DEPARTMENT OF THE NAVY
SPACE AND NAVAL WARFARE SYSTEMS COMMAND
4301 PACIFIC HIGHWAY
SAN DIEGO, CA 92110-3127

4200
Ser 2.0/031
7 Feb 11

From: Commander, Space and Naval Warfare Systems Command
To: Assistant Secretary of the Navy (Research Development and Acquisition)

Subj: CLAUSE SUBMISSION

Ref: (a) DON Control Plan for Component Clauses of 5 Apr 10
(b) SPAWAR Delegation of Authority for Procurement Matters of 4 Oct 10

Encl: (1) SPAWAR Component Clauses
(2) Justification

1. In accordance with the procedures in reference (a), enclosure (1) is provided to ASN(RD&A/DASN(A&LM) policy for inclusion in the Navy's electronic repository of clauses.

2. These SPAWAR component clauses are approved for use in Contracts and have been properly vetted to determine that they have no significant effect beyond the operating procedures of the agency; neither imposes any significant or administrative impact on contractors or offerors.

TIMOTHY K. DOWD
By direction

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

MAY - 4 2010

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Approval of DON Control Plan for Component Clauses

On February 2, 2010 the Director, Defense Procurement and Acquisition Policy (DPAP) approved the Department of the Navy (DON) Control Plan for Component Clauses of August 19, 2009. This plan (see attachment) defines a system of controls and approval requirements that governs the use of provisions and clauses in our solicitations and contracts if other than those prescribed in FAR, DFARS or NMCARS. It is in effect for a period of five years from the approval date and subject to periodic review and updating to ensure compliance with changes in policy or authority levels. NMCARS 5201.304, Agency control and compliance procedures, will be revised to align with this plan.

There is increased emphasis by DPAP on ensuring that only properly approved component clauses are used in our solicitations and contracts. This is due to the fact that component clauses requiring publication in the Federal Register for public comments before use are being included in solicitations and contracts without having been published. Within the DON, there are over one thousand component clauses currently being used by our contracting officers that require review to validate compliance with prescribed regulations. Please ensure that your contracting officers are aware of this new plan and adhere to the requirements for component clause approval set forth therein. The plan is effective immediately.

Please address questions regarding this memorandum to my action officer, Evelyn Ortiz, at (703) 614-9640 or evelyn.ortiz@navy.mil.

Elliott B. Branch

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

Attachment:
As stated

Distribution:
See page 2

Ref (a)

SUBJECT: Approval of DON Control Plan for Component Clauses

Distribution:
CMC (LB)
MARCORSYSCOM (CT)
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AUG 19 2009

DEPARTMENT OF THE NAVY
CONTROL PLAN FOR COMPONENT CLAUSES

1. Statement of Purpose. The purpose of this plan is to establish for Navy/Marine Corps Contracting Activities a system of controls for the use of clauses other than those prescribed in FAR or DFARS. To the extent practicable, the plan addresses the unique approval requirements for clause use in solicitations and contracts for FAR Part 12 commercial item acquisitions.

2. Definitions.

a. Clause - means a term, condition or provision used in solicitations and contracts that is of the type set forth in FAR Part 52 and DFARS Part 252.

b. Regulation - means any contracting supplement, policy letter, clause book, procedure, automated system, or similar regulatory instrument.

3. Director, Defense Procurement and Acquisition Policy (DPAP) Approval Requirements. Before including in a regulatory document, obtain DPAP approval of the following:

a. All policies, procedures, clauses, or forms that—
(1) Have a significant effect beyond the internal operating procedures of the agency; or
(2) Have a significant cost or administrative impact on contractors or offerors;

b. Certain categories of individual deviations and class deviations from FAR/DFARS (see DFARS 201.402(1) and DFARS 201.404);

c. Deviations from Component clauses which substantially increase cost or administrative impact on offerors/contractors in competitive procurements;

d. Any deviation required to comply with a treaty or an executive agreement, which is not authorized by FAR 1.405(b) or (c);

e. Department/agency clause control plans covering review and approval of Component clauses and deviations.

