Part 5104 - Administrative Matters

The official AFARS regulation resides on the Army's Knowledge Management Portal PAM. If you do not have CAC access to PAM, please visit the Army Contracting Enterprise's public facing website "Army Connect" at https://www.army.mil/armycontracting#org-afars. The AFARS will return to Acquisition.gov upon completion of the RFO.

(Revised 10 March 2025)

Subpart 5104.1 - Contract Execution

5104.103 Contract clause.

Subpart 5104.2 - Contract Distribution

5104.201 Procedures.

5104.202 Agency distribution requirements.

Subpart 5104.4 - Safeguarding Classified Information Within Industry

5104.402 General.

5104.403 Responsibilities of contracting officers.

Subpart 5104.5 - Electronic Commerce in Contracting

5104.502 Policy.

5104.502-90 Army supplemental policy.

Subpart 5104.6 - Contract Reporting

5104.604 Responsibilities.

Subpart 5104.8 - Government Contract Files

5104.802 Contract files.

5104.803 Contents of contract files.

5104.804 Closeout of contract files.

5104.804-5 Procedures for closing out contract files.

Subpart 5104.9 - Taxpayer Identification Number Information

5104.903 Reporting contract information to the IRS.

Subpart 5104.71 - Uniform Contract Line Item Numbering System

5104.7103-90 Contract line items for internal use software (IUS).

Subpart 5104.73 - Safeguarding Covered Defense Information and Cyber Incident Reporting

5104.7304 Solicitation provisions and contract clauses.

Subpart 5104.1 - Contract Execution

5104.103 Contract clause.

Contracting officers will insert FAR clause 52.204-1, Approval of Contract, in solicitations and contracts when an agency official other than the Contracting officer is the approval authority.

Subpart 5104.2 - Contract Distribution

5104.201 Procedures.

In addition to DFARS 204.201 requirements for bilateral contracts, Contracting officers shall distribute a copy or reproduction of the contract form showing the contractor's signature. The copy or reproduction shall be in the "portable document format" (.pdf) for distribution via electronic mail (email) or other electronic means.

5104.202 Agency distribution requirements.

Distribute a copy of contracts for utility services and communications to:

General Services Administration/Public Buildings Service

Office of Procurement, Public Utilities Service Division (PPU)

Room 7322, GSA Building

18th & F Streets NW

Washington DC 20405.

Subpart 5104.4 - Safeguarding Classified Information Within Industry

5104.402 General.

(d)(1) The National Industrial Security Program (NISP) Contract Classification System (NCCS) module Version 2.0 re-deployed effective 1 May October 20221. Contracting officers shall follow the procedures at FAR 4.402(d)(1) to transmit DD Form 254s to the Defense Counterintelligence

Security Agency (DCSA). In the absence of access to the NISP NCCS, Contracting officers shall follow the procedures at AFARS PGI 5104.403(2)-1 to transmit DD Form 254s to DCSA until further notice.

5104.403 Responsibilities of contracting officers.

(1) In accordance with DFARS PGI 204.403(1), the Contracting officer will include a DoD Form DD 254, DoD Contract Security Classification Specification in solicitations as appropriate and obtain the security manager's signature (see Army Regulation 380-49, 4-4a, Department of the Army Industrial Security Program) as the certifying official on the form.

Subpart 5104.5 - Electronic Commerce in Contracting

5104.502 Policy.

(b)(4) Electronic commerce in contracting is satisfied if the reverse auction application posts the synopsis (or combined synopsis-solicitation) to SAM.gov.

5104.502-90 Army supplemental policy.

The Assistant Secretary of the Army (Acquisition, Logistics and Technology) on a non-delegable basis, shall ensure that systems, technologies, procedures, and processes used by the agency to conduct electronic commerce follow the guidelines set forth in FAR 4.502 (b) and (c).

Subpart 5104.6 - Contract Reporting

5104.604 Responsibilities.

(a) The Senior Procurement Executive in coordination with the HCA is responsible for developing and monitoring a process to ensure timely and accurate reporting of contractual actions to FPDS. See Appendix GG for further delegation.

Subpart 5104.8 - Government Contract Files

5104.802 Contract files.

(f) Contracting officers shall utilize the Virtual Contracting Enterprise (VCE) tools throughout the acquisition process to maximize visibility and management of contract specific information and documents. VCE shall not be used for classified documents or contracts.

