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Appendix GG

| Part | Title of Section | Description of Authority | Federal Reference (FAR) | Federal Approving Official | Delegable | Level | Defense Reference (DFARS/PDI) | Defense Approving Official | Delegable | Level | Army Reference (AFARS) | Army Approving Official/Designee | Delegable | Level |
|------|---|--|-------------------------|---|-----------|---|-------------------------------|--|-----------|--|------------------------|--|-----------|---|
| 1 | Presaward Peer Reviews | Conducting a presaward peer review for contracts for competitive procurements above \$1B, except MDAP/USDA(A&S) special interest programs. | | | | | 201.170(a)(1)(i) | DASA(P) | Yes | No limitation | 5101.170(a)(1)(i) | DASA(P) | Yes | HCA non-delegable, except for DASA(P) special interest acquisitions |
| 1 | Presaward Peer Reviews | Chairing Solicitation Review Board (SRB) and a Contract Review Board (CRB) for competitive procurements valued at \$250M or more but less than \$1B; or noncompetitive procurements valued at \$250M or more but less than \$1B. | | | | | 201.170(b)(1) and (2) | | | | 5101.170(b) | HCA | Yes | No Lower than the SCO |
| 1 | Presaward Peer Reviews | Chairing SRB and CRB for all procurements valued at \$50M or more but less than \$250M. | | | | | 201.170(b)(1) and (2) | | | | 5101.170(b) | SCO | Yes | No Lower than the CoCO |
| 1 | Presaward Peer Reviews | Chairing SRB and CRB for all procurements valued below \$50M | | | | | 201.170(b)(1) and (2) | | | | 5101.170(b) | SCO or Designee | No | |
| 1 | Independent Management Reviews (formally Postaward Peer Reviews) | Conducting a IMRs for contracts for services valued at \$1B or more | | | | | | | | | 5101.170(b) | DASA(P) or SSM | No | |
| 1 | Independent Management Reviews (formally Postaward Peer Reviews) | Conducting a IMRs for contracts for services valued at \$100M or more but less than \$1B | | | | | | | | | 5101.170(b) | HCA | Yes | No Lower than the SCO |
| 1 | Agency Acquisition Regulations | Issue or Authorize the issuance of agency acquisition regulations that implement or supplement FAR. | 1.301 | Agency Head | Yes | No Limitation | No additional Guidance | | | | 5101.301 | ASA(ALT) | Yes | DASA(P), without further delegation |
| 1 | Deviations from the FAR | Approval of Class Deviation | 1.404(b) | In accordance with DFARS | | | 201.404(b)(ii) | SPE | Yes | No limitation | 5101.404(b)(ii) | SPE | Yes | DASA(P), without power to further delegate |
| 1 | Ratification of Unauthorized Commitments | Ratification of Unauthorized Commitments | 1.602-3(b) | HCA, unless a higher level official is designated by the agency | Yes | No lower than CoCO | No additional Guidance | | | | 5101.602-3(b) | HCA | Yes | HCA non-delegable above \$100,000, except to USACE Director of Contracting, HQ, or Commander, ACC. Greater than \$10,000 up to \$100,000, so lower than SCO. \$10,000 or less, no lower than the chief of contracting |
| 1 | Career Development, Contracting Authority, and Responsibilities | Selection, Appointment, and Termination of Appointment for Contracting Officers | 1.603-1 | Agency Head | Yes | No Limitation (consistent with OFPP standards) | No additional Guidance | | | | 5101.603-1 | ASA(ALT) | Yes | DASA(P) or HCA, with further delegation to No Lower than the CoCO |
| 3 | Procurement Integrity | Disclosure, protection, and marking of contractor bid or proposal information and source selection information. | 3.104-4(a) | Agency Head or Contracting Officer | Yes | No limitation | No additional Guidance | | | | 5103.104-4(a) | ASA(ALT) or Contracting Officer | Yes | Personnel serving in the positions identified in AFARS 5103.104-4(a)(i) through (vii). |
| 3 | Procurement Integrity | Authorization of disqualified official to resume participation in a procurement | 3.104-5(c)(2) | HCA | Yes | No limitation | No additional Guidance | | | | 5103.104-5 | HCA | Yes | No lower than SCO. If SCO is disqualified individual, HCA will make the determination. |
