as reasonable any contractor costs associated with the revision/rework effort and must consider the nature and extent of any proposal inadequacies when negotiating profit.

MP5315.404-1-90 Pricing Assistance or Pricing Assistance Waiver**(b) Requesting Pricing Assistance.**

(1) "Full Pricing Assistance" means the price analyst accomplishes the majority of the pricing effort (e.g. pricing case) for a specific contract action which meets or exceeds the thresholds identified in [DAFFARS 5315.404-1-90\(a\)](#). Submit the request for pricing assistance in accordance with the local submission process. If no local process exists, submit requests for pricing assistance to the Pricing Chief (or Chief of the Clearance and Program Support office where there is no designated Pricing Chief). The contracting officer may also request full pricing assistance for actions below the thresholds identified in [DAFFARS 5315.404-1-90\(a\)](#) when additional pricing expertise is needed. The Pricing Chief (or Chief of the Clearance and Program Support office where there is no designated Pricing Chief) is the approval authority for those requests, on a case by case basis. See the tailorable [Request for Pricing Assistance or Pricing Assistance Waiver](#) template.

(2) "Tailored Pricing Assistance" may also be requested for actions below the mandatory thresholds (or in conjunction with a Pricing Assistance Waiver Request) and will be provided at the discretion of the Pricing Chief (or Chief of the Clearance and Program Support office where there is no designated Pricing Chief). See the tailorable [Request for Pricing Assistance or Pricing Assistance Waiver](#) template. Examples of Tailored Pricing Assistance that may be available include:

- (i) Assistance with completion of the Weighted Guidelines (DD Form 1547)
- (ii) Pricing inputs for business/contract clearance
- (iii) Cost proposal spreadsheet development/modeling
- (iv) Defective pricing
- (v) Assistance with structuring Economic Price Adjustment (EPA) clauses
- (vi) Assistance with determination of final prices of incentive contracts
- (vii) Claims
- (viii) PNM review
- (ix) Assistance with/review of reopener clauses

- (x) Evaluating Performance Based Payments
 - (xi) Source selection support, including drafting and/or review of Sections L and M, drafting cost sections of briefings and reports, and review of pricing volumes of proposals
 - (xii) Rate and factor reviews when DCMA assistance is not available
- (3) Request pricing assistance as early as practicable in the acquisition process, but no later than receipt of the proposal. For large dollar sole source acquisitions, the contracting officer is expected to consult with the pricing office (or Clearance and Program Support office) to determine which components of the **L-XXX Cost Proposal Adequacy and Structure** provision described in MP5315.4-1.d, should be included in the RFP.
- (c) Requesting a Pricing Assistance Waiver. Contracting officers may request a Pricing Assistance Waiver for acquisitions which meet or exceed the required thresholds identified in [DAFFARS 5315.404-1-90\(a\)](#). Submit the waiver request to the CAA in accordance with the local submission process. If no local process exists, the waiver should be submitted to the CAA through the Pricing Chief (or Chief of the Clearance and Program Support office where there is no designated Pricing Chief). See the tailorable [Request for Pricing Assistance or Pricing Assistance Waiver](#) template.

MP5315.407-90 Contract Audit Follow-up (CAFU)

1. This Mandatory Procedure implements the following publications:
 - a. [Office of Management and Budget \(OMB\) Circular No. A-50](#), *Audit Follow-up*;
 - b. [Department of Defense Instruction \(DoDI\) 7650.03](#), *Follow-up on Government Accountability Office (GAO), Inspector General of the Department of Defense (IG DoD), and Internal Audit Reports*; and
 - c. [Department of Defense Instruction \(DoDI\) 7640.02](#), *Policy for Follow-up on Contract Audit Reports*.
 - d. [Department of Defense Instruction \(DoDI\) 7650.02](#), *Engaging with the Government Accountability Office (GAO) on GAO Audits*.

The publications above establish policy and responsibilities, reporting requirements, and follow-up procedures for contract audit reports issued by the Government Accountability Office (GAO), Inspector General of the Department of Defense (IG DoD), Defense Contract Audit Agency (DCAA), and the other internal audit agencies (such as the Air Force Audit Agency (AFAA)).
2. SAF/AQCP manages the Department of the Air Force (DAF) CAFU program
3. CAFU requirements for DCAA audit reports:
 - a. **SCO RESPONSIBILITIES:** SCOs:
 - (i) Designate a CAFU focal point to manage the organization's CAFU program in accordance with these procedures. The CAFU Focal Point:
 - (a) Monitors and ensures proper and timely resolution and disposition of contract audit reports within the focal point's organization.
 - (b) Maintains current records on all reportable audits, from receipt through disposition. For open reports, this includes written milestone plans comprised, as a minimum, of target resolution and disposition dates.
 - (c) Ensures that acquisition personnel within their organization are properly trained in the use of contract audit reports and the requirements of the CAFU program.
 - (d) Ensures that the organization's semi-annual CAFU status report is prepared in accordance with these procedures using the [web-based](#) CAFU tool and User's manual located on the [Defense Contract Management Agency \(DCMA\)](#) website. When the security classification of a contract or an audit precludes the use of the DCMA website, SCOs must seek approval from SAF/AQCP to use alternate means of reporting.
 - (e) Directs periodic evaluations of the organization's CAFU program to determine whether they are adequate and result in timely, appropriate resolution and disposition of audit reports.
 - b. **CONTRACTING OFFICER (CO) RESPONSIBILITIES:** The CO is responsible for reaching agreement with the contractor and has wide latitude and discretion in that regard. Accordingly, the procedure contained herein is structured in consonance with the independent, decision-making role of the CO and the financial advisory role of the contract auditor. COs should give full consideration to contract audit advice and must pursue timely and proper resolution and disposition of contract audit reports. Resolution of contract audit reports, other than pre-award reports, is required by OMB Circular A-50 to be accomplished within six months of report issuance. Disposition should take place as soon as possible after resolution. Per [DoDI 7640.02](#), Enclosure 3, Section 3.a, reportable audits should normally be disposed of within 12 months after issuance. The CO must document the disposition of all reported findings and recommendations in a signed and dated memorandum in accordance with [DoDI 7640.02](#), Enclosure 3, Section 3.b.

