August 20, 1997

In reply refer to
DFARS Case: 97-DO13
D. L. 97-016

MEMORANDUM FOR DIRECTORS OF DEFENSE AGENCIES
DEPUTY FOR ACQUISITION AND BUSINESS MANAGEMENT,
ASN(RD&A)/ABM
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING), SAF/AQC
ASSISTANT DEPUTY ASSISTANT SECRETARY OF THE ARMY
(PROCUREMENT)/DIRECTOR FOR CONTRACTING
DEPUTY DIRECTOR (ACQUISITION), DEFENSE LOGISTICS AGENCY

SUBJECT: Revision of DFARS Regarding Contract Action Reporting

We have amended the Defense Federal Acquisition Regulation
Supplement (DFARS) to revise DD Form 350 and DD Form 1057 contract
action reporting requirements to comply with the Clinger/Cohen Act of
1996 (Pub. L. 104-106) and to enhance data collection procedures.

The attached final DFARS rule is effective on October 1, 1997,
and will be included in a future Defense Acquisition Circular.

Eleanor R. Spector
Director, Defense Procurement

Attachment

cc: DSMC, Ft. Belvoir
SUBPART 204.6 CONTRACT REPORTING

204.600 Scope of subpart.
* * *

204.670 Defense Contract Action Data System (DCADS).
* * * * *

204.670-2 Reportable contracting actions.

(c) Do not report on a DD Form 350, contingency actions defined in 213.101. Summarize these actions on 3 [on the monthly] DD Form 1057[,] in accordance with the instructions in 253.204-71(a)(3)[,] contracting actions that support a contingency operation (see 213.000) and that obligate or deobligate funds exceeding $25,000 but not exceeding $200,000].
* * * * *

253.204 Administrative matters.
* * * * *

253.204-70 DD Form 350, Individual Contracting Action Report.
* * * * *

(b) Part B of the DD Form 350.
* * * * *

(10) BLOCK B10, MULTIYEAR CONTRACT.
   Enter one of the following codes:
   (i) **Code Y: Yes.** Enter code Y when the contracting action is a multiyear contract as defined at FAR 17.401[103]. Do not report contracts containing options as multiyear unless the definition at FAR 17.401[103] applies to the contract.
   * * * * *

(13) BLOCK B13, KIND OF CONTRACTING ACTION.
* * * * *

(i) **BLOCK B13A, CONTRACT/ORDER**

   (C) **Code 4 - Order under an Agreement.**
   Enter code 4 when the contracting action is an order or definitization of an order under an agreement [other than a blanket purchase agreement]. Examples include an order exceeding $25,000 under a basic ordering agreement or a
master ship repair agreement and a job order when the contract is created by issuing the order. A blanket purchase agreement call is coded 6 or 9, as a proper call under a blanket purchase agreement associated with a Federal Supply Schedule, pursuant to FAR 13.202(c)(3), is coded 6. A call under other blanket purchase agreements, pursuant to FAR Subpart 13.2, is coded 9. When the contracting action is a modification to an order described in code 4 instructions, enter code 4 in B13A.

* * * * *

(G) Code 9 - Purchase [Order]/[Call] Using Simplified Acquisition Procedures. Enter code 9 if the contracting action, including an action in a designated industry group under the Small Business Competitiveness Demonstration Program (FAR Subpart 19.10), is an award pursuant to FAR Part 13, except when the contracting action is a blanket purchase agreement call pursuant to FAR 13.202(c)(3) (see code 6). When the contracting action is a modification to a purchase order/call described in code 9 instructions, enter code 9 in B13A.

* * * * *

[(14) BLOCK B14, CICA APPLICABILITY. Enter one of the following codes:

(i) Code A - Pre-CICA. Enter code A if the action resulted from a solicitation issued before April 1, 1985. Modifications within the original scope of work of such awards and orders under pre-CICA indefinite delivery type contracts are reported as pre-CICA. In the case of modifications issued on or after April 1, 1985, coded A in B13 or B13D, as appropriate, CICA is applicable to the modification, and these actions shall be coded B in Block B14.

(ii) Code B - CICA Applicable. Enter code B if the action resulted from a solicitation issued on or after April 1, 1985, and none of the following codes applies.

(iii) Code C - Simplified Acquisition Procedures Other than FAR Subpart 13.6. Enter code C if the action resulted from use of the procedures in FAR Part 13, other than those in Subpart 13.6.
(iv) Code D - Simplified Procedures
Pursuant to FAR Subpart 13.6. Enter code D if the action resulted from use of the procedures in FAR Subpart 13.6.

(c) Part C of the DD Form 350.

(1) Part C gathers data concerning contracting procedures, use of competition, financing, and statutory requirements other than socioeconomic (which are in Part D).