4. Review and Approval of Component Clauses.

a. **Clause use in contracts for non-commercial items**: Approval requirements for use of Component clauses in solicitations or contracts for non-commercial items are as follows:

(1) DPAP approval is required of Component clauses meeting the requirements of DFARS 201.304(1)(i) (see paragraph 3a above). Such clauses must be numbered in accordance with Paragraph 6 of this Plan, published in the Federal Register for public comment, and submitted to DPAP for approval, through ASN(RD&A)/DASN(A&LM) Policy and the DAR Council Director. Upon approval these Component clauses will be included in the Navy's electronic repository of clauses.

(2) The Head of the Contracting Activity (HCA), or a designee no lower than the Chief of the Contracting Office (CCO), may approve Component clauses that have no significant effect beyond the internal operating procedures of the agency and no significant cost or administrative impact on contractors or offerors. These clauses must be numbered in accordance with Paragraph 6 of this Plan, be supported by a written analysis justifying clause use, and reviewed by Counsel for legal sufficiency before approval. A copy of these approved clauses shall be provided to ASN(RD&A)/DASN(A&LM)/Policy and will be added to the Navy's electronic repository of clauses.

(3) The HCA, or a designee not lower than one level above the contracting officer, shall approve Component clauses that implement a FAR/DFARS/NMCARS clause that permits "substantially the same as" or other variations. Such clauses must be supported by a written analysis justifying clause use, reviewed by Counsel for legal sufficiency before approval, and numbered following Paragraph 6 of this Plan. Once approved all "substantially the same as" Component clauses that will be used on a repetitive basis for multiple contracts must be provided to ASN (RD&A)/DASN (A&LM)/Policy for inclusion in the Navy's electronic repository of clauses.

(4) The HCA, or a designee not lower than one level above the contracting officer, may approve Component clauses developed to deal with a unique situation with one contractor, except that ASN(RD&A)/DASN(A&LM) is the approving authority for any Component clause which results in a FAR/DFARS/NMCARS deviation.

b. **Clause use in contracts for commercial items**. Attachment (1), Commercial Items Clause Use Approval Matrix, outlines the current sources of approval authority governing inclusion of clauses in solicitations or contracts for commercial item acquisitions. Note: DPAP is the approval authority for any Component-unique clause in solicitations or contracts for commercial items that meets the conditions of DFARS 201.304(1)(i). Such clauses must be numbered in accordance with Paragraph 6 of this Plan, published in the Federal Register for public comment, and submitted to DPAP for approval through ASN(RD&A)/DASN(A&LM) Policy and the DAR Council Director.

5. Review and Approval of Deviations.

a. DPAP is the approval authority of requests for deviations identified in DFARS 201.402 and 201.404. Such requests shall be processed through ASN(RDA)/DASN(A&LM) Policy and the DAR Council Director.

b. ASN(RDA)/DASN(A&LM) is the approval authority for other individual or class deviations from the FAR/DFARS and NMCARS, except:

(1) In the case of a purchase or contract by an offshore contracting activity with a foreign contractor made outside the United States, its possessions, or Puerto Rico, the HCA, or a designee not lower than one level above the contracting officer, may grant deviations from contract clauses, provided that no change in intent, principle, or substance is made (Note: Contracts with foreign governments frequently require revision of terminology to clarify such terms as "Government", "contractor" or "contracting officer" since both parties to the proposed contract are government entities. Such modifications do not change the substance of the clause and should not require high-level approval); and,

(2) The HCA, or a designee not lower than one level above the contracting officer, is authorized to approve individual and class deviations from Component clauses for use in competitive procurements which do not constitute a deviation from FAR/DFARS/NMCARS and do not have a significant cost or administrative impact on offerors/contractors. All deviations must be reviewed by Counsel before approval.

c. ASN(RDA)/DASN(A&LM)/Policy shall be provided a copy of all deviations approved at the Component level.