c. **TRACKING OF AUDIT REPORTS:** Contracting activities must track all contract audit reports. Tracking of non-reportable audits may be accomplished using records maintained in the contract file or in the CAFU on-line system. The designated focal point at each DAF contracting activity maintains contract audit follow-up information on a current basis. The audit tracking information will normally be managed centrally at MAJCOM/FLDCOM/DRU headquarters (except for HQ AFMC, where this tracking will occur at the field activity). For auditor-determined final, indirect cost rate reports, a report is considered received for follow-up tracking purposes when it is forwarded by the auditor to the cognizant Administrative Contracting Officer (ACO) for resolution and disposition.

d. **REPORTING OF AUDIT REPORTS:** Reportable audits are identified in the Glossary of [DoDI 7640.02](#). The information to be reported on each audit is identified in Enclosure 4 of the same regulation. MAJCOM/FLDCOM/DRU semi-annual status reports will be automatically transmitted using the on-line CAFU system. The reports must cover the semi-annual periods ending 31 Mar and 30 Sep and must be completed in the on-line CAFU system no later than the end of the reporting period. If there are no audits, a negative report must be prepared and submitted to the SAF/AQC Workflow with a copy to the [cognizant HCA Workflow](#). All activities must make every possible effort to ensure the completeness and accuracy of their semi-annual reporting submission. Special attention should be focused on ensuring the most accurate data is submitted on any audit listed as unresolved and over 6 months old.

4. CAFU for GAO, IG DoD, and Internal Audit Reports: These procedures apply to audit reports which disclose contract pricing issues and are issued directly to the buying activity. COs shall provide:

- a. An initial response to the GAO/IG DoD/Internal Audit Agency within 60 days of receipt of the audit report; and
- b. A copy of the initial response and the disposition documents to the following:
 - (i) SAF/FMPF, 1130 Air Force Pentagon, Washington, DC 20330-1130.
 - (ii) SAF/AQCP, 1060 Air Force Pentagon, 4C169, Washington, DC 20330-1060.
 - (iii) [Cognizant HCA Workflow](#).
 - (iii) Office of the Inspector General, Department of Defense, Attn: DAIG, GAO Report Analysis, 4800 Mark Center Drive, Alexandria, VA 22350-1500.

MP5315.6 — UNSOLICITED PROPOSALS

MP5315.606-90 Receipt, Evaluation, and Disposition of Unsolicited Proposals

(a) Unsolicited proposals (UP) are defined at [FAR 2.101](#) and described in [FAR 15.603\(c\)](#). MAJCOMs/FLDCOMs/DRUs/DAFRCO and subordinate contracting units are considered to be the cognizant points of contact for ensuring evaluation and disposition of a UP which is received at their respective base/activity. Organizations that are part of the Headquarters Air Force (HAF) that receive a submission that is considered a UP must forward it to [SAF/AQC](#) for assignment to the proper Department of the Air Force (DAF) MAJCOM/FLDCOM/DRU/DAFRCO contracting unit cognizant point of contact.

(b) Cognizant points of contact:

- (1) Coordinate and process UPs. Use a [cover sheet](#) to help protect the UP from unauthorized disclosure.
- (2) Notify the SCO for any UP that requires wider DAF consideration.
- (3) Maintain an accurate and complete record of the disposition of all UPs received.
- (4) Ensure the appropriate evaluation office is aware of the FAR guidance for evaluating UPs and the prohibitions and rules regarding copying, disclosing, and using restricted data contained in the proposal. Limit the distribution of UPs to the appropriate number of evaluators required to conduct a reasonable review. Maintain a record of the evaluators for each UP and the dates of their evaluation.
- (5) Ensure evaluators provide supporting rationale for their conclusions and recommendations. If the recommendation is to accept the UP, ensure evaluators indicate whether funds are currently available or programmed.
- (6) Notify the offeror concerning results of the evaluation within 30 working days from receipt of the UP. When the evaluation cannot be completed within 30 working days, send the offeror an interim reply to include an estimated completion date.
- (7) Advise the offeror that the favorable evaluation does not, in itself, contractually bind the government.

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MP5325 - FOREIGN ACQUISITIONS

Revised: June 2024

[DAFFARS PART 5325 Knowledge Center](#)

Sec.