(2) Do not complete Part C if the contracting action is an action with a government agency, i.e., Block B5B (Government Agency) is coded Y (Yes). [If Block B13A is coded 6, do not complete any blocks in Part C except Block C3, and Blocks C13A and C13B when they apply.]

* * * * *

(4) Complete Part C blocks as follows-

* * * * *

(xi) BLOCK C11, CERTIFIED COST OR PRICING DATA.
Enter one of the following codes when Block B1B is code 1. Otherwise, leave blank.

(A) Code Y - Yes - Obtained. Enter code Y when certified cost or pricing data were obtained for the contracting action cited (see FAR 15.804-2) [and certified in accordance with FAR 15.804-4].

(B) Code N - No - Not Obtained. Enter code N when certified cost or pricing data were not obtained because data were not required (see FAR 15.804-2) or an exemption was granted (see FAR 15.804-3b(g)) [neither Code Y nor Code W applies].

(C) Code W - Not Obtained - Waived.
Enter code W when certified cost or pricing data were not obtained because the requirement was waived (see FAR 15.804-3b(3)] and DFARS 215.804-3b(1b)(4)).

* * * * *

(d) Part D of the DD Form 350.

* * * * *

(5) Complete Part D blocks as follows:

* * * * *
(vii) BLOCK D7 - SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM. Enter one of the following codes. When Block BlB is coded B or C and Block Bl3A is coded 5, leave Block D7 blank.

(A) Code A - Not in SBIR Program Phase I/II [/III]. Enter code A if the action is not in support of a Phase I [,] or II [, or III] SBIR program.

(D) Code D - SBIR Program Phase III Action. Enter code D if the action is related to a Phase III contract in support of the SBIR Program.

(e) Part E of the DD Form 350.

(4) BLOCK E4 - [CONTINGENCY OPERATION. Enter code Y in Block E4 if the contracting action is in support of a contingency operation, as defined in 213.101, and the action exceeds the simplified acquisition threshold for contingency operations (see 213.000). Otherwise, leave Block E4 blank.

(5) BLOCK E5 - ] BLOCK E8 - RESERVED.

253.204-71 DD Form 1057, Monthly Contracting Summary of Actions $25,000 or Less.

(a) Scope of subsection.

(3) Include [Report] actions [of $25,000 or less] in support of a contingency operation [in accordance with the instructions in paragraphs (c) through (j) of this subsection. Report actions exceeding $25,000 but not exceeding $200,000 in support of a contingency operation] (see 213.000) on the [monthly] DD Form 1057 as follows:

(i) Section A, complete fully.

(ii) Section B, complete only [the applicable] lines [are] 5, 5a, 7, and 7a.
(iii) [(ii)] 1 Section C, complete only [the applicable] lines [are] 1 and 1c, 2 and 2c, [and] 3c, as applicable.

(iv) [(iii)] Sections D, E, and F, leave blank [are not applicable].

(iv) [(iv)] Section G, complete fully.

(vi) Section H, complete fully.

* * * * *
253.303-350 (See attached)
**INDIVIDUAL CONTRACTING ACTION REPORT**

**PART A**

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>1 Original</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Correcting</td>
<td></td>
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<td></td>
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**PART B**

<table>
<thead>
<tr>
<th>B1. CONTRACT IDENTIFICATION INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1A. CONTRACT NUMBER</td>
</tr>
<tr>
<td>B1B. ORIGIN OF CONTRACT</td>
</tr>
<tr>
<td>B1C. FOREIGN MILITARY SALE</td>
</tr>
<tr>
<td>B1D. MULTIYEAR CONTRACT</td>
</tr>
<tr>
<td>B1E. TOTAL MULTIYEAR VALUE</td>
</tr>
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</table>

**PART C**

<table>
<thead>
<tr>
<th>C1. SYNONYM</th>
<th>C2. REASON NOT SYNOPSISIZED</th>
<th>C3. EXTENT COMPETED</th>
<th>C4. SEA TRANSPORTATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Synopsis</td>
<td>B Unknown Synopsis</td>
<td>C Contacted Synopsis</td>
<td>D Positive Response to OFARS</td>
</tr>
<tr>
<td></td>
<td>C Solicitation</td>
<td>D Unknown No</td>
<td>E No Negative response to OFARS</td>
</tr>
</tbody>
</table>

**PART D**

<table>
<thead>
<tr>
<th>D1. TYPE OF BUSINESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Small Business</td>
</tr>
<tr>
<td>B Large Business</td>
</tr>
<tr>
<td>C Small Business</td>
</tr>
<tr>
<td>D Hospital</td>
</tr>
<tr>
<td>E Foreign</td>
</tr>
<tr>
<td>F Nonprofit Agencies</td>
</tr>
</tbody>
</table>

**DB. ETHNIC GROUP**

| A Asian-American    |
| B Black             |
| C Hispanic          |
| D Native American   |
| F Other             |

