

AFARS PGI 5101
Federal Acquisition Regulation System
(Revised 18 August 2025)

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5101.170-1 DoD Peer Reviews.

(a) The DASA(P) will review actions that are identified as requiring Office of the Secretary of Defense, Defense Pricing, Contracting, and Acquisition Policy (OSD DPCAP) review, in accordance with DFARS 201.170(a). ODASA(P) will ensure compliance with regulatory and policy requirements, and will recommend best practices when appropriate, in the establishment of the Government's objective position. The document package shall be submitted no less than one week prior to the scheduled OSD DPCAP review.

(1) Submit the request for review via ETMS2 and ODASA(P) will review the documents in PCF.

- (i) Actions for Supplies shall be sent to: usarmy.pentagon.hqda-asa-alt.list.saal-zpp@army.mil
- (ii) Actions for Services shall be sent to: usarmy.pentagon.hqda-asa-alt.list.saal-zp-ssm@army.mil

(2) ODASA(P) will utilize the quarterly tasker submitted in response to the Quarterly DPCAP Peer Review Forecast to track upcoming reviews in accordance with DFARS 201.170(a)(2). No later than 2 weeks prior to submission to OSD DPCAP, the SCO shall submit the documentation of pre-negotiation objectives to the address at PGI 5101.290(b)(1).

5101.170-2 Army Peer Reviews.

(b) *Objective of Army peer reviews.* The SRB/CRB will review and assess the presolicitation, solicitation and contract award documents for consistency, sufficiency, compliance and application of sound business practices. The SRB/CRB will verify that the procurement represents an overall good value to the Government and appropriate obligation of taxpayer funds.

(c) *Resolution of comments.* The SCO will establish procedures for resolving all SRB and CRB comments.

(d) *Peer review statistics.* Contracting activities will collect peer review statistics, to include annual data on the number of SRB/CRB reviews conducted or waived, identification of any systemic issues or trends, best practices, lessons learned, overall effectiveness of the process, and other data as determined necessary.

(e) Visit the PAM Peer Review page for forms, waiver requests, templates, best practices and lessons learned: <https://armyeitaas.sharepoint-mil.us/sites/ASA-ALT-PAM-ProcProc/SitePages/PeerReview.aspx>.

5101.170-3 Independent Management Reviews (IMRs) (formerly Post Award Peer Reviews).

(b)(1) The IMR Summary Report will address the required elements in DoDI 5000.74 (Defense Acquisition of Services). Submit the report via ETMS2 to the address listed at AFARS PGI 5101.290(b)(4).

(2) File the summary report in the VCE-PCF no later than 45 days after completion of the review, in the following location/folder:

II. Award

- > F. Post Award Documents
- > 04. Reviews/Approvals – Award
- > Peer Review Documentation – Post-Award

5101.201 Policy.

(c)(1) HCAs shall submit requests for new Army policy to the ODASA(P) in accordance with 5101.290(b)(1). The DASA(P) will coordinate with the HCAs to validate the need for new policy and determine how the policy will be issued to the contracting enterprise.

(2) HCAs must obtain prior DASA(P) approval for actions that require Under Secretary of Defense (Acquisition and Sustainment) approval. (See DFARS 201.304(1)(i) and AFARS [Appendix FF](#), Department of the Army Plan for Control of Nonstandard Clauses, for approval of nonstandard clauses or provisions.)

5101.290 Routing documents and mailing addresses.

(a) Contracting activities will obtain either head of the contracting activity (HCA) or, if delegated, SCO concurrence on all procurement document packages submitted for Headquarters, Department of the Army (HQDA) review, coordination, and/or approval. Procurement document packages will include all reviews and coordination completed prior to submission to HQDA, including legal reviews.

(b) Send procurement document packages via the ETMS2 to the ODASA(P) directorate groups associated with the email addresses listed below (except as provided elsewhere in this regulation):

(1) SAAL-ZP-PP Procurement Policy, usarmy.pentagon.hqda-asa-alt.list.saal-zp-pp@army.mil

(2) SAAL-ZP-PS Procurement Support, usarmy.pentagon.hqda-asa-alt.list.saal-ps-staff@army.mil

(3) SAAL-ZP-PE Procurement Systems, usarmy.pentagon.hqda-asa-alt.list.saal-zp-pe@armymil

(4) SAAL-ZP-SSM Senior Services Manager, usarmy.pentagon.hqda-asa-alt.list.saal-zp-ssm@army.mil

5101.403-90 Individual deviation copy and control number.

The contracting activity will –

(a) Send one copy of each individual deviation to the address at AFARS PGI 5101.290(b)(1) at the time the approval authority grants the deviation; and

(b) Assign a control number to each deviation.

5101.501-2(b) Opportunity for public comments.

Army contracting personnel may submit agency, organizational, or individual comments on FAR and DFARS cases published in the Federal Register (see FAR 1.501-2(b)) in one of two ways:

(i) Official Army comments. Submit comments through their chain of command to the ODASA(P) Army Policy Member on the Defense Acquisition Regulations (DAR) Council (send to email address at AFARS PGI 5101.290(b)(1)). The DAR Council member will determine if the comments are consistent with the official Army position and if so, forward to the Director of the DAR Council for adjudication with public comments. If the comments are inconsistent with the official Army position, the DAR Council member will contact the commenter to address his or her comment within the Army.

(ii) Comments as a private citizen. Follow the instructions in the Federal Register notice. Private citizens must clearly state that their comments represent a personal opinion rather than an official position. They may refer to the extent of their relevant experience within the body of the comments. Private citizens will not submit comments using Army letterhead or reference the Army in a signature block; however, they may use Army email and fax, in accordance with Section 2-301(a)(2) of the Department of Defense Joint Ethics Regulation, DoD 5500.7-R.

5106.601-90-1 Guidance for Alignment of Contracting Activities to Categories.

The policy alerts below detail the alignment framework to promote efficient category management (CM) execution and create habitual customer relationships (centers of excellence) that leverage category-specific subject matter expertise within contracting activities.

- (a) [Policy Alert 22-52: Realignment of Transportation & Logistics \(T&L\) Motor Vehicles \(noncombat\) from Army Contracting Command-Rock Island \(ACC-RI\) to Army Contracting Command-Detroit Arsenal \(ACC-DTA\).](#)
- (b) [Policy Alert 20-70 REV 3: CM Implementation and Execution Memorandum.](#)
- (c) [Policy Alert 20-70 REV 2: CM Implementation and Execution Memorandum.](#)
- (d) [Policy Alert 20-70 REV 1: CM Implementation and Execution Memorandum.](#)
- (e) [Policy Alert 20-70: CM Implementation and Execution Memorandum.](#)

5101.601-90-2 Assignment of Unique Contracting Authorities to Army HCAs.

- (b) The assigned responsibilities are as follows:

(2) The HCA for the U.S Army Contracting Command is responsible for awarding and administering the following contract actions:

(A) Ammunition.

(B) Aviation and Missiles. [Army Contracting Command-Redstone Arsenal is the exclusive contracting center for Army Fixed Wing and non-tethered lighter than air platform aircraft and supporting services; and non-standard rotary wing aircraft].

(C) Combat and Tactical Vehicles.

(D) Construction related materials and services [Mission and Installation Contracting Command (MICC) is the secondary contracting center; the U.S. Army Corps of Engineers (USACE) is the primary contracting activity].

(E) Environmental services.

(F) Facility related materials and services [MICC is the primary contracting center; USACE is the secondary contracting activity].

