MEMORANDUM FOR DISTRIBUTION

Subj: CHANGE 03-6 TO THE NAVY MARINE CORPS ACQUISITION REGULATION SUPPLEMENT (NMCARS) AND CHANGE 03-4 TO THE NAVY MARINE CORPS ACQUISITION GUIDE (NMCAG)

Encl: (1) NMCARS Change 03-6
      (2) NMCAG Change 03-4

The changes identified in Enclosures (1) and (2) are hereby incorporated into the November 2003 NMCARS and the November 2003 NMCAG, respectively.

The NMCARS and NMCAG are hereby amended as a result of the DFARS Change Notice 20041215 that moved text from the Defense Federal Acquisition Regulation Supplement (DFARS) to the Procedures, Guidance and Information (PGI).

Additionally, the NMCARS and NMCAG are amended to incorporate PGI citations. These changes are effective immediately and will be reflected in the NMCARS and NMCAG online.

M. F. Yaggiard
Chief of Staff/Policy
For DASN (ACQ)

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REGULATION SUPPLEMENT (NMCARS) AND CHANGE 03-4 TO THE 
NAVY MARINE CORPS ACQUISITION GUIDE (NMCAG)

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The following changes are hereby incorporated into the November 2003 NMCARS:

1. Subsection 5201.105-2 is revised to address PGI citations. The revised subsection is as follows:

PART 5201 FEDERAL ACQUISITION REGULATIONS SYSTEM

SUBPART 5201.1--PURPOSE, AUTHORITY, ISSUANCE

* * * *
5201.105 Issuance.
5201.105-2 Arrangement of regulations.
   (c) References and citations.
   (1) References to this supplement within this supplement will be without a name or acronym prefix. References to FAR citations in this supplement should be read to include any corresponding paragraphs of the DFARS and this supplement and any additional authorizations, restrictions, policies and procedures they may contain. For example, the words "...when authorized under FAR Part 25..." include authorities granted under FAR Part 25, DFARS Part 225 and Part 5225 of this supplement. A DFARS cite in parentheses immediately after the NMCARS cite means related coverage is contained in the DFARS (e.g. 5201.104 (DFARS 201.104)). A Procedures, Guidance and Information (PGI) cite in parenthesis immediately after the NMCARS cite means related coverage is contained in PGI (e.g. 5201.104 (PGI 201.104)).

2. Subsection 5209.406-3 is revised to reflect movement of text from DFARS 209.406-3 to PGI 209.406-3. The revised subsection is as follows:

PART 5209 CONTRACTOR QUALIFICATIONS

SUBPART 5209.4--DEBARMENT, SUSPENSION AND INELIGIBILITY

* * * *
5209.406 Debarment.
5209.406-3 (DFARS 209.406-3) Procedures
Refer all matters to Counsel, Procurement Integrity Office.

Enclosure (1)
3. Subsection 5209.407-3 is revised to reflect movement of text from DFARS 209.407-3 to PGI 209.407-3. The revised subsection is as follows:

PART 5209 CONTRACTOR QUALIFICATIONS

SUBPART 5209.4—DEBARMENT, SUSPENSION AND INELIGIBILITY

* * * *

5209.407 Suspension.
Refer all matters to Counsel, Procurement Integrity Office.

Enclosure (1)
The following changes are hereby incorporated into the November 2003 NMCAG:

1. Section G5201.105 is added to address PGI citations. The new section is as follows:

PART G5201 FEDERAL ACQUISITION REGULATIONS
SYSTEM

SUBPART G5201.1—PURPOSE, AUTHORITY, ISSUANCE

** ** **

G5201.105 Issuance.
G5201.105-2 Arrangement of regulations.
   (c) References and citations.
   (1) A DFARS cite in parentheses immediately after the NMCAG cite means related coverage is contained in the DFARS (e.g. G5201.104 (DFARS 201.104)). A Procedures, Guidance and Information (PGI) cite immediately after the NMCAG cite means related coverage is contained in PGI (e.g. G5201.104 (PGI 201.104)).

2. Section G5209.406 is added to reflect movement of text from DFARS 209.406-3 to PGI 209.406-3. The new section is as follows:

PART G5209 CONTRACTOR QUALIFICATIONS

SUBPART G5209.4—DEBARMENT, SUSPENSION AND INELIGIBILITY

** ** **

   (a)(7) The summary shall also include comments regarding the U.S. Attorney's position on release of any investigative reports included in the report.
   (a)(10)(iv) Signed and dated copies of indictments, judgments, plea agreements, or search warrants, in advance of certified copies of such documents, if certified copies are not readily available. In cases involving indictments, forward reports within fifteen calendar days after the indictment is filed.

Enclosure (2)
(a)(10)(vi)(S-90) Copies of DD350 reports for the previous two fiscal years.
(S-91) A copy of a current Dun and Bradstreet report on the contractor and any
subsidiaries or divisions, along with a recommendation for debarment or suspension action in the
case of each subsidiary division and the officers thereof.
(S-92) Current mailing addresses of individuals involved in the case, along with a
recommendation for debarment or suspension action for each individual.
(S-93) If Government employees are involved in the wrongdoing, the names and current
addresses of the employees, disciplinary action taken and the current employment status of each
individual. If no disciplinary action was taken against Government employees involved in the
wrongdoing, and the contractor or contractor personnel are recommended for debarment or
suspension, a statement explaining why no disciplinary action was taken, and why debarment or
suspension is appropriate under the circumstances.

3. Subsection G5209.407-3 is revised to reflect movement of text from
DFARS 209.407-3 to PGI 209.407-3. The revised subsection is as follows:

PART 5209 CONTRACTOR QUALIFICATIONS

SUBPART 5209.4--DEBARMENT, SUSPENSION AND INELIGIBILITY

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5209.407 Suspension.
Prepare and process reports in accordance with 5209.406-3.

Enclosure (2)