6. Clause Numbering: All clauses in the Navy's electronic repository of clauses must adhere to the numbering and identification requirements of FAR 52.1, as supplemented by DFARS Subpart 252.1 and NMCARS Subpart 5252.1.

7. Centralized clause repository. Approved agency/Component clauses will be maintained in electronic format at a web-based central repository.

Attachment (1): Commercial Items Clause Use Approval Matrix. The following table summarizes the approval requirements for provision or clause use in Part 12 acquisitions:

Action	Approval Authority	FAR/DFARS citation
Include a provision similar to FAR 52.212-2 containing all evaluation factors required by FAR 13.106, 14.2 or 15.3	Contracting Officer	FAR 12.301(c)(2)
Include in solicitations & contracts other FAR provisions & clauses when their use is consistent with the limitations in FAR 12.302 (Discretionary use only due to nature of procurement action, *e.g.* FAR 16.506 clauses for IDIQ contracts; FAR 17.208 when Options included; etc.)	Contracting Officer	FAR 12.301(e)
Tailor FAR provision 52.212-1 or FAR clause 52.212-4 identified in FAR 12.301, after conducting appropriate market research, to adapt to the market conditions for each acquisition (*i.e.* tailor only consistent with commercial practices).	Contracting Officer	FAR 12.302(a) FAR 12.301(b)(1) FAR 12.301(b)(3)
Tailor FAR clause 52.212-4 (except as noted in FAR 12.302(b)) in a manner that is inconsistent with customary commercial practice for the item being acquired, if waiver is approved.	HCA; Except ASN(RD&A) approval is required if tailoring results in adding of any new terms or conditions	FAR 12.302(c) DFARS 212.302(c)
Deviate from FAR provision 52.212-3 only in accordance with FAR Subpart 1.4	ASN(RD&A)/DASN(A&LM)	FAR 12.301(b)(2) DFARS 201.4
Supplement provisions & clauses in FAR/DFARS Parts 12/212 with use of additional clauses & provisions only as necessary to reflect agency-unique statutes applicable to acquisition of commercial items.	ASN(RD&A)/DASN(A&LM)	FAR 12.301(f)
Supplement provisions & clauses in FAR/DFARS Parts 12/212 with use of additional clauses & provisions other than those necessary to reflect agency-unique statutes applicable to acquisition of commercial items	Navy Senior Procurement Executive (ASN RD&A) or Director, Defense Procurement and Acquisition Policy (DPAP)* **w/o power of delegation**	FAR 12.301(f)

**Note: Only OUSD(AT&L) DPAP may approve the use of any Component-unique clause or provision that meets the conditions of DFARS 201.304(1)(i).*

DEPARTMENT OF THE NAVY
SPACE AND NAVAL WARFARE SYSTEMS COMMAND
4301 PACIFIC HIGHWAY
SAN DIEGO, CA 92110-3127

4200
Ser 2.0/309
4 Oct 2010

MEMORANDUM FOR THE DIRECTOR AND DEPUTY DIRECTOR FOR CONTRACTS

Subj: DELEGATION OF AUTHORITY FOR PROCUREMENT MATTERS

Ref: (a) SPAWAR Memo 4200 Ser 02-41/06 of 13 March 2006

Encl: (1) Head of Contracting Authority (HCA) Delegations

1. You are hereby authorized to act for the Commander, Space and Naval Warfare Systems Command, in matters relating to contracting, which are not required by regulation or directive of higher authority to be acted upon personally by the Commander, as Head of the Contracting Activity.

2. Specific authority is hereby delegated to each of you for the reviews, signatures, approvals, determinations and certifications delineated in enclosure (1).

3. In addition, specific authority is granted to the Director for Contracts, or in his absence to the Deputy Director for Contracts, to disseminate contracting policy and implement procedural guidance for issues under their purview to SPAWAR field activity contracting personnel.

