Part 5216 - TYPES OF CONTRACTS

The official NMCARS regulation resides at https://www.secnav.navy.mil/rda/DASN-P/Pages/NMCARS.aspx

Subpart 5216.2 - FIXED-PRICE CONTRACTS

5216.202-90 Firm-fixed-price contracts.

Subpart 5216.3 - COST-REIMBURSEMENT CONTRACTS

5216.306 Cost-plus-fixed-fee contracts.

Subpart 5216.4 - INCENTIVE CONTRACTS

5216.401 General.

Subpart 5216.5 - INDEFINITE-DELIVERY CONTRACTS

5216.504 Indefinite-quantity contracts.

5216.505 Ordering.

5216.506 Solicitation provisions and contract clauses.

Subpart 5216.2 - FIXED-PRICE CONTRACTS

5216.202-90 Firm-fixed-price contracts.

Consultation with DPC is required prior to the use of a firm-fixed-price (FFP) contract for a sole source acquisition with a value greater than $500 million for U.S. or combined U.S./FMS requirements for a major system as defined in FAR 2.101. This consultation should use the Peer Review process provided at NMCARS 5201.170. The HCA shall notify DASN(P) by email at RDAJ&As.fct@navy.mil with the subject “[Activity Name] Consultation with DPC for a FFP Contract over $500M" seven days prior to requesting the review from DPC.

Subpart 5216.3 - COST-REIMBURSEMENT CONTRACTS

5216.306 Cost-plus-fixed-fee contracts.

(c) *Limitations*.

(ii)(A) COMNAVFAC is delegated authority to approve cost-plus-fixed-fee (CPFF) contracts for environmental work only, provided the environmental work is not classified as construction, as defined by 10 U.S.C. 2801.

(B) Requests for approval of CPFF contracts requiring SECDEF approval shall be routed through NAVFACENGCOM and then via DASN(P) by email at usn.pentagon.asstsecnavrdadc.mbx.pabt@us.navy.mil with the subject "[Activity Name] DFARS 216.306 – CPFF Contract Approval."

Subpart 5216.4 - INCENTIVE CONTRACTS

5216.401 General.

(d)(i)(A) HCAs shall submit copies of approved D&Fs to DASN(P) by email at usn.pentagon.asstsecnavrdadc.mbx.pabt@us.navy.mil with the subject "[Activity Name] FAR 16.401 – HCA CPAF D&F [ACAT Program Designation Number and Description]"

(d)(ii) This D&F signature authority is delegable to no lower than the Deputy/Assistant Commander for Contracts.

Subpart 5216.5 - INDEFINITE-DELIVERY CONTRACTS

5216.504 Indefinite-quantity contracts.

(c)(1) Planning the acquisition.

(ii)(D)(1) Except for the determination under FAR 16.504(c)(1)(ii)(D)(1)(iv), the Deputy/Assistant Commander for Contracts, without power of redelegation, is the approval authority. See Annex 4 for STRL deviations applicable hereto.

(iv) DASN(P), without power of redelegation, is the approval authority.

HCAs shall submit the body of the D&F, in the format required by Annex 7, Section 843 D&F, electronically as both Word and .pdf files with a copy of the approved AS, STRAP, or MOPAS-S by email at usn.pentagon.asstsecnavrdadc.mbx.pabt@us.navy.mil with the subject "[Activity Name] DFARS 216.504 – D&F for Single Award [contract/task/delivery order number]".

5216.505 Ordering.

(b)(8) DASN(P) as the Navy Competition Advocate General, is the task-order and delivery-order ombudsman. Contact information is provided at 5216.506(j).

(c) See Annex 4 for STRL deviations applicable hereto.

5216.506 Solicitation provisions and contract clauses.

(j) The Navy task and delivery order ombudsman is Ms. Cindy Shaver, Deputy Assistant Secretary of the Navy (Procurement), 1000 Navy Pentagon, Washington, DC 20350, phone (703) 614-9600, fax (703) 614-9394, and email NCAG@navy.mil.