| 3 | Procurement Integrity | Actions and determinations related to possible or actual procurement integrity violations | 3.104-7(b) - (g) | HCA | Yes | No lower than one level above KO and of CO, Flag, SES, or equivalent rank | No additional Guidance | | | | 5103.104-7 | HCA at GO/SES equivalent rank; otherwise DASA(P) | Retain | |
| 3 | Treatment of Violations | Actions and determinations against contractor under a contract containing Gratuities clause | 3.204(a) | Agency Head | Yes | No limitation | No additional Guidance | | | | 5103.204(a) | ASA(ALT) | Yes | Suspension and Debarment Official or other senior official designated by the Judge Advocate General |
| 3 | Treatment of Violations | Make the determination whether to terminate the contractor's right to proceed under the contract, and, if so, whether to assess exemplary damages and in what amount. | 3.204(c) | Agency Head | Yes | No limitation | No additional Guidance | | | | 5103.204(c)(i) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 3 | Contracts with Government Employees or Organizations Owned or Controlled by Them | Authorization of exception to requirement to not award contract to Gov't employee or their business / organization | 3.602 | Agency Head | Yes | No lower than HCA | No additional Guidance | | | | 5103.602 | No Lower Than HCA | No | |
| 3 | Voiding and Rescinding Contracts | Make determinations concerning voiding and rescinding contracts upon final conviction for bribery, conflicts of interest or violations of 18 U.S.C. 201-224. | 3.703 | Agency Head | Yes | No limitation | 203.703 | No lower than an official appointed by and with advice of the Senate | Yes | No lower than an official appointed by and with advice of the Senate | 5103.703 | ASA(ALT) | Retain | |
| 3 | Voiding and Rescinding Contracts | Consider declaring void and rescinding contracts, recovering amounts expended, and recommending suspension/debarment upon conviction/preponderance of evidence for an offense punishable under 41 U.S.C. 2105 | 3.704(c) | HCA | Yes | No limitation | No additional Guidance | | | | 5103.704(c) | HCA at GO/SES equivalent rank; otherwise DASA(P) | Retain | |
| 3 | Remedies (Whistleblower Protections for Contractor Employees) | Direct the contractor to take certain actions | | | | | 203.906 | Agency Head | Yes | No limitation | 5103.906 | ASA(ALT) | Yes | HCA, without power to further delegate |
| 3 | Preventing Personal Conflicts of Interest for Contractor Employees Performing Acquisition Functions | Authority to impose conditions that mitigate conflicts of interest or grant a waiver | 3.1104 | HCA | No | | No additional Guidance | | | | | HCA | No | |
| 4 | Electronic Commerce In Contracting | Establishment and Use of Electronic Commerce | 4.502(b) and (c) | Head of Agency | Yes | No Limitation | No additional Guidance | | | | 5104.502-90 | ASA(ALT) | Retain | |

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|------|---|---|-------------------------|--|-----------|--|-------------------------------|----------------------------|-----------|---|------------------------|--|-----------|---|
| 4 | Contract Reporting | Responsibility for developing and monitoring a process to ensure timely and accurate reporting of contractual actions to FPDS | 4.604(a) | SPE | Yes | No Limitation | No additional Guidance | - | - | - | 5104.604(a) | SPE | Yes | DASA(P), without power to further delegate |
| 4 | Closeout of Contract Files | Assignment of highest priority to close out of contracts awarded for performance in contingency area | - | - | - | - | 204.804(2) | HCA | Yes | No limitation | 5104.804(2) | HCA | Yes | No lower than CoCO |
| 4 | Reporting Contract Information to the IRS | Requirement for Federal Agencies to Report Certain Information to the IRS | 4.903(a) | Head of Federal Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5104.903(a) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 5 | Availability of Solicitations | Determination that use of Government Point of Entry (GPE) is not in the Gov's interest | 5.102(a)(5)(iii) | SPE | Yes | No limitation | No additional Guidance | - | - | - | 5105.102(a)(5)(iii) | SPE | Yes | HCA, with authority to delegate to No lower than SCO |
