

PART 1804

ADMINISTRATIVE MATTERS

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PART 1804

ADMINISTRATIVE MATTERS

Subpart 1804.1—Contract Execution

1804.103 Contract clause.

The contracting officer shall include the clause at FAR 52.204-1, Approval of Contract, in solicitations, contracts, and supplemental agreements that require higher level approval. For actions requiring Headquarters approval, insert "NASA Senior Procurement Executive" in the clause's blank space.

1804.170 Contract effective date.

"Contract effective date" means the date agreed upon by the parties for beginning the period of performance under the contract. In no case shall the effective date precede the date on which the contracting officer or designated higher approval authority signs the document. Costs incurred before the contract effective date are unallowable unless they qualify as precontract costs (see FAR 31.205-32) and the clause prescribed at 1831.205-70 is used.

[PN 18-11]

1804.171 NASA Contract Writing System.

(a) The NASA Contract Writing System (NCWS) is NASA's comprehensive agency tool that supports

contract writing and administration, workload management and data reporting. For any new award above the micropurchase threshold (including, but not limited to, any purchase order, task order or delivery order), all NASA personnel shall use NCWS, except for: (1) BPA call orders and purchase orders where purchase card is the paying mechanism, (2) training expenditures made using Standard Form 182, (3) emergency acquisitions in accordance with FAR Part 18, and (4) contracts awarded before the date that NCWS becomes fully operational. For those items identified in (1) through (4) of this section, any necessary contract administration and closeout for that award shall be performed in NASA's Core Financial module (CF).

(b) Centers shall obtain the approval to administer any award in the agency contract writing system, if it was originally awarded in another system, from the Headquarters Office of Procurement (HQ OP) Program Operations Division, and Headquarters Office of the Chief Financial Officer (HQ OCFO).

Subpart 1804.2—Contract Distribution

1804.202 Agency distribution requirements.

In addition to the requirements in FAR 4.201, the contracting officer shall distribute one copy of each R&D contract, including the Statement of Work, to the NASA Center for AeroSpace Information (CASI), Attention: Acquisitions Collections Development Specialist, 7115 Standard Drive, Hanover, MD 21076-1320.

1804.203 Taxpayer identification information.

Instead of using the last page of the contract to provide the information listed in FAR 4.203, NASA installations may allow contracting officers to use a different distribution method, such as annotating the cover page of the payment office copy of the contract.

Subpart 1804.4—Safeguarding Classified Information within Industry

1804.402 General.

(b) NASA security policies and procedures are prescribed in NPD 1600.2, NASA Security Policy; NPR 1620.2, Physical Security Vulnerability Risk Assessments; NPR 2810.1 Security of Information Technology; and NPD 2810.1, NASA Information Security Policy.

1804.404-70 Contract clause.

The contracting officer shall insert the clause at [1852.204-75](#), Security Classification Requirements, in solicitations and contracts if work to be performed will require security clearances. This clause may be modified to add instructions for obtaining security clearances and access to security areas that are applicable to the particular acquisition and installation.

1804.470 Security requirements for unclassified information technology (IT) resources.

See [PCD 15-03C](#) for further guidance related to NFS Deviation Clauses 1852.239-73 and 1852.239-74.

1804.470-1 Scope.

This section implements NASA's acquisition requirements pertaining to Federal policies for the security of unclassified information and information systems. Federal policies include the Federal Information System Management Act (FISMA) of 2002, Homeland Security Presidential Directive (HSPD) 12, Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.), OMB Circular A-130, Management of Federal Information Resources, and the National Institute of Standards and Technology (NIST) security requirements and standards. These requirements safeguard IT services provided to NASA such as the management, operation, maintenance, development, and administration of hardware, software, firmware, computer systems, networks, and telecommunications systems.

1804.470-2 Policy.

NASA IT security policies and procedures for unclassified information and IT are prescribed in NASA Policy Directive ([NPD](#)) 2810, Security of Information Technology; NASA Procedural Requirements (NPR) 2810, Security of Information Technology; and interim policy updates in the form of NASA Information Technology Requirements (NITR). IT services must be performed in accordance with these policies and procedures.

1804.470-3 IT security requirements.