MP5325.1 — BUY AMERICAN - SUPPLIES

MP5325.103 Exceptions

MP5325.70 — AUTHORIZATION ACTS, APPROPRIATIONS
ACTS, AND OTHER STATUTORY RESTRICTIONS ON
FOREIGN ACQUISITION

MP5325.7002-2 - Exceptions

MP5325.7002-2-1. Domestic Non-Availability Determinations
(DNAD) Under DFARS 225.7002

MP5325.7002-2-2. DNAD Exception

MP5325.7003-3 - Exceptions

MP5325_7003_3_1 Domestic Non-Availability Determinations
(DNAD) Under DFARS 225.7003

MP5325_7003_3_2 Applicability of Commercial Derivative
Military Articles (CDMA) to Specialty Metals

MP5325_7003_3_3 DNAD Exception

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MP5325.1 — BUY AMERICAN - SUPPLIES**MP5325.103 Exceptions**

(a) When a determination of nonavailability is required by [FAR 25.103\(b\)](#) and [DFARS 225.103\(b\)\(i\)](#), the contracting officer must prepare a [request for nonavailability determination](#) for approval. See [MP5301.601\(a\)\(i\)](#) for approval authority. Each request should identify the proposed acquisition by applicable purchase request or contract number and include:

(1) A description of the articles intended to be acquired, manufacturer's name and address, model number, and specific information pertaining to special features, performance, versatility, etc.;

(2) A statement of the efforts made to secure either the article required or suitable substitutes from domestic sources. List all domestic sources contacted or provide reasons why domestic sources were not contacted. Additionally, list reasons, if known, why domestic sources contacted could not or would not furnish required articles or suitable substitutes;

(3) The name and address of the proposed source (if other than the manufacturer, state reason(s) why direct purchase or purchase through an overseas contract activity is not feasible);

(4) The reason why purchase of foreign material or from a foreign source is necessary. Identify and explain the specific portion of the mission or requirement, which is of such magnitude as to override consideration to procure a domestic source end product;

(5) A description of the end use of item to be purchased and a brief description of the special function to be accomplished, such as performance of special tests or research work;

(6) The identity of the purchaser;

(7) The citation of the applicable appropriation;

(8) When the proposed purchaser of the articles intended to be acquired is not a Government agency but is a Department of the Air Force contractor, provide the contract number, the contract type, and indicate what the disposition of the articles will be at contract completion;

(9) Whether or not payment is intended to be made before delivery is accomplished; and

(10) The estimated foreign, domestic, and total cost of the proposed acquisition.

(b) In the case of inter-command acquisitions, compliance with the Buy American Statute and Balance of Payments evaluation procedures ([DFARS 225.5](#)) is the responsibility of the contracting command, except when the requiring command specifies a foreign end product, in which case, the determination is the responsibility of the requiring command.

(c) When overseas contracting support is needed, CONUS contracting activities should contact the following:

(1) In Japan (excluding Okinawa):

374 CONS/CC

Unit 5228

APO AP 96328-5228

DSN 315-225-7099

(2) In Okinawa:

18 CONS/CC

Unit 5199

APO AP 96368-5199

DSN 315-634-1828

(3) In Europe:

AFICA/KU (OLAFE)

Unit 3103

APO AE 09094-3103

DSN 314-480-5910

(d) CONUS contracting activities requesting contracting support should provide, as a minimum, the information specified below to the appropriate overseas contracting activity. Contracting activities will treat all requests for contracting support on a priority basis. The requesting activity will provide:

(1) A purchase request with description of the requirement including definitive specifications free of any defects that would otherwise preclude immediate contracting action;

(2) Instructions for packaging, packing, and preservation, and special instructions dictated by the nature of the commodity to be purchased, if necessary;

(3) An executed Buy American Statute Determination ([DFARS 225.103\(b\)\(i\)](#)) if the item is not exempted;

(4) A specification or purchase description suitable for obtaining full and open competition, or necessary information, certified as complete and accurate in accordance with [FAR 6.303](#) to support any recommendation for use of other than full and open competition;

(5) The obligation authority;

(6) The mailing address and telephone number of a single point of contact;

(7) Transportation, routing, or shipping instructions. If the foreign contractor will be required to ship requirements to multiple CONUS-based consignees, detailed shipping instructions concerning each consignee will be provided to the overseas procuring activity; and

(8) Any special distribution requirements for the contractual documents required beyond the normal distribution.

(e) Overseas contracting activities providing courtesy contracting support to CONUS-based requiring activities will, after determining all submitted documentation to be adequate, proceed with the acquisition using the certificate of conformance when appropriate. The AFO supporting the overseas contracting activity should make payments on all transactions. The CONUS requiring base should respond expeditiously to any requests of the overseas contracting activity.

MP5325.70 — AUTHORIZATION ACTS, APPROPRIATIONS ACTS, AND OTHER STATUTORY RESTRICTIONS ON FOREIGN ACQUISITION

MP5325.7002-2 - Exceptions

[MP5325.7002-2-1. Domestic Non-Availability Determinations \(DNAD\) Under DFARS 225.7002](#)

[MP5325.7002-2-2. DNAD Exception](#)

MP5325.7002-2-1. Domestic Non-Availability Determinations (DNAD) Under DFARS 225.7002

Follow these mandatory procedures when requesting approval to purchase restricted items under [DFARS 225.7002](#); for example, food, clothing, tents, tarpaulins, covers, cotton, and hand or measuring tools. The requirement to comply with these statutory and regulatory restrictions applies to procurements in excess of \$150,000. This MP provides assistance in determining the applicability of restrictions when drafting a DNAD. A DNAD must be tailored to your acquisition. In some cases, it may not be possible to obtain all of the data specified in the [DNAD](#) template; however, contracting officers should make every effort to do so. See [DFARS 225.7002](#) for the entire list.