| 5 | Release of Long-Range Acquisition Estimates | Release of long-range acquisition estimates | 5.404-1(a) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5105.404-1(a) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than CoCO |
| 5 | Paid Advertisements | Heads of contracting activities are delegated authority to approve the public release of paid advertisements in newspapers. | 5.502 | Agency Head | Yes | No limitation | 205.502 | HCA | Yes | No limitation | 5105.502(a) | HCA | Yes | No lower than 1 level above the KO |
| 6 | Establishing or Maintaining Alternative Sources | Exclusion of a particular source from a contract action in order to establish or maintain an alternative source(s) for the supplies or services being acquired | 6.202(a) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5106.202(a) | ASA(ALT) | Yes | Approval Levels IAW 5106.304 |
| 6 | Only one responsible source and no other supplies or services will satisfy agency requirements. | Authority to enter into contracts for studies, analyses, or consulting services on the basis of an unsolicited proposal without providing for full and open competition | - | - | - | - | 206.302-1(a)(2)(i)(1) | HCA | Yes | No lower than CoCO | 5106.302-1(a)(2)(i)(1) | HCA | Yes | No lower than CoCO |
| 6 | Only one responsible source and no other supplies or services will satisfy agency requirements. | Authority to waive the requirement to post a request for information or a sources sought notice, and include the results of this inquiry in the justification required by FAR 6.303. | - | - | - | - | DFARS PGI 206.302-1(d) | HCA | Yes | No lower than GO/SES | 5106.302-1(d) | HCA | Yes | SCOs at GO/SES level only; otherwise HCA |
| 6 | Unusual and Compelling Urgency | Total period of performance of a contract awarded or modified may not exceed one year, including all options, unless the head of the agency determines that exceptional circumstances apply. | 6.302-2(d)(1)(ii) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5106.302-2(d)(1)(ii) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 6 | Unusual and Compelling Urgency | Any subsequent modification that extends the period of performance beyond one year, requires a separate determination. This determination is only required if the cumulative period of performance using this authority exceeds one year. | 6.302-2(d)(2)(ii) | Head of Agency (Must be Same Level as the Level to which the Agency Head Authority is in (d)(1)(ii)) | Yes | No Limitation | No additional Guidance | - | - | - | 5106.302-2(d)(2)(ii) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 6 | International Agreement | Determination that J&A is not required for an int'l agreement and preparation of document such as LOA that has the effect of requiring use of other than competitive procedures for the acquisition | - | - | - | - | 206.302-4(c) | HCA | Yes | No limitation | 5106.302-4(c) | HCA | Yes | No lower than the CoCO |
| 6 | Other Than Full and Open Competition | Justifications - Sole Source 8(a) awards exceeding \$100 million | 6.302-5(b)(4) | Head of Procuring Activity | Yes | No Limitation | - | - | - | - | 5106.302-5(b)(4) | Head of Procuring Activity | Yes | SCO at GO/SES Level; Otherwise HCA |
| 6 | Public Interest | Full and open competition need not be provided for when the agency head determines that it is not in the public interest in the particular acquisition concerned. | 6.302-7(c)(1) | Secretariat Level | No | - | No Additional Guidance | - | - | - | - | Secretary of the Army | No | - |
| 6 | Public Interest | Full and open competition need not be provided for IAW CD 2024-0005—Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel. | - | - | - | - | Class Deviation 2024-0005 | Agency Head | Yes | No lower than an officer or employee who is a general or flag officer or civilian serving in a grade above General Schedule - 15 or in a comparable or higher position under another schedule | 5106.302-7(b)(2) | HCA at GO/SES equivalent rank; otherwise DASA(P) | Yes | HCA, with power to further delegate to an official who meets the eligibility criteria stated in the class deviation; No lower than an officer or employee who - If a member of the Armed Forces, is a general or flag officer; or - If a civilian, is serving in a position in a grade above GS-15 under the General Schedule (or in comparable or higher position under another schedule). |