(i) The Paperless Contract File (PCF) module shall be used to store, access, and route documents necessary to manage the acquisition process for review and approval. Contracting officers shall ensure that the PCF contains all appropriate contract documents. If the contract document is maintained within the Procurement Integrated Enterprise Environment (PIEE, https://wawf.eb.mil/) or the Federal Procurement Data System-Next Generation (FPDS-NG)), then that system is the official system of record; Contracting officers should not duplicate the document and file it in the PCF.

Follow procedures at AFARS PGI 5104.802(f)(i)-2.

Follow procedures at AFARS PGI 5104.802(f)(i)-1.

(1) The Army Cabinet Index folder structure shall be used when filing documents in PCF to ensure standardization throughout Army contract files. See AFARS PGI 5104.802(f)(i)(1) for instructions to access the cabinet index structure.

(2) When the Contracting officer receives knowledge of a preaward or postaward protest submitted to any venue, the Contracting officer shall notify the DASA(P) in accordance with AFARS 5101.290 Routing documents and mailing addresses.(a)(1).

(3) Milestone Tracking shall be used to forecast and document dates for initiation and completion of key documents and milestones. The VCE tool identifies the mandatory data fields based on specific criteria for the acquisition.

See AFARS PGI 5104.802(f)(i)(3)-1.

See AFARS PGI 5104.802(f)(i)(3)-2.

(4) Mission Partner/Requirement Owner Functionality shall be used by requirements owners to create cabinets and submit documents to contracting organizations. Contracting officers shall assist requirements owners as necessary to ensure utilization of the tool.

(ii) VCE Warrants Module shall be used to issue and track Contracting officer and grant officer warrants; see AFARS 5101.603-3 Appointment..

(iii) VCE shall be used for the Announcement of Awards and Small Business Coordination Record (DD Form 2579); see AFARS 5105.303 Announcement of contract awards. and 5119.201 General policy.(d)(10)(B)(i) respectively.

5104.803 Contents of contract files.

(a)(24) Legal reviews in accordance with AFARS 5101.602-2-90(c) shall be done in writing and documented in the contract file.

5104.804 Closeout of contract files.

(2) The head of contracting activity shall perform the duties as described in DFARS 204.804(2). See Appendix GG for further delegation.

5104.804-5 Procedures for closing out contract files.

(a)(12) When the contractor submits an adequate final indirect cost rate proposal in accordance with FAR 42.705-1(b)(1)(iii), the Contracting officer must obtain a Defense Contract Audit Agency audit report or document the file with a memorandum that deems the proposal to be low-risk and not subject to further audit before closing out the contract file.

Subpart 5104.9 - Taxpayer Identification Number Information

5104.903 Reporting contract information to the IRS.

(a) The Assistant Secretary of the Army (Acquisition, Logistics and Technology) shall report the information set forth in FAR 4.903 to the IRS. See Appendix GG for further delegation.

Subpart 5104.71 - Uniform Contract Line Item Numbering System

5104.7103-90 Contract line items for internal use software (IUS).

(a) *Definition*. As used in this section, the following terms have the same meaning as given in the Implementation Guide for Internal Use Software located on https://Procurement.Army.Mil (PAM) at https://armyeitaas.sharepoint-mil.us/:u:/r/sites/ASA-ALT-PAM/Documents/Policy%20Alert%2019-79%20Instructions%20for%20Accounting%20for%20IUS%20in%20Contract%20Documents.msg?csf=1&web=1&e=hnNJmM.

(1) internal use software

(2) valuation

(3) capitalized

(4) expensed

(b) *Procedures*. When procuring internal use software, Army contracting activities shall—

(1) Confirm that the requiring activity has established separately identifiable line items for all capitalized and expensed requirements in the purchase request;

(2) Ensure the line item structure aligns with the lines of accounting related to the capitalized and expensed classifications assigned by the requiring activity; and

(3) Include appropriate invoicing instructions and acceptance criteria in the solicitation and contract or order.

Subpart 5104.73 - Safeguarding Covered Defense Information and Cyber Incident Reporting

5104.7304 Solicitation provisions and contract clauses.

See AFARS PGI 5104.7304-1 for implementation guidance of Enhanced Security Protections for Contractor Information Systems.