**Technical Amendment**

**March 2022**

**PGI 201—FEDERAL ACQUISITION REGULATIONS SYSTEM**

**PGI 201.1—PURPOSE, AUTHORITY, ISSUANCE**

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**PGI 201.170-1 Objectives of peer reviews.**

The objectives of peer reviews are to—\* \* \*

(c) Facilitate cross-sharing of best practices and lessons learned throughout DoD. DPC maintains a compilation of peer review lessons learned and best practices that is available at [*~~https://www.acq.osd.mil/dpap/cpic/cp/peer\_reviews.html~~*](https://www.acq.osd.mil/dpap/cpic/cp/peer_reviews.html) **[*https://www.acq.osd.mil/asda/dpc/cp/policy/peer-reviews.html*]** for competitive peer reviews and at [*~~https://www.acq.osd.mil/dpap/DP/docs/Peer\_Reviews\_Best\_Practices\_14\_June\_21.pdf~~*](https://www.acq.osd.mil/dpap/DP/docs/Peer_Reviews_Best_Practices_14_June_21.pdf)**[*https://www.acq.osd.mil/asda/dpc/pcf/docs/ss-peer-reviews/Sole-Source-Peer-Reviews-Best-Practices-V1.0-14June21.pdf*]** for noncompetitive peer reviews.

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**PGI 201.170-3 Administration of peer reviews.**

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(h) \* \* \*

(2) *Noncompetitive peer review checklist.* The noncompetitive peer review preparation checklist is available at *~~https://www.acq.osd.mil/dpap/DP/docs/Sole\_Source\_Peer\_Review\_Preparation\_and\_Checklist\_8\_Apr\_21.pdf~~***[*https://www.acq.osd.mil/asda/dpc/pcf/docs/ss-peer-reviews/Sole-Source-Peer-Review-Preparation-and-Checklist-8Apr21.pdf*]**. The checklist identifies frequently addressed areas of emphasis. It is recommended that acquisition teams review these listed areas of interest in advance of releasing a request for proposal.

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**PGI 204—ADMINISTRATIVE AND INFORMATION MATTERS**

**\* \* \* \* \***

**PGI 204.2—CONTRACT DISTRIBUTION**

**PGI 204.201 Procedures.**

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(3) Use the following distribution procedures instead of those at FAR 4.201(b) through (f):

(i) \* \* \*

(B) \* \* \*

*(2)* Department of Defense Procurement Data Standard (PDS) Extensible Markup Language (XML) format:[~~http://www.acq.osd.mil/dpap/pdi/eb/procurement\_data\_standard.html~~](http://www.acq.osd.mil/dpap/pdi/eb/procurement_data_standard.html)**[*https://www.acq.osd.mil/asda/dpc/ce/ds/procurement-data-standard.html*.]**

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**PGI 204.270 Electronic ~~Document~~[Data] Access.**

**PGI 204.270-2 Procedures.**

(c) *Contract deficiency reports*.

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(4) *The CDR process*.

(i) *Creation*. A CDR is created when a deficiency is identified in the procurement instrument. A list of types of CDR deficiencies is available at [~~http://www.acq.osd.mil/dpap/pdi/eb/procurement\_data\_standard.html~~](http://www.acq.osd.mil/dpap/pdi/eb/procurement_data_standard.html) **[*https://www.acq.osd.mil/asda/dpc/ce/ds/procurement-data-standard.html*]**. The specifics of the deficiency shall be documented in the description in enough detail to provide the assignee an understanding of the problem.

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**PGI 204.6—CONTRACT REPORTING**

**PGI 204.602 General**

(1) \* **\* \***

(2)  *Reporting technical or policy issues*.

(i) \* \* \*

(iii) *Agency representatives*. Department and component FPDS representatives and their contact information can be found on the DPC website at [~~https://www.acq.osd.mil/dpap/pdi/eb/federal\_procurement\_data\_system\_-\_next\_generation\_fpds-ng.html~~](https://www.acq.osd.mil/dpap/pdi/eb/federal_procurement_data_system_-_next_generation_fpds-ng.html) **[*https://www.acq.osd.mil/asda/dpc/ce/cap/fpds.html#data-improvement*]** under “Additional Resources.”