4. This memorandum supersedes reference (a) in its entirety.

P. H. BRADY
Rear Admiral, U.S. Navy

Copy to:
Central files

Ref (b)

Head of Contracting Authority (HCA) Delegations:

Citation	Responsibility	Delegation
FAR 12.102 (f) (1), FAR 13.201 (g),	Special Emergency Procurement Authority. Determination that supplies/services are in support of a contingency operation	2.0/2.0A/SSC CCO
DFARS 225.7703-2	Determination for the Authority to Acquire Products and Services Produced in Countries along a Major Route of Supply to Afghanistan.	2.0/2.0A
NMCARS 5201.603-1	Select, appoint, and terminate contracting officers	2.0/2.0A
NMCARS 5207.103(h)	Approval of SPAWAR Acquisition Plans	2.0/2.0A
DFARS 217.7404-1	Authorize Undefinitized Contract Actions	2.0/2.0A
NMCARS 5237.170-2 (b)(1)	Acquisition of services through Non-DoD agency	2.0/2.0A
FAR 1.602-3 (B)	Ratification of Unauthorized Commitments	2.0/2.0A/SSC CCOs
FAR 16.401(d) NMCARS 5216.401 (d)(1)	Determine that the use of an award-fee contract is in the best interest of the Government	2.0/2.0A
DFARS 237.170-2 NMCARS 5237.170-2	Approval of non-performance based acquisition of services	2.0/2.0A
DFARS 237.104 (b) (iii)(2)	Approval to enter into a personal services contract	2.0/2.0A
FAR 15.403-3 (a)(4)	Determine that an award to an offeror is in the best interest of the Government when unable to obtain adequate information listed at FAR 15.403-3(a)(1) for evaluating the reasonableness of the price or determining cost realism.	2.0/2.0A
NMCARS 5216.504-90	Approval of single award task or delivery order contracts	2.0/2.0A
FAR 16.601(d)(ii)	Approve the use of a time-and-materials contract type	2.0/2.0A
DFARS 206.302-1 (a)(2)(i)(1)	Entering into a contract of an unsolicited proposal without providing for full and open competition	2.0/2.0A
DFARS 225.103 (a)(i)(B)(2)	Authority to grant public interest exemption to the Buy American Act	2.0/2.0A
DFARS 225.103 (b) (i) (ii) (c)	Approve determination that no domestic source is available	2.0/2.0A
DFARS 225.7008 (a) (2)	Approve determinations of waivers to 10 USC 2534 of certain foreign purchases	2.0/2.0A
DFARS 207.503 (S-70) (1)	Contract performance of inherently governmental functions	2.0/2.0A
DFARS 233.215 (3)	Determine that continued performance is necessary in the face of a claim	2.0/2.0A
DFARS 217.171	Determine to enter into multiyear contracts	2.0/2.0A
FAR 17.106-3 (g)	Approve variable unit pricing in multi-year contracts	2.0/2.0A
DFARS 205.502 (a)	Authority to approve paid advertisements	2.0/2.0A
FAR 5.404-1 (a)	Release of long-range acquisition estimates	2.0/2.0A
Navy Control Plan For Component Clause Use	Tailor FAR clause 52.212-4 inconsistent with customary commercial practice, if waiver is approved and no new terms or conditions are added	2.0/2.0A
NMCARS 5201.304 (4) (ii) B)	Approve changes to standard clauses that do not constitute deviations to FAR/DFARS/NMCARS and do not require USD(AT&L) approval	2.0/2.0A
NMCARS 5201.403(2)	Authority to grant individual deviations from contract clauses, provided that no change in intent, principle, or substance is made. In the case of a purchase or contract by an offshore contracting activity with a foreign contractor made outside the United States.	2.0/2.0A
NMCARS 5201.304	Approve SPAWAR Component Clauses in accordance with the Navy Control Plan For Component Clause Use.	2.0/2.0A
NMCARS 5234.7002	Submission of the written determination to acquire a Major Weapon System as a Commercial Item	2.0/2.0A
NMCARS 5233.9001	Review and approval of proposed claim settlements and final decisions of the contracting officer.	2.0/2.0A

