Part 5343 - Contract Modifications

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DAF Contracting Compass Part 43

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Subpart 5343.1 – GENERAL

5343.102 Policy

If the contract is a space program contract to which SSCI 64-101 applies, contracting officers shall not execute contract modifications resulting from an engineering change proposal with a contractor listed on the Contractor Responsibility Watch List (CRWL) without obtaining SSC/CC approval (see DAFFARS 5309.103(b)(i)).

5343.102 Policy

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5343.102-90 Contract Scope Considerations

Contracting officers shall document scope determinations when modifying contracts (see the Scope Determination – MFR template). New work requires competition unless one of the seven exceptions

to competition found in FAR 6.302 applies. When determining whether proposed modifications constitute new work the following should be considered-

(a) the extent of any changes in the type of work, performance period, and costs between the modification and the original contract;

(b) whether the original solicitation adequately advised offerors of the potential for the change or the change was the type that reasonably could have been anticipated; and

(c) whether the modification materially changes the field of competition for the requirement.

For unilateral modifications authorized by clauses other than the Changes clause (e.g., Property clause, Options clause, Suspension of Work, etc. (see FAR 43.103(b)(3)), a scope determination is not required to be documented but is highly encouraged.

Subpart 5343.2 – CHANGE ORDERS

5343.201 General

(b) The policies and procedures of DFARS 217.74 shall be applied to Unpriced Change Orders (UCO) >$5M.

5343.204-70-1 Scope

(b) When complying with the requirements described in DFARS 243.204-70-1, SCOs must provide a courtesy copy to the cognizant HCA workflow. Maintain proof of submission in the contract file.

5343.204-70-3 Definitization Schedule

(a) Contracting officers must document the contract file with the justification for the delay and revised definitization milestone schedule for UCO actions >$5M. For UCO approval authorities seeMP5301.601(a)(i) .

(1) This date may not be extended beyond an additional 90 days without a written determination by the Head of the Contracting activity (HCA) for actions >$50M without further delegation and the Senior Contracting Official (SCO) with further delegation no lower than the Chief of the Contracting Office (COCO) for UCOs between $5M and $50M.

5343.204-70-5 Exceptions

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

5343.204-70-7 Plans and Reports

To comply with the Consolidated UCA Management Plan and Semi-annual Consolidated UCA Management Report requirements described in DFARS 243.204-70-7, SCOs are required to ensure unpriced change orders with an estimated value exceeding $5 million are input/updated in the UCA/UCO Reporting tool on a semi-annual basis no later than April 10th and October 10th of each year. Special access program offices will provide the information directly to the cognizant HCA workflow , as appropriate.