



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(RESEARCH, DEVELOPMENT AND ACQUISITION)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

Dec 6, 2010

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Change 08-8 to the Navy Marine Corps Acquisition Regulation Supplement
(NMCARS)

The attached document identifies changes incorporated in the April 2008 edition of NMCARS which are effective immediately. The online version of NMCARS will reflect these changes shortly.

The point of contact for NMCARS is Evelyn Ortiz at telephone (703) 614-9640 or email evelyn.ortiz@navy.mil.

A handwritten signature in black ink that reads "Elliott B. Branch".

Elliott B. Branch
Executive Director
DASN(A&LM)

Attachment:
As stated

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SUBJECT: Change 08-8 to the Navy Marine Corps Acquisition Regulation Supplement
(NMCARS)

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Incorporate the following changes into the April 2008 NMCARS (Change 08-8):

1. Under **PART 5201 FEDERAL ACQUISITION REGULATIONS SYSTEM, SUBPART 5201.6—CAREER DEVELOPMENT, CONTRACTING AUTHORITY, AND RESPONSIBILITIES**, section **5201.690 Requirements to be met before entering into contracts** is revised to clarify business clearance requirements, as follows:

SUBPART 5201.6—CAREER DEVELOPMENT, CONTRACTING AUTHORITY, AND RESPONSIBILITIES

5201.690 Requirements to be met before entering into contracts.

(a) Contract actions must be subject to review prior to award. The formal review process is conducted and documented through the use of the business clearance. The purpose of the business clearance is to demonstrate that the proposed decision on a contract action conforms to law, regulation, good business practices and DOD/DON acquisition policy.

(b) HCAs shall establish written procedures defining the types of contract actions that will require a business clearance, the applicable dollar thresholds, and the review and approval process. At a minimum, HCA procedures shall address business clearance requirements for the actions listed below. HCAs should expand this list, as appropriate.

(1) Contracts (including task and delivery orders against indefinite-delivery contracts, basic ordering agreements, blanket purchase agreements, and other contract tools).

(2) Contract modifications not within the scope or under the terms of an existing contract.

(3) Undefinitized contract actions (see DFARS Subpart 217.74).

(4) Modifications and changes issued pursuant to the *Changes, Disputes, Economic Price Adjustment, Fair Labor Standards Act and Service Contract Act—Price Adjustment, Government Delay of Work, Government Property, Incentive Price Revision, Over and Above Work, Stop-Work Order, Termination, and Value Engineering* contract clauses.

(5) Settlement of claims or requests for equitable adjustment not addressed under paragraph (4) above.

(6) Retroactive pricing after completion, including final price determination.

(7) Definitization of any undefinitized or unpriced contract action, including change orders, Engineering Change Proposals, Value Engineering Change Proposals, and Over and Above Work.

(8) Advance agreements on special or unusual cost items (see 5231.109.)

(9) Actions that result in the establishment, modification or rescission of a guarantee of performance on a government contract by a third party.

(c) The following contract actions do not require a business clearance, but the file must include the rationale for award sufficiently documented in a format prescribed by HCA procedures:

(1) Contract actions awarded using simplified acquisition procedures.

(2) Task orders or delivery orders issued under FAR Subpart 8.4, Federal Supply Schedules.

(3) Task orders or delivery orders issued on a firm-fixed price basis against indefinite-delivery type contracts for

(i) supplies for which unit prices are established in the contract; or
(ii) services for which unit prices are established in the contract for specific tasks to be performed and where a statement of work/statement of objectives is not required.

(d) HCAs must establish business clearance approval levels at least one level above the individual responsible for conducting the negotiations; or, if negotiations are not required, for handling the proposed contract action. The degree and complexity of documentation required, and approval levels/thresholds, for various actions should be governed by the magnitude and complexity of the action being reviewed.

(e) The format at Annex 2, Business Clearance Memorandum, shall be used to document decisions on contract actions that are subject to business clearance requirements, unless an alternative format has been approved by DASN(A&LM).

2. Under **PART 206 COMPETITION REQUIREMENTS**, effect changes to the subparts and sections identified below to reflect inflation adjustments authorized by Federal Acquisition Circular (FAC) 2005-45, as follows:

a. Under **SUBPART 5206.2—FULL AND OPEN COMPETITION AFTER EXCLUSION OF SOURCES**, section **5206.202 (DFARS 206.202) Establishing or maintaining alternative sources**, the acquisition threshold in paragraphs (b)(1)(A) and (B) is increased from \$78,500,000 to \$85,500,000, as follows:

SUBPART 5206.2—FULL AND OPEN COMPETITION AFTER EXCLUSION OF SOURCES

5206.202 (DFARS 206.202) Establishing or maintaining alternative sources.

(b)(1) D&Fs shall be signed as follows:

(A) For a proposed contract not exceeding \$85,500,000, the approval level is the HCA, or a designee who—

(a) If a member of the armed forces, is a general or flag officer; or

(b) If a civilian, is serving in a position in grade GS 16 or above under the General Schedule (or in a comparable or higher position under another schedule).

(B) For a proposed contract over \$85,500,000, the approval level is the NSPE.

b. Under **SUBPART 5206.3 OTHER THAN FULL AND OPEN COMPETITION**, section **5206.304 (DFARS 206.304) Approval of the justification**, the acquisition threshold in paragraph (a)(2) is increased from \$550,000 to \$650,000, as follows:

SUBPART 5206.3—OTHER THAN FULL AND OPEN COMPETITION

* * * * *

5206.304 (DFARS 206.304) Approval of the justification.

(a) If the dollar value of the contract is negotiated at a level that exceeds the authority of the official who approved the original justification, a new approval shall be obtained from the appropriate official prior to award.

(2) DON activities with contracting authority in excess of \$650,000 may be considered

"procuring activities" solely for the purpose of enabling their competition advocate to exercise the approval authority provided by FAR 6.304(a)(2).

* * * * *

3. Under **PART 5209 CONTRACTOR QUALIFICATIONS, SUBPART 5209.1—RESPONSIBLE PROSPECTIVE CONTRACTORS**, section **5209.1 Standards, 5209.104-1 (DFARS 209.104-1) General standards**, new paragraph (g)(i)(B) is added to establish waiver submittal requirements; (g)(ii) *Ownership or control by a foreign government when access to proscribed information is required* and (C) addressing waiver submittal requirements are added to reflect DFARS Change Notice 20100623, as follows:

SUBPART 5209.1—RESPONSIBLE PROSPECTIVE CONTRACTORS

5209.104 Standards.

5209.104-1 (DFARS 209.104-1) General standards.

(g)(i) *Ownership or control by the government of a terrorist country.*

(B) Submit waiver requests for Secretary of Defense approval to DASN(A&LM) via electronic mail address RDAJ&As@navy.mil. Properly identify in the subject line “DFARS 209.104-1(g)(i)(A)—SECDEF Waiver Request.”

(C) Submit the information to DASN(A&LM) via electronic email address RDAPolicy@navy.mil. Properly identify in the subject line “DFARS 209.104-1(g)(i)—Ownership/Control Notice.”

(ii) *Ownership or control by a foreign government when access to proscribed information is required.*

(C) Submit waiver requests for Undersecretary of Defense for Intelligence approval via DASN(A&LM) electronic mail address RDAJ&As@navy.mil. Properly identify in the subject line “DFARS 209.104-1(g)(ii)—Waiver Request/National Security Interest Determination.”

(D) Submit waiver requests for Secretary of Defense approval to DASN(A&LM) via electronic mail address RDAJ&As@navy.mil. Properly identify in the subject line “DFARS 209.104-1(g)(ii)(A)—SECDEF Waiver Request.”

