

# TRANSFARS PART 5501

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## [SUBPART 5501.1 – PURPOSE, AUTHORITY, ISSUANCE](#)

[5501.101 Purpose.](#)

[5501.103 Authority.](#)

## [SUBPART 5501.2 – ADMINISTRATION](#)

[5501.201-1 The Two Councils.](#)

## [SUBPART 5501.3 – AGENCY ACQUISITION REGULATIONS](#)

[5501.301 -- Policy.](#)

[5501.303 Publication and codification.](#)

[5501.304 -- Agency control and compliance procedures.](#)

## [SUBPART 5501.4 – DEVIATIONS FROM THE FAR](#)

[5501.402 Policy.](#)

[5501.403 Individual Deviations.](#)

## [SUBPART 5501.6 – CAREER DEVELOPMENT, CONTRACTING AUTHORITY, AND RESPONSIBILITIES](#)

[5501.602 Contracting Officers](#)

[5501.602-2 Responsibilities](#)

[5501.602-2-1 Appointment of Ordering Officers \(OOs\)/Field Ordering Officers \(FOOs\)](#)

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## **TRANSFARS PART 5501 THE FEDERAL ACQUISITION REGULATION SYSTEM**

### **SUBPART 5501.1 – PURPOSE, AUTHORITY, ISSUANCE**

#### **5501.101 Purpose.**

The United States Transportation Command Acquisition Regulation Supplement (TRANSFARS) provides command acquisition policies and procedures and supplements the Federal Acquisition Regulation (FAR), and DOD FAR Supplement (DFARS).

#### **5501.103 Authority.**

The TRANSFARS applies to all USTRANSCOM contracting officers that receive contracting authority from USTRANSCOM, Director of Acquisition (TCAQ).

### **SUBPART 5501.2 – ADMINISTRATION**

#### **5501.201-1 The Two Councils.**

(d) The TRANSFARS is prepared and maintained by the Business Support/Policy Division (TCAQ-P).

(i) Proposed revisions to the FAR, DFARS, or TRANSFARS shall be submitted in accordance with [DFARS 201.201-1\(d\)\(i\)](#).

### **SUBPART 5501.3 – AGENCY ACQUISITION REGULATIONS**

#### **5501.301 -- Policy.**

(a)(2) TCAQ maintains operating instructions that further explain policies and procedures for subject matters that are internal to the agency and do not have a significant impact on contractors or offerors. These instructions will be kept to a minimum and are approved by TCAQ.

### **5501.303 Publication and codification.**

(a)

(i) United States Transportation Command is assigned Chapter 55 of [Title 48 Code of Federal Regulations \(CFR\)](#).

### **5501.304 -- Agency control and compliance procedures.**

(4)

(a) As used in this section, the term clause includes provisions and means a term or condition of the type set forth in FAR Part 52, DFARS Part 252, and TRANSFARS 5552.

(b) Requests for clauses shall be submitted in writing to TCAQ-P and include a copy of the clause(s), and sufficient justification as to why the clause is needed in accordance with [DFARS 201.201-1\(d\)\(i\)](#). The Head of the Contracting Activity is the approval authority for local clauses.

(c) TCAQ-P shall conduct an annual review of all TRANSFARS clauses in use. Reviews may recommend retention, deletion or modification of the existing clauses.

(d) USTRANSCOM Point of Contact (POC):

United States Transportation Command

Chief, Business Support/Policy Division

508 Scott Drive

Scott AFB IL 62225-5357

[transcom.scott.tcaq.mbx.p-division@mail.mil](mailto:transcom.scott.tcaq.mbx.p-division@mail.mil)

(5) Changes, and revisions to the TRANSFARS, policy letters, and operating instructions shall be distributed to Directorate of Acquisition divisions electronically and posted to the shared drive.

(6) All documents relating to procurement matters that require review, coordination, and/or approval by the Office of the Under Secretary of Defense, Defense Procurement and Acquisition Policy (DPAP) must be sent through TCAQ-P and be endorsed in writing by the Director of Acquisition. Document packages will clearly show all reviews and coordination that the action has received at the division and lower-levels, to include legal counsel review.

## **SUBPART 5501.4 - DEVIATIONS FROM THE FAR**

### **5501.402 Policy.**

(2)

(i) The Director of Acquisition (TCAQ) is the approval authority within USTRANSCOM for FAR and DFARS individual deviations except for the individual or class deviations at [DFARS 201.402\(1\)](#).

(ii) TCAQ shall approve deviations to TRANSFARS.

### **5501.403 Individual Deviations.**

(1) See approval requirements in [5501.304\(4\)](#).

