Part 5118 - Emergency Acquisitions

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 01 October 2024)

Subpart 5118.1 - Available Acquisition Flexibilities

5118.170 Additional acquisition flexibilities.

Subpart 5118.2 - Emergency Acquisition Flexibilities

5118.201 Contingency operation.

5118.202 Defense or Recovery from Certain Events.

5118.270 Head of contracting activity determinations.

Subpart 5118.1 - Available Acquisition Flexibilities

5118.170 Additional acquisition flexibilities.

(a) See AFARS 5106.302-7(b)(2) for DPCAP Class Deviation 2024-O0005 instructions on use of other than competitive procedures under FAR 6.302-7 for "covered contracts".

(h) The Assistant Secretary of the Army (Acquisition, Logistics and Technology), on a non-delegable basis, shall make the notification as described in DFARS 218.170(h).

Subpart 5118.2 - Emergency Acquisition Flexibilities

5118.201 Contingency operation.

(9) See Appendix - GG Table Of Contents.

5118.202 Defense or Recovery from Certain Events.

(c) In accordance with section (C)(4) of DPCAP Class Deviation 2024-O0005—Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel Contracting officers carrying out a procurement of a product or service for a covered contract may treat the product or service as a commercial product or a commercial service for the purpose of carrying out the procurement. See 5112.102 Applicability.(a)(i)(B)(3). See AFARS 5153.206-93 Instructions for

Congressional Notification Requirement When Utilizing the Authorities Conferred by paragraphs (B) – (G) of DPCAP Class Deviation 2024- O0005—Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel; Workload Forecasting Instructions and AFARS 5153.303-12 Format for Advance Congressional Notification When Utilizing Authorities Conferred by DPCAP Class Deviation 2024-O0005—Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel. for instructions and sample format for reporting covered contracts applicable under this subpart to congressional defense committees.

5118.270 Head of contracting activity determinations.

(e) See Appendix - GG Table Of Contents.

See AFARS PGI 5118.2-1 for additional information on acquisition flexibilities.