(G) Information Technology, to include: software (including software development), hardware, consulting, security, outsourcing, and telecommunications. [Contracts or agreements primarily for software development efforts will not be executed by the MICC, however USACE, NGB, and MEDCOM may continue to execute contracts for software development, subject to the guidance issued by the Contracting Center of Excellence for Digital Capabilities at ACC-APG.]

(H) Transportation and Logistics Services, to include: logistics support services, transportation of things, motor vehicles (non-combat), and transportation equipment. [Note: Does not apply to U.S. Transportation Command-unique requirements related to the procurement of transportation services].

(3) The HCA for USACE is responsible for awarding and administering the following contract actions:

(A) Architect-Engineer services. (See also 5136.601-90 for other Army contracting offices with architect-engineer contracting authority).

(B) Civil works.

(C) Construction related materials and services [USACE is the primary contracting activity; MICC is the secondary contracting center].

(D) Environmental services.

(E) Facility related materials and services [USACE is the secondary contracting activity; MICC is the primary contracting center].

(F) Facilities purchase and lease.

(4) The HCA for the U.S Army Medical Command is responsible for awarding and administering the following contract actions:

(A) Medical equipment accessories and supplies.

(B) Healthcare services.

(5) The HCA for the National Guard Bureau (NGB) is responsible for awarding and administering the contract actions, grants, and agreements for supplies and services to support the Army and Air National Guard in 50 states, District of Columbia, and 3 U.S. Territories.

(6) The HCA for the Rapid Capabilities and Critical Technologies Office (RCCTO) is responsible for awarding and administering the following contract actions, grants, and agreements:

(A) Rapid Prototyping and initial equipping of strategically important capabilities to meet commanders' warfighting needs, consistent with the Army's modernization priorities.

(B) Technologies that address urgent and emerging threats on an accelerated timeline while supporting acquisition reform efforts.

(7) The HCA for the Small Business Innovative Research (SBIR) is responsible for awarding and administering Phase I and Phase II SBIR contract actions, grants, and agreements.

5101.601-90(b)(1)(D) Senior Contracting Official Selections.

As Army Enterprise Head of the Contracting Activity (HCA), the DASA(P) will review all Senior Contracting Official (SCO) selections prior to a formal appointment, and ensure that prospective SCOs embody the knowledge, skills, and behaviors that will drive desired contractual outcomes. Army contracting activity HCAs will coordinate directly with the Army Enterprise HCA on all SCO selections prior to the SCO appointment. The coordination is intended to be an HCA-to-HCA discussion.

5101.601-90(c) Contracting Responsibilities.

(a) Requiring activities have a responsibility to play an active role throughout the contracting process and support the Contracting officer, to include providing the Contracting officer with traceability of funds.

(b) Contracting officers must ensure sufficient funds are available for obligation; this is especially important if the requiring activity uses consolidated working funds. These accounts are established to hold funds transferred from other Federal Agencies or Department of Defense activities, pending transfer to an appropriate expenditure account. Consolidated working funds are not available for obligation and expenditure - their purpose is solely to hold the funds until transferred to an appropriation or fund account that will finance the work to be performed. Ultimately, the contracting workforce should not be seeing these types of funds. Therefore, if the requiring activity uses this type of 'holding account', the requiring activity should provide visibility/traceability of that appropriation or fund.

(1) If the Contracting officer understands, and can identify from the funding document, if sufficient funds are available for obligation, the color of money is correct and the year of money is appropriate, then there is no need to follow up with the requiring activity.

(2) If the Contracting officer receives a funding document and cannot identify those elements, then the contracting officer has a right to ask the requiring activity for that traceability of funds.

(3) ASA(ALT) memorandum, "[Traceability of Funds](#)," (19JAN2021).

5101.602-90-1 Legal Coordination.

(a) Obtain a legal review for proposed contracting actions in accordance with locally established procedures and as otherwise required by law, regulation, or policy. It is not practicable to specify, in the AFARS, an inclusive list of actions requiring legal review at each contracting activity. Instead, counsel will routinely review a full range of acquisition-related actions that have potential legal significance. SCOs will work with local chief counsels, or

equivalent official, to develop specific legal review protocols that are consistent with this provision.

(b) Obtain legal reviews on proposed actions to determine if the action is legally sufficient based on statute, regulation, and policy, and request details and a recommended course of action to resolve any insufficiency. Contracting officers will address and resolve counsel's objections at the lowest possible level. Contracting officers and counsel will elevate unresolved objections within the acquisition and legal channels, as appropriate, and in exceptional cases, to the head of the contracting activity (HCA).

5101.602-2-92-1 Ordering officer appointments.

(b) The purposes for which an appointing official may appoint an ordering officer and references to limitations of their authority are –

- (1) To make purchases using imprest funds (FAR 13.305);
- (2) To make purchases using Standard Form 44 (FAR 13.306, DFARS 213.306);
- (3) To place orders against indefinite delivery contracts awarded by Contracting officers of the Military Departments for the preparation for shipment, Government storage, and intra-city or intra-area movement of personal property, provided contract terms permit (see FAR subpart 47.2);
- (4) To place Service Orders for Personal Property (DD Form 1164) against Commercial Warehousing and Related Services for Household Goods contracts for military and civilian personnel subject to the criteria and procedures prescribed in Chapter 2, DoD 4500.34-R, provided that no service order will be in excess of \$10,000; and
- (5) To place orders against indefinite delivery contracts, in addition to those in (4), that Contracting officers award, as long as the contract terms permit and provided all orders placed are within monetary limitations specified in the contract.

(c) Responsibilities of appointing authority.

(1) *Training and orientation.* The appointing authority will orient and instruct ordering officers either personally or in writing about –

- (i) The proper procedure(s) the appointing authority will authorize the ordering officer to use;
- (ii) The standards of conduct for Army personnel prescribed in the Joint Ethics Regulation (DoD 5500.7-R) and the procurement integrity provisions at FAR 3.104; and
- (iii) The preparation and submission of information for contract action reporting purposes.

(2) *Surveillance.* The appointing authority will provide technical supervision of ordering officers. At least once each year, the appointing authority will examine ordering officer purchase documents and records. Any individual designated to perform this review must be well qualified in the contracting procedures that ordering officers use.

(i) Write inspection or review findings and include specific comments as to whether the ordering officer is –

- (A) Operating within the scope and limitations of authority delegated and FAR subpart 3.1;
- (B) Maintaining the standards of conduct prescribed in DoD 5500.7-R;
- (C) Engaging in improper practices, including but not limited to splitting purchase transactions to avoid monetary limitations or delegating authority to others; and
- (D) Submitting correct and timely information for reporting purposes.

(ii) Retain copies of inspection and review findings for one year in the ordering officer's files and the inspector's or reviewer's files.

(iii) If an appointing authority finds that an ordering officer is not properly performing assigned duties or promptly correcting the deficiencies noted in inspections or reviews, the appointing authority will terminate the ordering officer's appointment.

(3) *Termination.*

(i) An ordering officer's appointment will remain in effect until the ordering officer leaves his position via reassignment or termination or the appointing authority revokes the appointment. Appointing officials will not revoke an appointment retroactively.

(ii) Appointing officials will terminate appointments in writing except terminations that result when a contract expires.

(d) *Procedures.* Appointing officials will –

(1) Appoint ordering officers by a letter of appointment substantially in the format at AFARS 5153.303-2, but tailored to fit the circumstances of the appointment;

(2) Maintain the file of appointments

(e) Sample appointment letter can be found in the Field Ordering Officer Guide and appointment templates can be found on PAM.

5101.602-3-90 Ratification procedures.

(a) The individual making the unauthorized commitment must send the following documentation, at a minimum, to the cognizant ratifying authority:

(1) A signed statement describing the circumstances, the reason normal contracting procedures were not followed, what bona fide Government requirement necessitated the unauthorized commitment, the benefit received and its value, and any other pertinent facts.

