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.

Attachment: As stated

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NMCARS Change 08-13

The below table summarizes the changes to NMCARS:

(DPN = DFARS Publication Notice)

<table>
<thead>
<tr>
<th>#</th>
<th>Reference</th>
<th>Description</th>
<th>Part/Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>DPN 20120615</td>
<td>Conform statutory titles and terminology to the new Positive Law Codification of Title 41, United States Code, &quot;Public Contracts.&quot; There are no substantive changes to the meanings.</td>
<td>Multiple</td>
</tr>
<tr>
<td>2</td>
<td>Clarification</td>
<td>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.</td>
<td>5201.601-90</td>
</tr>
<tr>
<td>3</td>
<td>Revision</td>
<td>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.</td>
<td>5201.602-3</td>
</tr>
<tr>
<td>4</td>
<td>DPN 20120615</td>
<td>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.</td>
<td>5209.406-3</td>
</tr>
<tr>
<td>5</td>
<td>DPN 20120119</td>
<td>Adds a reporting requirement for a consolidated annual report on contracts awarded under this pilot authority.</td>
<td>5212.7102</td>
</tr>
<tr>
<td>6</td>
<td>Admin Change</td>
<td>Corrects the title’s statutory cite to align with DFARS.</td>
<td>5215.403-1</td>
</tr>
<tr>
<td>7</td>
<td>Class Deviation 2012-00012</td>
<td>Provides implementing language in accordance with the DASN(AP) memo <a href="https://acquisition.navy.mil/rda/content/download/8719/40294/versions/1/file/LAACS+Implementation.pdf">https://acquisition.navy.mil/rda/content/download/8719/40294/versions/1/file/LAACS+Implementation.pdf</a> .</td>
<td>5216.102-90</td>
</tr>
<tr>
<td>8</td>
<td>DPN 20120330</td>
<td>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.</td>
<td>5216.504</td>
</tr>
</tbody>
</table>
| 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         |
<p>| | | |</p>
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<tr>
<td>10</td>
<td>Addition</td>
<td>A Consolidated Undefined Contract Action (UCA) Management Plan is added to the reporting requirements. NMCARS currently addresses the Consolidated Undefined Contract Action (UCA) Management Report but does not address the corresponding plan contained in DFARS 217.7405. 5217.7405</td>
</tr>
<tr>
<td>11</td>
<td>DPN 20120629</td>
<td>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</td>
</tr>
<tr>
<td>12</td>
<td>Revision/Admin Change</td>
<td>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</td>
</tr>
<tr>
<td>13</td>
<td>Deletion</td>
<td>Delete the requirement for a Facilities Determination &amp; Findings (D&amp;F) in Annex 2, Business Clearance Memorandum, Section IX, Preaward Compliances, as the DFARS 245.302-1 no longer contains the D&amp;F requirement. Annex 2</td>
</tr>
<tr>
<td>14</td>
<td>Deletion</td>
<td>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</td>
</tr>
</tbody>
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