# PART 5312 - Acquisition of Commercial Products and Commercial Services

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## SUBPART 5312.1 — ACQUISITION OF COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES

### 5312.102 Applicability

(a)(ii)(B) See [MP5301.601(a)(i)](https://www.acquisition.gov/affars/mp5301-federal-acquisition-regulations-system#AFFARS_MP5301_601).

(f)(1) See [MP5301.601(a)(i)](https://www.acquisition.gov/affars/mp5301-federal-acquisition-regulations-system#AFFARS_MP5301_601).

## SUBPART 5312.2 — SPECIAL REQUIREMENTS FOR THE ACQUISITION OF COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES

### 5312.207 Contract Type

(b)(iii) See [MP5301.601(a)(i)](https://www.acquisition.gov/affars/mp5301-federal-acquisition-regulations-system#AFFARS_MP5301_601) for approval authority.

### 5312.272 Preference for Certain Commercial Products and Commercial Services

(b)(2)(i) See [MP5301.601(a)(i)](https://www.acquisition.gov/affars/mp5301-federal-acquisition-regulations-system#AFFARS_MP5301_601).

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

### 5312.302 Tailoring of Provisions and Clauses for the Acquisition of Commercial Products and Commercial Services

(c) See [MP5301.601(a)(i)](https://www.acquisition.gov/affars/mp5301-federal-acquisition-regulations-system#AFFARS_MP5301_601).

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

### 5312.403 Termination

(b) See [DAFFARS 5349.101](https://www.acquisition.gov/affars/part-5349-termination-contracts#AFFARS_5349_101) for termination approval requirements.

## SUBPART 5312.90 –DEFENSE COMMERCIAL SOLUTIONS OPENING

**Restrictions.** Prior to a Commercial Solutions Opening (CSO) award in excess of $100M, the cognizant SAE must make the [determination](https://usaf.dps.mil/sites/AFCC/AQCP/KnowledgeCenter/SitePages/DAFFARS-Templates.aspx) required by [Class Deviation 2022-O0007](https://www.acq.osd.mil/dpap/policy/policyvault/USA000138-22-DPC.pdf). In such cases, the contracting officer must submit the determination for approval to the [cognizant HCA Workflow](https://www.acquisition.gov/affars/part-5302-definitions-words-and-terms) after coordination by the MAJCOM/FLDCOM/DRU/DAFRCO SCO.

**Award Notification Requirements.** For CSO awards in excess of $100M, the contracting

officer must prepare the required Congressional Defense Committee Notification Letters posted on the Commercial Solutions Opening section of the [Acquisition Toolbox](https://usaf.dps.mil/sites/AFCC/AQCP/OI/Innovation%20Toolbox/SitePages/Alternate%20Authorities.aspx) and forward them to [SAF/LLW](mailto:usaf.pentagon.saf-ll.mbx.saf-llp-contract-ancmt@mail.mil) and [SAF/FMBL](mailto:USAF%20Pentagon%20SAF-FM%20List%20All%20SAF-FMBI) for processing within 30 days after award. When sending the notification, courtesy copy [SAF/AQC](mailto:SAF.AQ.MLA.DF.SAF-AQCP@us.af.mil), the [cognizant HCA Workflow](https://www.acquisition.gov/affars/part-5302-definitions-words-and-terms) (if HCA is other than DAS(C) or ADAS(C)), and [USD(A&S)/DPC](mailto:osd.pentagon.ousd-a-s.mbx.dpc-cp@mail.mil). Maintain proof of submission of award notification in the contract file. This notification does not take the place of the Announcement of Contract Awards made via the DD1279 in accordance with [DFARS 205.303](https://www.acquisition.gov/dfars/part-205-publicizing-contract-actions#DFARS-205.303) and [DAFFARS 5305.303](https://www.acquisition.gov/affars/part-5305-publicizing-contract-actions#AFFARS_5305_303).