(2) All other relevant documents, including orders, invoices or other evidence of the transaction.

(b) If the commander concurs that the unauthorized commitment should be ratified, the documentation must be sent to the chief of the contracting office with an endorsement that –

(1) Verifies the accuracy and completeness of the documentation;

(2) Describes the measures taken to prevent a recurrence of unauthorized commitments, including a description of any disciplinary action to be taken; and

(3) Provides a complete purchase description and funding for the ratifying contract.

(c) The chief of the contracting office will assign the action to an individual Contracting officer who will be responsible for –

(1) Reviewing the case and determining the adequacy of all facts, records, and documents and obtaining any additional material required; and

(2) Preparing a summary of facts to include a recommendation as to whether the individual responsible for approving the ratification (see AFARS 5101.602-3(b)) should ratify the transaction and reasons for the recommendation. In a recommendation not to ratify, include an explanation as to whether the contracting activity should process the transaction under FAR part 50 and DFARS part 250, Extraordinary Contractual Actions and the Safety Act or by means of the claims or disputes process set forth in FAR subpart 33.2.

(d) Upon receipt and review of the complete file, the individual responsible for approving the ratification may approve the ratification if he or she considers it to be in the best interest of the Government, or may direct other disposition.

(e) HCAs must monitor compliance with this subsection, AFARS 5101.602-3-90, and take all necessary corrective action.

5101.603-3-90 Other individuals authorized to procure supplies and services on behalf of the Army.

In addition to the ordering officers identified in AFARS 5101.602-2-92, a Contracting officer or one of the appointing officials identified in AFARS 5101.403-1 may designate individuals to procure supplies or services on behalf of the Army as specified in paragraphs (a) through (f) in this subsection. Individuals in paragraphs (a) through (c) will prepare and submit information for reporting purposes to the supporting contracting office as specified by that office policy. Individuals in (d) will report to the contracting office supporting the mobilization base.

(a) Contracting officers may authorize individuals to place calls under blanket purchase agreements. (See FAR subpart 13.3, DFARS subpart 213.3, and subpart AFARS 5113.3.)

(b) Appointing officials may authorize Army aviators and masters of Army-owned or operated vessels to use Standard Form 44 (see FAR 13.306) for emergency purchases of supplies (e.g., fuels, oils, parts) and services (e.g., mechanical services, hangar services, landing and docking fees and employment of civilian guards or watchmen to safeguard Government property) under any of the following conditions:

(1) Authorized flights or voyages during which mechanical or meteorological conditions prevent obtaining required supplies and services from Government facilities.

(2) Conditions under which continuation of flight, voyage or mission would constitute a hazard to safety or endanger public property.

(3) Conditions under which procurement of supplies and services from Government facilities would interfere with approved flight plans or voyages.

(c) Appointing officials may issue the Governmentwide commercial purchase card to individuals to use in accordance with FAR 13.301.

(d) Appointing officials may authorize individuals in Reserve Components to procure supplies or services on behalf of the Army in the event of mobilization using Standard Form 44 and U.S. Army Forces Command Mobilization and Deployment System, Volume III. Reserve Component unit commanders may purchase over-the-counter type items not exceeding the micro-purchase threshold per transaction. The commander will use Standard Form 44 when a Federal Mobilization Order, requiring unit movement to a mobilization station or site, or where procurement support is not readily available from a supporting installation. This temporary authority will expire upon resumption of procurement support by the contracting office at the mobilization station or supporting installation.

(e) Appointing officials may issue U.S. Government Travel Charge Cards to individuals for use on official travel.

(f) Appointing officials may authorize individuals identified in Army Regulation 725-50 to order supplies from General Services Administration Stores Depots using the Governmentwide commercial purchase card procedures.

5101.691 Army Enterprise Audit Tracker.

(a) The ODASA(P) is tracking, monitoring, and assessing the Army's implementation of audit findings and recommendations from external Army and DoD audit organizations via a SharePoint database tracker.

(b) Command level reports and metrics may be accessed via AMID authentication on the [public SharePoint portal](#).

(c) DASA(P) memorandum, “[Army Enterprise Audit Tracker](#),” (22DEC2020).

5101.9001 Policy.

See [Army Regulation \(AR\) 215-4](#) for Nonappropriated Fund Contracting policies and procedures.

AFARS PGI 5103 – Improper Business Practices and Personal Conflicts of Interest

(as of 01 October 2024)

5103.104-4-1 Access to Contract Procurement Data and Documentation.

- (a) After coordinating with the responsible O6/GS15 of the Program Management Office or other requiring activity, Contracting officers shall provide contract procurement data and documentation as requested by authorized personnel in accordance with [AFARS 5103.104-4\(a\)](#).
- (b) Contracting officers shall provide the data and documentation by secure electronic or physical means authorized personnel for use at their assigned duty station(s). The Virtual Contract Enterprise – Paperless Contract File (VCE-PCF), Virtual Contract Enterprise – Acquisition Source Selection Interactive Support Tool (VCE-ASSIST), and Department of Defense Secure Access File Exchange (DoD SAFE), or their designated successors, shall be the authorized methods used when contract data and documentation is conveyed electronically.
- (c) As required by Contracting officers, authorized personnel shall sign non-disclosure agreements addressing any conflict of interest and the proper storage, handling, and protection of procurement-sensitive information.
- (d) The Contracting officer shall provide the point of contact for authorized individuals to address questions related to the data provided.

AFARS PGI 5104 – Administrative Matters

(as of 10 March 2025)

5104.403(2)-1 Responsibilities of Contracting Officers.

(2) Contracting officers are responsible for incorporation of DD Form 254 in contracts, where applicable, to inform the contractor of the level of information they will be required to access, the level of security clearance the contractors will need, and how they will process, store, transmit, and destroy the classified information when the contract is complete.

(i) Contracting Officer Representatives (COR) may be required, by appointment, to perform transmission of final and modified DD254s by email to their respective Cognizant Security Office (CSO) identified in Block 8, Part C, of the DD254. Contracting officers are responsible for ensuring communication of COR responsibilities are documented in the Joint Appointment Module on the PIEE platform.

(ii) The security requirements detailed in Block 13 of a DD Form 254 shall be certified by a qualified Industrial Security Specialist (ISS) before a Contracting Officer (KO) can approve and sign in Block 17 of the form. The Industrial Security Specialist (ISS) must have completed all mandatory training outlined in [HQDA G-2 memorandum dated 08 Jan 2025](#) before performing certification duties and shall certify all security requirements in Block 13 before submission of the DD Form 254 to the Contracting Officer. The ISS certification confirms compliance with DoD security regulations, Army policies, and any additional contract-specific security requirements, ensuring the security provisions for classified contracts are properly validated before contract execution.

(iii) The Contracting Officer (KO) will sign Block 17 of DD Form 254 after, and only when, a qualified ISS has certified the security requirements in Block 13. The KO signature signifies approval that the ISS certification in Block 13 is valid. The KO is not required to complete the ISS training outlined in the HQDA G-2 memorandum.

5104.802(f)(i)-1 Record and Identify Reachback Contract Actions in PCF.

Contracting officers/Specialists shall identify all VCE PCF Cabinets for contracting actions that provide reachback support to assist deployed contracting offices during expeditionary operations.

- (a) Expeditionary is defined as the deployment of the military to locations abroad, away from established bases.
- (b) Select “reachback” from the Procurement Category menu in VCE PCF.

5104.802(f)(i)-2 Identify Bridge Contract Actions in PCF.

Contracting officers/Specialists shall account for all bridge contracts in VCE PCF Cabinets.

