DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(RESEARCH, DEVELOPMENT AND ACQUISITION)
1000 NAVY PENTAGON
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SEP - 4 2012

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Change 08-13 to the Navy Marine Corps Acquisition Regulation Supplement (NMCARS)

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

The point of contact for the NMCARS is Denise Randolph. She can be reached via telephone on (703) 614-9767 or email at Denise.Randolph@navy.mil.

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SUBJECT: Change 08-13 to the Navy Marine Corps Acquisition Regulation Supplement (NMCARS)

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NMCARS Change 08-13

The below table summarizes the changes to NMCARS:

(DPN = DFARS Publication Notice)

#	Reference	Description	Part/Section
1	DPN 20120615	Conform statutory titles and terminology to the new Positive Law Codification of Title 41, United States Code, "Public Contracts." There are no substantive changes to the meanings.	Multiple
2	Clarification	Clarify requirements and responsibilities related to requests for delegation of construction contracting authority for nonconstruction contracts (i.e. supplies, services, research and development, etc.) from NAVFACENGCOM.	5201.601-90
3	Revision	Revises "should" to "shall" in multiple locations of the NMCARS ratification guidance to emphasize reporting and documentation requirements. Administratively removes the FAR cite in the section title.	5201.602-3
4	DPN 20120615	The DPN revised the numbering and text in this section. This change aligns NMCARS numbering and revises the text to conform to the DFARS changes which includes deletion, addition and amplification of documentation and reporting requirements associated with debarment and suspension.	5209.406-3
5	DPN 20120119	Adds a reporting requirement for a consolidated annual report on contracts awarded under this pilot authority.	5212.7102
6	Admin Change	Corrects the title's statutory cite to align with DFARS.	5215.403-1
7	Class Deviation 2012-O0012	Provides implementing language in accordance with the DASN(AP) memo https://acquisition.navy.mil/rda/content/download/8719/40294/version/1/file/LAACS+Implementation.pdf .	5216.102-90
8	DPN 20120330	Removes use of directed format for Congressional notification requirement for indefinite quantity contract awards as the DFARS PGI format requirement was removed. The FAR Congressional reporting requirement remains valid.	5216.504
9	DPN 20111207 DPN 20110920 DPN 20110317	Substantial revision and restructuring of multi-year contracting requirements. Changes to Subpart 5217.1 and associated Sections include: • 5217.108, Congressional notification, is moved to 5217.170; • 5217.105, Uses, is clarified; • 5217.170 (DFARS 217.170), General, is restructured and aligned to include updated DFARS requirements on congressional notifications reporting requirements; • 5217.171 (DFARS 217.171), Multiyear contracts for services, is aligned to current DFARS requirements for written determinations and DON approvals;	5217.1

		• 5217.172, Multiyear contracts for supplies, is aligned to current DFARS requirements and DON approvals; • 5217.174, Multiyear contracts that employ economic order quantity procurement, is deleted; and, • 5217.175 (DFARS 217.175), Multiyear contracts for electricity from renewable energy sources, is renumbered 5217.174 and a typo correction is made to the name of the designated HCA.	
10	Addition	A Consolidated Undefinitized Contract Action (UCA) Management Plan is added to the reporting requirements. NMCARS currently addresses the Consolidated Undefinitized Contract Action (UCA) Management Report but does not address the corresponding plan contained in DFARS 217.7405.	5217.7405
11	DPN 20120629	Provides instructions for reporting requirement to the SPE when a contracting officer determines that electronic submission of payment requests and/or receiving forms is unduly burdensome to the contractor.	5232.7002
12	Revision/ Admin Change	Provides a new static website address for the DON Matrix of FAR/DFARS and Other Government-Unique Provisions/Clauses for Commercial Item Acquisitions. Removes the FAR cite in the section title. Revises numbering from (90) to (S-90) in both sections.	5252.300 5252.301
13	Deletion	Delete the requirement for a Facilities Determination & Findings (D&F) in Annex 2, Business Clearance Memorandum, Section IX, Preaward Compliances, as the DFARS 245.302-1 no longer contains the D&F requirement.	Annex 2
14	Deletion	Delete Annex 12 - Delegation of Contracting Authority - DON/DOD Employee not within HCA Cognizance and corresponding references to Annex 12. NMCARS 5201.601-90 (b)(8) defines NAVSUP as HCA for all non-contracting Navy activities, offices or commands for which no other HCA is delegated authority which supersedes the requirement for Annex 12.	Annex 12