| 6 | Justifications | Content Justifications Shall Contain Agency Specific Requirements | 6.303-2(d)(5) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5106.303-2(d)(5) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 6 | Approval of the Justification | Approval of J&A over \$750K, but not exceeding \$15M | 6.304(a)(2) | Advocate for Competition | No | - | No additional Guidance | - | - | - | - | Advocate for Competition | No | - |
| 6 | Approval of the Justification | Approval of J&A over \$15M but not exceeding \$100M | 6.304(a)(3) | HCA | Yes | General/Flag Officer, SES, or grade above GS-15 only | No additional Guidance | - | - | - | 5106.304(a)(3) | HCA | Yes | SCOs at GO/SES Level only; otherwise HCA |
| 6 | Approval of the Justification | Approval of J&A over \$100M | 6.304(a)(4) | SPE | No | - | No additional Guidance | - | - | - | - | SPE | No | - |
| 6 | Advocates for Competition | Appointment of special advocates for competition | 6.501 | Head of Each Executive Agency | Yes | No limitation | No additional Guidance | - | - | - | 5106.501 | ASA(ALT) | Yes | DASA(P) serves as Army Advocate for Competition; HCAs serve as the Command Advocate for Competition, with authority to delegate to No Lower than the SCO |

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|------|---|---|---|---------------------------------------|-----------|--|------------------------------------|-------------------------------------|-----------|---------------|---------------------------|--|-----------|--|
| 7 | Agency-Head Responsibilities | Acquisition Plan Approval Authority for PEO or DRPM Acquisitions | 7.103 | Agency Head | Yes | No limitation | 207.103(d)(i) | PM/Official Responsible for Program | Yes | No limitation | 5107.103-90(a)(1) | ASA(ALT) | Yes | For programs assigned to program executive officers (PEOs) or program managers reporting directly to the Army Acquisition Executive (DRPM), the designated milestone decision authority (MDA), on a nondelegable basis, is the acquisition plan approval authority. In the case of PEO-DRPM-managed efforts for which no MDA has been designated, the PEO/DRPM, on a nondelegable basis, is the acquisition plan approval authority. |
| 7 | Agency-Head Responsibilities | Acquisition Plan Approval Authority for Non-PEO or DRPM Acquisitions | 7.103 | Agency Head | Yes | No limitation | 207.103(d)(i) | PM/Official Responsible for Program | Yes | No limitation | 5107.103-90(a)(2) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 7 | Contents of Written Acquisition Plans | Planning to ensure that contingency contracts will be closed in a timely manner, considering turnover and other contracting workload | - | - | - | - | DFARS PGI 207.105(b)(20)(C)(8)(iv) | HCA | Yes | No limitation | 5107.105(b)(20)(C)(8)(iv) | HCA | Yes | No lower than SCO |
| 7 | Consolidation of Contract Requirements | Consolidation of contract requirements is more than \$500M or more | 7.107-2 | SPE | Yes | - | - | - | - | - | 5107.107-2(b)(i) | SPE | Yes | DASAP/PI, without power to further delegate |
| 7 | Consolidation of Contract Requirements | Consolidation of contract requirements above exceeds \$2M but less than and up to \$500M | 7.107-2 | SPE | Yes | - | - | - | - | - | 5107.107-2(b)(ii) | SPE | Yes | HCA, with authority to delegate to No lower than the CoCO |
| 7 | Additional Requirements for Acquisitions Involving Bundling | Justification of bundling | 7.107-3(f)(2) | SPE | No | - | No additional Guidance | - | - | - | - | SPE | No | - |
| 7 | Equipment Lease or Purchase-Statutory Requirements | Determination that contract for vessel, aircraft, or vehicle via lease, charter, or similar agreement with term of 18 months or more, or extension / renewal of such contract for 18 months, is in Government's best interest | - | - | - | - | 207.470(b) | HCA | Yes | No limitation | 5107.470(b) | HCA | Yes | No lower than CoCo |