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**PGI 204.604 Responsibilities.**

(1) The OSD Procurement Data Improvement Plan, posted at [~~http://www.acq.osd.mil/dpap/pdi/eb/dataimp.html#~~](https://www.acq.osd.mil/dpap/pdi/eb/dataimp.html) **[*https://www.acq.osd.mil/asda/dpc/ce/cap/data-improvement.html*],** applies to each of the military services and agencies with procurement authority, and identifies the data validation requirements and responsibilities that support the annual Department of Defense certification identified at FAR 4.604(c). These review requirements encompass contract action reports submitted to FPDS, terminations for default and other documents submitted to the Federal Awardee Performance and Integrity Information System (FAPIIS), and other reporting and posting requirements.

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**PGI 204.71—UNIFORM CONTRACT LINE ITEM NUMBERING SYSTEM**

**PGI 204.7103 Contract line items.**

(a) \* \* \*

(2) The list of available units of measure is on the Defense ~~Procurement and Acquisition Policy~~**[Pricing and Contracting]** website at [~~http://www.acq.osd.mil/dpap/pdi/eb/docs/Line\_Item\_UoM\_List.xlsx~~](http://www.acq.osd.mil/dpap/pdi/eb/docs/Line_Item_UoM_List.xlsx) **[*https://www.acq.osd.mil/asda/dpc/ce/ds/docs/pds/Line\_Item\_UoM\_List.xlsx*].**

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**PGI 207.1—ACQUISITION PLANS**

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**PGI 207.105 Contents of written acquisition plans.**

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(b) *Plan of action*. \* \* \*

(20) *Other considerations.*\* \* \*

(C) *Special considerations for acquisition planning for crisis situations.* \* \* \*

(*8*) Contract administration planning considerations for contracts in support of contingency operations. \* \* \*

(*iii*) When some portion of contract delivery of items or performance may take place in a contingency area, address pertinent combatant commander or joint force commander requirements and considerations for contract administration. Such requirements will be maintained on the particular combatant commander operational contract support website, [~~http://www.acq.osd.mil/dpap/pacc/cc/areas\_of\_responsibility.html~~](http://www.acq.osd.mil/dpap/pacc/cc/areas_of_responsibility.html)**[*https://www.acq.osd.mil/asda/dpc/cp/cc/aor.html*]**.

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**PGI 211.70—PURCHASE REQUESTS**

**PGI 211.7001 Procedures.**

(f) Purchase requests transmitted between requiring systems and contract writing systems shall be transmitted via the Global EXchange system (GEX) using the Purchase Request Data Standard Extensible Markup Language (XML) format ~~(~~[~~http://www.acq.osd.mil/dpap/pdi/eb/procurement\_data\_standard.html~~](http://www.acq.osd.mil/dpap/pdi/eb/procurement_data_standard.html)~~)~~ **[at *https://www.acq.osd.mil/asda/dpc/ce/ds/procurement-data-standard.html*]**. Copies shall be sent via the GEX to the Electronic Data Access (EDA) ~~(~~[~~http://eda.ogden.disa.mil~~](http://eda.ogden.disa.mil)~~)~~ system **[at *http://eda.ogden.disa.mil*]**. Requiring systems and contract writing systems may use a format that can be translated to or from the purchase request Data Standard ~~Extensible Markup Language (~~XML~~)~~ format.

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**PGI 213—SIMPLIFIED ACQUISITION PROCEDURES**

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**PGI 213.2—ACTIONS AT OR BELOW THE MICRO-PURCHASE THRESHOLD**

**PGI 213.201 General.**

(g)(i) The higher micro-purchase thresholds in FAR 13.201(g) are authorized for purchases that have a clear and direct relationship to the support of a declared 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). To determine if a declaration has been made that authorizes the use of the higher micro-purchase thresholds review the following websites:

(A) Declared domestic contingency operations are listed at [~~http://www.acq.osd.mil/dpap/pacc/cc/domestic\_emergencies.html~~](http://www.acq.osd.mil/dpap/pacc/cc/domestic_emergencies.html) **[*https://www.acq.osd.mil/asda/dpc/cp/cc/domestic-operations.html*]**.

(B) Declared overseas contingency operations are listed at [~~http://www.acq.osd.mil/dpap/pacc/cc/international\_operations.html~~](http://www.acq.osd.mil/dpap/pacc/cc/international_operations.html) **[*https://www.acq.osd.mil/asda/dpc/cp/cc/international-operations.html*]**.

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**PGI 213.3—SIMPLIFIED ACQUISITION METHODS**

**PGI 213.301 Governmentwide commercial purchase card**.

(1) \* \* \*

(2) Governmentwide commercial purchase card programs cannot be established or operated unless contracting authority is granted in accordance with governing laws and regulations, and delegated through a contracting activity identified at PGI 202.101. Further guidance regarding establishment, operation, and oversight of Governmentwide commercial purchase card programs can be found in the “Department of Defense Government Charge Card Guidebook for Establishing and Managing Purchase, Travel, and Fuel Card Programs” at [~~http://www.acq.osd.mil/dpap/pdi/pc/policy\_documents.html~~](http://www.acq.osd.mil/dpap/pdi/pc/policy_documents.html) **[*https://www.acq.osd.mil/asda/dpc/ce/pc/docs-guides.html*]**.

