Part 5325 - Foreign Acquisition

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DAF Contracting Compass Part 25

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Subpart 5325.1 — BUY AMERICAN - SUPPLIES

5325.103 Exceptions

(a)(ii)(B)(1) See MP5301.601(a)(i) for public interest exception approvals.

(a)(ii)(B)(2) See MP5301.601(a)(i) for public interest exception approvals.

(a)(ii)(B)(3) See MP5301.601(a)(i) for public interest exception approvals.

(b)(ii)(A) Follow MP5325.103 when a determination of non-availability is required by FAR 25.103 and DFARS 225.103. See MP5301.601(a)(i) for nonavailability determination approvals.

(b)(ii)(B) Follow MP5325.103 when a determination of non-availability is required by FAR 25.103 and DFARS 225.103. See MP5301.601(a)(i) for nonavailability determination approvals.

(b)(ii)(C) Follow MP5325.103 when a determination of non-availability is required by FAR 25.103 and DFARS 225.103. See MP5301.601(a)(i) for nonavailability determination approvals.

Subpart 5325.2 — BUY AMERICAN – CONSTRUCTION MATERIALS

5325.202 Exceptions

(a)(1) See MP5301.601(a)(i).

(2) See MP5301.601(a)(i).

5325.204 Evaluating Offers of Foreign Construction Material

(b) See MP5301.601(a)(i).

Subpart 5325.4 — TRADE AGREEMENTS

5325.403 World Trade Organization Government Procurement Agreement and Free Trade Agreements

(c)(ii)(A) See MP5301.601(a)(i).

Subpart 5325.6 — AMERICAN RECOVERY AND REINVESTMENT ACT - BUY AMERICAN STATUTE - CONSTRUCTION MATERIALS

5325.603 Exceptions

(a)(1)(i) See MP5301.601(a)(i).

(iii) See MP5301.601(a)(i).

(2) See MP5301.601(a)(i).

(b)(2) See MP5301.601(a)(i).

Subpart 5325.10 — ADDITIONAL FOREIGN ACQUISITION REGULATIONS

5325.1001 Waiver of Right to Examination of Records

(a)(2)(iii) See MP5301.601(a)(i).

Subpart 5325.70 — AUTHORIZATION ACTS, APPROPRIATIONS ACTS, AND OTHER STATUTORY RESTRICTIONS ON FOREIGN ACQUISITION

5325.7002-2 Exceptions

(b)(1)(iv) When the contracting officer determines through market research that an article or suitable substitute is not available from a domestic source, the contracting officer must submit a Domestic Non-availability Determination (DNAD) through the SCO to the cognizant HCA Workflow for approval by the Secretary of the Air Force (nondelegable). See MP5325.7002-2.

5325.7003-3 Exceptions

(b)(5)(i) When the contracting officer determines through market research that a specialty metal melted or produced in the United States or its possessions cannot be procured in satisfactory quality and sufficient quantity, and in the required form, as and when needed at a fair and reasonable price, submit a DNAD. The DNAD must be submitted through the SCO to the cognizant HCA Workflow for approval by the Secretary of the Air Force (nondelegable).

(c)(2) When a contractor or offeror submits a “Commercial Derivative Military Article-Specialty

Metals Compliance Certificate" (DFARS 252.225-7010) for streamlined compliance for Commercial Derivative Military Articles (CDMA), the Secretary of the Air Force must determine that the item is a CDMA as defined at DFARS 252.225-7009 before using the rules for streamlined compliance for CDMA. The contracting officer must follow the procedures in DFARS PGI 225.7003-3 and submit the CDMA D&F through the SCO to the cognizant HCA Workflow for approval by the Secretary of the Air Force (nondelegable). See MP5325.7003-3.

5325.7008 Waiver of Restrictions of 10 U.S.C. 4864

(b) See MP5301.601(a)(i).

5325.7021-3 National security waiver of disclosure

See MP5301.601(a)(i).

Subpart 5325.73 — ACQUISITIONS FOR FOREIGN MILITARY SALES

5325.7301-2 Solicitation Approval for Sole Source Contracts

Submit the solicitation to the cognizant HCA Workflow for coordination with the Principal Director, Defense Pricing, Contracting, and Acquisition Policy.

Subpart 5325.75 — BALANCE OF PAYMENTS PROGRAM

5325.7501 Policy

(c) See MP5301.601(a)(i).

Subpart 5325.77 — ACQUISITIONS IN SUPPORT OF OPERATIONS IN AFGHANISTAN

5325.7703-2 Determination requirements.

(b)(2)(i) See MP5301.601(a)(i).

(b)(2)(ii) See MP5301.601(a)(i).