| 8 | Use of Federal Supply Schedules | Approval of D&Fs for T&M or LH orders against FSS contracts when base period + options = more than 3 years | 8.404(h)(3)(ii)(C) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5108.404(h)(3)(ii)(C) | HCA | No | - |
| 8 | Blanket Purchase Agreements (BPAs) | Determination that single-award BPA with an estimated value exceeding \$10 million (including any options), may be awarded | 8.405-3(a)(3)(ii) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5108.405-3(a)(3)(ii) | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 8 | Limiting Sources | Determination that access through eBay is not in Government's best interests | 8.405-6(b)(3)(ii)(C) | SPE | Yes | No limitation | No additional Guidance | - | - | - | 5108.405-6(b)(3)(ii)(C) | SPE | Yes | HCA, with authority to delegate to No lower than SCO |
| 8 | Limiting Sources-Justifications and Approvals | Approval of Proposed order or BPA with an estimated value exceeding the simplified acquisition threshold, but not exceeding \$750,000. | 8.405-6(d)(1) | Ordering Activity Contracting Officer | No | - | No additional Guidance | - | - | - | - | Contracting Officer | No | - |
| 8 | Limiting Sources-Justifications and Approvals | Approval of Proposed order or BPA with an estimated value exceeding \$750,000, but not exceeding \$15 million. | 8.405-6(d)(2) | Advocate for Competition | No | - | No additional Guidance | - | - | - | - | Advocate for Competition | No | - |
| 8 | Limiting Sources-Justifications and Approvals | Approval of Proposed order or BPA with an estimated value exceeding \$15 million, but not exceeding \$100 million | 8.405-6(d)(3) | Head of Procuring Activity | Yes | General/Flag officer, SES, or grade above GS-15 only | No additional Guidance | - | - | - | 5108.405-6(d)(3) | HCA | Yes | SCOs at GO/SES level only; otherwise HCA |
| 8 | Limiting Sources-Justifications and Approvals | Approval of Proposed order or BPA with an estimated value exceeding \$100 million | 8.405-6(d)(4) | SPE | No | - | No additional Guidance | - | - | - | - | SPE | No | - |
| 8 | Leasing of Motor Vehicles - Presolicitation Requirements | Approve limiting solicitations to current models on the basis of overall economy | 8.1102(c) | Head of Contracting Office | Yes | No limitation | No additional Guidance | - | - | - | 5108.1102(c) | CoCo | Yes | 1 level above KO |
| 9 | Responsible Prospective Contractors | Waiver for awarding with domestic inverted corporations | 9.108-4 | Agency Head | Yes | No Limitation | No Additional Guidance | - | - | - | 5109.108-4 | ASA(ALT) | Yes | HCA, without power to further delegate |
| 9 | Qualifications Requirements. Policy | Prepare and approve written justifications establishing a contractor qualification requirement. | 9.202(a) | Agency Head | Yes | No limitation | DFARS PGI 209.202(a)(1) | COCO | - | No limitation | 5109.202(a)(1) | CoCo | No | - |
| 9 | Qualification Requirements. Policy | Waiver of requirements of 9.202(a)(1)(i) through (4) for up to 2 years with respect to the item subject to the qualification requirement | 9.202(b) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5109.202(b) | HCA | Yes | No lower than SCO |
| 9 | Qualifications Requirements. Policy | Establishing a Qualification Requirement | 9.202(e) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5109.202(e) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 9 | Acquisitions subject to qualification requirements. General | Determination that an emergency exists | 9.206-1(b) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5109.206-1(b) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 9 | Aviation and Ship Critical Safety Items | Enter into a contract for the procurement, modification, repair, or overhaul aviation or ship critical safety items only with a source approved by the head of the design control activity | - | - | - | - | 209.270-3(a) | HCA | Yes | No limitation | 5109.270-3(a) | HCA | Yes | No lower than CoCo |
