MP5332 - Contract Financing

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DAF Contracting Compass Part 32

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MP5332.4 - ADVANCE PAYMENTS FOR NON-COMMERCIAL ITEMS

MP5332.402 General

Advance payment requests must be processed as follows:

(1) The contracting officer must compile the advance payment request package in accordance with FAR 32.4 and DFARS 232.4 and submit it to the SCO for coordination. The SCO must submit the request through the cognizant HCA Workflow. The cognizant HCA forwards the package to SAF/FMF for review and approval. DAFRCO and SpRCO will submit the request directly to the cognizant HCA, as appropriate.

(2) SAF/FMF will evaluate the request to determine if advance payments are justified. Assistance may be solicited from other sources such as contracting officers, auditors, disbursing officers, and, if necessary, field visits to the contractor or institution. When approved, SAF/FMF will forward the findings, determinations, and authorization for advance payments to the responsible contracting officer. The contracting officer must ensure all applicable advance payment clauses are incorporated into each contract.

MP5332.470 Advance Payment Pool

(1) Advanced Payment Pool requests should follow the same instructions as outlined in MP5332.402 above. In addition, for nonprofit educational or research institutions, SAF/FMF will determine if approved advance payments will be disbursed from an advance payment pool in accordance with DFARS 232.470. When approved, SAF/FMF will forward the findings, determinations, and authorization for the advance payment pool agreement to the responsible contracting officer. The contracting officer must ensure all applicable advance payment clauses are incorporated into each

contract. The clause at DFARS 252.232-7000, *Advance Payment Pool*, must be incorporated into each contract that is covered by the agreement.

(2) The Department of the Air Force accounting and finance office is responsible for the disbursingfunctions of the advance payment pool agreement.

MP5332.7 - CONTRACT FUNDING

Release of Solicitations in Advance of Funding Availability

Except for solicitations and contracts issued in accordance with FAR 32.703-2(a) and clause 52.232-18, *Availability of Funds*, follow the procedures below when issuing solicitations in advance of available funds:

(a) The following statement must be included in any such solicitation: *"Notice to Offeror(s)/Supplier(s): Funds are not presently available for this effort. No award will be made under this solicitation until funds are available. The Government reserves the right to cancel this solicitation, either before or after the closing date. In the event the Government cancels this solicitation, the Government has no obligation to reimburse an offeror for any costs."*

(b) When the resulting contract is to be funded by Procurement or Research, Development, Test, and Evaluation appropriations, the program/requirement must be included in the President's budget as submitted to Congress, and the program manager must provide the contracting officer a written statement, indicating the program's inclusion. The statement must be coordinated with FM at the Center level (or equivalent) or as delegated to FM Organizational Senior Functional (OSF) that these investment funds will be used for the proposed acquisition and, although not presently available, a reasonable expectation exists that funding will be authorized and available upon enactment of the Authorization and Appropriations Acts.

(c) For solicitations for programs funded by the National Guard and Reserve Equipment Account when the Defense Appropriations Act is signed into law, for the Air National Guard Bureau, and/or Air Force Reserve Command, the Air National Guard or Reserve program manager must confirm that funds have been identified for the acquisition.

(d) Except for solicitations for operational contracting supply requirements less than $1M and funded with annual appropriations, the MAJCOM/FLDCOM/DRU/DAFRCO Requiring Activity Functional Commander/Director, SCO, and Comptroller, or their appointed representatives, must jointly agree in writing to authorize the operational contracting office to issue solicitations when it is anticipated that the contract(s) will be funded, but funds are not yet available.