

Army Federal Acquisition Regulation Supplement

Revision # 25 dated April 1, 2010

SUMMARY OF CHANGES

Item I. Adds the Army's Peer Review process to **5101.170** for solicitations and contracts under \$1B as set forth in PARC/Tasker 09-09 and DASA (P) memorandum dated December 31, 2008.

Item II. Adds **5101.602-2 (i)(A)** to require the designation of Contracting Officers Representatives, in writing, prior to contract award. Also, establishes the minimum Army COR training requirement as DAU, CLC 106, CORs with a Mission Focus as set forth in PARC/Policy Alert 09-03.

Item III. Changes **5106.303** to require the submission of J&As citing 6.302-2, Unusual and Compelling Urgency, to be submitted within seven (7) calendar days after award, to allow for processing and subsequent posting within the mandated 30 day timeframe, as set forth in PARC/Policy Alert 09-29.

Item IV. Adds additional general instructions at **5106.303-2-90** for submission of J&As as set forth in PARC/Policy Alert 08-44.

Item V. Updates the policy at **5107.503(e)** to incorporate service contract approval requirements as set forth in PARC/Policy Alerts 08-29, 08-29-R1, 09-02 and 09-51.

Item VI. Adds **5108.7002(S-90)** to address responsibilities associated with the procurement of Non-Standard Ammunition as set forth in PARC/Policy Alert 08-36.

Item VII. Adds Subpart **5108.74**, Enterprise Software Agreements, which identifies the CHES office as the Army's software product manager and specifies that waivers to obtain commercial software and related services through Enterprise Software Agreements will be granted through the CHES office as set forth in PARC/Policy Alert 09-44, Item 1.

Item VIII. Changes **5109.405** by adding **(d) (S-90)** and adds **5109.405-1** to address Army contracting officers' responsibilities associated with validation of a contractor's eligibility to receive solicitations, contracts, and subcontracts as set forth in PARC/Policy Alert 09-27, Excluded Parties List System (EPLS) Reminder.

Item IX. Adds **5111.274-2** and **5111.274-5** to address Army specific requirements for items requiring unique identification, as set forth in PARC/Policy Alerts 08-12 and 08-34.

Item X. Adds **5112.403** and **5149.470** to specify agency reporting address for terminations for cause or default as set forth in PGI 212.403, PGI 249.470, and PARC/Policy Alert 08-33.

Item XI. Adds **5115.403-1(c)(4)(A)(2)** to specify the address for the DASA (P) directorate that will perform the Exceptional Case TINA Waiver review as required by DFARS PGI 215.403-1.

Item XII. Adds **5116.4 (S-90), (S-91) and (S-92)** which stipulates the data collection and reporting requirements on award and incentive fees paid to contractors as required by Section 814 of the 2007 National Defense Authorization Act and set forth in PARC/Policy Alert 08-35.

Item XIII. Adds **5116.505(b)(6)** to reflect that the HCA will designate the Task and Delivery Order Ombudsman for the contracting activity as required by FAR 16.505 (b)(6) and DASA(P) memo "Task Order Contract and Delivery Order Contract Ombudsman" dated 29 July 1996.

Item XIV. Adds **5125.7002-2(b)(5)(A)(4)** to authorize Army contracting officers to use reciprocal DNAD's listed in the DFARS PGI 225.70, as set forth in PARC/Policy Alert 07-08.

Item XV. Adds **5133.170** to address the briefing requirement for protested acquisitions valued at \$1 billion or more, as set forth in PARC/Policy Alert 08-14.

Item XVI. Increases the threshold at **5136.201(a)(1)(90)** from \$100,000 to \$550,000 for contractor performance evaluations for Job Order Contracts . The change aligns AFARS requirements with requirements at FAR 36.201 as set forth in PARC/Policy Alert 09-40.

Item XVII. Adds exclusion **(i)** to **5137.590-2.f.** for requirements procured under Phases I and II of the Small Business Innovation Research Program/Small Business Technology Transfer Program, competitively phased solicitation and award processes for research and development efforts.

Item XVIII. Adds **5137.96**, Accounting for Contract Services, to implement requirements for Contractor Manpower Reporting as specified in Secretary of the Army memorandum dated January 7, 2005.

Item XIX. Adds **5139.101 (S-90)** to specify that the Army's Computer Hardware, Enterprise Software and Solutions (CHESS) program is the mandatory source for purchasers of commercial hardware and software as set forth in PARC/Policy Alert 09-44, Item 1.

Item XX. Changes **5142.1-90-1(d)(1)** to reflect the correct policy document for DCAA contract audit report follow-ups (i.e., DoD Instruction 7640.02, Policy for Follow-up on Contract Audit Reports, dated August 22, 2008).

Item XXI. Various administrative changes to the following Subparts **5115.3**, **5115.4**, **5133.90**, and AFARS **Appendix BB**.

END OF SUMMARY OF CHANGES FOR REVISION #25