



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

APR 22 2010

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Class Deviation 2010-O0010, Safety of Facilities, Infrastructure, and Equipment for Military Operations

By the attached memorandum of April 15, 2010, the Director, Defense Procurement and Acquisition Policy authorized a class deviation that requires contracting officers to use a new DFARS clause, *252.246-9999 Safety of Facilities, Infrastructure, and Equipment for Military Operations (Deviation) (April 2010)*, in solicitations and contracts (including task and delivery orders) for construction, installation, repair, maintenance, or operation of facilities, infrastructure, or for equipment configured for occupancy, planned for use by DoD military or civilian personnel during military operations performed outside the United States, Guam, Puerto Rico, and the U.S. Virgin Islands. This clause requires contractors to ensure that the facilities, infrastructure, and equipment acquired, constructed, installed, repaired, maintained or operated under contracts comply with United Facilities Criteria 1-200-01 (or equivalent standards) for seven specific technical disciplines, and identifies the conditions in which contractors may apply a standard equivalent to or more stringent than UFC 1-200-01. The class deviation also allows the combatant commander to waive compliance with any standards when it is impracticable to comply under prevailing operational conditions.

The class deviation is effective immediately until it is incorporated into the DFARS or is otherwise rescinded. My point of contact for this matter is Ms. Evelyn Ortiz, who is available at (703) 614-9640 or evelyn.ortiz@navy.mil.

A handwritten signature in cursive script that reads "Elliott B. Branch".

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

Attachment:
As stated

Distribution:
See page 2

**SUBJECT: Class Deviation 2010-O0010, Safety of Facilities, Infrastructure, and
Equipment for Military Operations**

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ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE
3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

APR 15 2010

In reply refer to
DARS Tracking Number: 2010-O0010

MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS
COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION
COMMAND (ATTN: ACQUISITION EXECUTIVE)
DEPUTY ASSISTANT SECRETARY OF THE ARMY
(PROCUREMENT), DASA(P)
DEPUTY ASSISTANT SECRETARY OF THE NAVY
(ACQUISITION & LOGISTICS MANAGEMENT),
DASN(A&LM)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING), SAF/AQC
DIRECTORS, DEFENSE AGENCIES
DIRECTORS, DOD FIELD ACTIVITIES

SUBJECT: Class Deviation 2010-O0010, Safety of Facilities, Infrastructure, and
Equipment for Military Operations

Effective immediately, this class deviation requires that contracting officers shall use the attached clause in solicitations and contracts (including task and delivery orders) for construction, installation, repair, maintenance, or operation of facilities, infrastructure, or for equipment configured for occupancy, planned for use by DoD military or civilian personnel during military operations performed outside the United States, Guam, Puerto Rico, and the Virgin Islands.

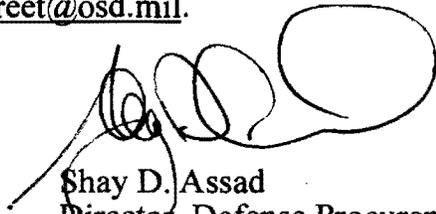
This deviation requires that subject contracts comply with the United Facilities Criteria standards, or equivalent, for the following:

- a. Fire protection.
- b. Structural integrity.
- c. Electrical systems.
- d. Plumbing.
- e. Water treatment.
- f. Waste disposal.
- g. Telecommunications networks.

DARS Deviation Tracking Number 2010-O0010

The combatant commander may waive compliance with any standards when it is impracticable to comply under prevailing operational conditions.

This deviation is effective until it is incorporated in the DFARS or otherwise rescinded. We intend to publish an interim DFARS rule under DFARS Case 2009-D029. Comments received on this deviation will be considered in the formulation of the final DFARS rule. My point of contact for this matter is Ms. Mary Overstreet, who may be reached at 703-602-0311 or mary.overstreet@osd.mil.



Shay D. Assad
Director, Defense Procurement
and Acquisition Policy

Attachment:
As stated

Prescription:

Use the following clause in solicitations and contracts (including task and delivery orders) for construction, installation, repair, maintenance, or operation of facilities, infrastructure, or for equipment configured for occupancy, planned for use by DoD military or civilian personnel during military operations performed outside the United States, Guam, Puerto Rico, and the Virgin Islands.

Waiver:

The combatant commander may waive compliance with any standards when it is impracticable to comply under prevailing operational conditions.

252.246-9999 Safety of Facilities, Infrastructure, and Equipment for Military Operations (Deviation) (April 2010)

(a) *Definition.* "Discipline Working Group," as used in this clause, means representatives from the DoD Components, as defined in MIL-STD-3007F, who are responsible for the unification and maintenance of the Unified Facilities Criteria (UFC) documents for a particular discipline area.

(b) The Contractor shall ensure, consistent with the requirements of the applicable inspection clause in this contract, that the facilities, infrastructure, and equipment acquired, constructed, installed, repaired, maintained, or operated under this contract comply with United Facilities Criteria (UFC) 1-200-01 for---

- (1) Fire protection;
- (2) Structural integrity;
- (3) Electrical systems;
- (4) Plumbing;
- (5) Water treatment;
- (6) Waste disposal; and
- (7) Telecommunications networks.

(c) The Contractor may apply a standard equivalent to or more stringent than UFC 1-200-01 upon a written determination of the acceptability of the standard by the Contracting Officer with the concurrence of the relevant Discipline Working Group.

(End of clause)]