Subpart 244.4 - SUBCONTRACTS FOR COMMERCIAL PRODUCTS, COMMERCIAL SERVICES, AND COMMERCIAL COMPONENTS

Parent topic: Part 244 - SUBCONTRACTING POLICIES AND PROCEDURES

244.402 Policy requirements.

(a) Contractors are required to determine whether a particular subcontract item meets the definition of a commercial product or commercial service. This requirement does not affect the contracting officer's responsibilities or determinations made under FAR 15.403-1(c)(3). Contractors are expected to exercise reasonable business judgment in making such determinations, consistent with the guidelines for conducting market research in FAR Part 10.

(S-70) In accordance with 10 U.S.C. 3457(c) , items that are valued at less than $10,000 per item that are purchased by a contractor for use in the performance of multiple contracts with the Department of Defense and other parties and are not identifiable to any particular contract when purchased shall be treated as commercial products, even though the items may not meet the definition of "commercial product" at FAR 2.101 and do not require a commercial product determination.

244.403 Contract clause.

Use the clause at 252.244-7000 , Subcontracts for Commercial Products and Commercial Services, in solicitations and contracts, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial products and commercial services.