(a) Bridge contract is defined as a noncompetitive contract or order with an incumbent contractor that allows performance to continue from the time between the end of one contract award and the beginning of another where the effort was not priced in the original award. This definition includes the exercise of options that were not priced and evaluated at the time of award.

(b) Select “bridge contract” from the Records Management tab in VCE PCF.

5104.802(f)(i)(1) Accessing the Army Cabinet Index Structure.

The Army Cabinet Index Folder referenced at AFARS 5104.802(f)(i)(1) is available via VCE-PCF under Help -> PCF Folder Structures -> Army Cabinet Index(ACI). The file is auto-updated and is available as a .PDF file.

5104.802(f)(i)(3)-1 Procurement Administrative Lead Time (PAL) Micro-Learning Module on PAM.

The PAL module explains the genesis of PAL and the crucial “why” entering data in VCE is so critical to Contracting officers and Senior Leaders alike. Visit the PAM Media Library to access the PAL Micro-Learning Module (located at bottom of page):

<https://armyetaas.sharepoint-mil.us/sites/ASA-ALT-PAM/SitePages/MediaLibrary.aspx>

5104.802(f)(i)(3)-2 ASA(ALT) Strategic Approach to Lead Time.

For Fiscal Year 2023 (FY23) and beyond Procurement Administrative Lead Time (PAL) estimates, see [ASA\(ALT\) memorandum Fiscal Year 2023 Procurement Administrative Lead Time Estimates, dated 31 January 2023.](#)

5104.7304-1 Implementation of Enhanced Security Protections for Contractor Information Systems.

Contracting officers shall follow the direction in the ASA(ALT) memorandum and enclosure “[Implementation of Enhanced Security Protections for Contractor Information Systems,](#)” (24FEB2020) for enhanced cybersecurity protections under contracts containing the clause at DFARS 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting.

AFARS PGI 5105 – Publicizing Contract Actions

19 August 2025

5105.303 Announcement of contract awards.....1

5105.303 Announcement of contract awards.

(a) Public announcement reporting and submission.

(1) The contracting officer shall submit an announcement of contract award to the Office of the Deputy Assistant Secretary of the Army (Procurement) (ODASA(P)) no later than 12:00 p.m. (eastern time zone) three business days prior to the date of the proposed award.

(i) Contracting officers will submit the request along with required supporting information via the Virtual Contracting Enterprise (VCE) portal at <https://vce.army.mil>.

(ii) Contracting officers will not award a contract that meets the reporting threshold at DFARS 205.303(a)(i) without formal ODASA(P) approval. If the Contracting officer has not received approval of the request by 2:30 p.m. (eastern time zone), the day before the proposed award date, the contracting officer will contact the ODASA(P) at usarmy.pentagon.hqda-asa-alt.list.congressional-notification@army.mil for status.

(2) Contracting officers shall confirm the award schedule with ODASA(P) by 12 p.m. (eastern time zone) of the proposed award date using the email address in paragraph (a)(1)(ii). If the schedule is anticipated to slip, a new award date must be established.

(b) Instructions for Congressional Notification Requirement When Utilizing the Authorities Conferred by paragraphs (B) – (G) of DPCAP Class Deviation 2024- O0005— Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel; Workload Forecasting Instructions

(1) When using the authority at paragraph (B) of DPCAP Class Deviation 2024-O0005 – Temporary Authorization for Covered Contracts Related to Ukraine, Taiwan, and Israel, subparagraph (H)(1) of the class deviation requires written Congressional and DPCAP notification not later than seven days before contract award. Contracting officers shall use the template located in the Army Templates and Guides on PAM for the notification.

(2) When using the authorities at paragraphs (B) thorough (G) of DPCAP Class Deviation 2024- O0005 – Temporary Authorization for Covered Contracts Related to Ukraine, Taiwan, and Israel, subparagraph (H)(2) of the class deviation requires written Congressional and DPCAP notification within seven days after contract award. Contracting officers shall use the template located in the Army Templates and Guides on PAM for the notification.

(3) Contracting Officers shall submit congressional defense and DPCAP notification for HQDA review, coordination, and/or approval via ETMS2 to the ODASA(P) directorate listed at AFARS PGI 5101.290(b)(2) within one-day after award to meet the congressional defense

committee requirement. Furthermore, to forecast workload requirements, the ODASA(P) will task Commands via the Enterprise Task Management Software Solution (ETMS2) bi-weekly to provide a listing of applicable actions. A template will be provided in ETMS2 to collect the following information for all applicable actions.

- (a) Program name.
- (b) Contract number, and modification number, if applicable.
- (c) Total estimated contract value (including options).
- (d) Contracting activity name and DoDAAC.
- (e) Contractor name and Commercial and Government Entity (CAGE) code.
- (f) Quantities and/or period of performance.
- (g) Reason for using the authority.
- (h) Expected outcome of using the authority, including estimated reductions in schedule.

AFARS PGI 5107 – Acquisition Planning

(as of 01 October 2024)

5107-1 Shaping Innovative Acquisition Planning.

(a) MITRE's 'Acquisition in the Digital Age' (AiDA) provides comprehensive topic information, tools, and resources to help acquisition professionals apply innovative strategies to "Accelerate" programs, Navigate Middle Tier Acquisitions (NDAA Section 804), Acquire Software using "Agile" Development, implement Other Transaction Authority (OTA) pathways, and aide in other Acquisition Solutions. Within the topics, acquisition professionals will find source material for various tailored acquisition models to help inform requirements, accelerate delivery, and control cost and risk, along with relevant policy, funding considerations, case studies, best practices, lessons learned, and advantages and limitations for these tools.

Visit MITRE's AiDA website at: <https://aida.mitre.org/>.

(b) MITRE also offers a website focused on the cone of contracting, using FAR and Non-FAR methods, such as Small Business Innovation Research, Broad Agency Announcements, Other Transactions, Grants, and Cooperative Agreements, which provide common applications, pros and cons, restrictions, and contracting scenarios for each. This information helps narrow potential contract strategies down to the best one.

Visit the Contracting Cone at: <https://aaf.dau.edu/aaf/contracting-cone/>.

AFARS PGI 5108 – Required Sources of Supplies and Services

(as of 01 October 2024)

5108.12-90-1 Randolph-Sheppard Consultation Submission Requirements.

This section provides procedures for the Army “consultation” required under 34 C.F.R. § 395.33(a) and (b).

(a) If a State Licensing Agency (SLA) under the Randolph-Sheppard Act has submitted a proposal to provide cafeteria services and the proposal is judged to be within the competitive range and has been ranked among those proposals which have a reasonable chance of being selected for final award, the contract is expected to be awarded to the SLA after consultation with the Department of Education (ED). In order to consult with ED, the Contracting officer shall:

(1) Prepare an ED consultation letter for the supporting Chief Counsel’s review and Senior Contracting Official’s (SCO’s) approval. The letter should be addressed to “Department of Education, Attn: Commissioner, Rehabilitation Services Administration.” It should include a description of the basis for award as stated in the solicitation, contract type, period of performance, price analysis, proposed award price, and rationale for why the SLA’s proposal is in the competitive range. The letter must include a copy of the solicitation and, pursuant to AFARS 5103.104-4(a)(vii) and with appropriate markings, the SLA’s proposal, and the proposed awardee’s total evaluated price.

(2) Following receipt of the SCO’s written approval, the Contracting officer shall transmit the letter to the [ED Rehabilitation Services Administration \(RSA\)](#) for its receipt at least ten (10) business days prior to making an award.