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**PGI 217—SPECIAL CONTRACTING METHODS**

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**PGI 217.5 INTERAGENCY ACQUISITIONS**

**PGI 217.502-1**

(a) \* \* \*

(1) \* \* \*

(A) The written interagency agreement between the servicing DoD Component and the requesting DoD Component, required by FAR 17.502-1(a)(1), shall be documented on the DD Form 1144, Support Agreement (see template at [~~http://www.acq.osd.mil/dpap/pacc/cc/resources.html~~](http://www.acq.osd.mil/dpap/pacc/cc/resources.html)~~)~~ **[*https://www.acq.osd.mil/asda/dpc/cp/cc/cc-resources.html*]**;

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**PGI 218—EMERGENCY ACQUISITIONS**

**PGI 218.2—EMERGENCY ACQUISITION FLEXIBILITIES**

**PGI 218.271 Use of electronic business tools.**

(a) Use of electronic business (e-business) acquisition tools greatly enhances the efficacy of the contracting process in a contingency business environment (CBE). The CBE involves specific tools, policies, roles and responsibilities, and processes necessary to streamline delivery of goods and services to the end user and to implement an e-business program with the capabilities necessary to support an end-to-end electronic acquisition process in order to quickly obtain goods and services for the warfighter in an operational area. For information and procedures to effectively utilize CBE e-business tools, and additional policy references supporting use of the e-business tools, see the DoD CBE Guidebook at

~~<http://www.acq.osd.mil/dpap/pacc/cc/docs/CBE_Guidebook.docx>~~ **[*https://www.acq.osd.mil/asda/dpc/cp/cc/docs/resources/CBE\_Guidebook.docx*]**.

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**PGI 222—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS**

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**PGI 222.17—COMBATING TRAFFICKING IN PERSONS**

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**PGI 222.1703 Policy.**

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(6) The contracting officer shall ~~shall~~ rely on the requiring activity to ascertain the existence of any additional Geographic Combatant Commander’s (GCC’s)/Subordinate Joint Force Commander, Trafficking In Persons, Directives or Notices, as required under [PGI 225.370](http://www.acq.osd.mil/dpap/dars/pgi/pgi_htm/current/PGI225_3.htm#225.370), checklist item #12, that would require the use of Alternate I with the clause at FAR 52.222-50, Combating Trafficking in Persons, as required by FAR 22.1705 for contracts performed outside the United States. The webpage is provided at [~~http://www.acq.osd.mil/dpap/pacc/cc/areas\_of\_responsibility.html~~](http://www.acq.osd.mil/dpap/pacc/cc/areas_of_responsibility.html) **[*https://www.acq.osd.mil/asda/dpc/cp/cc/aor.html*]** and by clicking on the pertinent GCC Area of Responsibility.

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**PGI 225—FOREIGN ACQUISITION**

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**PGI 225.3 CONTRACTS PERFORMED OUTSIDE THE UNITED STATES**

**PGI 225.370 Contracts requiring performance or delivery in a foreign country.**

(a) \* \* \*

(iii) Refer to the website at [~~http://www.acq.osd.mil/dpap/pacc/cc/index.html~~](http://www.acq.osd.mil/dpap/pacc/cc/index.html) **[*https://www.acq.osd.mil/asda/dpc/cp/cc/index.html*]**, which contains required procedures and applicable guidance and information;

(iv) Follow specific guidance for the combatant command in whose area the contractor will be performing services or delivering supplies. This guidance is contained on the respective combatant commander’s operational contract support webpage, which is linked to the procedures at [~~http://www.acq.osd.mil/dpap/pacc/cc/areas\_of\_responsibility.html~~](http://www.acq.osd.mil/dpap/pacc/cc/areas_of_responsibility.html) **[*https://www.acq.osd.mil/asda/dpc/cp/cc/aor.html*]**, at the weblink for the combatant command for the area in which the contractor will be performing services or delivering items. These pages list prevailing regulations, policies, requirements, host nation laws, orders/fragmentary orders, combatant commander’s directives, unique clauses, and other considerations necessary for soliciting and awarding a contract for performance in, or delivery of items to, that combatant commander’s area of responsibility;

\* \* \* \* \*

(d) For work performed in specified countries in the USCENTCOM area of responsibility, follow theater business clearance/contract administration delegation policy as set forth in OSD policy letters linked to this PGI, and specific theater business clearance/contract administration delegation instructions as implemented by USCENTCOM’s Joint Theater Support Contracting Command and found under contracting guidance at [~~http://www.acq.osd.mil/dpap/pacc/cc/areas\_of\_responsibility.html~~](http://www.acq.osd.mil/dpap/pacc/cc/areas_of_responsibility.html) **[*https://www.acq.osd.mil/asda/dpc/cp/cc/aor.html*]** (click on CENTCOM area of responsibility).

