ANNEX 2 - BUSINESS CLEARANCE REQUIRED CONTENT

In developing business clearance memoranda and/or BCM templates, HCAs shall include all required content and compliances as outlined in the following table unless the HCA notifies DASN(P) otherwise per 5201.9002(b). When addressing a minimum requirement, HCAs may reference previously approved documentation (e.g., source selection plan, acquisition strategy/plan, Justification & Approval, etc.) rather than restate information within the BCM. Additionally, as this Annex outlines the minimum content that will facilitate validation with regulations, HCAs may add documentation requirements; the table below is NOT all-inclusive.

DOCUMENT/APPROVAL CONTENT	Reference(s) (as applicable)
PRE-NEGOTIATION	
Procurement Request	FAR part 11 DFARS part 211 NMCARS part 5211
Acquisition Strategy	FAR 34.004
Acquisition Plan (STRAP/MOPAS-S)	NMCARS 5207.103 NMCARS 5237.503
Contract Type Rationale	FAR 16.102(d) FAR 16.103(d) DFARS 216.102
Synopsis or an Approved Waiver	FAR 5.202 FAR 5.203 FAR 5.204
Determinations and Findings (D&F) to Establish or Maintain Alternative Sources	FAR 6.202
Justification for Other Than Full and Open Competition	FAR 6.303 DFARS PGI 206.302-1
HCA Documentation for Non-Competitive Requirement under an International Agreement	DFARS 206.302-4(c)

DOCUMENT/APPROVAL CONTENT	Reference(s) (as applicable)
Bundling Contract Requirements	FAR 7.107-3
Determination to Consolidate Contract Requirements	FAR 7.107-2
Determination to Contract for Certain Non-Commercial Products and Services	DFARS 212.272
D&F to Use Commercial T&M or LH Contract	FAR 12.207
Source Selection Plan	DFARS 215.303 DoD Source Selection Procedures
D&F to Use T&M or LH Type Contract	FAR 16.601(d)(1) FAR 16.602 DFARS 216.601(d)(i)(A)
D&F to Use Incentive or Award Fee Contract	FAR 16.401(d) DFARS 216.401(d) NMCARS 5216.401(d)
D&F for Cost Type Research and Development in Excess of $25M	DFARS 235.006(b)(i)
Determination for Fixed Price Development for Non-MDAP	DFARS 235.006(b)(iii)(A)(3)
Determination to Make Single Award for IDIQ Estimated to Exceed $100M (including all options)	FAR 16.504(c)(1)(ii)(D) DFARS 216.504(c) NMCARS 5216.504(c)
Determination to Make Single Award for IDIQ Advisory and Assistance Services Over Three Years and $15M	FAR 16.504(c)(2)
HCA Approval for Cost-Reimbursement Contracts in Excess of $25M	DFARS 216.301-3
Use of Contract Terms in Excess of Five Years	FAR 17.204(e)
Use of Non-DoD Contract Vehicle	DFARS 217.770

DOCUMENT/APPROVAL CONTENT	Reference(s) (as applicable)
DD Form 2579 Small Business Coordination Record	DFARS 219.201
Determination of Personal/Non-Personal Services	FAR 37.103 DFARS PGI 237.503
Approval for Non-Performance Based Acquisition	DFARS 237.170-2
Government-Furnished Property Compliance Checklist	NMCARS 5245.103-74
Approval to Use Warranty	DFARS 246.704
Draft/Planning Solicitation(s); Offerors Comments & Government Response to Offerors; Other Exchanges with Industry Before Receipt of Proposal	FAR 15.201
Wage Rate Determination (SF-98/98A)	DFARS 222.1008
Market Research Documentation	FAR part 10 DFARS part 210 DFARS 237.102-78 DFARS PGI 215.371-2
Independent Government Cost Estimate	FAR 4.803(a)(7)
Approval of FAR/DFARS/NMCARS Deviations	FAR subpart 1.4 DFARS subpart 201.4 NMCARS subpart 5201.4
Undefinitized Contract Action and Undefinitized Change Order Approval	DFARS 217.74 NMCARS 5243.201
Unusual Contract Financing Clauses	FAR part 32 DFARS part 232
Justification for Oral Solicitation	FAR 15.203(f)
Tailoring of Provisions and Clauses for Use in Commercial Item Acquisitions (waiver)	FAR subpart 12.3 DFARS subpart 212.3 NMCARS subpart 5212.3