MP5325.7002-2-2. DNAD Exception

a. Individual DNADs

When a contractor asserts that a domestic item identified at [DFARS 225.7002-1](#) cannot be acquired as and when needed in a satisfactory quality and sufficient quantity at U.S. market prices, a DNAD is required. The SecAF may approve the DNAD if compliant items, identified at [DFARS 225.7002-1](#), of satisfactory quality and sufficient quantity, and in the required form, cannot be procured at U.S. market prices as and when needed. This approval authority is not delegable. This exception should not be read to require that the compliant material/item must be totally unavailable (i.e., cannot be obtained at any cost). There is some cost limit that should be recognizable by a contracting officer, and that a reasonable person would agree, makes the material/item effectively “unavailable.”

b. Class DNADs

Contracting officers may continue to use OUSD (A&S)-approved class DNADs that cover food, clothing, fabrics, and hand or measuring tools for new contracts if the DNAD was signed by the Undersecretary of Defense (OUSD) (A&S) by a Service Secretary, or by the Director of Defense Logistics Agency. The OUSD (A&S) DNADs currently available for reciprocal use are posted on the [DCMA website](#). If a class DNAD is used, the contracting officer must prepare a Determination and Finding (D&F) approved by the SCO. This approval may not be further delegated. The contracting officer must obtain legal review to support the determination.

MP5325.7003-3 - Exceptions

[MP5325_7003_3_1 Domestic Non-Availability Determinations \(DNAD\) Under DFARS 225.7003](#)

[MP5325_7003_3_2 Applicability of Commercial Derivative Military Articles \(CDMA\) to Specialty Metals](#)

[MP5325_7003_3_3 DNAD Exception](#)

MP5325_7003_3_1 Domestic Non-Availability Determinations (DNAD) Under DFARS 225.7003

Follow these mandatory procedures (MP) when requesting approval to purchase restricted specialty metals under [DFARS 225.7003](#). The requirement to comply with these statutory and regulatory restrictions applies to procurements in excess of the simplified acquisition threshold. This MP provides guidance for drafting DNAD and Commercial Derivative Military Article (CDMA) Determination and Finding (D&F) documents. The DNAD or CDMA D&Fs should be tailored to the particular acquisition. In some cases, the contracting officer may not be able to obtain all of the data specified in the templates referenced below; however, the contracting officer should make every effort to do so.

MP5325_7003_3_2 Applicability of Commercial Derivative Military Articles (CDMA) to Specialty Metals

When a program office concludes that an item to be delivered under a prime contract is a commercial derivative military article (as defined at [DFARS 252.225-7009](#)) and the prime contractor provides the certification required at [DFARS 252.225-7010](#), the contracting officer must prepare a [CDMA D&F](#).

MP5325_7003_3_3 DNAD Exception

When a program office concludes that domestically melted or produced specialty metal cannot be procured (as described in [DFARS 225.7003-3\(b\)\(5\)](#)) to support the production of a particular end item or component, the contracting officer must prepare a [DNAD D&F](#) for specialty metals. The SecAF may approve a DNAD for an individual contract if a compliant specialty metal of satisfactory quality and sufficient quantity, and in the required form, cannot be procured as and when needed at a fair and reasonable price. This approval authority is not delegable. A Class DNAD requires the approval of the USD(A&S).

MP5332 - CONTRACT FINANCING

Revised: June 2024
[DAFFARS PART 5332 Knowledge Center](#)

<i>Sec.</i>	MP5332.4 - ADVANCE PAYMENTS FOR NON-COMMERCIAL ITEMS MP5332.402 General	MP5332.470 Advance Payment Pool MP5332.7 - CONTRACT FUNDING Release of Solicitations in Advance of Funding Availability
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MP5332.4 - ADVANCE PAYMENTS FOR NON-COMMERCIAL ITEMS**MP5332.402 General**

Advance payment requests must be processed as follows:

- (1) The contracting officer must compile the advance payment request package in accordance with [FAR 32.4](#) and [DFARS 232.4](#) and submit it to the SCO for coordination. The SCO must submit the request through the [cognizant HCA Workflow](#). The cognizant HCA forwards the package to [SAF/FMF](#) for review and approval. DAFRCO and SpRCO will submit the request directly to the cognizant HCA, as appropriate.
- (2) SAF/FMF will evaluate the request to determine if advance payments are justified. Assistance may be solicited from other sources such as contracting officers, auditors, disbursing officers, and, if necessary, field visits to the contractor or institution. When approved, SAF/FMF will forward the findings, determinations, and authorization for advance payments to the responsible contracting officer. The contracting officer must ensure all applicable advance payment clauses are incorporated into each contract.

MP5332.470 Advance Payment Pool

- (1) Advanced Payment Pool requests should follow the same instructions as outlined in MP5332.402 above. In addition, for nonprofit educational or research institutions, SAF/FMF will determine if approved advance payments will be disbursed from an advance payment pool in accordance with [DFARS 232.470](#). When approved, SAF/FMF will forward the findings, determinations, and authorization for the advance payment pool agreement to the responsible contracting officer. The contracting officer must ensure all applicable advance payment clauses are incorporated into each contract. The clause at [DFARS 252.232-7000](#), *Advance Payment Pool*, must be incorporated into each contract that is covered by the agreement.
- (2) The Department of the Air Force accounting and finance office is responsible for the disbursing functions of the advance payment pool agreement.

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MP5332.7 - CONTRACT FUNDING

Release of Solicitations in Advance of Funding Availability

Except for solicitations and contracts issued in accordance with [FAR 32.703-2\(a\)](#) and [clause 52.232-18](#), *Availability of Funds*, follow the procedures below when issuing solicitations in advance of available funds:

(a) The following statement must be included in any such solicitation: *“Notice to Offeror(s)/Supplier(s): Funds are not presently available for this effort. No award will be made under this solicitation until funds are available. The Government reserves the right to cancel this solicitation, either before or after the closing date. In the event the Government cancels this solicitation, the Government has no obligation to reimburse an offeror for any costs.”*

(b) When the resulting contract is to be funded by Procurement or Research, Development, Test, and Evaluation appropriations, the program/requirement must be included in the President’s budget as submitted to Congress, and the program manager must provide the contracting officer a written statement, indicating the program's inclusion. The statement must be coordinated with FM at the Center level (or equivalent) or as delegated to FM Organizational Senior Functional (OSF) that these investment funds will be used for the proposed acquisition and, although not presently available, a reasonable expectation exists that funding will be authorized and available upon enactment of the Authorization and Appropriations Acts.