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**PGI 225.8—OTHER INTERNATIONAL AGREEMENTS AND COORDINATION**

**PGI 225.802 Procedures.**

(b) \* \* \*

(i) Memoranda of understanding and other international agreements between the United States and the countries listed in DFARS [225.872-1](http://www.acq.osd.mil/dpap/dars/dfars/html/current/225_8.htm#225.872-1) are maintained in the Office of the **[Principal]** Director**[,]** ~~of~~ Defense ~~Procurement and Acquisition Policy~~**[Pricing and Contracting]** (Contract Policy ~~and International Contracting~~) ((703) 697-9351, DSN 227-9351) and are available at [~~http://www.acq.osd.mil/dpap/cpic/ic/reciprocal\_procurement\_memoranda\_of\_understanding.html~~](http://www.acq.osd.mil/dpap/cpic/ic/reciprocal_procurement_memoranda_of_understanding.html) **[*https://www.acq.osd.mil/asda/dpc/cp/ic/reciprocal-procurement-mou.html*].**

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**PGI 232—CONTRACT FINANCING**

**PGI 232.10—PERFORMANCE-BASED PAYMENTS**

**PGI 232.1001 Policy.**

(a) *Contracting officer action*. Performance-based payments are not practical for use on all fixed price contracts and require considerable effort between the contractor and Government to identify the appropriate performance-based payment events and establish the proper completion criteria for those events. Additionally, FAR 32.1003 prohibits contracts from having both progress payments and performance-based payment financing on a contract at the same time. Additional information and instruction on performance-based payments are provided in the DoD Performance-based Payments Guide on the ~~DPAP~~**[DPC]** website in the **[Price, ]**Cost~~, Pricing~~ ~~&~~ **[and]** Finance section under the Performance Based Payments – Guide**[b]** ~~B~~ook ~~&~~**[and]** Analysis Tool tab~~:~~

[*~~http://www.acq.osd.mil/dpap/cpic/cp/Performance\_based\_payments.html~~*](http://www.acq.osd.mil/dpap/cpic/cp/Performance_based_payments.html)**[at*****https://www.acq.osd.mil/asda/dpc/pcf/pricing-topics.html#pdp*.]**

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**PGI 234—MAJOR SYSTEM ACQUISITION**

**PGI 234.70—ACQUISITION OF MAJOR WEAPON SYSTEMS AS COMMERCIAL ITEMS**

**PGI 234.7002 Policy.**

(a) *\* \* \**

(d) *Relevant information.*

(5) The Department of Defense Guidebook for Acquiring Commercial Items, Part B, provides additional guidance on the use of value analysis**[.]** ~~(s~~**[S]**ee “Value Analysis” within the section on “Price Analysis Techniques~~,~~” **[at]** [*~~https://www.acq.osd.mil/dpap/cpic/cp/docs/Guidebook\_Part\_B\_Commercial\_Item\_Pricing\_20180126~~*](https://www.acq.osd.mil/dpap/cpic/cp/docs/Guidebook_Part_B_Commercial_Item_Pricing_20180126)**[*https://www.acq.osd.mil/asda/dpc/cp/policy/docs/guidebook/Guidebook\_Part\_B\_Commercial\_Item\_Pricing\_20180126.pdf*]***~~)~~.*

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**PGI 247—TRANSPORTATION**

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**PGI 247.3—transportation in supply contracts**

**PGI 247.301 General.**

Transportation guidance relating to Governmentwide commercial purchase card purchases is available in the Department of Defense Government Charge Card Guidebook for Establishing and Managing Purchase, Travel, and Fuel Card Programs, Appendix C, at [~~http://www.acq.osd.mil/dpap/pdi/pc/policy\_documents.html~~](http://www.acq.osd.mil/dpap/pdi/pc/policy_documents.html)**[*https://www.acq.osd.mil/asda/dpc/ce/pc/docs-guides.html*]**.

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