## **SUBPART 5501.6 - CAREER DEVELOPMENT, CONTRACTING AUTHORITY, AND RESPONSIBILITIES**

### **5501.602 Contracting Officers**

#### **5501.602-2 Responsibilities**

##### **5501.602-2-1 Appointment of Ordering Officers (OOs)/Field Ordering Officers (FOOs)**

(a) Authority. USTRANSCOM Contracting Officers are authorized to appoint qualified Ordering Officers/Field Ordering Officers when they are essential for the operation of a USTRANSCOM/TCAQ

contract or component mission. The USTRANSCOM Contracting Officer may document exceptions to OO/FOO appointments based on the contract. See TRANSFARS 5553.90 for sample nomination and appointment letters. The OO's/FOO's authority may not be re-delegated and is primarily for the following purposes:

- (1) Ordering Officers (OOs): To place orders against indefinite delivery contracts awarded by or administered by USTRANSCOM/TCAQ, provided all orders are placed within the contract terms/conditions and monetary limitations specified in the contract.
- (2) Field Ordering Officers (FOOs): To make micro-purchases of less than \$10,000 per purchase using *Purchase Order-Invoice-Voucher* procedures (see FAR 13.306, DFARS 213.306) in support of SDDC Rapid Port Opening exercises and operations.

(b) Definitions

- (1) Ordering Officer (OO). An individual authorized by a USTRANSCOM Contracting Officer to place orders against indefinite delivery contracts for transportation or transportation-related service contracts awarded by USTRANSCOM.
- (2) Field Ordering Officer (FOO). An individual authorized by a USTRANSCOM Contracting Officer to execute micro-purchases using *Purchase Order-Invoice-Voucher* procedures.

(c) Procedures

- (1) Appointing Authority. The USTRANSCOM Contracting Officer shall:

- (i) Receive a nomination letter from the ordering Military Services/Agency ( [TRANSFARS 5553.9001](#));
- (ii) Appoint and terminate OOs/FOOs by letter tailored to fit the circumstances of the appointment ([TRANSFARS 5553.9002 for OO appointments and 5553.9003 for FOO appointments](#)). Additionally, FOOs shall be appointed and terminated by the USTRANSCOM Contracting Officer on a DD Form 577 (COs shall indicate in Block 7 of the DD Form 577 that responsibilities are identified in the attached appointment letter)

- (iii) Maintain a file of nominations, appointments and training for each OO/FOO;

- (iv) Require individuals appointed as OOs/FOOs to acknowledge receipt of their appointment letters in writing;

- (v) Notify contractors of appointments and terminations of OOs in writing;

- (vi) Verify the need to file an OGE 450. Discuss with the OO/FOO appointee the purpose of the report and avoidance of conflicts between duties and private financial interests or affiliations.

- (2) Training. The USTRANSCOM Contracting Officer shall be responsible for ensuring the OO/FOO completes the following training prior to appointment.

- (i) General Training. This training will be conducted by the USTRANSCOM Contracting Officer.

- (ii) Procurement Ethics Training. DAU Continuous Learning Module (CLM 003), Ethics Training for Acquisition Technology and Logistics Workforce, or an acceptable substitute approved by the USTRANSCOM Contracting Officer.

(iii) Ratifications. Read USTRANSCOMI 63-6, Ratification of Unauthorized Commitments.

(iv) Contract Specific Training (OOs only). This training will be conducted by the USTRANSCOM Contracting Officer.

(3) Surveillance.

(i) The USTRANSCOM Contracting Officer shall conduct surveillance annually on the OO's files in person, electronically, or by another method or document the reasons why this cannot be accomplished. The USTRANSCOM Contracting Officer shall ensure samplings of the OO's purchasing documents are reviewed. Copies of inspection and review findings shall be retained for one year in the OO's files.

(ii) FOOs shall clear their purchase accounts prior to cessation of their duties. FOOs shall submit a record of purchase documents, including DA Form 3953, Appointment Letters, Purchase Orders, Invoices, Receipts, and any other purchase-related documentation, to the Property Book Officer (if applicable), Unit Commander, USTRANSCOM Contracting Officer and SDDC G8 to receive account clearance. Each clearance authority shall review, electronically, the record of purchase documents and generate a memorandum clearing the FOO's purchase account.

(iii) The applicable surveillance shall include whether the OO/FOO is:

(A) Operating within the scope and limitations of authority stated in the appointment letter and FAR Subparts 3.1, Safeguards and 3.2, Contractor Gratuities to Government Personnel;

(B) Maintaining the standards of conduct prescribed in DoD 5500.7-R, Joint Ethics Regulation (JER);

(C) Engaging in improper practices, including, but not limited to splitting purchase transactions to avoid monetary limitations or re-delegating authority to others;

(D) Adhering to best value decisions and fair opportunity procedures, if applicable to the contract terms and conditions; and

(E) Submitting correct and timely information for reporting purposes.

(iv) If the appointing authority finds that an OO/FOO is not properly performing assigned duties or is failing to take prompt action to correct deficiencies noted in inspections or reviews, the appointing authority shall terminate the OO's/FOO's appointment.

(4) Termination.

(i) The appointment of an OO/FOO shall remain in effect until the OO/FOO is reassigned or until the OO's/FOO's employment is terminated, unless sooner revoked by the appointing authority or successor. No termination shall be made to take effect retroactively.

(ii) Terminations of appointments shall be made in writing except for terminations which result when contracts expire.

(iii) Furnish copies of termination letters/forms to imprest fund cashiers, disbursing officers and other interested personnel.