| 9 | Debarment, Suspension, and Ineligibility | Determination for Contractors excluded from receiving contracts to be included | 9.405(a), 9.405-1(b), 9.405-2(a), 9.406-1(c) and 9.407-1(d) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5109.405(a) | ASA(ALT) | Yes | Suspension and Debarment Official |
| 9 | Debarment, Suspension, and Ineligibility | Determination to accept bids from a debarred, suspended or proposed debarment contractor | 9.405(d)(2) and 9.405(d)(3) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5109.405(d)(3) | ASA(ALT) | Yes | Suspension and Debarment Official |
| 9 | Organizational and Consultant Conflicts of Interest. Waiver | Waiving any general rule or procedure of subpart 9.5 | 9.503 | Agency head | Yes | Not below the level of HCA | No additional Guidance | - | - | - | 5109.503 | HCA, without power to further delegate | No | - |
| 9 | Contracting Officer Responsibilities | Approval of conflict of interest course of action | 9.504(c) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5109.504(c) | HCA | Yes | No lower than SCO |

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|------|--|---|-------------------------|----------------------------|-----------|---------------|---|----------------------------|-----------|---------------|------------------------|----------------------------------|-----------|--|
| 9 | Organizational and Consultant Conflicts of Interest. Procedures | Approval of KO's resolution of conflict or potential conflict of interest | 9.506(d)(3) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5109.506(d)(3) | HCA | Yes | No lower than SCO |
| 9 | Systems Engineering and Technical Assistance Contracts | Waiver of limitation on future contracting for performance of systems engineering and tech assistance for MDAP or pre-MDAP by contractor or any affiliate of contractor from participating in development or production of weapon system under such program | - | - | - | - | 209.571-7(c)(1) | HCA | No | - | - | HCA | No | - |
| 10 | Market Research - Procedures | Document the results of market research in a manner appropriate to the size and complexity of the acquisition. | 10.002(e) | Agency Head | Yes | No Limitation | - | - | - | - | 5110.002(e) | ASA(ALT) | Yes | HCA, with the authority to delegate to No Lower than the KO |
| 11 | Market Acceptance | Require Offerors to Demonstrate that Items Offered have commercial market acceptance or been supplied under current or recent contracts | 11.103(a) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5111.103(a) | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 11 | Using and Maintaining Requirements Documents | Determine that Single Process Initiative process is not acceptable for a specific procurement | - | - | - | - | DFARS PGI 211.273-3 | HCA or PEO | No | - | - | HCA or PEO | No | - |
| 11 | Policy for Item Unique Valuation | Determination that items are to be used to support a contingency operation or to facilitate defense against or recovery from nuclear, biological, chemical, radiological attack, cyber attack, international disaster assistance, and response to an emergency or major disaster. | - | - | - | - | 211.274-2(b)(1) | HCA | Yes | No limitation | 5111.274-2(b)(1) | HCA | Retain | - |
| 11 | Policy for Item Unique Valuation | Approval of D&F for exception for contractor from requirement to provide DoD unique item ID | - | - | - | - | 211.274-2(b)(2)(i)(B) | HCA | Yes | No limitation | 5111.274-2(b)(2)(i)(B) | HCA | Yes | No lower than SCO |
| 11 | Liquidated Damages | Reduce or Waive the Amount of Liquidated Damages Assessed Under a Contract | 11.501(d) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5111.501(d) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 12 | Treatment as a commercial item and use of FAR Part 12 procedures. Applicability. | Permits carrying out a procurement of a product or a service for a covered contract to treat the product or service as a commercial product or a commercial service for the purpose of carrying out the procurement | - | - | - | - | See Class Deviation 2024-09005, Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel | Head of an Agency | Yes | No limitation | 5112.102(a)(0)(B)(3) | ASA(ALT) | Yes | Contracting Officers may use this authority consistent with the terms of the class deviation |