(c) For solicitations for programs funded by the National Guard and Reserve Equipment Account when the Defense Appropriations Act is signed into law, for the Air National Guard Bureau, and/or Air Force Reserve Command, the Air National Guard or Reserve program manager must confirm that funds have been identified for the acquisition.

(d) Except for solicitations for operational contracting supply requirements less than \$1M and funded with annual appropriations, the MAJCOM/FLDCOM/DRU/DAFRCO Requiring Activity Functional Commander/Director, SCO, and Comptroller, or their appointed representatives, must jointly agree in writing to authorize the operational contracting office to issue solicitations when it is anticipated that the contract(s) will be funded, but funds are not yet available.

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MP5333 -PROTESTS, DISPUTES, AND APPEALS

[DAFFARS PART 5333 Knowledge Center](#)

Sec.

MP5333.1 - PROTESTS

MP5333.104 Protests to GAO

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MP5333.1 - PROTESTS**MP5333.104 Protests to GAO***Revised: June 2024***(a) General**

(1) The Department of the Air Force response to a GAO bid protest must comply with GAO's Bid Protest Regulations (4 CFR Part 21) and [FAR 33.104](#) as supplemented. For guidance on responding to unclassified protests, follow the [Air Force Commercial Litigation Field Support Center Protest Guide](#). For guidance on responding to classified protests, follow the [Administrative Guide for Processing Classified GAO Protests](#). Both documents are also available from [AF.JAQC.AFLOA.Workflow.Org@us.af.mil](#).

(2) SAF/AQC serves as the notification point with the GAO for all protests.

Phone: (571) 256-7077, DSN 260-7077

E-mail: [SAF.AQ.SAF-AQC.Workflow@us.af.mil](#)

(3) The Air Force Commercial Litigation Field Support Center (AF/JACQ) represents the Air Force on all protests.

Phone: (240) 612-6661, DSN 612-6661

E-mail: [AF.JAQC.AFLOA.Workflow.Org@us.af.mil](#)

(4) The contracting officer must send any communication to the GAO through AF/JACQ with a courtesy copy to SAF/AQC and to the SCO focal point. Forward any inquiry received from an attorney representing a protestor or interested party to AF/JACQ.

(5) The *focal point* is designated by the SCO who receives communication from SAF/AQC or AF/JACQ concerning protests against Department of the Air Force solicitations or awards.

(6) The *supporting legal office* is the office that provides legal support to the contracting activity that received the protest. An attorney from the supporting legal office will draft the memorandum of law, and otherwise support the defense of the protest. AF/JAQC will provide protest guidance to the supporting legal office.

(b) Actions upon Receipt of Protest

(1) SAF/AQC will notify the contracting activity when a protest has been filed with the GAO. The contracting activity must immediately notify its supporting legal office/local attorney who provides contract law advice.

(2) The contracting officer must, within one business day of receiving the protest:

(i) Forward a copy of the protest to its supporting legal office/local attorney who provides contract law advice.

(ii) Provide a copy of the protest (or a redacted copy if the protest is designated as containing protected material) to the awardee, or if no award has been made, to all offerors who appear to have a reasonable prospect of receiving award. If no redacted copy of a protected protest was received, so advise AF/JACQ who will raise the issue with the protester.

(iii) Advise AF/JACQ, SAF/AQC, and the [cognizant HCA Workflow](#) (if HCA is other than DAS(C) or ADAS(C)) as to all actions being taken regarding a stay of performance and any override of the stay to include:

(A) A discussion of whether a stay of performance or award is required IAW 31 U.S.C. 3553.

(B) If a stay is required IAW [FAR 33.104\(b\) or \(c\)](#), whether an override will be sought to lift the stay. (See paragraph (f).)

(C) If a stay is not required, discuss whether a suspension of performance or termination of the contract is in the best interest of the Department of the Air Force.

(iv) Send an email to AF/JACQ with the name, phone number, and e-mail address of the contracting officer and the local attorney.

(3) The contracting officer is responsible for generating the contracting officer's statement of facts. Within ten days after the Department of the Air Force receives the protest, provide the draft statement of facts and table of contents to its supporting legal office/local attorney who provides contract law advice.

(4) The supporting legal office/local attorney is responsible for preparing the initial memorandum of law, which will include a legal analysis of each ground of protest.

(5) The contracting officer must e-mail drafts of the initial memorandum of law, statement of facts, and table of contents (including a listing of any requested documents deemed irrelevant) to AF/JACQ (copying the focal point) as soon as practicable, but not later than 15 days after the Department of the Air Force is notified of the protest (or seven days from the date the express option is invoked by the GAO).

(c) Hearings

(i) If GAO calls for a hearing, the contracting activity must provide the requested witnesses and other support required by AF/JACQ. The contracting activity is responsible for funding witness travel and TDY costs.

(ii) At the request of the GAO through AF/JACQ or at the request of AF/JACQ, the contracting activity must obtain and fund court reporter services to transcribe the hearing. The cost of court reporter services is typically shared between the contracting activity, the protester, and the intervener.