4. Under **PART 5215 CONTRACTING BY NEGOTIATION, SUBPART—5215.4 CONTRACT PRICING**, subsection **5215.403-1 (DFARS 215.403-1) Prohibition on obtaining cost or pricing data (10 U.S.C. 2306a and 41 U.S.C. 254b)** is revised to add “PGI” in addition to the DFARS citation, and subsection **5215.406-90 Business clearance**, paragraph (d) is revised to conform to BCM format requirements set forth in the acquisition supplement, as follows:

SUBPART 5215.4—CONTRACT PRICING

* * * * *

5215.403-1 (DFARS & PGI 215.403-1) Prohibition on obtaining cost or pricing data (10 U.S.C 2306a and 41 U.S.C. 254b).

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5215.406-90 Business clearance.

* * * * *

(d) Use the format for business clearance memoranda located at Annex 2, unless an alternative format has been approved by DASN(A&LM).

5. Under **PART 5216 TYPES OF CONTRACTS**, the SUBPARTS and sections identified below are revised, as follows:

a. **SUBPART 5216.4—INCENTIVE CONTRACTS**, section **5216.401 General**, paragraph (d)(2) is revised to effect minor editorial revisions and conform to the authority delegated by DPAP for incentive contract determinations and findings (D&Fs), as follows:

SUBPART 5216.4—INCENTIVE CONTRACTS

5216.401 General.

(d) HCAs may delegate signature authority for approval of required determinations and findings (D&Fs), subject to the limitations established below.

(1) Award fee contract types. D&F signature authority is delegable to no lower than Deputy/Assistant Commander for Contracts.

(2) Other incentive contracts. D&F signature authority is at one level above the Contracting Officer and is not further delegable.

* * * * *

b. Under **SUBPART 5216.5—INDEFINITE-DELIVERY CONTRACTS**, the specified sections within this subpart are revised as follows:

(1) Section **5216.504 (DFARS 216.504) Indefinite-quantity contracts**, paragraph (c)(1)(ii)(D) *Limitation on single award contracts*, is revised to conform to current DFARS paragraph structure, increase the acquisition threshold from \$100M to \$103M as authorized by FAC 2005-45, and to establish submittal requirements for congressional notifications set forth by DFARS Change Notice 20100713.

(2) Section **5216.504-90 Limitation on single award task or delivery order contracts valued at or below \$100M** is revised to increase the acquisition thresholds in the **section title** and paragraph (a) *Policy* from \$100M to \$103M, and in paragraph (b)(7) from \$5.5M to \$6.5M to reflect FAC-2005-45. New paragraph (b)(8) is added to exempt Architect-Engineer (A/E) contracts from HCA approval requirements for consistency with FAR 16.504(D)(3)(ii) which exempted A/E contracts from the approval requirements. Changes are effected as follows:

SUBPART 5216.5—INDEFINITE-DELIVERY CONTRACTS

5216.504 (DFARS 216.504 Indefinite-quantity contracts.

(c)(1)(ii)(D) *Limitation on single award contracts.*

(1) ASN(RD&A) is the approval authority for all determinations over \$103M. Submit all determinations over \$103M to DASN(A&LM) via electronic mail address RDAJ&As@navy.mil. Properly identify in the subject line “DFARS 216.504—SINGLE AWARD” followed by the contract/task/delivery order number.

(2) Concurrent with the submission of determinations in paragraph (1) above, include the proposed congressional notification document in the DFARS PGI 216.504 prescribed format.

5216.504-90 Limitation on single award task or delivery order contracts valued at or below \$103M.

(a) *Policy.* Unless exempted by (b) below, single awards of task or delivery order contracts valued at or below \$103M require HCA approval.

(b) *Exemptions.* The following categories of contracts are exempt from the requirement for HCA approval for single awards of task or delivery order contracts:

* * * * *

- (7) Contracts with a total estimated value less than \$6.5 million; and
- (8) Architect-Engineer contracts awarded under FAR Subpart 36.6.

* * * * *

6. Under **PART 5217—SPECIAL CONTRACTING METHODS**, the specified sections within the SUBPARTS identified below are revised to align with current DFARS requirements and to reflect, where application, acquisition threshold revisions authorized by FAC 2005-45, as follows:

a. Under **SUBPART 5217.1—MULTI-YEAR CONTRACTING**, the acquisition threshold in paragraph (b) of section **5217.108 Congressional notification**, is increased from \$114.5 million to \$125 million. New section **5217.175 (DFARS 217.175) Multiyear contracts for electricity from renewable energy sources** is added to reflect DFARS Change Notice 20100621 and to identify the HCA responsible for such procurements within DON. These changes are reflected as follows:

SUBPART 5217.1—MULTI-YEAR CONTRACTING

* * * * *

5217.108 Congressional notification.

(b) HCAs shall submit a copy of the required written Congressional notification of a proposed multi-year contract that includes a cancellation ceiling in excess of \$125 million to DASN(A&LM) via electronic mail address RDAJ&As@navy.mil. Contracting officers shall verify that the required Congressional notification has been made and the time limit for award has been satisfied before executing contract award.

* * * * *

5217.175 (DFARS 217.175) Multiyear contracts for electricity from renewable energy sources.

(a) Only COMNAVACENCOM has the authority to award contracts pursuant to this section.

b. Under **SUBPART 5217.74—UNDEFINITIZED CONTRACT ACTIONS**, section **5217.7404-5 Exceptions** is added to establish submittal requirements for agency waiver requests of limitations on UCAs; section **5217.7405 (DFARS 217.7405) Plans and Reports** is revised to reflect the inclusion of unpriced change orders in the semi-annual consolidated UCA report. These revisions are necessary to reflect DFARS Change Notice 20100810, as follows:

SUBPART 5217.74—UNDEFINITIZED CONTRACT ACTIONS

5217.7404-5 (DFARS 217.7404-5) Exceptions.

(b) Submit requests for waivers of limitations on UCAs as set forth in DFARS 217.7404-2, 217.7404-3, and 217.4704-4 to DASN(A&LM) via electronic mail address RDAJ&As@navy.mil. Include in the subject line of the email “Waiver of limitations on UCAs—[insert applicable DFARS cite].”

5217.7405 (DFARS 217.7405) Plans and reports.

(a)(2) HCAS shall submit by April 15 and October 15 a semi-annual consolidated undefinitized contract action (UCA) report identifying each UCA and unpriced change order with an estimated value of more than \$5 million.

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c. Under **SUBPART 5217.78—CONTRACTS OR DELIVERY ORDERS ISSUED BY A NON-DOD AGENCY**, section **5217.7802 (DFARS 217.7802) Policy** is revised to align it with current DFARS requirements, as follows:

SUBPART 5217.78—CONTRACTS OR DELIVERY ORDERS ISSUED BY A NON-DOD AGENCY

5217.7802 (DFARS 217.7802) Policy.

(b)(i) *DON review/approval requirements.*

(A) Assisted acquisitions.

(1) ASN(RDA) is the decision authority for assisted acquisitions exceeding \$500,000,000.

(2) DASN(A&LM) is the decision authority for assisted acquisitions exceeding \$50,000,000.

(3) The Requiring Organization Commander/Commanding Officer is the decision authority for assisted acquisitions at or below \$50,000,000. This authority may be delegated; but, for requirements over \$5,000,000, decision authority may only be delegated to an official in the Requiring Organization who is a Flag or General Officer; a member of the Senior Executive Service; or, for a requirement arising from a claimant activity without Flag/General Officer/SES, the commanding officer of that activity.

(B) Direct acquisitions. The business clearance approval official is the decision authority for direct acquisitions.

7. Under PART 5219 SMALL BUSINESS PROGRAMS, **SUBPART 5219.9—VERY SMALL BUSINESS PILOT PROGRAM** is removed, because the pilot program is no longer available in FAR Part 19.

8. Under **PART 5222, APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS**, effect the following revisions:

a. Under **SUBPART 5222.70, RESTRICTIONS ON THE EMPLOYMENT OF PERSONNEL FOR WORK ON CONSTRUCTION AND SERVICE CONTRACTS IN NONCONTIGUOUS STATES**, section **5222.7003 (DFARS 222.7003) Waivers** is revised to effect editorial revisions by adding the email address and other details for submission of waivers, as follows:

SUBPART 5222.70—RESTRICTIONS ON THE EMPLOYMENT OF PERSONNEL FOR WORK ON CONSTRUCTION AND SERVICE CONTRACTS IN NONCONTIGUOUS STATES

5222.7003 (DFARS 222.7003) Waivers.