(a) These IT security requirements cover all NASA awards in which IT plays a role in the provisioning of services or products (e.g., research and development, engineering, manufacturing, IT outsourcing, human resources, and finance) that support NASA in meeting its

institutional and mission objectives. These requirements are applicable when a contractor or subcontractor must obtain physical or electronic access beyond that granted the general public to NASA's computer systems, networks, or IT infrastructure. These requirements are applicable when NASA information is generated, stored, processed, or exchanged with NASA or on behalf of NASA by a contractor or subcontractor, regardless of whether the information resides on a NASA or a contractor/subcontractor's information system.

(b) The Applicable Documents List (ADL) should consist of all NASA Agency-level IT Security and Center IT Security Policies applicable to the contract. Documents listed in the ADL as well as applicable Federal IT Security Policies are available at the NASA IT Security Policy Web site at: <http://www.nasa.gov/offices/ocio/itsecurity/index.html>.

1804.470-4 Contract clause.

(a) Insert the clause at [1852.204-76](#), Security Requirements for Unclassified Information Technology Resources, in all solicitations and awards when contract performance requires contractors to—

(1) Have physical or electronic access to NASA's computer systems, networks, or IT infrastructure;
or

(2) Use information systems to generate, store, process, or exchange data with NASA or on behalf of NASA, regardless of whether the data resides on a NASA or a contractor's information system.

(b) Parts of the clause and referenced ADL may be waived by the contracting officer if the contractor's ongoing IT security program meets or exceeds the requirements of NASA Procedural Requirements (NPR) 2810.1 in effect at time of award. The current version of NPR 2810.1 is referenced in the ADL. The contractor shall submit a written waiver request to the Contracting Officer within 30 days of award. The waiver request will be reviewed by the Center IT Security Manager. If approved, the Contracting Officer will notify the contractor, by contract modification, which parts of the clause or provisions of the ADL are waived.

Subpart 1804.5—Reserved

[PN 18-15]

Subpart 1804.6—Contract Reporting

1804.604 Responsibilities.

(c) Centers shall perform statistically-valid comparisons of FPDS data to contract files to support the submission of the Procurement Officer Certification of Procurement Data Submissions to FPDS, the FPDS Data Element Template Accuracy Rate Results and the FY FPDS Data Quality Report Details.

(i) Policy:

(A) All reportable Center actions must be entered into FPDS. On or about April 15th, the Office of Procurement, Program Operations Division will provide the Centers with the templates for their certification documents. The HQ Office of Procurement will randomly select actions (excluding grants) for data validation and verification from records in the system and provide a list of actions to each Center on or about April 15th and October 15th of each year. Each center shall identify a primary focal point and one alternate for FPDS data verification and validation responsibility. The focal point is responsible for establishing and coordinating the center's review process and ensuring that reviews comply with the requirements of this section and the OFPP mandate for independent review of contract actions against the contract file. The focal point shall also ensure that certifications are provided to the Office of Procurement, Program Operations Division on or before the December 15th due date each year unless the Director, Office of Procurement, Program Operations Division establishes another suitable due date. Focal point and/or alternate changes shall be promptly provided to the Program Operations Division.

(B) The focal point shall ensure that the most current copy/version of the Center's Data Quality Plan is provided to the Office of Procurement, Program Operations Division. For definitions and procedures for the verification and validation of FPDS data as well further information regarding Center Data

Quality Plans, refer to the NASA FPDS Guide. The [NASA FPDS Guide](#) provides agency-wide guidance for NASA-specific data reporting in FPDS.

[PN 18-08]

Subpart 1804.8—Government Contract Files

1804.802 Contract Files.

(f) The official contract file is as depicted in FAR 4.801 through 4.803 for files containing the records of all contractual actions. All official contract files (including, but not limited to, all documents whether they originated from the Government or the contractor) shall be stored as follows:

(1) All new NCWS awards shall be stored electronically in the NCWS system.

(2) All pre-NCWS awards may continue to be stored either electronically in the system of origin, or in paper format, but not in both.

(g) Any exceptions to the requirements described in this section shall be approved by HQ OP Program Operations Division before filing the documents.

1804.802-70 Handling of classified material.

When a contract is unclassified, classified material relating to that contract shall be maintained in a separate file folder and container, and the unclassified folder shall be marked to indicate the location of the classified material. The front and back of each folder containing classified material shall be marked with the highest classification assigned to any document in the folder.

1804.803 Contents of contract files.

1804.803-70 Format and Checklist.

(a) For contract files stored in NCWS. Contracting officers shall store contract file content in accordance with the folder structure included within NCWS.