(d) Resolving the Protest

(1) GAO Decision. If the protest goes to a written decision, the GAO will issue the decision within 100 days of the filing of the original protest. A protest decision involving protected information will be released to the parties under the protective order. A protected decision may be viewed within the government, but may not be released to, or discussed with, non-government personnel unless those personnel have been explicitly admitted to access of protected material under the protective order. Generally, those admitted to access under the protective order will be legal counsel for the protester and interveners. The GAO will issue a public redacted version of the decision at a later date.

(i) Denial or Dismissal. If the GAO denies or dismisses a protest, the protest is closed. The Air Force can proceed with all contractual actions upon notification of denial or dismissal.

(ii) Sustain. If the GAO sustains a protest, the GAO will also recommend corrective action and may recommend payment of reasonable protest costs, to include reasonable attorney fees. In some cases the GAO may also recommend payment of proposal preparation costs.

(A) Corrective action should be accomplished pursuant to paragraph (e) below. A decision not to comply with a GAO recommendation for corrective action may only be made by the cognizant HCA. Any recommendation not to comply with GAO's corrective action recommendation must be coordinated with the focal point and forwarded through the SCO to the [cognizant HCA Workflow](#) and AF/JACQ within 15 days of the date of the decision.

(B) Potential costs may include attorney fees and in-house costs related to pursuit of the protest. Costs must be paid by the base or procuring activity.

(2) Alternative Dispute Resolution (ADR). Resolution of the protest may be possible through use of ADR. Outcome prediction is a form of ADR commonly used in bid protests in which the GAO advises the parties of its likely position if the protest were resolved in a written decision. Department of the Air Force policy is to follow the outcome prediction recommendations. Other nonbinding ADR procedures (including but not limited to mediation) are available and should be considered for use in appropriate cases. When considering the use of ADR proceedings other than outcome prediction to resolve a bid protest, and before initiating an ADR proceeding, the contracting officer and AF/JACQ must notify [SAF/GCR](#) and [SAF/GCQ](#) and work with those offices to identify an ADR procedure appropriate to the individual case.

(3) Withdrawal. The protester may withdraw the protest, either because of corrective action taken by the Department of the Air Force or for other reasons. Once the protester gives notice of withdrawal to the GAO and the GAO closes its file, the contracting activity can resume all contractual actions.

(e) Corrective Action

(1) Corrective action may be taken by the Department of the Air Force at any time during the protest process or upon the recommendation of the GAO when a protest is sustained. Within five days of a decision to take corrective action (either voluntary or as recommended by the GAO), the contracting officer must provide a corrective action plan through their SCO to the [cognizant HCA Workflow](#) and AF/JACQ. The contracting officer must notify the cognizant HCA and AF/JACQ if there are any significant changes to the corrective action plan, if the corrective action will not be completed within 60 days, and when the corrective action is complete. The focal point should be copied on these messages.

(f) Mandatory Stay of Award or Performance

(1) Statutory Requirements (31 USC 3551-3556)

(i) [FAR 33.104\(c\)\(1\)](#), in conjunction with [Class Deviation 2018-O0011, Enhanced Postaward Debriefing Rights](#), state that if the protest is received within the following deadlines, the agency has to withhold award or, if award has been made, immediately issue a stop work order to the awardee:

Ten days after date of contract award;

If a debriefing is required, five days after the debriefing date offered to the protester under a timely debriefing request and no additional questions related to the debriefing are submitted; or

Five days after the government delivers its written response to additional questions submitted by the unsuccessful offeror.

(ii) The Department of the Air Force can override a stay in appropriate circumstances when it can show a requisite level of harm resulting from a delay of contract award or performance. A challenge to the override decision is brought before the Court of Federal Claims vice GAO.

(2) Overriding Stay of Award (protest filed before award).

(i) See [DAFFARS 5333.104\(b\)\(1\)](#) for processing instructions.

(ii) A stay of award may only be overridden by “urgent and compelling circumstances that significantly affect interests of the United States.” These circumstances may include delays, work stoppages, or performance degradations that severely impact mission-critical operations.

(iii) All requests must include facts that establish the urgent and compelling circumstances that significantly affect the interests of the United States. The request must explain, if there is an incumbent, why the incumbent’s contract cannot be extended. The request must explain what other options are available and why those options, if any, are not viable.

(3) Overriding Stay of Performance (protest filed after award).

(i) See [5333.104\(c\)\(2\)](#) for processing instructions.

(ii) A stay of performance may only be overridden by urgent and compelling circumstances that significantly affect interests of the United States, or where performance of the contract is in the best interests of the United States.

(iii) HCA Override. See [Override D&F Template](#). NOTE: The template contains guidance on the last few pages of the document.

(A) The request to the [cognizant HCA](#) for an override must include the findings required by [FAR33.104\(b\) or \(c\)](#).

(B) The cognizant HCA will make a decision with respect to authorizing award or continued performance within ten days of the protest notification by SAF/AQC. If circumstances change after suspension of contract performance, the contracting officer may initiate a request to continue performance.

(C) The cognizant HCA’s decision to override is not effective until a written finding is made and the agency files with GAO either a copy of any issued determination and finding, or a statement by the individual who approved the determination and finding that explains the statutory basis for the override, in accordance with [FAR 33.104\(b\)\(2\) or \(c\)\(3\)](#). Notification should include the protester’s name and the B-number assigned to the protest. Copies of the signed notice and the finding must be sent to the [cognizant HCA](#). AF/JACQ will file the notice at GAO and provide copies to the protester and interested parties, as required by [FAR 33.104\(d\)](#).

(iv) The cognizant HCA may request a briefing on technical and contractual aspects of the solicitation when an override is requested.

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MP5342 -CONTRACT ADMINISTRATION AND AUDIT SERVICES

[DAFFARS PART 5342 Knowledge Center](#)

Sec.