Submit waiver requests to DASN(A&LM) via electronic mail address RDAJ&As@navy.mil. Include in the subject line “Waiver of DFARS 222.7002 Requirements—National Security Interest.”

b. **SUBPART 5222.74—RESTRICTIONS ON THE USE OF MANDATORY ARBITRATION AGREEMENTS** and section **5222.7403 (DFARS 222.7403) Waiver** are added to reflect DFARS Change Notice 20100519, as follows:

SUBPART 5222.74—RESTRICTIONS ON THE USE OF MANDATORY ARBITRATION AGREEMENTS

5222.7403 (DFARS 222.7403) Waiver.

Submit waiver requests for the Secretary of Defense via DASN(A&LM) at electronic mail address RDAJ&As@navy.mil. Include in the subject line “SECDEF Waiver of DFARS 222.7401 requirements--DFARS 222.7403.”

9. Under **PART 5237 SERVICE CONTRACTING, SUBPART 5237.1—SERVICE CONTRACTS-GENERAL**, section 5237.104 (DFARS 127.104) Personal services contracts, is revised to effect an editorial change in the paragraph citation as noted below. Section **5237.170 Approval of contracts and task orders for services** is revised to depict the new acquisition-related dollar thresholds in **paragraphs (a)(1) and (2)** of subsection **5237.170-2(DFARS 237.170-2) Approval requirements** established by DFARS Change Notice 20100802, as follows:

SUBPART 5237.1—SERVICE CONTRACTS-GENERAL

* * * * *

5237.104 (DFARS 237.104) Personal services contracts.

(b)(ii)(C)(2) Commands outside the Bureau of Medicine and Surgery (BUMED) claimancy shall obtain review and approval of Statements of Work for clinical counselors, family advocacy program staff, and victim’s services representatives as described in DFARS 237.104(b)(ii)(A)(3) from the Naval Medical Logistics Command (NAVMEDLOGCOM). See BUMEDINST 4200.2A, or version currently in effect, for information on appropriate contract procedures.

5237.170 Approval of contracts and task orders for services.

5237.170-2 (DFARS 237.170-2) Approval requirements.

(a) *Acquisition of services through a contract or task order that is not performance based.*

(1) The HCA is the agency’s designee for approval of acquisition of services at or below \$85,500,000 that is not performance based. For acquisitions above \$5 million, HCA authority may be delegated only to the Deputy/Assistant Commander for Contracts, a Flag or General Officer or SES who is a member of the Acquisition Professional Community, or, for commands/locations without a local SES/Flag/General Officer, to the Commanding Officer, but not further.

(2) For acquisitions exceeding \$85,500,000, but below \$500,000,000, the approval authority is DASN(A&LM).

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10. Under **PART 5242 CONTRACT ADMINISTRATION AND AUDIT SERVICES, SUBPART 5242.15—CONTRACTOR PERFORMANCE INFORMATION**, section **5242.1502 (DFARS 242.1502) Policy** is revised to effect minor editorial revisions and to accurately reflect the Internet web site for access to the Contractor Performance Assessment Reporting System (CPARS), as follows:

SUBPART 5242.15—CONTRACTOR PERFORMANCE INFORMATION

5242.1502 Policy.

The Contractor Performance Assessment Reporting System (CPARS) shall be used when preparing performance evaluations. CPARS is accessed via the internet at <http://www.cpars.csd.disa.mil>.

11. Under **PART 5243 CONTRACT MODIFICATIONS, SUBPART 243.2—CHANGE ORDERS**, new section **5243.204 Administration**, subsections **5243.204-70 Definitization of change orders** and **5243.204-70-1 (DFARS 243.204-70-1) Plans and Reports**, are added to reflect DFARS Change Notice 20100810, as follows:

SUBPART 243.2—CHANGE ORDERS

* * * * *

5243.204 Administration.

5243.204-70 Definitization of change orders.

5243.204-70-1 (DFARS 243.204-70-1) Scope.

(b) Submit the required contracting officer notice to DASN(A&LM) via electronic mail address RDAJ&As@navy.mil. Properly identify in the subject line of the email “Contracting Officer Notice pursuant to DFARS 243.204-70-1—FMS/SAP Unpriced Change Orders.”

5243.204-70-7 (DFARS 243.204-70-7) Plans and Reports.

(b) Report unpriced change orders in accordance with the schedule and in the format prescribed at NMCARS 5217.7405.

12. Under **PART 5245 GOVERNMENT PROPERTY, SUBPART 5245.1—GENERAL** is revised in its entirety to align requirements set forth in existing sections **5245.102-90 Policy** and **5245.106 Transferring Accountability** to new section **5245.103 General** and subsections **5245.103-70 (PGI 245.103-70) Furnishing Government Property to Contractors** and **5245.103-71 Transferring Government Property Accountability**, to conform with current changes set forth in the DFARS Procedures, Guidance and Instructions (PGI) that were established by DFARS Change Notice 20100723, as follows:

SUBPART 5245.1—GENERAL

5245.102-90 [REMOVED]

5245.106 [REMOVED]

5245.103 General.

5245.103-70 (PGI 245.103-70) Furnishing Government Property to Contractors.

The requiring activity decision to provide Government property shall address the elements in PGI 245.103-70(2) in the documentation provided to the contracting officer.

5245.103-71 (PGI 245.103-71) Transferring Government Property Accountability

The contracting officer shall obtain approval of an authorized representative of the requiring activity before transferring property between contracts.

13. Under **PART 5250 EXTRAORDINARY CONTRACTUAL ACTIONS AND THE SAFETY ACT, SUBPART 5250.1—EXTRAORDINARY CONTRACTUAL ACTIONS**, Section **5250.102 Delegation of and limitations on exercise of authority**, acquisition-related thresholds at **5250.102-1-70 Delegations** are revised to reflect DFARS Change Notice 20100802, as follows:

SUBPART 5250.1—EXTRAORDINARY CONTRACTUAL ACTIONS

* * * * *

5250.102 Delegation of and limitations on exercise of authority.

5250.102-1-70 (DFARS 250.102-1-70) Delegations.

(a) *Military Departments*. Subject to the restrictions on delegations of authority in DFARS Part 250 and FAR 50.102-1 and 50.102-3, HCAs may exercise and redelegate the authority contained in the Act and Executive Order for amounts not exceeding \$65,000.

(i) HCAs may deny any request, regardless of dollar value.

(ii) ASN(RD&A) is the approval authority for requests to obligate the Government in excess of \$65,000. Submit such requests via electronic mail address to RDAJ&As@navy.mil for adjudication by the Navy Contract Adjustment Board. Properly identify in the subject line of the email “Extraordinary Contractual Relief pursuant to [insert “Public Law 85-804” or “Executive Order 10789”].

14. Under **Part 5252 SOLICITATION PROVISIONS AND CONTRACT CLAUSES, SUBPART 5252.3—PROVISION AND CLAUSE MATRIX**, section **5252.301 (FAR 52.301) Solicitation provisions and contract clauses (Matrix)**, the DON matrix of FAR/DFARS and Other Government Unique Provisions/Clauses for Commercial Item Acquisitions has been updated to reflect the most current text of provisions/clauses authorized for use in commercial item acquisitions. The matrix is available at https://acquisition.navy.mil/rda/home/policy_and_guidance/nmcars.

**DON MATRIX OF FAR/DFARS AND OTHER GOVERNMENT-UNIQUE PROVISIONS/CLAUSES
FOR COMMERCIAL ITEM ACQUISITIONS**

The following matrix serves as a reference tool and is applicable for solicitations/contracts for Commercial Item (CI) acquisitions. Note that while this list is provided to assist the Contracting Officer to identify the appropriate provisions and clauses for use in specific CI acquisitions, it is the Contracting Officer's responsibility to ensure the applicable provisions and clauses identified in the appropriate regulations are included.