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Documents

New Upload Actions View: All Documents

Type	Name	Modified	Modified By	doc
	HCA Commercial Contract Clauses	9/27/2012 6:38 PM	Culbertson, Ryan CTR USN	
	HCA Non-Commercial Contract Clauses	9/27/2012 6:38 PM	Culbertson, Ryan CTR USN	
	SECTION B CLAUSES	9/27/2012 6:38 PM	Culbertson, Ryan CTR USN	
	SECTION C CLAUSES	9/27/2012 6:39 PM	Culbertson, Ryan CTR USN	
	SECTION D CLAUSES	9/27/2012 6:39 PM	Culbertson, Ryan CTR USN	
	SECTION E CLAUSES	9/27/2012 6:39 PM	Culbertson, Ryan CTR USN	
	SECTION F CLAUSES	9/27/2012 6:39 PM	Culbertson, Ryan CTR USN	
	SECTION G CLAUSES	9/27/2012 6:39 PM	Culbertson, Ryan CTR USN	
	SECTION H CLAUSES	9/27/2012 6:39 PM	Culbertson, Ryan CTR USN	
	SECTION K PROVISIONS	9/27/2012 6:39 PM	Culbertson, Ryan CTR USN	
	SECTION L PROVISIONS	9/27/2012 6:39 PM	Culbertson, Ryan CTR USN	
	SECTION M PROVISIONS	9/27/2012 6:39 PM	Culbertson, Ryan CTR USN	

Encl (1) as listed on DASN AP Clause site

PART 5252 SOLICITATION PROVISIONS AND CONTRACT CLAUSES

SUBPART 5252.1—INSTRUCTIONS FOR USING PROVISIONS AND CLAUSES

5252.101 (DFARS 252.101) Using part 52.

(b) *Numbering.*

(2)(ii) Clause numbers for provisions and clauses in this supplement, as well as standard component clauses, consist of 11 digits assigned as follows:

POSITION NUMBER EXPLANATION

1-2 52 Indicates Chapter 52 in Title 48 of the CFR

3-5 52.2 Indicates correspondence with FAR Subpart

52.2,"Texts of Provisions and Clauses".

6-7 XX- Indicates part number in FAR or DFARS

that the clause implements or supplements.

8-11 9XXX Sequences clauses within part number and

indicates originating activity:

9000-9099 NMCARS (OASN(RD&A))

9100-9199 NAVSEA

9200-9299 SPAWAR

9300-9399 NAVFAC

9400-9499 NAVSUP

9500-9599 NAVAIR

9600-9649 SPAWAR

9650-9699 MC

Numbering Convention
Encl (1)

9700-9749 ONR

9750-9799 SSP

9800-9899 MSC

9900-9999 RESERVED

Justification

I. PROBLEM:

The inclusion of some SPAWAR unique-specific clauses and provisions which provide administrative instructions and clarifications have been determined to be required in our solicitations and contracts and has been a long-standing business practice at SPAWAR

II. RECOMMENDATION:

The enclosed clauses have been reviewed by legal counsel, the SPAWAR Clausebook Committee and approved for use by the SPAWAR Director for Contracts and approved in accordance with the DoN Control Plan for Component Clauses and are recommended for inclusion in the Navy's electronic repository of clauses.

III. DISCUSSION:

The clauses at Enclosure (1), SPAWAR component clauses, constitute instructions and clarifications that serve to provide contractors with specific guidelines designed to facilitate doing business with SPAWAR. These clauses serve to amplify instructions related to the required automated financial and procurement systems and to reduce ambiguity and potential claims while imposing no significant effect beyond the internal operating procedures of the agency nor any significant cost /administrative burden on contractors. All of clauses at Enclosure (1) have undergone a recent review for legal sufficiency and are approved for and inclusion in the Navy's electronic repository of clauses in accordance with the Control Plan.