MP5342.9 - BANKRUPTCY

MP5342.902 Bankruptcy Procedures

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MP5342.9 - BANKRUPTCY

MP5342.902 Bankruptcy Procedures

Revised: June 2024

(a) When an office (typically contracting, financial management, or legal) first learns of bankruptcy proceedings that may involve or affect the Department of the Air Force, that office must as a minimum provide notice to its supporting contracting, financial management, and legal offices. Once the contracting office and legal office are notified, they must work as a team to carry out the following responsibilities:

(1) The contracting office must furnish notice of the bankruptcy to any affected buying activities and to the Defense Finance and Accounting Service Office of General Counsel (DFAS-HGB) at the following address:

Office of General Counsel
DFAS-HGB
Defense Finance and Accounting Service
8899 E. 56th Street
Indianapolis, IN 46249-0160

The legal office must furnish notice to the Bankruptcy Branch of the Commercial Litigation Division of the Air Force Legal Services Agency (AFLOA/JAQ) at the following address:

AFLOA/JAQ
1500 West Perimeter Road, Suite 4100
Joint Base Andrews, MD 20762

Provide notice irrespective of whether any contracts have been closed, terminated, or still have performance outstanding. Make notifications via the most expeditious method, but no later than three days after learning of the bankruptcy. Notify promptly, whether or not all required information is initially available, and even in cases where it appears the notifying office, itself, received late notice. Ensure the notification includes:

- (A) The name of the debtor/contractor, including all known affiliates who have filed for bankruptcy;
- (B) The court in which the bankruptcy petition was filed;
- (C) The date the bankruptcy petition was filed; and
- (D) The case number assigned by the bankruptcy court.

(2) Make an assessment of each of the debtor's contracts and determine:

(A) If the Department of the Air Force has a claim or potential claim against the debtor/contractor (e.g., based on unliquidated progress payments, nonconforming goods, estimated excess procurement costs, etc.), whether the contract is ongoing, closed, terminated, or otherwise in litigation.

(B) The current status and performance experience of each ongoing contract. The contractor may request the court's permission to assume, sell, reject, or continue performing ongoing contracts. The contracting officer will need to coordinate with [AF/JACQ](#) to determine how best to pursue the most favorable course.

(C) If the debtor/contractor is in possession of any Government furnished equipment, Government furnished property, or work in progress for which title has passed to the Government.

(3) The contracting officer and legal office must promptly advise [AF/JACQ](#) regarding all Government property in the possession of, or under the control of, the debtor/contractor. Failure to address such property in a timely manner may result in a loss to the Government if the property is lost, sold, or otherwise improperly disposed of by the debtor/contractor or the court appointed trustee. The contracting officer must suspend payments to the contractor/debtor while making the assessment of each contract. (The contracting officer must contact the appropriate DFAS payment office if necessary to halt a previous or recurring payment request.)

(A) On those contracts where the Department of the Air Force has no claim or potential claim against the contractor, the contracting officer may resume payments to the contractor only for amounts due post-petition. The "petition date" is the date the bankruptcy was filed with the court. Post-petition payments are only for debts based on work performed, or goods delivered, after the debtor/contractor filed for bankruptcy. If an invoice does not clearly indicate whether it is based upon pre-petition or post-petition performance, the contracting officer should contact the debtor's/contractor's billing office—prior to making any payments—to request invoicing that clearly identifies whether the requested payment is for pre-petition or post-petition work. It is the debtor's/contractor's responsibility to bifurcate invoices into pre-petition and post-petition billing where a particular job spans the bankruptcy filing date. The supporting attorney will need to assist the contracting officer in obtaining appropriate invoices if the billing is being conducted by the trustee or the debtor's/contractor's bankruptcy counsel. NOTE: contracting officers must work closely with DFAS to ensure post-petition payments

reference only those post-petition invoices approved and forwarded by the contracting officer for payment. Be aware that DFAS' normal business practice may be to pay the oldest invoice on file first. Inadvertent payment of pre-petition invoices, versus the intended post-petition invoices, may result in the Government's loss of security and, ultimately, reduce the potential for recovery of Government claims.

(B) The contracting officer should continue to withhold amounts due for pre-petition performance or deliveries while AFLOA/JAQ works with DFAS and the Department of Justice to determine if there are other Government claims which should be offset against those pre-petition amounts owed. Pre-petition debts are those amounts due for work performed or goods delivered before the bankruptcy petition was filed with the court. The contracting officer must not authorize pre-petition payments without prior coordination with and approval from [AF/JACQ](#).

(C) These payment provisions augment, rather than supersede, otherwise applicable requirements regarding certification of payment requests.

(4) The contracting office and legal office must furnish information as follows:

(A) Any information required above, but not available at the time of initial reporting, must be provided to the respective office(s). Information reporting and coordination is a continuing requirement for both the contracting and legal offices.

(B) Not later than 15 days after receiving notice of a bankruptcy filing, the contracting officer must submit a report to DFAS-HGB and [AF/JACQ](#) detailing:

(i) Each contract (by debtor's/contractor's or affiliate's name) and the nature thereof;

(ii) All potential Government claims against the debtor/contractor (by contract), including the basis for each claim and the method used to determine the amount due (even when the amount is an estimate);

(iii) The status of each contract, including the percentage completed, the performance experience to date (including post-petition), and actions taken regarding the withholding or resumption of payments; and

(iv) Any available information regarding the debtor's/contractor's intent regarding the future of each contract and the contracting officers' thoughts regarding the same.

(C) All correspondence relative to the bankruptcy received from any source must be copied and forwarded to [AF/JACQ](#) within one business day of receipt.