All provisions and clauses below marked "R" are required and must be selected. For all provisions and clauses marked "A", the Contracting Officer must determine if the provision/c clause is applicable to the specific CI acquisition. If applicable, each applicable provision/c clause must be included in the solicitation/contract.

The prescription for use for each provision/c clause is provided and hyperlinked to the respective FAR or DFARS or other location. The "Authorized By" column is informational and identifies the authority to use each provision and clause listed in this matrix. For convenience, the authority cite is also hyperlinked.

"Equal To or <SAT" are acquisitions that are equal to or less than the Simplified Acquisition Threshold (SAT) defined in FAR 2.101, which is:
 \$150,000 - All actions, except contingency
 \$300,000 - CONUS contingency actions (i.e. Inside the United States)
 \$1M - OCONUS contingency actions (i.e. Outside the United States)

"Over SAT" are acquisitions that exceed the SAT defined in FAR 2.101. This includes actions pursuant to FAR 13.5 Test Program for Commercial Items.

Provision Number	Title	Prescription for Use	Req'd (R) or As Applicable (A)	Equal To or <SAT	Over SAT	Full Text (Y/N)	Fill in (Y/N)	Authorized By
52.211-14	Notice of Priority Rating for National Defense, Emergency Preparedness, and Energy Program Use (Apr 2008)	FAR 11.604(a)	A	X	X	N	N	FAR 12.301(e)
52.212-1	Instructions to Offerors - Commercial Items (Jun 2008)	FAR 12.301(b)(1)	R	X	X	N	N	FAR 12.301(b)
52.212-2	Evaluation - Commercial Items (Jan 1999)	FAR 12.301(c)	A	X	X	Y	Y By Gov	FAR 12.301(c)
52.212-3	Offeror Representations and Certifications - Commercial Items (Oct 2010)	FAR 12.301(b)(2)	R	X	X	Y	Y By Kit	FAR 12.301(b)
52.212-3	Offeror Representations and Certifications - Commercial Items (Oct 2010)	FAR 12.301(b)(2)	A	X	X	Y	Y By Kit	FAR 12.301(b)
52.212-3	Offeror Representations and Certifications - Commercial Items (Oct 2010)	FAR 12.301(b)(2)	A	X	X	Y	Y By Kit	FAR 12.301(b)
52.212-3	Offeror Representations and Certifications - Commercial Items (Oct 2010)	FAR 12.301(b)(2)	A	X	X	Y	Y By Kit	FAR 12.301(b)
52.215-20 All IV	Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data (Oct 2010)	FAR 15.408(a)	A	X	X	Y	Y By Gov	FAR 12.301(e)
52.215-27	Single or Multiple Awards (Oct 1995)	FAR 15.508(a)	A	X	X	N	N	FAR 12.301(e)
52.215-27	Multiple Awards for Advisory and Assistance Services (Oct 1995)	FAR 15.508(a)	A	X	X	N	N	FAR 12.301(e)
52.215-31	Time and Materials/Labor-Hour Proposal Requirements--Commercial Item Acquisition (Feb 2007)	FAR 15.601(e)(4)	A	X	X	N	N	FAR 12.301(e)
52.215-31	Time and Materials/Labor-Hour Proposal Requirements--Commercial Item Acquisition (Feb 2007)	FAR 15.601(e)(4)	A	X	X	N	N	FAR 12.301(e)
52.217-3	Evaluation Exclusive of Options (Apr 1984)	FAR 17.208(a)	A	X	X	N	N	FAR 12.301(e)
52.217-4	Evaluation of Options Exercised at Time of Contract Award (Jun 1989)	FAR 17.208(b)	A	X	X	N	N	FAR 12.301(e)
52.217-4	Evaluation of Options (Jun 1990)	FAR 17.208(c)	A	X	X	N	N	FAR 12.301(e)
52.223-1	Biased Product Certification (Dec 2007)	FAR 23.408(a)	A	X	X	N	N	FAR 12.301(e)
52.223-4	Recovered Material Certification (May 2008)	FAR 23.408(c)	A	X	X	N	N	FAR 12.301(e)
52.223-4	Disaster or Emergency Area Representation (Nov 2007)	FAR 28.208(a)	A	X	X	Y	Y By Gov	FAR 12.301(e)

DFARS Provisions Authorized for Use in Commercial Item Acquisitions

Provision Number	Title	Prescription for Use	Required (R) or As Applicable (A)	Equal To or <SAT	Over SAT	Full Text (Y/N)	Fill in (Y/N)	Authorized By
252.208-7001	Disclosure of Ownership or Control by the Government of a Terrorist Country (Jan 2009)	DFARS 208.104-70(a)	A	X	X	N	N	DFARS 212.301(f)
252.212-7000	Offeror Representations and Certifications--Commercial Items (Jun 2005)	DFARS 212.301(b)(6)	R		X	Y	Y by Ktr	DFARS 212.301(f)
252.225-7000	Buy American Act--Balance of Payments Program Certificate (Dec 2009)	DFARS 225.1101(f)	A	X	X	Y	Y by Ktr	DFARS 212.301(f)
252.225-7010	Commercial Derivative Military Article--Specialty Metals Compliance Certificate (Jul 2009)	DFARS 225.7003-5(b)	A	X	X	N	N	DFARS 212.301(f)
252.225-7020	Trade Agreements Certificate (Jan 2005)	DFARS 225.1101(b)	A	X	X	Y	Y by Ktr	DFARS 212.301(f)
252.225-7030	Buy American Act--Free Trade Agreements--Balance of Payments Program Certificate (Dec 2009)	DFARS 225.1101(f)(9)	A	X	X	Y	Y by Ktr	DFARS 212.301(f)
Alternate 1	Oct 2009)	DFARS 225.1101(f)(9)	A	X	X	Y	N	DFARS 212.301(f)
252.247-7026	Evaluation Preference for Use of Domestic Shipyards -- Applicable to Acquisition of Carriage by Vessel for DOD Cargo in the Coastwise or Noncontiguous Trade (Nov 2008)	DFARS 247.574(e)	A	X	X	N	N	DFARS 212.301(f)

DFARS Clauses Authorized for Use in Commercial Item Acquisitions

Clause Number	Title	Prescription for Use	Required (R) or As Applicable (A)	Equal To or <SAT	Over SAT	Full Text (Y/N)	Fill in (Y/N)	Authorized By
252.211-7003	Item Identification and Valuation (Aug 2008)	DFARS 211.274-6(a)	A	X	X	Y	Y by Ktr	DFARS 212.301(f)
Alternate 1	Aug 2008)	DFARS 211.274-6(a)	A	X	X	N	N	DFARS 212.301(f)
252.211-7008	Radio Frequency Identification (Feb 2007)	DFARS 211.275-3	A	X	X	N	N	DFARS 212.301(f)
252.212-7001	Contract Terms and Conditions Required to Implement Statutes or Executive Orders Applicable to Defense Acquisitions of Commercial Items (Sep 2010)	DFARS 212.301(b)(1)	R	X	X	Y	Y by Gov	DFARS 212.301(f)
252.225-7040	Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States (Jul 2009)	DFARS 225.7402-5(a)	A	X	X	N	N	DFARS 212.301(f)
252.225-7043	Antiterrorism/Force Protection for Defense Contractors Outside the United States (Mar 2006)	DFARS 225.7403-2	A	X	X	N	N	DFARS 212.301(f)
252.232-7008	Mandatory Payment by Governmentwide Commercial Purchase Card (Dec 2006)	DFARS 232.1119	A	X	X	N	N	DFARS 212.301(f)
252.232-7010	Leases on Contract Payments (Dec 2006)	DFARS 232.7102	R	X	X	N	N	DFARS 212.301(f)
252.232-7011	Payments in Support of Emergencies and Contingency Operations (Jul 2010)	DFARS 232.808	A	X	X	N	N	DFARS 212.301(f)
252.248-7003	Notification of Potential Safety Issues (Jan 2007)	DFARS 248.371(a)	A	X	X	N	N	DFARS 212.301(f)
252.247-7027	Riding Gang Member Requirements (Oct 2010)	DFARS 247.574(f)	A	X	X	N	N	DFARS 212.301(f)