| 12 | Acquisition of Commercial Items. Applicability | Determination that the prior determination was appropriate and still applicable or issue a determination that the prior use of FAR part 12 procedures was improper or that it is no longer appropriate to acquire this item using FAR part 12 procedures, with a written explanation of the basis for the determination. | - | - | - | - | 212.102(a)(ii)(B) | HCA | Yes | No limitation | 5112.102(a)(ii)(B) | HCA | Yes | No Lower than CoCO |
| 12 | Acquisition of Commercial Items. Applicability | Determination of supplies or services that are to be used to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack, cyber attack, international disaster assistance, and response to an emergency or major disaster and can be treated as an acquisition of commercial items. | 12.102(f) | Agency Head | Yes | No limitation | 218.27 | HCA | Yes | No limitation | 5112.102(f) | HCA | Yes | No lower than SCO |
| 12 | Contract Type | Determine a time-and-materials or labor-hour contract type is in the best interest of the Government for commercial services | - | - | - | - | 212.207(b)(iii) | Agency Head | Yes | No limitation | 5112.207(b)(iii) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 12 | Preference for certain commercial products and services. | Approval to make determination to enter into contracts above \$10M for facilities-related services, knowledge-based services (except engineering services), medical services, or transportation services that are not commercial services. | - | - | - | - | 212.272(b)(2)(i) | HCA | Yes | No limitation | 5112.272(b)(2)(i) | HCA | Yes | No Lower than CoCO |
| 12 | Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items | Insert Certain Clauses for Acquisition of commercial items when waiving the examination of records by the Comptroller General | 12.301(b)(4)(i) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5112.301(b)(4)(i) | ASA(ALT) | Retain | - |
| 12 | Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items | Approval of supplementing the provisions and clauses of FAR part 12 | 12.301(f) | SPE | No | - | No additional Guidance | - | - | - | - | SPE | No | - |
| 12 | Tailoring of Provisions and Clauses for the Acquisition of Commercial Items | Approval of waivers under FAR 12.302(c) | - | - | - | - | 212.302(c) | HCA | Yes | No limitation | 5112.302(c) | HCA | Yes | No lower than SCO |
| 12 | Limitation on Conversion of Procurement from Commercial Acquisition Procedures | Determination that the earlier use of commercial acquisition procedures under FAR part 12 was in error or based on inadequate information, and that DoD will realize a cost savings compared to the cost of procuring a similar quantity or level of such item or service using commercial acquisition procedures. | - | - | - | - | 212.7001(a)(1) | HCA | Yes | No limitation | 5112.7001(a)(1) | HCA | Yes | No lower than the CoCO |
| 13 | Actions at or Below the Micro-Purchase Threshold | Delegate Micropurchase Authority | 13.201(a) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5113.201(a) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than CoCO |
| 13 | Actions at or Below the Micro-Purchase Threshold | Micro-Purchase Threshold for Supplies or Services are to be used in support of a contingency operation or to facilitate the defense against or recovery from nuclear, biological, chemical, radiological attack, cyber attack, and response to an emergency or major disaster. | 13.201(g) | Head of Agency | Yes | No Limitation | 218.27 | HCA | Yes | No limitation | 5113.201(g) | HCA | Yes | No lower than SCO |

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|------|---|--|-------------------------|--|-----------|----------------------------------|---|--|-----------|------------------|---------------------------|--|-----------|---|