**DD. WOMEN-OWNED BUSINESS**

| Y Yes                |
| N No                 |

**DE. SMALL BUSINESS INNOVATION**

<table>
<thead>
<tr>
<th>A Plan Not Included</th>
</tr>
</thead>
<tbody>
<tr>
<td>B Small Business</td>
</tr>
<tr>
<td>C subcontracting</td>
</tr>
</tbody>
</table>

**DF. CONTRACTING OFFICER OR REPRESENTATIVE**

<table>
<thead>
<tr>
<th>F1. NAME OF CONTRACTING OFFICER OR REPRESENTATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>F2. SIGNATURE</td>
</tr>
<tr>
<td>F3. TELEPHONE NO.</td>
</tr>
<tr>
<td>F4. DATE</td>
</tr>
</tbody>
</table>

**OD FORM 350, OCT 1997**

NOTE: This form is obsolete as of October 1997.
PART 211--DESCRIPTING AGENCY NEEDS

211.273 Substitutions for military or Federal specifications and standards.

211.273-1 Definition.
"SPI process," as used in this section, is defined in the clause at 252.211-7005, Substitutions for Military or Federal Specifications and Standards.

211.273-2 Policy.

(a) Under the Single Process Initiative (SPI), DoD accepts SPI processes in lieu of specific military or Federal specifications or standards that specify a management or manufacturing process.

(b) DoD acceptance of an SPI process follows the decision of a Management Council, which includes representatives from the Defense Contract Management Command, the Defense Contract Audit Agency, and the military departments.

(c) In procurements of previously developed items, SPI processes that previously were accepted by the Management Council shall be considered valid replacements for military or Federal specifications or standards, absent a specific determination to the contrary (see 211.273-3(c)).

211.273-3 Procedures.

(a) Solicitations for previously developed items shall encourage offerors to identify SPI processes for use in lieu of military or Federal specifications and standards cited in the solicitation. The solicitation shall require an offeror proposing to use an SPI process to include, in its response to the solicitation, documentation of the Government acceptance of the process.

(b) Contracting officers shall ensure that--

(1) Concurrence of the requiring activity has been or will be obtained for any proposed substitutions prior to contract award; and
(2) Any necessary additional information regarding the SPI process identified in the proposal is obtained from the cognizant administrative contracting officer.

(c) Any determination that an SPI process is not acceptable for a specific procurement shall be made at the head of the contracting activity or program executive officer level. This authority may not be delegated.

211.273-4 Contract clause.
Use the clause at 252.211-7005, Substitutions for Military or Federal Specifications and Standards, in solicitations and contracts exceeding the micro-purchase threshold, when procuring previously developed items.

PART 242--CONTRACT ADMINISTRATION

242.302 Contract administration functions.

(a) Serve as the single point of contact for all Single Process Initiative (SPI) Management Council activities. The ACO shall negotiate and execute facilitywide class modifications and agreements for SPI processes, when authorized by the affected components.

PART 252--SOLICITATION PROVISIONS AND CONTRACT CLAUSES

252.211-7005 Substitutions for Military or Federal Specifications and Standards.
As prescribed in 211.273-4, use the following clause:

SUBSTITUTIONS FOR MILITARY OR FEDERAL SPECIFICATIONS AND STANDARDS (AUG 1997)

(a) Definition. "SPI process," as used in this clause, means a management or manufacturing process that has been accepted previously by the Department of Defense under the Single Process Initiative (SPI) for use in lieu of a specific military or Federal specification or standard. Under SPI, these processes are reviewed and accepted by a Management Council, which includes representatives from

(b) Offerors are encouraged to propose SPI processes in lieu of military or Federal specifications and standards cited in the solicitation.

(c) An offeror proposing to use an SPI process shall--

1. Identify the specific military or Federal specification or standard for which the SPI process has been accepted, and the specific paragraph or other location in the solicitation where the military or Federal specification or standard is required;

2. Provide a copy of the Department of Defense acceptance of the SPI process;

3. Identify each facility at which the offeror proposes to use the specific SPI process; and

4. Unless provided in response to paragraph (c) (2) of this clause, provide the name and telephone number of the cognizant Administrative Contracting Officer for each facility where the SPI process is proposed for use.

(d) Absent a determination at the head of the contracting activity or program executive officer level that an SPI process is not acceptable for this procurement, the Contractor shall use the following SPI processes in lieu of military or Federal specifications and standards:

(Offeror insert information for each SPI process)

<table>
<thead>
<tr>
<th>SPI Process:</th>
<th>Facility:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Military or Federal Specification or Standard:</td>
<td></td>
</tr>
<tr>
<td>Affected Contract Line Item and Subline Item Number and Requirement Citation:</td>
<td></td>
</tr>
<tr>
<td>Cognizant Administrative Contracting Officer:</td>
<td></td>
</tr>
</tbody>
</table>

(End of clause)