

SUBPART 43.9000 - SCOPE DETERMINATION

Parent topic: [PART 43 - CONTRACT MODIFICATIONS](#)

43.9000 Policy.

(S-90) When issuing a modification to an existing contract, order, or task order that requires a change to the scope of work to be performed, the contracting officer shall complete the Memorandum for the Record (MFR) Scope Determination located at [DARS PGI 43.9000\(S-90\)](#). Further guidance on determining when a modification is within scope of an existing contract is contained within the Scope Determination Guide at [DARS PGI 43.9000\(S-90\)](#).

(S-91) Scope determinations are not required for:

- (i) Administrative changes issued as modifications that do not impact the substantive rights of the parties (e.g., a change in the paying office or the appropriation data (FAR 43.101)
- (ii) Unilateral modifications that are authorized by clauses other than the Changes clause (e.g., Property clause, Options clause, or Suspension of Work clause (FAR 43.103(b)(3)).

(S-92) General Counsel shall be consulted in cases where the contracting officer cannot make a clear determination whether the proposed modification is within scope of the existing contract or task order.

(S-93) In-scope changes to an existing contract shall be issued in accordance with FAR 43.2. When a proposed change requires a modification outside of the general scope of a contract the contracting officer must either:

- (i) Competitively solicit the requirement; or,
- (ii) Issue the modification in accordance with the non-competitive procedures at FAR 6.303, 8.405-6, or 16.505(b)(2).