(D) Any claims or requests for equitable adjustment from the debtor/contractor or trustee must be copied and forwarded to [AF/JACQ](#).

(b) The contracting officer and supporting attorney must consult [AF/JACQ](#) prior to taking any of the following actions regarding the debtor/contractor:

(1) Issuing a show cause letter or cure notice;

(2) Terminating a contract, either for default or the convenience of the Government, or canceling a contract or an order under a contract;

(3) Setting off or recouping debts, or otherwise attempting to collect or recover amounts owed by the debtor/contractor;

(4) Demanding or otherwise seeking to recover Government property;

(5) Initiating repurchase of the goods or services provided under a contract;

(6) Issuing a new contract to or exercising an option to extend a contract with the debtor/contractor; or

(7) Beginning or continuing any judicial or administrative action or proceeding against the debtor/contractor that could have been brought before the bankruptcy petition was filed.

MP5346 -QUALITY ASSURANCE

Revised: June 2024

[DAFFARS PART 5346 Knowledge Center](#)

Sec.

MP5346.1 - GENERAL

MP5346.103 - Contracting Office Responsibilities

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MP5346.1 - GENERAL

MP5346.103 - Contracting Office Responsibilities

Revised: June 2024

The following mandatory procedures will be used when awarding services acquisitions unless the three conditions at [DFARS PGI 201.602-2\(v\)\(A\)](#) are met.

1. Roles and Responsibilities

a. The COCO/Chiefs of Performance Management Offices must ensure that a:

(1) Quality Assurance Program Coordinator (QAPC) is appointed and properly trained to integrate the quality contract requirements into the quality assurance program, act as the liaison between the contracting and functional organizations, and provide training and record keeping in accordance with [MP5301.602-2\(d\)](#).

b. The CO must:

(1) Advise the acquisition team on Quality Assurance Surveillance Plan development.

(2) Designate Contracting Officer's Representatives (COR) in accordance with [MP5301.602-2\(d\)](#)

c. The QAPC must:

(1) Successfully complete the [QAPC course](#) conducted by AETC prior to conducting any training.

(2) Support the acquisition team in the development of contract quality assurance requirements specifically ensuring that requirements are clearly stated and enforceable.

(3) Assist the acquisition team during market research efforts in determining commercial quality assurance practices.

(4) Assist, as required, with the evaluation of contractor Quality Control Plans.

(5) All Contracting personnel (1102 or 64p) who are appointed as CORs and any non-1102 or 64p CORs who are responsible for monitoring subcontractor compliance must successfully complete the Management of Subcontracting Compliance (CLC 059) course offered by the Defense Acquisition University (DAU), when contracts include a subcontracting plan.

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MP5349 TERMINATION OF CONTRACTS

Revised: June 2024

[DAFFARS PART 5349 Knowledge Center](#)

Sec.

Subpart MP5349.5 — CONTRACT TERMINATION CLAUSES
MP 5349.501-70 Special Termination Costs
Subpart MP5349.70 — SPECIAL TERMINATION
REQUIREMENTS

MP5349.7001 Congressional Notification on Significant Contract
Terminations
MP5349.7003 Notification of Anticipated Terminations or
Reductions

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Subpart MP5349.5 — CONTRACT TERMINATION CLAUSES**MP 5349.501-70 Special Termination Costs**

(a) Contracting officers must refer to Volume 2A, Chapter 1, paragraph 2.14.3.2.1 of [DoD 7000.14-R, DoD Financial Management Regulation](#), for Congressional notification and additional approval requirements for Special Termination Cost Clauses (STCC). Because STCCs require special notification to Congress and entail a long approval process over which the Department of the Air Force has little control, the contracting officer should allow Headquarters Air Force Staff sufficient time to process requests to use [DFARS 252.249-7000](#), Special Termination Costs (i.e., not less than 90 days prior to contract award). The request must include the following:

(i) A detailed breakdown of applicable cost categories in the clause at [DFARS 252.249-7000, \(a\)\(1\) through \(5\)](#), which includes the reasons for the anticipated incurrence of the costs in each category;

(ii) Information on the financial and program need for the clause including an assessment of the contractor's financial position and the impact of a failure to receive authority to use the clause; and

(iii) Clear evidence that only costs that arise directly from a termination would be compensated under the clause. Costs that would be incurred by the Government, regardless of whether a termination occurs, must not be covered by a STCC.

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Subpart MP5349.70 — SPECIAL TERMINATION REQUIREMENTS

MP5349.7001 Congressional Notification on Significant Contract Terminations

(3)(v) “Contract price of the items terminated” means the contract price of the supplies or services not yet accepted that are being terminated. The contracting officer must not adjust this amount downward for progress or advance payments, accepted vouchered costs, or less than full funding and should use estimates when un-priced contract actions are being terminated, or when otherwise necessary.

MP5349.7003 Notification of Anticipated Terminations or Reductions

(b)(2)(i) Address the notification to:

Administrator
Office of National Response
U. S. Department of Labor
Employment and Training Administration
200 Constitution Avenue NW
Room N5422
Washington DC 20210

The notice must address the following key elements:

- (1) Contract number, date, and type of contract
- (2) Name of the Company
- (3) Nature of contract or end item
- (4) The reason for the termination
- (5) Contract price of the items terminated
- (6) Total number of contractor employees involved, including the Government’s estimate of the number who may be discharged
- (7) Statement of anticipated impact on the company and the community
- (8) The area labor category, whether the contractor is a large or small business, and any known impact on hardcore disadvantaged employment programs
- (9) Total number of subcontractors involved and the impact in this area, and
- (10) An unclassified draft of a suggested press release

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