IV. COLLATERALS: This action does not constitute a significant FAR/DFARS/NMCARS revision within the meaning of FAR 1.501 and Pub. L. 98-577, and publication for public comment (FAR 1.301(b) and Subpart 1.5)) is not required. The Paperwork Reduction Act does apply; these administrative instructions and clarifications do not impose additional information collection requirements/paperwork.

V. DEVIATIONS: n/a

SUBPART 201.2--ADMINISTRATION

(Revised November 24, 2008)

201.201 Maintenance of the FAR.

201.201-1 The two councils.

(c) The composition and operation of the DAR Council is prescribed in DoD Instruction 5000.35, Defense Acquisition Regulations (DAR) System.

(d)(i) Departments and agencies process proposed revisions of FAR or DFARS through channels to the Director of the DAR Council. Process the proposed revision as a memorandum in the following format, addressed to the Director, DAR Council, OUSD(AT&L), 3062 Defense Pentagon, Washington, DC 20301-3062; datafax (703)602-0350:

I. PROBLEM: Succinctly state the problem created by current FAR and/or DFARS coverage and describe the factual and/or legal reasons necessitating the change to the regulation.

II. RECOMMENDATION: Identify the FAR and/or DFARS citations to be revised. Attach as TAB A a copy of the text of the existing coverage, conformed to include the proposed additions and deletions. Indicate deleted coverage with dashed lines through the current words being deleted and insert proposed language in brackets at the appropriate locations within the existing coverage. If the proposed deleted portion is extensive, it may be outlined by lines forming a box with diagonal lines drawn connecting the corners.

III. DISCUSSION: Include a complete, convincing explanation of why the change is necessary and how the recommended revision will solve the problem. Address advantages and disadvantages of the proposed revision, as well as any cost or administrative impact on Government activities and contractors. Identify any potential impact of the change on automated systems, e.g., automated financial and procurement systems. Provide any other background information that would be helpful in explaining the issue.

IV. COLLATERALS: Address the need for public comment (FAR 1.301(b) and Subpart 1.5), the Paperwork Reduction Act, and the Regulatory Flexibility Act (FAR 1.301(c)).

V. DEVIATIONS: If a recommended revision of DFARS is a FAR deviation, identify the deviation and include under separate TAB a justification for the deviation that addresses the requirements of 201.402(2). The justification should be in the form of a memorandum for the Director of Defense Procurement and Acquisition Policy, Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics).

(ii) The public may offer proposed revisions of FAR or DFARS by submission of a memorandum, in the format (including all of the information) prescribed in paragraph (d)(i) of this subsection, to the Director of the DAR Council.

SUBPART 5201.3—AGENCY ACQUISITION REGULATIONS

5201.303 (DFARS 201.303) Publication and codification.

(a)(ii) To the extent possible, all text in this Supplement (whether implementing or supplemental) is numbered as if it were implementing the FAR or DFARS.

(A) Implementing numbering is the same as its FAR or DFARS counterpart, preceded by the prefix "52".

(B) Supplemental numbering is the same as its FAR or DFARS counterpart, preceded by the prefix "52" with the addition of a number 90 and up for parts, subparts, sections, or subsections or S-90 and up for lower divisions.

5201.304 (DFARS 201.304) Agency control and compliance procedures.

(4) DON Procedures for Control of Component Clause Use. Navy/Marine Corps contracting activities shall follow the approved DON Control Plan for Component Clauses available at https://acquisition.navy.mil/rda/content/view/full/7071. This Plan sets forth specific requirements that must be met before use of Component clauses in DON solicitations and contracts. All Component clauses used in DON solicitations and contracts shall be properly approved before use.

(i) Definitions.

(A) "*Component*" means an organizational entity exercising contracting authority within DON.