(b) For paper or electronic contract files not stored within NCWS. Contracting officers shall organize contract file content in accordance with the file structure established on the version of the [NASA Form \(NF\) 1098](#), Checklist for Contract Award File Content, which was in effect at the time the procurement was initiated. Contracting officers shall ensure that a completed copy of the [NF 1098](#) is contained in the paper or electronic contract file.

1804.804 Closeout of contract files.

See [PIC 14-07](#) for further guidance.

1804.804-2 Closeout of the contracting office files if another office administers the contract.

(b) Upon receiving the [NASA Form 1611](#) or [DD Form 1594](#), Contract Completion Statement, from the contract administration office and complying with FAR 4.804-2(b), the contracting officer shall complete the form.

1804.804-5 Procedures for closing out contract files.

See [PCD 18-06](#) for further guidance related to FAR 4.804-5.

See [PCD 13-02](#) for further guidance related to FAR 4.804-5.

(a) When the contracting office retains contract administration (excluding acquisitions under the simplified acquisition threshold), the contracting officer must comply with FAR 4.804-5(a) by completing [NASA Form 1612](#), Contract Closeout Checklist, and [DD Form 1593](#), Contract Administration Completion Record.

(b) To comply with FAR 4.804-5(b), the contracting officer must complete [NASA Form 1611](#) or [DD Form 1594](#), Contract Completion Statement, except for acquisitions under the simplified acquisition threshold.

1804.805 Storage, handling, and disposal of contract files.

(a) For additional information and procedures for handling, storing, and disposing of contract files see NPR 1441.1, NASA Records Management Program Requirements and NRRS 1441.1, NASA Records Retention Schedules.

1804.805-70 Review, separation, and retirement of contract files.

(a) Upon determination of contract completion under the procedures outlined in 1804.804, each office shall remove the official contract files from the active file series, mark each file folder with "Completed (Date)", and place the folder in a completed (inactive) contract file series. Separate series should be established for contracts of \$25,000 or less and for contracts of more than \$25,000, to facilitate later disposal. Any original or official file copies of documents contained in duplicate or "working" contract files shall be removed and placed in the appropriate official file; any remaining material in the duplicate or "working" file shall be destroyed immediately or segregated and marked for early disposal.

(b) Each office shall review contractor "general" files (i.e., a file containing documents relating generally to a contractor rather than a specific contract) at least once annually and remove documents that—

(1) Are obsolete or superseded documents relating generally to the contractor (e.g., documents no longer pertinent to any aspect of a contractor's current or future capability, performance, or

programs, and documents relating to a contractor that is no longer a possible source of supplies, services, or technical assistance) and dispose of the documents as authorized in 1804.805; or

(2) Pertain only to completed contracts. Place those files that are not routine in nature in inactive files for later disposal, and immediately dispose of routine documents as authorized in NPR 1441.1, NASA Records Retention Schedules.

Subpart 1804.9—Taxpayer Identification Number Information

1804.904 Reporting payment information to the IRS.

Each NASA installation, that has its own employer identification number, may elect to report to the IRS payments under purchase orders and contracts for merchandise and other exempt bills.

Subpart 1804.16—Unique Procurement Instrument Identifiers

1804.1602 Identifying the PIID and supplementary PIID.

(a)(5)(i) Modifications to letter contracts shall be numbered in accordance with FAR 4.1603(b)(2). Except for termination notices, modifications shall be effected by the use of Standard Form 30, Amendment of Solicitation/Modification of Contract.

(ii) Definitive contracts superseding letter contracts shall retain the same contract number as that originally assigned to the letter contract. Actions definitizing letter contracts are considered modifications and shall be assigned modification numbers in accordance with paragraph (a)(5)(i) of this section.

1804.1603 Procedures.

(a) All PIIDs for all new NASA awards shall be 13 digits in length. Letter contracts shall be numbered in accordance with the requirements for the definitive contract expected to result from the letter contract.

(a)(3) For intragovernmental transactions, NASA shall use the letter, "T" for the ninth digit of the PIID. Intragovernmental transactions are, for example, requests to other Government agencies to furnish supplies or services. Intragovernmental transactions do not include awards by NASA to fulfill requests from other agencies. For Broad Agency Announcements (BAAs), NASA Research Announcements (NRAs), and Announcement of Opportunities (AOs), NASA shall use the letter, "N" for the ninth digit of the PIID.