(3) The Contracting officer shall submit a copy of the ED consultation letter to the [ODASA\(P\) mailbox \(usarmy.pentagon.hqda-asa-alt.mbx.office-of-the-dasa-p@army.mil\)](#) within three business days of the date the letter was submitted to the ED.

(b) ED RSA will provide its response within seven (7) business days of receipt of the Contracting officer’s consultation letter. If ED determines that the operation of the cafeteria can be provided at a reasonable cost, with food of a high quality comparable to that currently provided employees, the Contracting officer shall afford the priority in the operation of cafeterias by blind vendors to the SLA.

(1) The Contracting officer shall submit a copy of the ED RSA’s response, and the Contracting officer’s record of consideration, to the ODASA(P) mailbox within five days of receipt from ED.

(2) The Contracting officer shall provide a copy of ED’s determination to the SLA.

AFARS PGI 5109 – Contractor Qualifications

(Revised as of 01 October 2024)

5109.103(b)-1 Determination of Responsibility Assistant (DORA) Contractor Responsibility bot.

(a) The bot pulls information from two public-facing websites: System for Award Management (SAM) and Federal Awardee Performance and Integrity Information System (FAPIIS).

(b) The bot creates summary reports of the information listed on the sites, populates a memorandum template created by the ODASA(P) with a summary of results, and sends all attachments back to a contracting professional in approximately five minutes.

(1) The Prospective Contractor Responsibility Determination memorandum and associated attachments produced by the bot are in accordance with FAR 9.105-2 “Determinations and Documentation.”

(2) The memorandum and attachments produced by the bot, updated as necessary by the Contracting officer, will serve as official contract documentation to the Army’s contract file.

(c) The bot is not intended to replace a contracting official’s judgement or responsibility; it is meant to streamline and enhance the ability to gather and populate data necessary to make prospective contractor responsibility determinations.

(1) The contracting official maintains the authority and latitude to add information and check other areas in addition to the fields completed by the bot.

(2) Before making a determination of responsibility, Contracting officers shall possess or obtain information sufficient to be satisfied that a prospective contractor currently meets the applicable standards in FAR 9.104 and DFARS 209.104.

AFARS PGI 5110 – Market Research

(Revised 27 June 2025)

5110.002(b)-2 Market Research & Planning.

(a) The Army's Market Intelligence Center Portal provides requiring activities and contracting professionals with a consolidated source for market intelligence resources and tools, vendor listings (traditional and non-traditional), training sources, best practices, and reference guides. This Portal collects multiple government vendor lists together with just one click, thereby facilitating a better understanding of the 'realm of the possible' within a particular marketplace.

Visit the Army's Market Intelligence Center Portal on PAM at https://armyeitaas.sharepoint-mil.us/sites/ASA-ALT-PAM-ProcProc/SitePages/Market_Research.aspx.

(b) "Find a Vendor" list includes the Product Service Code (PSC) Prediction Service and the PSC Selection Tool. The PSC Prediction Service utilizes machine learning to gain user feedback on search results to enhance PSC accuracy and contract data input; the PSC Selection Tool allows users to search by keyword or by category management spend categories.

Visit the "Find a Vendor" list on PAM at https://armyeitaas.sharepoint-mil.us/sites/ASA-ALT-PAM-ProcProc/SitePages/MR_Sources.aspx

AFARS PGI 5114 – Sealed Bidding

(20 August 2025)

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Subpart 5114.4 – Opening of Bids and Award of Contract

5114.407 Mistakes in bids.

5114.407-3 Other mistakes disclosed before award.

(i) When sending a doubtful case to the Comptroller General of the United States for an advance decision, the SCO will recommend disposition. The contracting officer will indicate the status of the award in the transmittal document.

5114.409 Information to bidders.

5114.409-2 Award of classified contracts.

The Contracting officer shall advise unsuccessful bidders to dispose of classified information in accordance with [Army Regulation 380-5](#) (Army Information Security Program).

AFARS PGI 5115 – Contracting by Negotiation

(Revised 01 October 2024)

5115.403-1 TINA Case Waivers.

For any contract, subcontract, or modification expected to have a value \$20 million or greater, prior to submitting the waiver of TINA requirements request to the HCA, Contracting Officers shall notify in writing the addressee listed at 5101.290(b)(2)(ii)(E). The notification shall include all required data fields IAW DFARS PGI 215.403-1(c)(4)(B).

After HCA review of the TINA waiver request, Contracting Officers shall provide final status of approval or disapproval to the addressee listed at 5101.290(b)(2)(ii)(E).

5115.407-2 Make-or-buy analysis for Army Programs of Record.

- (a) Program Executive Officers and Program Managers must give thorough consideration to Army Arsenals and their manufacturing capabilities to meet program requirements.
- (b) Contracting Officers must ensure adequate market research is conducted, and inclusion in the Request for Proposal that the awarded contractor shall seek Public Private Partnerships with Army arsenals.
- (c) The performance work statement must contain a tailored contract data requirements listing and appropriate language that addresses changes in work to arsenals and a definitive process for any required price adjustments.
- (d) ASA(ALT) memorandum, “[Make or Buy Analysis for Army Programs of Record](#),” (11APR2018)

AFARS PGI 5116 – Types of Contracts

(as of 01 October 2024)

5116.102-90-1 Selecting Contract Types.

In accordance with the FAR 16.101, selection of the contract type should appropriately balance the risk assumed by the contractor for the costs of performance and provide the contractor with the greatest incentive for achieving or exceeding specified standards or goals. The decision on contract type should be informed by insights from both the contracting officer and the requiring activity.

- (a) In accordance with DoD Instruction 5000.02, Operation of the Adaptive Acquisition Framework, the contract type determination is satisfied when the Milestone Decision Authority (MDA) approves the acquisition strategy for Major Defense Acquisition Programs (MDAP) at all major decision points. See DFARS 234.004(2).
- (b) For all other contracts, the contracting officer should ensure careful coordination with the requiring activity for the contract typed decision.
- (c) For more information on contract types, to include best-use scenarios and guidance for the evaluation on use of Fixed-Price Incentive (Firm Target) contracts, see the Assistant Secretary of the Army (Acquisition, Logistics and Technology) memorandum, "[Justification of Contract Type and Incentive Strategies](#)," (10APR2019).

5116.102-90-2 Pricing Website.

(a) The Pricing website is available at <https://Procurement.Army.Mil> (PAM) at <https://armyeitaas.sharepoint-mil.us/sites/ASA-ALT-PAM-ProcProc/SitePages/CostPrice.aspx> for use by all acquisition and contracting professionals across the Army enterprise.

(1) Army acquisition professionals who need pricing assistance or have pricing questions, can contact Army pricing SMEs, maximizing pockets of specific pricing expertise across the Army.

(2) Access best practice pricing tools, training, and a list of the top 54 Army contractors listed by spend value along with their 10-K reports, 10-Qs and a summary analysis of these reports. These reports will assist acquisition professionals to determine the appropriate overhead and general and administrative rates taking into consideration Army contractors' financial information and any recent major acquisitions.

(3) Join the Community of Practice or view the directory of the cost and price community to collaborate thus allowing acquisition professionals and price analysts to participate in virtual dialogue about pricing concerns, issues, and topics.

5116.403-1 Fixed-Price Incentive (Firm Target) Contracts Micro-Learning Module on PAM.

Visit the PAM Learning Center & Training Library to access this [Micro-Learning Module](#).

AFARS PGI 5118 – Emergency Acquisitions

(Revised 01 October 2024)

Visit the Guidance section under the Templates and Guides tile on PAM for additional information on Emergency Acquisition Flexibilities. See <https://armyeitaas.sharepoint-mil.us/sites/ASA-ALT-PAM-Compass/SitePages/Templates.aspx>.

