

NMCARS PART 5212 ACQUISITION OF COMMERCIAL ITEMS

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PART 5212 ACQUISITION OF COMMERCIAL ITEMS

SUBPART 5212.1—ACQUISITION OF COMMERCIAL ITEMS - GENERAL

5212.102 Applicability.

(a)(i)(C) If market research and analysis yields that expert and consultant services are commercial items (as defined in FAR 2.101), the concurrence of DASN(AP) shall be obtained on the required determination. Determinations shall be submitted by email using RDAJ&As.fct@navy.mil with the subject “NMCARS 5212.102 - D&F for Expert and Consultant Commercial Services.”

(f)(1) HCAs are delegated the authority to make the determinations described in FAR 12.102 (f)(1).

SUBPART 5212.2—SPECIAL REQUIREMENTS FOR THE ACQUISITION OF COMMERCIAL ITEMS

5212.207 Contract type.

(b)(iii) Submit the required contracting officer determination for agency head approval to DASN(AP) by email at RDAJ&As.fct@navy.mil with the subject “DFARS 212.207(b)(iii) - D&F to Use T&M/LH Contract Type for Commercial Services.”

SUBPART 5212.3—SOLICITATION PROVISIONS AND CLAUSES FOR THE ACQUISITION OF COMMERCIAL ITEMS

5212.302 Tailoring of provisions and clauses for the acquisition of commercial items.

(c) *Tailoring inconsistent with customary commercial practice.* HCAs may delegate the authority to approve waivers under FAR 12.302(c) to no lower than the CCOs at their subordinate contracting offices, except ASN(RDA) approval of the waiver is required if any additional terms or conditions are

to be included. Submit waivers requiring ASN(RDA) approval via DASN(AP) by email at RDAJ&As.fct@navy.mil with the subject "DFARS 212.302 - Waiver—Authority to Add Terms and Conditions Inconsistent with Commercial Practice. All waiver requests shall contain the necessary documentation justifying the proposed action.

SUBPART 5212.71— PILOT PROGRAM FOR ACQUISITION OF MILITARY-PURPOSE NONDEVELOPMENTAL ITEMS

5212.7102 Pilot program.

5212.7102-2 Reporting requirements.

(a) The annual report identifying all contracts awarded under the Pilot Program on Acquisition of Military Purpose Nondevelopmental Items during the preceding fiscal year shall be submitted to DASN(AP) by October 15 of each year by email at RDAJ&As.fct@navy.mil with the subject "DFARS 212.7102-3(a) - Pilot Program For Acquisition Of Military-Purpose Nondevelopmental Items."