***Joint Contracting Command--Iraq/Afghanistan Contracting Guidance for CI Acquisitions**

Clause Number	Title	Prescription for Use	Required (R) or As Applicable (A)	Equal To or <SAT	Over SAT	Full Text (Y/N)	Fill in (Y/N)	Authorized By
JCC I/A Clauses	Special CENTCOM and JCC I/A unique requirements (Various)	DDAF Memo of 9/15/2008 DFARS PGI 225.74	A	X	X	Y	N	DDAF Memo of 9/15/2008 DFARS PGI 225.74 FAH 12.301(f)

(Note: Go to CENTCOM area of responsibility to access JCC I/A clauses)

DEVIATION TO DON MATRIX OF FAR/DFARS AND OTHER GOVERNMENT-UNIQUE PROVISIONS/CLAUSES FOR COMMERCIAL ITEM ACQUISITIONS

This matrix serves as a reference tool and applies ONLY to solicitations/contracts for Commercial Item (CI) acquisitions when the Contracting Officer will use DPAP Class Deviation 2009-00005 to FAR 52.212-5 and DFARS 252.212-7001 of May 1, 2009 AND will issue the solicitation/contract in SPS. These two omnibus clauses require the Contracting Officer to "check a box" to identify from the listed clauses which ones apply to a specific acquisition of commercial items. Rather than manually check these boxes in the omnibus clauses, the deviation to these clauses permits the use of SPS clause logic to automatically select and individually list applicable clauses set forth under FAR 52.212-5 and DFARS 252.212-7001. This matrix includes the Class Deviation 2009-00005 to FAR 52.212-5 and DFARS 252.212-7001 clauses and individually lists each of the provisions/clauses set forth in these two clauses. The Contracting Officer is responsible for ensuring that applicable provisions/clauses identified in the appropriate regulations are included in solicitations/contracts for commercial items.

All provisions and clauses below marked "R" are required and must be selected. For all provisions and clauses marked "A", the Contracting Officer must determine if the provision/closure is applicable to the specific CI acquisition. If applicable, the provision/closure must be selected in SPS.

The prescription for use for each provision/closure is provided and hyperlinked to the respective FAR or DFARS location. The "Authorized By" column is informational and identifies the authority to use each provision and clause listed in this matrix. For convenience, the authority cite is also hyperlinked.

"Equal To or <SAT" are acquisitions that are equal to or less than the Simplified Acquisition Threshold (SAT) defined in FAR 2.101, which is:
 \$150,000 - All actions, except contingency
 \$300,000 - CONUS contingency actions (i.e. Inside the United States)
 \$1M - OCONUS contingency actions (i.e. Outside the United States)

Over SAT are acquisitions that exceed the SAT defined in FAR 2.101. This includes actions pursuant to FAR 13.5 Test Program for Commercial Items.

FAR Provisions Authorized for Use in Commercial Item Acquisitions

Provision Number	Title	Prescription for Use	Req'd (R) or As Applicable (A)	Equal To or <SAT	Over SAT	Full Text (Y/N)	Fill In (Y/N)	Authorized By
52.212-1	Instructions to Offerors -- Commercial Items (Jun 2008)	FAR 12.301(b)(1)	R	X	X	N	N	FAR 12.301(b)
52.212-2	Evaluation -- Commercial Items (Jan 1999)	FAR 12.301(c)	A	X	X	Y	Y by Gov	FAR 12.301(c)
52.212-3	Offeror Representations and Certifications -- Commercial Items (Oct 2010)	FAR 12.301(b)(2)	R	X	X	Y	Y by Ktr	FAR 12.301(b)
Alternate I	(Apr 2002)	FAR 12.301(b)(2)	A	X	X	Y	Y by Ktr	FAR 12.301(b)
Alternate II	(Oct 2000)	FAR 12.301(b)(2)	A	X	X	Y	Y by Ktr	FAR 12.301(b)
52.215-20 ALL/IV	Requirements for Certified Cost or Pricing Data or Data Other Than Certified Cost or Pricing Data (Oct 2010)	FAR 15.408(f)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.216-27	Single or Multiple Awards (Oct 1995)	FAR 16.508(f)	A	X	X	N	N	FAR 12.301(e)
52.219-28	Multiple Awards for Advisory and Assistance Services (Oct 1995)	FAR 16.508(g)	A	X	X	N	N	FAR 12.301(e)
52.217-3	Evaluation Exclusive of Options (Apr 1984)	FAR 17.208(a)	A	X	X	N	N	FAR 12.301(e)
52.217-4	Evaluation of Options Exercised at Time of Contract Award (Jun 1988)	FAR 17.208(b)	A	X	X	N	N	FAR 12.301(e)
52.217-5	Evaluation of Options (Jul 1990)	FAR 17.208(c)	A	X	X	N	N	FAR 12.301(e)
52.223-1	Biobased Product Certification (Dec 2007)	FAR 23.409(a)	A	X	X	N	N	FAR 12.301(e)
52.223-4	Recovered Material Certification (May 2008)	FAR 23.409(c)	A	X	X	N	N	FAR 12.301(e)
52.226-3	Disaster or Emergency Area Representation (Nov 2007)	FAR 26.209(a)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.226-4	Notice of Disaster or Emergency Area Set-Aside (Nov 2007)	FAR 26.209(b)	A	X	X	Y	Y by Gov	FAR 52.212-5

