

DFARS Procedures, Guidance, and Information

PGI 212—Acquisition of Commercial Items

(Revised January 31, 2018)

PGI 212.1—ACQUISITION OF COMMERCIAL ITEMS—GENERAL

PGI 212.102 Applicability.

(a)(i) *Commercial item determination.*

(1) Contracting officers shall ensure that contract files fully and adequately document the market research and rationale supporting a conclusion that the commercial item definition in FAR 2.101 has been satisfied. Particular care must be taken to document determinations involving “modifications of a type customarily available in the marketplace,” and items only “offered for sale, lease, or license to the general public,” but not yet actually sold, leased, or licensed. In these situations, the documentation must clearly detail the particulars of the modifications and sales offers. When such items lack sufficient market pricing histories, additional diligence must be given to determinations that prices are fair and reasonable as required by FAR Subpart 15.4.

(2) See the Department of Defense Guidebook for Acquiring Commercial Items, [Part A: Commercial Item Determination](#), for detailed guidance and practical examples on improving the consistency and timeliness of commercial item determinations to include a template for new commercial item determinations and information about how to obtain advisory assistance from the DoD cadre of experts in the Defense Contract Management Agency (DCMA) Commercial Item Group (CIG) via email at commercial@dcma.mil or at <http://www.dcma.mil/commercial-item-group/>.

(ii) *Prior commercial item determination.* Contracting officers may presume for consistency sake that a prior commercial item determination by a military department, defense agency, or another component of DoD shall serve as a determination for subsequent procurements of such item. Similarly, a contracting officer should carefully consider items that are now offered as commercial items that have historically been acquired as military-unique, noncommercial items. Before rendering a new commercial item determination for such items, contracting officers should engage their leadership chain of command, the DCMA CIG, and the primary DoD buying activity for that item.