(a)(4) NCWS automatically assigns the 10th digit for all transactions processed in NCWS. However, some transactions are not processed in NCWS. It is necessary to ensure differentiation between PIIDs assigned to transactions processed in NCWS and PIIDs assigned to transactions processed outside of NCWS to meet Federal Procurement Data System (FPDS) reporting requirements. If NCWS automatically assigns the PIID to these transactions, use of letters in the 10th digit is not required.

When transactions are processed outside of NCWS, the following letters must be used in the 10th digit of the PIID:

E - Emergency acquisitions made in accordance with FAR Part 18, Emergency Acquisitions.

H - Training expenditures made using the Standard Form 182, Authorization, Agreement and Certification of Training.

W - Procurement actions using the purchase card as the method of payment.

(a)(5) Illustration of PIID. The following illustrates two properly configured NASA PIIDs:

(i) PIID 80GSFC17C0001 would be a GSFC action signed in FY17. It would be the first one issued at the Center, and the action type would be a contract.

80 GSFC 17 C 0001

||||

NASA GSFC FY17 Contract Serial No. 1

(ii) PIID 80MSFC17PW001 would be a MSFC action signed in FY17. This action would be the first one issued at the Center, and the action type would be a purchase order, done outside of NCWS using the purchase card as a method of payment. Had the purchase order (with or without the purchase card as a method of payment) been prepared within NCWS, the last four digits would have been 0001 instead of W001.

80 MSFC 17 P W 001

|||||

NASA MSFC FY17 Purch Order Purch Card Payment Serial No. 1

Subpart 1804.70—Transfer of Contracting Office Responsibility

1804.7000 Scope of subpart.

This subpart contains policies and procedures applicable to the transfer of contracts between NASA installations.

1804.7001 Definition.

"Transfer of a contract," as used in this subpart, means that process whereby a contract and all future responsibility for a contract held by one installation are transferred or reassigned in writing to another installation.

1804.7002 Approval of Transfer Requests.

(a) The approval authority for requests to transfer a contract is the official in charge of the cognizant Headquarters program office or designee. Requests for approval shall be submitted by the director of the transferring installation after receiving the concurrence of the director of the receiving installation. Concurrence of the Associate Deputy Administrator (Code AI) is also required for a transfer where an installation's roles and missions may be affected.

(b) Approval of a program transfer by the cognizant Headquarters official constitutes approval to transfer program-related contracts.

1804.7003 Responsibilities of the contracting officer of the transferring installation.

1804.7003-1 Coordinations.

The contracting officer of the transferring installation shall take the following steps before transferring the contract:

(a) Agree on a plan and schedule with the contracting officer of the receiving installation for transferring contract responsibility and contract files.

(b) Coordinate with the following offices:

(1) Financial Management Office, to determine the contract financial records to be transferred and the method, timing, and dollar amount of such transfers.

(2) Technical (Engineering and Project) Office, to determine the status of any outstanding engineering changes.

(3) Reliability and Quality Assurance Office, to determine status and method of transferring the reliability and quality assurance functions.

(4) Industrial Property and Facilities Office, to determine the method of transferring the Government property records.

(5) Transportation Office, to determine the status of bills of lading furnished the contractor.

(6) Security Office, to determine whether any classified material is outstanding and whether special precautions are necessary during the transfer process.

(7) Other organizational elements, to determine the status of any other actions such as new technology, materials reports, PERT, and safety.

1804.7003-2 File inventory.

The contracting officer of the transferring installation shall prepare an inventory of the contract file. This inventory shall also include a separate listing of all outstanding requests for contract administration assistance issued to other Government agencies, indicating the name and address of

the agency office, functions requested to be performed, estimated cost of the services, and estimated reimbursement due the administration agency for the services yet to be performed for each requested function. Copies of this inventory shall be provided to the contracting officer of the receiving installation.

1804.7003-3 Notifications.

The contracting officer of the transferring installation shall provide written notification of the planned transfer to the contractor and all agencies performing or requested to perform administration services.

1804.7003-4 Transfer.

(a) Upon completion of the actions described in 1804.7003-1 through 1804.7003-3, the contracting officer of the transferring installation shall issue a letter to the contractor, agencies performing contract administration functions, contracting officer representatives, and the contracting officer of the receiving installation. This letter shall provide notification of the transfer date, termination of appointment of the contracting officer's representatives, and the name, mailing address, and telephone number of the contracting officer of the receiving installation.

