

AFARS - PART 5139

Acquisition of Information Technology

(Revised 01 May 2019)

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Subpart 5139.1 - General

5139.101 Policy.

(1) The head of the contracting activity has the authority to make the determination under DFARS 239.101(1). See Appendix GG for further delegation.

5139.101-90 Policy.

(a) Commercial information technology hardware and software.

(1) The Army's Computer Hardware, Enterprise Software and Solutions (CHES) program, under the Program Executive Office Enterprise Information Systems, is the mandatory source for commercial information technology (IT) hardware and software purchases. CHES contracts provide IT products and services that comply with U.S. Army Network Enterprise Technology Command, Army and DoD policy and standards. Purchasers of commercial hardware and software must satisfy their IT requirements by utilizing the CHES contracts and DoD Enterprise Software Initiative (ESI) agreements first, regardless of dollar value or appropriation. Additionally, purchasers of IT requirements through a third party such as a system integrator must ensure solicitations and contract vehicles include the requirement to purchase through the CHES and the DoD ESI agreements.

(2) Any IT hardware or software purchase made outside of the CHES contracts requires an Army Chief Information Officer (CIO)/G6 approved Information Technology Approval System (ITAS) Waiver, unless the purchase meets one of the exceptions in (a)(3) below. The ITAS Waiver along with supporting documentation shall be part of the procurement package submitted to the contracting officer and shall also be part of the resulting solicitation and contract file(s). Supporting documentation must include documentation submitted with the ITAS Waiver request such as a CHES Statement of Non-Availability (SONA) for items that are not available from CHES or other rationale for not using CHES. The CHES website located at <http://chess.army.mil> provides a complete list of CHES contracts as well as information concerning ITAS Waivers and CHES SONAs. The ITAS Waiver website is located at <https://cprobe.army.mil/enterprise-portal/web/itas/home>, and the Army CIO/G6 policy page is located at <http://ciog6.army.mil/PolicyLegislation/tabid/64/Default.aspx>.

(3) Exceptions.

(i) The Product Lead, Common Hardware Systems (PdL CHS) coordinates across the Army's computing environments and tactical program offices to modify commercially available off-the-shelf IT

to meet specific program requirements for transport or ruggedization, and to ensure configuration and end of life management. Organizations that receive written authorization from PdL CHS to use a CHS contract are exempt from the requirement to obtain an ITAS Waiver or CHES SONA. In such circumstances, requiring activities will provide PdL CHS written authorization to the contracting officer as part of the procurement package instead of the ITAS waiver. Contracting officers shall place the written authorization in the contract file.

(ii) Upon receipt of the CHES SONA from the requiring activity, contracting officers may purchase commercial IT hardware or software outside of the CHES contracts, without an ITAS waiver, for procurements in support of--

(A) The United States Military Academy while supporting the academic and cadet development mission (information technology requirements for the administration portion the United States Military Academy are still required to use CHES and submit SONAs and ITAS waivers for procurement outside of CHES); or

(B) Non-Program Executive Officer (PEO)/Project Manager (PM) managed Military Intelligence Program (MIP) systems (Non-PEO/PM managed MIP systems will be requested using the Army G-2 Automated Systems Integration Database system).

(b) *Information technology services.*

(1) When procuring IT services, contracting personnel must consider setting aside requirements for small businesses and other small business categories in accordance with FAR 13.003(b)(1) and FAR subpart 19.5. Contracting officers shall ensure that the procurement package contains sufficient supporting documentation to assist the contracting officer in determining whether to set aside the requirement for small businesses and other small business categories in accordance with FAR 13.003(b)(1) and FAR subpart 19.5. In order to assist the Army in achieving all small business statutory goals in prime and subcontract awards, personnel should consider use of non-DoD contract vehicles such as those stated in the Defense Procurement and Acquisition Policy memorandum, dated 14 July 2011, subject: Use of Government-wide Acquisition Contracts Set Aside Exclusively for Small Businesses. If no small business capability exists, CHES contract vehicles are the preferred source for acquisition of IT services.

(2) ITAS Waivers from the use of CHES are not required when procuring IT services. However, if a services requirement includes any IT hardware and/or software, personnel must ensure solicitations and contract vehicles include the requirement to purchase through the CHES and the DoD ESI agreements. If a services requirement includes non-CHES IT hardware or software, personnel must secure an Army CIO/G6 approved ITAS Waiver for the non-CHES IT hardware and software per paragraph (a)(2) in this section. The procurement package and contract file documentation requirements of paragraph (a)(2) apply to hardware and software purchased as part of IT services requirements.

(c) *Training.* Senior contracting officials must ensure that contracting personnel receive appropriate CHES training, and should ensure that contracting personnel document the training on their individual development plans. Personnel can request CHES training and view the training slides at <https://chess.army.mil/UserTrainingRequest>.

Subpart 5139.74 - Telecommunications Services

5139.7402 Policy.

(b)(4) The Assistant Secretary of the Army (Acquisition, Logistics and Technology) may authorize actions as described in DFARS 239.7402(b)(4). See Appendix GG for further delegation.