Part 5235 - RESEARCH AND DEVELOPMENT CONTRACTING

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

5235.006 Contracting methods and contract type.

5235.015 Contracts for research with educational institutions and nonprofit organizations.

5235.015-70 Special use allowances for research facilities acquired by educational institutions.

5235.070 Indemnification against unusually hazardous risks.

5235.070-1 Indemnification under research and development contracts.

5235.006 Contracting methods and contract type.

(b)(ii)(B) When the milestone decision authority is USD(A&S), submit notifications via DASN(P) by email at usn.pentagon.asstsecnavrdadc.mbx.pabt@us.navy.mil with the subject "[Activity Name] DFARS 235.006 – Major Defense Program – Intent NOT to Exercise a Fixed Price Production Option on a Development Contract."

(b)(iii)(B) Requests for USD(A&S) prenegotiation position or negotiated agreements approval are to be submitted via DASN(P) by email at usn.pentagon.asstsecnavrdadc.mbx.pabt@us.navy.mil with the subject "[Activity Name] DFARS 235.006 – [Prenegotiation Position/Negotiated Agreement] Approval Request."

5235.015 Contracts for research with educational institutions and nonprofit organizations.

5235.015-70 Special use allowances for research facilities acquired by educational institutions.

(b) *Policy.*

(S-90)(1) Contracts providing for a special use allowance for acquisitions or construction of research facilities shall specify:

(A) that plans, specifications and major changes thereto shall be subject to approval by the Government;

(B) that the work shall be subject to approval by the Government for conformity to approved plans

and specifications; and

(C) that the NAVFACENGCOM shall be the authorized representative of the sponsoring contracting activity for such purposes.

(2) Except as otherwise directed or authorized in the approval, the contract may also provide for up to a 15% increase in the amount subject to the special use allowance to cover changes in the work or any difference between estimated and actual cost of the work. Any such increase may be made subject to the approval of the sponsoring contracting activity. If more than a 15% increase is required, the further approval of the HCA is required.

5235.070 Indemnification against unusually hazardous risks.

5235.070-1 Indemnification under research and development contracts.

(a) DASN(P) is the approval authority.

(b) Submit requests for indemnification approval to DASN(P) by email at usn.pentagon.asstsecnavrdadc.mbx.pabt@us.navy.mil with the subject "[Activity Name] DFARS 235.070-1 – Indemnification Request under R&D Contracts."