FAR Clauses Authorized for Use in Commercial Item Acquisitions

Clause Number	Title	Prescription for Use	Required (R) or As Applicable (A)	Equal To or <SAT	Over SAT	Full Text (Y/N)	Fill In (Y/N)	Authorized By
52.203-3	Gratuities (Apr 1984)	FAR 3.202	A	X	X	N	N	DEAR 252.212-7001
52.203-6 Alt I	Restrictions on Subcontractor Sales to the Government (Sept 2006), with Alternate I (Oct 1995)	FAR 3.503-2	A		X	N	N	FAR 52.212-5
52.203-13	Contractor Code of Business Ethics and Conduct (Apr 2010)	FAR 3.1004(a)	A	X	X	N	N	FAR 52.212-5
52.203-15	Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (Jun 2010)	FAR 3.907-7	A	X	X	N	N	FAR 52.212-5
52.204-11	American Recovery and Reinvestment Act—Reporting Requirements (Jul 2010)	FAR 4.1502	A	X	X	N	N	FAR 52.212-5
52.208-4	Vehicle Lease Payments (Apr 1984)	FAR 8.1104(a)	A	X	X	N	N	FAR 12.301(e)
52.208-5	Condition of Leased Vehicles (Apr 1984)	FAR 8.1104(b)	A	X	X	N	N	FAR 12.301(e)
52.208-6	Marking of Leased Vehicles (Apr 1984)	FAR 8.1104(c)	A	X	X	N	N	FAR 12.301(e)
52.208-7	Tagging of Leased Vehicles (May 1985)	FAR 8.1104(d)	A	X	X	N	N	FAR 12.301(e)
52.212-4	Contract Terms and Conditions -- Commercial Items (Jun 2010)	FAR 12.301(b)(3)	R	X	X	N	N	FAR 12.301(b)
Alternate I	(Oct 2009)	FAR 12.301(b)(3)	A	X	X	N	N	FAR 12.301(b)
52.212-5 Class Deviation	Contract Terms and Conditions Required to Implement Statutes or Executive Orders -- Commercial Items (Oct 2010) (Deviation) DAR Tracking Number 2009-C0005	DAR Tracking Number 2009-C0005 (DPAP Memo of 1 May 2009)	R	X	X	Y	N	Required when using SPS pursuant to DPAP Memo of 1 May 2009
52.216-21 Alt IV	Requirements for Certified Cost or Pricing Data or Data Other Than Certified Cost or Pricing Data -- Modifications (Oct 2010)	FAR 16.408(m)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.216-18	Ordering (Oct 1995)	FAR 16.508(a)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.216-19	Order Limitations (Oct 1995)	FAR 16.508(b)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.216-20	Definite Quantity (Oct 1995)	FAR 16.508(c)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.216-21	Requirements (Oct 1995)	FAR 16.508(d)(1)	A	X	X	N	N	FAR 12.301(e)
Alternate I	(Apr 1984)	FAR 16.508(d)(2)	A	X	X	N	N	FAR 12.301(e)
Alternate II	(Apr 1984)	FAR 16.508(d)(3)	A	X	X	N	N	FAR 12.301(e)
Alternate III	(Oct 1995)	FAR 16.508(d)(4)	A	X	X	N	N	FAR 12.301(e)
Alternate IV	(Oct 1995)	FAR 16.508(d)(5)	A	X	X	N	N	FAR 12.301(e)
52.216-22	Indefinite Quantity (Oct 1995)	FAR 16.508(e)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.217-4	Option for Increased Quantity (Mar 1989)	FAR 17.208(d)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.217-7	Option for Increased Quantity -- Separately Priced Line Item (Mar 1989)	FAR 17.208(e)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.217-8	Option to Extend Services (Nov 1999)	FAR 17.208(f)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.217-9	Option to Extend the Term of the Contract (Mar 2000)	FAR 17.208(g)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.219-3	Notice of Total HUBZone Set-Aside (Jan 1999)	FAR 19.1308(a)	A	X	X	N	N	FAR 52.212-5
52.219-4	Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Jul 2005)	FAR 19.1308(b)	A	X		Y	Y by Ktr	FAR 52.212-5
52.219-6	Notice of Total Small Business Set-Aside (Jun 2003)	FAR 19.508(a)	A	X	X	N	N	FAR 52.212-5
Alternate I	(Oct 1995)	FAR 19.508(c)	A	X	X	N	N	FAR 52.212-5
Alternate II	(Mar 2004)	FAR 19.508(c)	A	X	X	N	N	FAR 52.212-5
52.219-7	Notice of Partial Small Business Set-Aside (Jun 2003)	FAR 19.508(d)	A	X	X	N	N	FAR 52.212-5
Alternate I	(Oct 1995)	FAR 19.508(d)	A	X	X	N	N	FAR 52.212-5
Alternate II	(Mar 2004)	FAR 19.508(d)	A	X	X	N	N	FAR 52.212-5
52.219-8	Utilization of Small Business Concerns (May 2004)	FAR 19.708(a)	A	X	X	N	N	FAR 52.212-5
52.219-9	Small Business Subcontracting Plan (Oct 2010)	FAR 19.708(b)	A	X	X	N	N	FAR 52.212-5
Alternate I	(Oct 2001)	FAR 19.708(b)(1)	A	X	X	N	N	FAR 52.212-5
Alternate II	(Oct 2001)	FAR 19.708(b)(1)	A	X	X	N	N	FAR 52.212-5
Alternate III	(Jul 2010)	FAR 19.708(b)(1)	A	X	X	N	N	FAR 52.212-5
52.219-14	Limitations on Subcontracting (Dec 1996)	FAR 19.811-3(e)	A	X	X	X	X	FAR 52.212-5
52.219-16	Liquidated Damages—Subcontracting Plan (Jan 1999)	FAR 19.708(b)(2)	A	X	X	N	N	FAR 52.212-5
52.219-23	Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns (Oct 2008)	FAR 19.1104	A	X	X	Y	Y by Both	FAR 52.212-5
Alternate I	(Jun 2003)	FAR 19.1104	A	X	X	N	N	FAR 52.212-5

52.219-25	Small Disadvantaged Business Participation Program--Disadvantaged Status and Reporting (Apr 2008)	FAR 19.1204(b)	A	X	X	N	N	FAR 52.212-5
52.219-26	Small Disadvantaged Business Participation Program--Incentive Subcontracting (Oct 2000)	FAR 19.1204(e)	A	X	X	Y	Y by Gov	FAR 52.212-5
52.219-27	Notice of Total Service-Disabled Veteran-Owned Small Business Set-Aside (May 2004)	FAR 19.1407	A	X	X	N	N	FAR 52.212-5
52.219-28	Post Award Small Business Program Rerepresentation (Apr 2009)	FAR 19.308(d)	A	X	X	Y	Y by Ktr	FAR 52.212-5
52.222-3	Contract Labor (Jun 2003)	FAR 22.202	A	X	X	N	N	FAR 52.212-5
52.222-19	Child Labor--Cooperation With Authorities and Remedies (Jul 2010)	FAR 22.1908(b)	A	X	X	N	N	FAR 52.212-5
52.222-21	Prohibition of Segregated Facilities (Feb 1999)	FAR 22.810(a)(1)	A	X	X	N	N	FAR 52.212-5
52.222-28	Equal Opportunity (Mar 2007)	FAR 22.810(e)	A	X	X	N	N	FAR 52.212-5
52.222-35	Equal Opportunity for Veterans (Sep 2010)	FAR 22.1310(a)(1)	A	X	X	N	N	FAR 52.212-5
52.222-36	Affirmative Action for Workers With Disabilities (Oct 2010)	FAR 22.1408(a)	A	X	X	N	N	FAR 52.212-5
52.222-37	Employment Reports on Veterans (Oct 2010)	FAR 22.1310(b)	A	X	X	N	N	FAR 52.212-5
52.222-41	Service Contract Act of 1965 (Nov 2007)	FAR 22.1008(a)	A	X	X	N	N	FAR 52.212-5
52.222-42	Statement of Equivalent Rates for Federal Hires (May 1989)	FAR 22.1008(b)	A	X	X	Y	Y by Gov	FAR 52.212-5
52.222-43	Fair Labor Standards Act and Service Contract Act -- Price Adjustment (Multiple Year and Option Contracts) (Sep 2009)	FAR 22.1008(e)(1)	A	X	X	N	N	FAR 52.212-5
52.222-44	Fair Labor Standards Act and Service Contract Act -- Price Adjustment (Sep 2009)	FAR 22.1008(e)(2)	A	X	X	N	N	FAR 52.212-5
52.222-50	Combating Trafficking In Persons (Feb 2009)	FAR 22.1705(a)	R	X	X	N	N	FAR 52.212-5
Alternative I	(Aug 2007)	FAR 22.1705(b)	A	X	X	Y	Y by Gov	FAR 52.212-5
52.222-51	Exemption From Application Of The Service Contract Act To Contracts For Maintenance, Calibration, Or Repair Of Certain Equipment--Requirements (Nov 2007)	FAR 22.1008(e)(2)	A	X	X	N	N	FAR 52.212-5
52.222-53	Exemption From Application Of The Service Contract Act To Contracts For Certain Services--Requirements (Feb 2009)	FAR 22.1008(e)(4)	A	X	X	N	N	FAR 52.212-5
52.222-54	Employment Eligibility Verification (Jan 2009)	FAR 22.1803	A	X	X	N	N	FAR 52.212-5
52.223-2	Affirmative Procurement of Biobased Products Under Service and Construction Contracts (Dec 2007)	FAR 23.408(b)	A	X	X	N	N	FAR 12.301(e)
52.223-3	Hazardous Material Identification and Material Safety Data (Jan 1997)	FAR 23.303	A	X	X	Y	Y by Ktr	FAR 12.301(e)
52.223-5	Pollution Prevention and Right-to-Know Information (Aug 2003)	FAR 23.1008(a)	A	X	X	N	N	FAR 12.301(e)
Alternative I	(Aug 2003)	FAR 23.1008(b)	A	X	X	N	N	FAR 12.301(e)
Alternative II	(Aug 2003)	FAR 23.1008(c)	A	X	X	N	N	FAR 12.301(e)
52.223-7	Notice of Radioactive Materials (Jan 1997)	FAR 23.602	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.223-9	Estimate of Percentage of Recovered Material Content For EPA Designated Items (May 2008)	FAR 23.408(d)	A	X	X	Y	Y by Gov	FAR 12.301(e)
Alternative I	(May 2008)	FAR 23.408(e)	A	X	X	Y	Y by Ktr	FAR 12.301(e)
52.223-10	Waste Reduction Program (Aug 2000)	FAR 23.705(a)	A	X	X	N	N	FAR 12.301(e)
52.223-11	Ozone-Depleting Substances (May 2001)	FAR 23.804(a)	A	X	X	N	N	FAR 12.301(e)
52.223-12	Refrigeration Equipment and Air Conditioners (May 1995)	FAR 23.804(b)	A	X	X	N	N	FAR 12.301(e)
52.223-15	Energy Efficiency in Energy-Consuming Products (Dec 2007)	FAR 23.208	A	X	X	N	N	FAR 12.301(e)