5118.2-1 Emergency Acquisition Flexibilities.

- (a) Use of most FAR Subpart 18.2 and DFARS Subpart 218.2 emergency acquisition flexibilities requires an HCA determination that the acquisition meets the prescribed criteria. For example, FAR 18.202(b) increases the simplified acquisition threshold when the HCA determines the supplies or services are to be used to facilitate defense against or recovery from cyber, nuclear, biological chemical, or radiological attack; to facilitate provision of international disaster assistance; or to support response to an emergency or major disaster. HCAs must be involved to ensure that the emergency acquisition flexibilities are used only for their intended purposes.
- (b) No approval, authorization, or notification from DPCAP or ODASA(P) is necessary for the HCA to authorize these flexibilities. DPCAP information releases/ODASA(P) Policy Alert Notifications do not satisfy the requirement for the prescribed HCA determination.
- (c) Visit <https://www.fema.gov/disasters> for the FEMA Disaster Search Tool to find declared disasters and emergencies.

AFARS PGI 5119 – Small Business Programs
(as of 01 October 2024)

5119.201 General Policy.

(d)(7)(A) The Director, Headquarters, Department of the Army (HQDA) Office of Small Business Programs (OSBP) appoints small business specialists. Additionally, the Director, HQDA OSBP will review and concur/non-concur on all hiring actions; execute the selectees' appointment letters; possess sole authority to waive full-time requirements for full-time small business specialists; and appoint any Army small business specialists on a less-than-full-time basis.

(B) The Command Small Business Assistant Director (AD) is the full-time small business specialist responsible for execution of the Small Business Program (SBP). The AD serves as the principal advisor on all matters related to the SBP within the activity and reports directly to the Commander or Deputy (second in Command). The AD is to be appointed at the GS-15 or equivalent level and shall not be subject to the control or direction of contracting, contract management, or technical personnel. The AD must be certified at the appropriate level in accordance with Defense Acquisition Workforce Improvement Act requirements and possess the business acumen and experience required to execute the duties of the position.

(C) The Assistant Director is the full-time small business specialist responsible for execution of the SBP at subordinate levels of the Command. The Assistant Director provides SBP advice and guidance to Commanders (or at the equivalent level) at the subordinate Command-level and works with the ADs to execute the Command Program.

(D) The Small Business Specialist is required to fulfill the following responsibilities: provide advice to small businesses concerning acquisition procedures, information regarding proposed acquisitions, standard clauses, representations, and certifications; ensure that contract financing for small businesses, available under existing regulations, is considered in the acquisition process; ensure that appropriate assistance provided to small businesses in obtaining payments under their contracts, late payments, interest penalties, or information on contract payment provisions; provide assistance to contracting officers in determining the need for acceptability of subcontracting plans; and advise and assist contracting, program management, and requirements personnel on all matters that affect small businesses throughout the acquisition process including acquisition planning, source selection and contract performance.

(E) Director, OSBP [Policy Memorandum # 20-01: Appointment of Small Business Professionals](#), outlines the established policy for the selection and appointment of small business specialists.

**AFARS PGI 5123 – Environment, Energy and Water Efficiency, Renewable Energy
Technologies, Occupational Safety, and Drug-Free Workplace**

(As of 01 October 2024)

5123.12-90-1 Ensuring Adequate COVID Safety Protocols for Federal Contractors.

Reserved.

AFARS PGI 5125 – Foreign Acquisitions

(Revised as of 01 October 2024)

5125.070-1 Reporting of acquisition of end products manufactured outside the United States.

(a) This section provides procedures for the Army monthly reporting requirements on Made In America (MIA) Laws, in accordance with Executive Order 14005, “Ensuring the Future is Made in All of America by All of America’s Workers” and Office of Management and Budget Memorandum M-21-26, “Increasing Opportunities for Domestic Sourcing and Reducing the Need for Waivers from Made in America Laws”.

(b) The Contracting officer shall enter the following required information into the MIA Monthly Report Template:

(1) Address ongoing implementation of, and compliance with, MIA Laws (see paragraphs I through viii in the Monthly Report Template).

(2) Provide an analysis of goods, products, materials, and services not subject to MIA Laws, if any.

(3) Provide recommendations of how to further implement policy set forth in Section 1 of Executive Order 14005.

(4) Provide the contract number and description of all procurements related to the Reciprocal Defense Procurement Agreement.

The completed report shall be submitted to the ODASA(P) mailbox no-later-than five working days after the last day of each month. Example: If the last day of the month is Wednesday, 31 January, the fifth working day after the end of the month would be Wednesday, 7 February.

5125.7002-2-1 Improving Compliance with the Berry Amendment and Buy America Act.

(a) Contracting personnel who, on a regular basis, procure goods and services subject to the Berry Amendment, (or are assigned a contract subject to the Berry Amendment), must complete the Defense Acquisition University continuous learning model “CLC 125 – Berry Amendment”. Complete this course every 2 years as a refresher.

(b) Contracting personnel are strongly encouraged to apply Defense Pricing, Contracting, and Acquisition Policy (DPCAP) recommended best practices, to ensure compliance with the Berry Amendment:

(1) Conduct market research to include considerations for the Berry Amendment Requirement.

(2) Publicly advertise a ‘sources sought notification’ (SAM.gov) to determine if the product is available domestically in sufficient quality and quantity.

(3) Develop solicitations that contain the appropriate DFARS clauses in full text; include a Berry Amendment notice outlining the requirements for compliance in solicitations.

AFARS PGI 5130 – Cost Accounting Standards Administration

(Revised 01 October 2024)

5130.201-5 Waiver.

(e) Requests for CAS waivers shall be submitted through the Enterprise Task Management Software Solution (ETMS2) to the Deputy Assistant Secretary of the Army (Procurement) using the addressee listed at AFARS 5101.290(b)(2)(ii)(E). The report shall include all required data fields in accordance with DFARS 230.201-5(e) and DFARS PGI 230.201-5(e).

AFARS PGI 5132 – Contract Financing

(as of 01 October 2024)

5132.607 Installment payments and deferment of collection.

5132.607-2 Deferment of collection.

The Contracting officer shall provide the recommendation and supporting documents in accordance with FAR 32.607-2(c)(2). The package must be reviewed by the appropriate Army level in accordance with the below chart.

\$250 Million or More but Less than \$1 Billion	HCA
\$50 Million or More but Less than \$250 Million	SCO
Below \$50 Million	SCO or Designee

Once the appropriate review has been completed, the Contracting officer will forward the recommendation package in accordance with AFARS 5101.290(b)(2)(ii)(B). ODASA(P) will review and provide an endorsement with recommended disposition and forward to ASA(FM&C) at usarmy.pentagon.hqda-asa-fm.mbx.debt-deferment@army.mil for decision.

AFARS PGI 5139 – Acquisition of Information Technology

(Revised 1 October 2024)

5139.1-1 Capture of Internal Use Software in Contract Documentation.

- (a) To facilitate capture of Internal Use Software (IUS) in contract documentation, refer to AFARS 5104.7103-90 for Contract Line Item structure and the [IUS Software Guide](#) (9APR2019).
- (b) The instruction applies to all software (SW) procurements which includes applications and operating system programs, procedures, rules, and any associated documentation pertaining to the operation of a computer system or program.
- (c) Contracting officers will utilize this instruction in coordination with FAR, DFARS and AFARS provisions to ensure accounting of IUS in contract documents.

5139.1-2 Reform of Information Technology Desktop and Notebook Purchase and Configuration.