DOCUMENT/APPROVAL CONTENT	Reference(s) (as applicable)
Solicitation/Request for Proposal	FAR 15.203
Amendments to RFP	FAR 15.206
Combined Synopsis and Solicitations for Commercial Item Acquisitions	FAR 12.603
Contractor Proposal(s)	
DCAA Report(s)	
ACO Report(s)	
Technical Evaluation Report(s)	FAR 15.305(a)(3)
Price/Cost Evaluation Report	FAR 15.305(a)(1)
Past Performance Evaluation Report	FAR 15.305(a)(2) DFARS 215.305(a)(2)
Small Business Participation Evaluation Report	DFARS 215.304(c)(i) DoD Source Selection Procedures
Subcontracting Plan Evaluation Report	FAR 19.702(a) FAR 19.704
Competitive Range Determination	FAR 15.306(c)
Evaluation of Transportation Costs (DD Form 1654)	FAR 47.306 DFARS 247.301-71 DFARS 247.372
Cost Accounting Standards Waivers	FAR 30.201-5 DFARS 230.201-5 NMCARS 5230.201-5
Make or Buy (Program, Evaluation, Approval)	FAR 15.407-2

DOCUMENT/APPROVAL CONTENT	Reference(s) (as applicable)
Compliance with FAR Subpart 4.21 – Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment - Requirements	FAR provision 52.204-24 FAR provision 52.204-26 FAR clause 52.204-25
Exemptions Requested to Buy American, Berry Amendment, Specialty Metals Restrictions, or Other Requirements of the Solicitation	DFARS subpart 225.70
Contracting Officer Determination and Basis for Pass-Through Charges	FAR 15.404-1(h)
Contractor's Estimating System Determined Acceptable by ACO	DFARS 215.407-5
Pre-Award Disclosure Statement - Cost Accounting Practices and Certification and Determined Current, Accurate, and Complete by ACO	FAR clause 52.230-1 FAR 30.202-6
Contractor's Accounting System Determined Adequate by CAO/DCAA	FAR 16.301-3
Contractor Purchasing System Determined to be Approved by the ACO	FAR 44.305
Property System Reviewed for Acceptability by ACO	FAR 45.105
SAM Exclusions Verification for All Offerors	FAR 9.405(e)(1)
Certification Regarding Responsibility Matters and Delinquent Tax Liability or a Felony Conviction under Federal Law	FAR 9.104-5 FAR provision 52.209-5 FAR provision 52.212-3(h) FAR provision 52.209-11
Pre-Negotiation Objective - Four Tenets: 1. What is the estimate, 2. What is the estimate based on, 3. How was the estimate derived, and 4. Why is the estimate reasonable?	
Part 15 Negotiation Documentation Requirements	FAR 15.406-3 DFARS 215.406-3

DOCUMENT/APPROVAL CONTENT	Reference(s) (as applicable)
POST-NEGOTIATION	
Award With or Without Discussions	FAR 15.306(a)(3)
HCA Waiver of Cost or Pricing Data	FAR 15.403-1(c)(4)
Certificate of Current Cost or Pricing Data	FAR 15.406-2
Subcontracting Plan Determined Adequate	FAR 19.705-4
Approval of SDB Subcontracting Goal Less Than 5%	DFARS 219.705-4
SBIR/STTR Phase III Award Contracting Officer Affirmation	NMCARS 5206.302-5(b)
EEO Compliance Requested/Obtained	FAR 22.805
Determination of Responsibility and Financial Stability	FAR 9.103 FAR 9.104-1
SAM Exclusions Verification for Successful Offeror	FAR 9.405(e)(4)
Certification Regarding Responsibility Matters and Delinquent Tax Liability or a Felony Conviction under Federal Law for Successful Offeror	FAR 9.104-5 FAR provision 52.209-5 FAR provision 52.212-3(h) FAR provision 52.209-11
VETS-4212 Filing Verification for Awardee (Non-Commercial Items that Exceed the SAT)	FAR 22.1302(b) FAR 22.1304
Part 15 Negotiation Documentation Requirements	FAR 15.406-3 DFARS 215.406-3