52.223-18 Alternate I	IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products (Dec 2007)	FAR 23.708(b)(1) FAR 23.708(b)(2)	A	X	X	N	N	FAR 12.301(e) FAR 12.301(e)
52.223-17	Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts (May 2008)	FAR 23.408(e)	A	X	X	N	N	FAR 12.301(e) FAR 12.301(e)
52.225-1	Buy American Act - Supplies (Feb 2009)	FAR 25.101(a)(1)	A	X	X	N	N	FAR 12.301(e)
52.225-3	Buy American Act - Free Trade Agreements--Israeli Trade Act (Jun 2009)	FAR 25.1101(b)(1)(i) FAR 25.1101(b)(1)(ii) FAR 25.1101(b)(1)(iii) FAR 25.1101(b)(1)(iv)	A	X	X	N	N	FAR 52.212-5 FAR 52.212-5 FAR 52.212-5 FAR 52.212-5
Alternate I	(Jan 2004)	FAR 25.1101(b)(1)(i) FAR 25.1101(b)(1)(ii) FAR 25.1101(b)(1)(iii) FAR 25.1101(b)(1)(iv)	A	X	X	N	N	FAR 52.212-5 FAR 52.212-5 FAR 52.212-5 FAR 52.212-5
52.225-5	Trade Agreements (Aug 2009)	FAR 25.1101(b)(1)(i) FAR 25.1101(b)(1)(ii) FAR 25.1101(b)(1)(iii) FAR 25.1101(b)(1)(iv)	A	X	X	N	N	FAR 52.212-5 FAR 52.212-5 FAR 52.212-5 FAR 52.212-5
52.225-13	Restriction on Certain Foreign Purchases (Jun 2008)	FAR 25.1101(b)(1)(i) FAR 25.1101(b)(1)(ii) FAR 25.1101(b)(1)(iii) FAR 25.1101(b)(1)(iv)	A	X	X	N	N	FAR 52.212-5 FAR 52.212-5 FAR 52.212-5 FAR 52.212-5
52.225-19	Contractor Personnel in a Designated Operational Area or Supporting a Diplomatic or Consular Mission Outside the United States (Mar 2009)	FAR 25.301-4	A	X	X	Y	Y by Gov	FAR 12.301(a)(2) FAR 52.212-5
52.226-4	Notice of Disaster or Emergency Area Set-Aside (Nov 2007)	FAR 26.208(b)	A	X	X	N	N	FAR 52.212-5
52.226-5	Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007)	FAR 26.208(c)	A	X	X	N	N	FAR 52.212-5
52.226-6	Promoting Excess Food Donation to Nonprofit Organizations (Mar 2009)	FAR 26.404	A	X	X	N	N	FAR 52.212-5
52.226-8	Liability and Insurance-Leased Motor Vehicles (May 1999)	FAR 26.312	R	X	X	N	N	FAR 52.212-5
52.232-18	Availability of Funds (Apr 1984)	FAR 32.705-1(a)	A	X	X	N	N	FAR 12.301(e) FAR 12.301(e)
52.232-19	Availability of Funds for the Next Fiscal Year (Apr 1984)	FAR 32.705-1(b)	A	X	X	Y	Y by Gov	FAR 12.301(e)
52.232-29	Terms for Financing of Purchases of Commercial Items (Feb 2002)	FAR 32.208(b)(2)	A	X	X	N	N	FAR 52.212-5
52.232-30	Installment Payments for Commercial Items (Oct 1995)	FAR 32.208(g)	A	X	X	N	N	FAR 52.212-5
52.232-33	Payment by Electronic Funds Transfer--Central Contractor Registration (Oct. 2003)	FAR 32.1110(a)(1)	A	X	X	N	N	FAR 52.212-5
52.232-34	Payment by Electronic Funds Transfer--Other Than Central Contractor Registration (May 1999)	FAR 32.1110(a)(2)	A	X	X	Y	Y by Gov	FAR 52.212-5
52.232-36	Payment by Third Party (Feb 2010)	FAR 32.1110(d)	A	X	X	N	N	FAR 52.212-5
52.233-3	Protest after Award (Aug 1996)	FAR 33.108(b)	R	X	X	N	N	FAR 52.212-5
52.233-4	Applicable Law for Breach of Contract Claim (Oct 2004)	FAR 33.215(b)	R	X	X	N	N	FAR 52.212-5
52.237-11	Accepting and Dispensing of \$1 Coin (Sep 2008)	FAR 37.119-2	A	X	X	N	N	FAR 52.212-5
52.239-1	Privacy or Security Safeguards (Aug. 1996)	FAR 39.107	A	X	X	N	N	FAR 52.212-5
52.245-1	Government Property (Aug 2010)	FAR 45.107(a)(1) FAR 45.107(a)(2)	A	X	X	N	N	FAR 12.301(e) FAR 12.301(e)
Alternate I	(Aug 2010)	FAR 45.107(a)(1) FAR 45.107(a)(2)	A	X	X	N	N	FAR 12.301(e) FAR 12.301(e)
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006)	FAR 47.507(a)	A	X	X	N	N	FAR 52.212-5 FAR 52.212-5
Alternate I	(Apr 2003)	FAR 47.507(a)(2)	A	X	X	N	N	FAR 52.212-5
Alternate II	(Feb 2006)	FAR 47.507(a)(3)	A	X	X	N	N	FAR 52.212-5