(B) "*Navy Clause Baseline*" means all properly approved DON component clauses.

(ii) Requirements.

(A) *Publication in the Federal Register*. Component clauses or changes to existing component clauses that meet the conditions of DFARS 201.304(1)(i) (*i.e.* have a significant effect beyond the internal operating procedures of the agency, or a significant cost or administrative impact on offerors/contractors), shall be published for public comment in the *Federal Register*.

(B) *Approvals*. The required approval authorities for use of Component clauses are established in Paragraph 4 of the DON Control Plan for Component Clauses and DFARS 201.304(1)(i). Component clauses which do not meet the conditions for USD(AT&L)/DPAP approval require HCA approval, which is delegable only as set forth in the Plan. However, ASN(RD&A)/DASN(A&LM) approval is required for any Component clause which results in a FAR/DFARS/NMCARS deviation. Approvals of deviations are set forth in paragraph 5 of the Plan. Copies of all approved Component clauses shall be submitted to DASN(A&LM) via electronic mail address at RDAPolicy@navy.mil for inclusion in the Navy clause baseline within 30 days of approval.

(C) *Documentation.* All Component clauses must be properly supported in writing and reviewed by Counsel before approval. The clause approval documents shall be in the format and include the content similar to that prescribed for proposed revisions to FAR or DFARS at DFARS 201.201-1(d) and, when applicable, DFARS 201.301(b).

(D) *Clause numbering.* All component clauses shall be numbered in accordance with

5252.101.

(E) *Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items.*

(a) The following approvals are required for use of agency or component-unique provisions

or clauses in solicitations and contracts for commercial items that will supplement FAR Part 12 and DFARS Part 212 provisions or clauses:

(1) DASN(A&LM) is the approval authority for inclusion of a component-unique provision or clause that is necessary to reflect an agency-unique statute applicable to the acquisition of commercial items.

(2) The NSPE is the approval authority for inclusion of any agency or component-unique

provision or clause that is otherwise not necessary to reflect an agency-unique statute applicable to the acquisition of commercial items.

(b) Annex (7), COMMERCIAL ITEM ACQUISITIONS PROVISION/CLAUSE USE,

outlines current sources of approval authority governing inclusion of provisions and clauses in solicitations and contracts for commercial item acquisitions, as well as implementing general procedures to facilitate consistency in management, control and use of properly approved provisions or clauses. See NMCARS 5212.301 (DFARS 212.301) for additional guidance

ROUTE SLIP AND OFFICE MEMO
SPWR5216/1 (Rev. 1-94)

DO NOT DETACH FROM OFFICIAL CORRESPONDENCE. WRITE OR PRINT LEGIBLY IN INK.

CONTROL NO.	REPLY DUE BY n/a			
ORIGINATOR (Code, and Extension when applicable) 2.3.A4 Lisa Rinaldi	SERIAL	DATE 01 Nov 2010	SUB. CLASS	CROSS REF.

RELEASED DATE

SUBJECT: Approval of SPAWAR Component Clauses

REFERENCE: Approval of DON Control Plan for Component Clauses (E. Branch; 5/04/2010)

SIGNATURE, EXT. CODE AND DATE ARE TO FOLLOW COMMENTS

(A) - Approve, (R) - Review, (C) - Comment, (I) - Info, (P) - Prepare Reply

ROUTE TO CODE	SYM.	INIT.	MON.	DAY	YR.	
2.3.1		KK	11	2	10	
OGC						
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ROUTE TO CODE	SYM.	RELEASED DATE INIT.	MON.	DAY	YR.	SIGNATURE, EXT. CODE AND DATE ARE TO FOLLOW COMMENTS (A) - Approve, (R) - Review, (C) - Comment, (I) - Info, (P) - Prepare Reply
2.3.1		KK	11	2	10	
OGC		JL	2	7	11	
2.0A		A	2	8	11	
2.0		A	2	8	11	

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