- (a) All Army organizations will ensure that all purchases of notebooks and desktop computers comply with the standard notebook and standard desktop category configurations offered via the Army Computer Hardware Enterprise Software and Solutions (CHESS) contract vehicles which are compliant with Secure Host Baseline - Army (SHB - A) and Government-wide standards.
- (b) Seasonality: To take advantage of lowest prices, Army organizations must purchase notebooks and desktops between December and May. Exceptions to this policy will be approved by the IT Category Management team.
- (c) Volume Purchase Size: Army organizations must aggregate purchases in order to achieve the best possible volume discounts. To best achieve unit savings, organizations will aggregate purchases to greater than 100 units and are encouraged to bundle orders across organizations to create large volume orders. Exceptions to this policy will be approved by the IT Category Management team.
- (d) Deputy Under Secretary of the Army memorandum, “[Reform of Information Technology \(IT\) Desktop and Notebook Purchase and Configuration](#),” (13AUG2020).

5139.1-3 Development, Security, and Operations (DevSecOps).

- (a) Converging the Development, Security, and Operations (DevSecOps) cultures, processes, and technologies in order to shorten the software development life cycle to accelerate the continuous delivery of high quality and secure solutions into operations.
- (b) Contracts that include DevSecOps have two components requiring contract management:

- (1) Overall performance and Management of the Factory with respect to availability, tools, and pipeline of software development;
- (2) Management of the software development activities to ensure the contractor is managing the software delivery in accordance with the customer expectations employing modern software development methods to meet requirements and timelines of the contract.

(c) Contracting Officers may want to consider appointing a Contracting Officer's Representative (COR) for each DevSecOps component, depending on the complexity of the contract and COR's knowledge/experience. CORs and contracting officers should be versed in modern software development frameworks/methodologies.

(d) The following introductory courses are the minimum recommended set of training courses for CORs managing contracts that include DevSecOps:

- (1) DevSecOps for the DoD: Fundamentals (DAU WSA 001) and Security Focus (DAU WSA 002), or equivalent commercial courses
- (2) Introduction to DoD Cloud Computing (DAU CLE 075), Cloud Services Workshop (DAU WSA 004), or commercial courses that cover Microsoft Azure and Amazon AWS
- (3) Introduction to the Risk Management Framework (DAU CLE 033)
- (4) Introduction to Agile Software Acquisition (DAU CLE 076)*
- (5) DAU ACQuidpedia Article: Agile Software Development*

*Depending on Contractor's software development methodology

5139.1-4 Software Development.

- (a) Contracting strategies for software development will be flexible to allow for quick adaptation to changes in the software development strategy and enable Agile development. See Army Directive 2024-02 (Enabling Modern Software Development & Acquisition Practices) for additional information. This directive is not applicable to contracts and/or orders for requirements that may be met using commercial software products or Commercial Software as a Service (SaaS) without modification (i.e., does not require software development services).
- (b) Contracting officers must consider the use of a modular contracting approach and the use of multiple award contracts. These considerations must be documented within the acquisition planning documentation.
- (c) Firm-Fixed Price (FFP) can be an appropriate CLIN type for low/no code software development and commercial SaaS. Contracting officers should carefully consider the amount of customization and limitations associated with using solely FFP CLINs for complex or custom software development. Cost and labor hour CLIN types are often more appropriate for complex or custom software development and may be used in conjunction with incentives or FFP CLINs (i.e., hybrid contract) to allow the Contractor to respond more easily to changing

Government requirements and priorities. FFP remains appropriate for unmodified commercial software products and commercial SaaS procurements.

5139.101-90-1(b)(1) Implementation of CHESS Mandate for IT Service Contracts.

The “[Implementation Guidance to Move Information Technology \(IT\) Service Requirements to CHESS Contract Vehicles](#)” (30Mar2021), serves as a guide to the acquisition workforce on the purchase of IT Services Contracts. This Guidebook is also available on the on the PAM Army Templates and Guides page.

AFARS PGI 5141 – Acquisition of Utility Services

(Revised 18 August 2025)

5141.1 Termination for Convenience of Army Energy Savings Performance Contracts1

5141.1 Termination for Convenience of Army Energy Savings Performance Contracts.

(a) Any proposal for a termination of convenience of an Energy Savings Performance Contract or Utility Energy Service Contract (UESC), or a buy-out of UESC, with an original project value in excess of \$10M shall be reviewed by the Deputy Assistant Secretary of Army for Energy and Sustainability, prior to final decision.

(b) To view the Assistant Secretary of the Army (Installations, Energy and Environment) memorandum: “[Policy on Termination for Convenience of Army Energy Savings Performance Contracts and Utility Energy Service Contracts, and Buy-Outs of Utility Energy Services Contracts,](#)” (10AUG2020).

5141.102 Applicability.

See [Army Regulation 420-41 \(Acquisition and Sale of Utilities Services\)](#).

AFARS PGI 5142 – Contract Administration and Audit Services

(as of 01 October 2024)

5142.1-1 DCAA Audit Assistance for Special Access Programs

- (a) Contracting Officers awarding contracts supporting Special Access Programs (SAPs) are reminded to distribute copies of contracts or modifications requiring audit service to the appropriate Defense Contract Audit Agency (DCAA) field office listed in the directory of Federal Contract Audit Office at FAR 42.103.
- (b) In order to communicate with DCAA Field Detachment at the Special Access Required (SAR) level for all Army SAPs, Contracting Officers must have access to an Army SAP Enterprise Portal (ASEP) account and request a Secure Integration Cloud (SIC) account through the Army Special Program Directorate (ASPD). The SIC is the DoD SAP enterprise cloud system which allows DoD SAP Components to process and share data up to the Top Secret, SAR, and Sensitive Compartmented Information (SCI) level.
- (c) After establishing a SIC account, a Contracting Officer will request a secure meeting or call with DCAA by contacting the DCAA Customer Coordination Chief via the SIC platform, unclassified notification through email or by phone. No transmission of a contract or modification can occur prior to initiating contact with DCAA Customer Coordination Chief and receiving further information.

AFARS PGI 5145 – Government Property

(as of 01 October 2024)

5145.000 Scope of part.

(b)(5)(S-90)(i) Government property that is provided to the contractor(s) as incidental to the place of performance shall be documented within the contract. The requiring activity shall document on an attachment to be included in the appropriate section of the contract. At a minimum, the data elements listed below shall be annotated.

- a) The name, part number and description
- b) National Stock Number
- c) Quantity
- d) Unit acquisition cost
- e) Unit of Issue
- f) Unique-item identifier or equivalent (if applicable)
- g) Serial number if applicable.
- h) Any other data elements the responsible Accountable Property Officer (APO) requires.

(ii) Incidental property is not covered under FAR Part 45, Government Property. The control, reporting, inventory requirements, maintenance, repair, disposition and loss shall be annotated by the Requiring Activity within the Performance Work Statement (PWS) and validated via FAR Part 46, Quality Assurance. Additionally, the Requiring Activity shall specify in the PWS whether the Government or the contractor is responsible for maintenance and repair costs, as well as the conditions under which the contractor may be held liable for loss of property.

5145.103 General.

(a)(6) Contractors are required, pursuant to FAR 45.103, to declare property as excess when no longer needed for contract performance. Contractors declaring excess property use the Government Property disposition tool within the Plant Clearance capability of the of the Procurement Integrated Enterprise Environment (PIEE) Government Furnished Property (GFP) Module.

5145.103-73 Government property under sustainment contracts.

(1)(A) Contracts in support of U.S. Army Material Command (AMC) Life Cycle Management Command (LCMC) shall contain requirements for the utilization of Total Asset Visibility – Contractor (TAV-C) within the Statement of Work (SOW) unless the requiring activity dictates otherwise.