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Provision Number	Title	Prescription for Use	Required (R) or As Applicable (A)	Equal To or <SAT	Over SAT	Full Text (Y/N)	Fill In (Y/N)	Authorized By
252.209-7001	Disclosure of Ownership or Control by the Government of a Terrorist Country (Jan 2009)	DFARS 209.104-70(a)	A	X	X	N	N	DFARS 212.301(f)
252.212-7000	Offeror Representations and Certifications--Commercial Items (Jun 2005)	DFARS 212.301(f)(ii)	R		X	Y	Y by Kit	DFARS 212.301(f)
252.225-7000	Buy American Act--Balance of Payments Program Certificate (Dec 2009)	DFARS 225.1101(f)	A	X	X	Y	Y by Kit	DFARS 212.301(f)
252.225-7010	Commercial Derivative Military Article--Specialty Metals Compliance Certificate	DFARS 225.7003-5(b)	A		X	Y	Y by Kit	DFARS 212.301(f)
252.225-7020	Trade Agreements Certificate (Jan 2005)	DFARS 225.1101(f)	A	X	X	Y	Y by Kit	DFARS 212.301(f)
252.225-7035	Buy American Act--Free Trade Agreements--Balance of Payments Program Certificate (Dec 2009)	DFARS 225.1101(f)(2)	A	X	X	Y	Y by Kit	DFARS 212.301(f)
Alternate 1	(Oct 2006)	DFARS 225.1101(f)	A	X	X	Y	N	DFARS 212.301(f)
252.247-7024	Evaluation Preference for Use of Domestic Shipyards -- Applicable to Acquisition of Carriage by Vessel for DoD Cargo in the Coastwise or Noncontiguous Trade (Nov 2008)	DFARS 247.574(a)	A	X	X	N	N	DFARS 212.301(f)
DFARS Clauses Authorized for Use In Commercial Item Acquisitions								
Clause Number	Title	Prescription for Use	Required (R) or As Applicable (A)	Equal To or <SAT	Over SAT	Full Text (Y/N)	Fill In (Y/N)	Authorized By
252.203-7000	Requirements Relating to Compensation of Former DoD Officials (Jan 2009)	DFARS 203.171-4	A	X	X	N	N	DFARS 252.212-7001
252.205-7000	Provision of Information to Cooperative Agreement Holders (Dec 1991)	DFARS 205.470	A	X	X	N	N	DFARS 252.212-7001
252.211-7003	Item Identification and Valuation (Aug 2008)	DFARS 211.274-8(a)	A	X	X	Y	Y by Kit	DFARS 212.301(f)
Alternate 1	(Aug 2008)	DFARS 211.274-8(a)(4)	A	X	X	N	N	DFARS 212.301(f)
252.211-7008	Radio Frequency Identification (Feb 2007)	DFARS 211.275-3	A	X	X	N	N	DFARS 212.301(f)
252.212-7001 Class Deviation	Contract Terms and Conditions Required to Implement Statutes or Executive Orders Applicable to Defense Acquisitions of Commercial Items (Oct 2010) (Deviation) DAR Tracking Number 2009-00005	DAR Tracking Number 2009-00006 (DPAP Memo of 1 May 2009)	R	X	X	Y	N	Required when using SPS pursuant to DPAP Memo of 1 May 2009
252.219-7003	Small Business Subcontracting Plan (DoD Contracts) (Oct 2010)	DFARS 219.708(b)(1)(A)	A	X	X	N	N	DFARS 252.212-7001
252.219-7004	Small Business Subcontracting Plan (Test Program) (Oct 2010)	DFARS 219.708(b)(1)(B)	A	X	X	N	N	DFARS 252.212-7001
252.225-7001	Buy American Act and Balance of Payments Program (Jan 2009)	DFARS 225.1101(2)	A	X	X	N	N	DFARS 252.212-7001
252.225-7008	Restriction on Acquisition of Specialty Metals (Jul 2009)	DFARS 225.7003-5(a)(1)	A	X	X	N	N	DFARS 252.212-7001
252.225-7008	Restriction on Acquisition of Certain Articles Containing Specialty Metals (Jul 2009)	DFARS 225.7003-5(a)(2)	A	X	X	N	N	DFARS 252.212-7001
252.225-7012	Preference for Certain Domestic Commodities (Jun 2010)	DFARS 225.7002-3(a)	A	X	X	N	N	DFARS 252.212-7001
252.225-7015	Restriction on Acquisition of Hand or Measuring Tools (Jun 2005)	DFARS 225.7002-3(b)	A	X	X	N	N	DFARS 252.212-7001
252.225-7018	Restriction on Acquisition of Ball and Roller Bearings (Mar 2005)	DFARS 225.7009-5	A	X	X	N	N	DFARS 252.212-7001

252-225-7021	Trade Agreements (Nov 2009)	DEARS 225,110(10)	A	X	X	N	N	DEARS 252,212-7001
Altimate I	Restriction on Contingent Fees for Foreign Military Sales (Apr 2009)	DEARS 225,110(10)	A	X	X	N	N	DEARS 252,212-7001
252-225-7027	2009)	DEARS 225,7307(a)	A	X	X	Y	Y	DEARS 252,212-7001
252-225-7028	Exclusionary Policies and Practices of Foreign Governments (Apr 2009)	DEARS 225,7307(b)	A	X	X	N	N	DEARS 252,212-7001
252-225-7036	Buy American Act--Free Trade Agreements--Balance of Payments Program (Jul 2009)	DEARS 225,110(11)(V)	A	X	X	N	N	DEARS 252,212-7001
Altimate I	(Jul 2009)	DEARS 225,110(11)(U)(B)	A	X	X	N	N	DEARS 252,212-7001
252-225-7038	Restriction on Acquisition of Air Circuit Breakers (Jun 2005)	DEARS 225,7006-4(b)	A	X	X	N	N	DEARS 252,212-7001
252-225-7040	Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States (Jul 2009)	DEARS 225,7402-5(a)	A	X	X	N	N	DEARS 212,301(1)
252-225-7043	Antiterrorism/Force Protection for Defense Contractors Outside the United States (Mar 2006)	DEARS 225,7403-2	A	X	X	N	N	DEARS 212,301(1)
252-225-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns (Sep 2004)	DEARS 226,104	A	X	X	N	N	DEARS 252,212-7001
252-227-7015	Technical Data--Commercial Items (Nov 1995)	DEARS 227,7102-3(a)(1)	A	X	X	N	N	DEARS 252,212-7001
252-227-7037	Validation of Restrictive Markings on Technical Data (Sep 1999)	DEARS 227,7102-3(a)	A	X	X	N	N	DEARS 252,212-7001
252-232-7003	Electronic Submission of Payment Requests and Receiving Reports (Mar 2008)	DEARS 232,7004	A	X	X	N	N	DEARS 252,212-7001
252-232-7008	Mandatory Payment by Governmentwide Commercial Purchase Card (Dec 2006)	DEARS 232,1110	A	X	X	N	N	DEARS 212,301(1)
252-232-7010	Levies on Contract Payments (Dec 2006)	DEARS 232,7102	R	X	X	N	N	DEARS 212,301(1)
252-232-7011	Payments in Support of Emergencies and Contingency Operations (Jul 2010)	DEARS 232,808	A	X	X	N	N	DEARS 212,301(1)
252-237-7019	Training for Contractor Personnel Interacting with Detainees (Sep 2006)	DEARS 237,171-4	A	X	X	Y	Y	DEARS 252,212-7001
252-243-7002	Requests for Equitable Adjustment (Mar 1998)	DEARS 243,208-71	A	X	X	N	N	DEARS 252,212-7001
252-243-7003	Notification of Potential Safety Issues (Jan 2007)	DEARS 243,371(a)	A	X	X	N	N	DEARS 212,301(1)
252-247-7003	Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer (Sep 2010)	DEARS 247,207	A	X	X	N	N	DEARS 252,212-7001
Altimate I	Transportation of Supplies by Sea (May 2002)	DEARS 247,574(1)(1)	A	X	X	Y	Y	DEARS 252,212-7001
Altimate II	(Mar 2000)	DEARS 247,574(1)(2)	A	X	X	N	N	DEARS 252,212-7001
Altimate III	(Mar 2002)	DEARS 247,574(1)(3)	A	X	X	N	N	DEARS 252,212-7001
252-247-7024	Notification of Transportation of Supplies by Sea (Mar 2000)	DEARS 247,574(1)(4)	A	X	X	N	N	DEARS 252,212-7001
252-247-7027	Riding Gang member Requirements (Oct 2010)	DEARS 247,574(1)	A	X	X	N	N	DEARS 212,301(1)
*Joint Contracting Command--Iraq/Afghanistan Contracting Guidance for CI Acquisitions								
*Clause Number	Title	Prescription for Use	Required (R) or As Applicable (A)	Equal To or <SAT	Over SAT	Full Text (Y/N)	Fill In (Y/N)	Authorized By
JCC I/A Clauses	Special CENTCOM and JCC I/A unique requirements (Various)	DPAP Memo of 8/15/2009 DEARS PGI 225,74	A	X	X	Y	Y	DPAP Memo of 8/15/2009 DEARS PGI 225,74 FAH 12,301(1)
(Note: Go to CENTCOM area of responsibility to access JCC I/A clauses)								
Revised 10/2010								