(b) After issuing the letters described in 1804.7003-4(a), the contracting officer of the transferring installation shall send the contract file to the contracting officer of the receiving installation with a letter transferring contract responsibility. This letter shall contain a provision for acceptance of the responsibility for the contract and its related files by the contracting officer of the receiving installation.

1804.7003-5 Retention documentation.

The contracting officer of the transferring installation shall retain for permanent file a copy of the approvals and concurrences required by 1804.7002, the transfer acceptance letter of the contracting officer of the receiving installation, and any additional documents necessary for a complete summary of the transfer action.

1804.7004 Responsibilities of the contracting officer of the receiving installation.

1804.7004-1 Pre-transfer file review.

The contracting officer of the receiving installation shall review the contract, letters of request, actions in process, and other related files and to request corrective action, if necessary, before the official transfer of the contract. This review may be waived by written notification to the contracting officer of the transferring installation.

1804.7004-2 Post-transfer actions.

The contracting officer of the receiving installation shall—

- (a) Provide the contracting officer of the transferring installation written acceptance of contract responsibility and receipt of the contract files;
- (b) Inform all offices affected within the installation of the receipt of the contract;
- (c) Appoint new contracting officer's technical representatives, as necessary;
- (d) Issue a contract modification to provide for the administrative changes resulting from the transfer action (e.g., identifying offices responsible for performing contract administration and making payment and the office to which vouchers, reports, and data are to be submitted);
- (e) Provide copies of the contract documents to affected installation offices; and
- (f) If appropriate, supplement the letter of request to the Government agency providing contract administration services to reflect the changes resulting from the transfer action. The supplement may terminate or amend an existing contract administration support arrangement or may request support in additional areas.

Subpart 1804.71—Release or Posting of Documents

1804.7101 Policy.

It is the responsibility of all involved in the acquisition process, who have access to contractor proprietary or otherwise sensitive non-public data to handle such data in an appropriate manner to prevent the unauthorized disclosure of sensitive and/or proprietary contractor information or data.

1804.7102 General.

Contractor proprietary or other sensitive non-public data can be inappropriately released by mistakenly providing a contractor's financial or technical proprietary data to another contractor, inadvertently exposing or allowing access to sensitive internal agency information or export controlled data, or releasing documents which contain metadata during a competitive procurement. Because of the potential negative impact of these inadvertent disclosures of contractor proprietary or otherwise sensitive non-public data on the integrity of the procurement process, great care must be taken in the handling of this data to prevent the unintentional disclosure of contractor proprietary or other sensitive non-public data.

1804.7103 Procedures.

Contracting officers shall complete the [electronic document posting checklist](#) or a center-developed checklist that meets the intent of this checklist prior to any documents or files being uploaded, released, transmitted, or posted to an internet accessible location. Exempted documents include Agency level directives posted to the NODIS library or other policy documents available through the Federal Register.

Subpart 1804.72—Reserved

Subpart 1804.73—Procurement Requests

1804.7301 General.

(a) The procurement request (PR) is known as a “purchase requisition” (requisition) and is developed in NASA’s Integrated Enterprise Management Program/Core Financial Module (CF). In order for a requisition to be sent forward for action, CF requires that several coordinations be obtained first. However, there are additional required coordinations at the Agency level and sometimes at the Center level. The initiator of the requisition or technical representative is responsible for obtaining those additional coordinations. [NASA Form \(NF\) 1707](#), Special Approvals and Affirmations for Requisitions, must be used to document additional coordinations. The completed [NF 1707](#) and any additional special approvals or affirmations required must be electronically attached to the requisition in CF and shall include the name of the approver and date approved. The contracting officer shall include a copy of the completed [NF 1707](#) and any additional special approvals or affirmations in the appropriate NCWS electronic contract file folder. The procurement office shall not accept a requisition until all required coordinations have been documented. The [NF 1707](#) is not required for within scope actions for which special approvals and affirmations have previously been obtained.

(b) Except in unusual circumstances, the contracting officer shall not issue solicitations until the contracting officer receives an approved certification that funds are available. However, the contracting office may take necessary actions, up to the point of obligation of funds, before the acceptance of the requisition certifying that funds are available only when—

1. Such action is necessary to meet critical program schedules;
2. Program authority has been issued and funds to cover the acquisition will be available prior to the date set for contract award or contract modification;
3. The Procurement Officer authorizes such action in writing before solicitation issuance; and
4. The solicitation includes the clause at FAR 52.232-18, Availability of Funds. The clause shall be deleted from the resultant contract.