(1)(B) The use of the Logistics Management Program (LMP) and Total Asset Visibility at Contractor Locations (TAV-C) Module meets the requirements of the sustainment CDRL and may be used in lieu of the CDRL.

5145.103-74 Contracting office responsibilities.

See AFARS 5145.390 Documentation of Government property in contracts.

(4)(a) For reoccurring inventory reports, include Contract Line Item Numbers (CLINs) in solicitations and contracts that correspond to each report. Include a separate CLIN for any Contract Data Requirements List (CDRL) related to reoccurring contractor reporting of GFP, to include but not limited to reporting for sustainment contracts (see DFARS PGI 245.103-73).

5145.105 Contractor's property management system compliance.

(a)(i) Army Contracting officers shall not make a determination on the acceptability of a contractor's property management system, unless the Army is the Cognizant Federal Agency (CFA) for that contractor (see FAR 42.003).

(a)(i)(A) If the Army is not the CFA, the Contracting officer, in consultation with the property administrator, shall make a determination at the contract/task order level to ensure contractor stewardship of Army property (see DFARS 245.105).

(a)(i)(B) If the Army is not the CFA, and the property administrator documents one or more deficiencies at the contract/task order level, the Contracting officer shall provide the documented deficiencies to the CFA's Contracting officer/property administrator.

(b) When an outside agency has been delegated property administration functions, the delegated agency shall perform the activities described under FAR 45.105 and DFARS 245.105. If a delegation is not assigned to an outside agency, and a Property Administrator is not assigned, the Contracting officer is responsible for completion of these activities.

5145.107 Contract Clauses

(a)(1)(i)(A) Except as provided in paragraphs (a)(1)(i)(B) and (a)(1)(i)(C) of this section, include FAR part 45 and its supplements' contract clauses on solicitations and contracts that also include cost or time and material CLINs in order to ensure stewardship of contractor acquired property that can be procured under those CLIN types.

(a)(1)(i)(B) For time and material solicitations and contracts awarded under FAR part 12 procedures or solicitations and contracts that contain time and material CLINs awarded under FAR part 12 procedures, follow provisions at 5145.107 (a)(1)(iii)(A) and 5145.107 (a)(1)(iii)(B).

(a)(1)(i)(C) For solicitations and contracts that contain cost type or time and material type CLINs, and those CLINs are for travel purposes and/or Defense Base Act (DBA) insurance only, obtain an individual deviation using the procedures at 5101.403 before omitting FAR part 45 and its supplements' clauses. Specify in the solicitation and contract's terms and conditions that

procuring property under those CLINs is expressly prohibited and any requests for reimbursement of property under those CLINs will be considered unallowable.

(a)(1)(iii)(A) Include FAR part 45 and its supplements' contract clauses in solicitations and contracts awarded under FAR part 12 procedures when the cumulative total value of Government Property, including both GFP and Contractor Acquired Property (CAP) under time and material contracts/CLINs, exceeds the SAT. If the cumulative total value of Government property exceeds the SAT after award through modifications, then clauses and other part 45 provisions apply; follow procedures at 5145.190-2 Furnishing Government property after award.

(a)(1)(iii)(B) When cumulative total value of Government Property provided in contracts awarded under FAR part 12 procedures is below the SAT, the control, reporting, inventory requirements, maintenance, repair, disposition, loss processing, and loss liability shall be annotated within the Performance Work Statement (PWS) and validated via FAR Part 46, Quality Assurance unless Sensitive Items are being furnished.

(ii) FAR clause 52.245-1 is not required for Government property under a Purchase Order contract for repair, maintenance, overhaul, or modification, when the required actions are accomplished on a Government site or installation, the Government retains physical possession of the property, and no other GFP is provided.

5145.190-2 Furnishing Government property after award.

(a) If a contractor requests additional GFP after contract award, and the government did not anticipate providing GFP prior to award, the Requiring Activity must submit documentation supporting the need for GFP allowing the Contracting officer to ensure that the updated determination to issue GFP to the contractor meets the standard outlined at FAR 45.102.

(b) For contracts awarded pursuant to competitive procedures, consideration should be given to how providing property post-award may change the conditions, price and other factors considered, upon which the contract was awarded. The Contracting officer must negotiate with the contractor to obtain appropriate consideration for providing GFP post-award.

(c) If a positive determination is made, the Contracting officer must document the contract file with the new documentation and negotiate with the contractor for appropriate consideration.

(d) The Contracting officer shall issue a bilateral contract modification to add the full complement of FAR and DFARS clauses and the appropriate GFP attachments, prepared in the PIEE GFP module as required by DFARS PGI 245.103-72, in the appropriate section of the contract.

Subpart 5145.2 – Solicitation and Evaluation Procedures

5145.201 Solicitation.

(a) The GFP attachment included in the solicitation is an authorized list of GFP proposed to be provided by the Government regarding the types and quantities of property to be furnished for purposes of offeror pricing.

(d) The Contracting officer and requiring activity should apply a risk-based approach to determining the need for an evaluation factor or sub factor to assess the quality of an offeror's Property Management Plan (PMP) and controls related to Government property. If an evaluation factor or subfactor is not used, then a determination must be made that the PMP is adequate, meets the requirements of 52.245-1, and is appropriately tailored to complexity, sensitivity, and value of the property proposed to be provided and/or acquired. Document the review of the PMP in the file.

(1) Items listed as incidental property (see 5145.000(b)(5)(S-90)) or property provided in contracts awarded under part 12 procedures when total cumulative value is below SAT are exempt from the PMP submission requirements unless property is sensitive items.

(2) The physical inventory of GFP shall be performed by the contractor in accordance with the terms and conditions within the contract, and/or the contractor's property management system description when the system is determined adequate. Physical inventory requirements for GFP to be performed by a contractor beyond the Government accepted requirements of the property management system description must be dictated in the work statement and supported by a DD Form 1423, Contract Data Requirements List.

(3) Specify in the solicitation and contract that property will be inventoried at least every 3 years at a minimum and classified or sensitive property must be inventoried at least annually.

5145.202 Evaluation Procedures.

(a) In addition to the conditions at FAR 45.202, if an offeror proposes use of Government property not anticipated at time of the issuance of the solicitation, Contracting officers shall:

- (1) Ensure offeror's have submitted a PMP with their proposal if Government property is anticipated as part of their proposal.
- (2) Determine the adequacy of the PMP ensuring it meets the requirements of FAR 52.245-1 and tailored to complexity, sensitivity, and value of the property. See 5145.201(d).
- (3) Ensure the Requiring Activity complies with the requirements of FAR 45.102 and DFARS PGI 245.103-70(2), as well as the technical requirements.
- (4) Comply with FAR 45.202(a) requirements and ensure the negotiated cost/price reflects the risk borne by the Government of furnishing property for use under the contract.
- (5) Ensure that the final contract award contains the appropriate FAR and DFARS clauses and the appropriate GFP attachments, prepared in the PIEE GFP Module as required by DFARS PGI 245.103-72, in the appropriate section of the awarded contract.

Subpart 5145.4—Title to Government Property

5145.402-70 Policy.

(2) Once Contractor Acquired Property (CAP) is received and provided as GFP, ensure Federal Procurement Data System – Next Generation (FPDS-NG) is annotated as “Transaction uses GFP” on all subsequent contract modifications until all property is dispositioned.

5145.605 Inventory disposal reports.

(a) The Plant Clearance Officer shall provide the contractor disposition instructions for non-expendable military equipment via the PIEE GFP module Plant Clearance capability. Instructions shall state to turn in assets to the Accountable Property Officers.

(b) Requiring activities and accountable property officials shall obtain Government property records from the PIEE GFP module, including loss and disposition records.