| 13 | Impreset Funds and Third Party Drafts | Use of Impreset funds or Third Party drafts | 13.305-3(a) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5113.305-3(a) | ASA(ALT) | Yes | No Lower than KO |
| 13 | Simplified Procedures for Certain Commercial Items | Authorizes use of simplified procedures for commercial items that, as determined by the head of the agency, are to be used in support of a contingency operation or to facilitate the defense against or recovery from nuclear, biological, chemical, radiological attack, cyber attack, and response to an emergency or major disaster. | 13.500(c)(1) | Agency Head | Yes | No limitation | 218.27 | HCA | Yes | No limitation | 5113.500(c)(1) | HCA | Yes | No Lower than SCO |
| 13 | Test Program for Certain Commercial Items | Approval of sole-source justification over \$750K but not exceeding \$15M | 13.501(a)(2)(ii) | Advocate for Competition | No | - | No additional Guidance | - | - | - | - | Advocate for Competition | No | - |
| 13 | Test Program for Certain Commercial Items | Approval of sole-source justification over \$1.3M but not over \$100M | 13.501(a)(2)(iii) | HCA or Official Described at 6.304(a)(3) or (a)(4) | No | - | No additional Guidance | - | - | - | - | HCA or SCO at GO/SES Level | No | - |
| 13 | Test Program for Certain Commercial Items | Approval of sole-source justification over \$100M | 13.501(a)(2)(iv) | SPE | No | - | No additional Guidance | - | - | - | - | SPE | No | - |
| 14 | Preparation of Invitations for Bids | Waiving requirement for inclusion of clauses 51.214-27 and/or 52.214-28 in contract with a foreign government or agency of that government | 14.201-7(b)(2) & (c)(2) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5114.201-7(b)(2) & (c)(2) | HCA | Yes | No lower than SCO |
| 14 | Cancellation of Invitations After Opening | Determination to cancel invitations and reject all bids before award but after opening | 14.404-1(c) and (e)(1) | Agency Head | Yes | No limitation | 214.404-1(1) | KO | No | - | - | KO | No | - |
| 14 | Other Mistakes Disclosed Before Award | Make determinations under paragraph (c) of FAR 14.407-3 | 14.407-3(c) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5114.407-3(c) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than CoCO |
| 14 | Other Mistakes Disclosed Before Award | Make determinations under paragraph (a, b, d) of FAR 14.407-3 | 14.407-3(e) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5114.407-3(e) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than CoCO |
| 14 | Mistakes After Award | Authority to rescind a contract, reform a contract or delete items involve in a mistake made in the contractor proposal, in accordance with FAR 14.407-4(b). | 14.407-4(b) | Agency | Yes | No limitation | No additional Guidance | - | - | - | 5114.407-4(b) | HCA | Yes | No lower than SCO |
| 15 | Contract Format | Authority to exempt individual contracts from the use of the uniform contract format. | 15.204(e) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5115.204(e) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 15 | Contract Format | Authority to exempt classes of contracts | 15.204(e) | - | - | - | - | - | - | - | 5115.204(e) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 15 | Source Selection | Waivers for Solicitations valued below \$1B | - | - | - | - | DFARS PGI 215.300 (See DoD Source Selection Procedures) | SPE | Yes | No limitation | 5115.300-90 | SPE | Yes | DASA(P), without power to further delegate |
| 15 | Source Selection | Waivers for Solicitations valued at \$1B or more | - | - | - | - | 215.300 (See DoD Source Selection Procedures) | DPC | No | - | - | DPC | No | - |
| 15 | Source Selection Responsibilities | Appointment of SSAs for acquisitions for systems and services, acquired through the Defense Acquisition System, for which milestone decision authority (or other decision authority) is at the AAE or Office of the Secretary of Defense level IAW the applicable Adaptive Acquisition Framework DoDI. | 15.303(a) | Agency Head | Yes | KO or other appointed individual | No additional Guidance | - | - | - | 5115.303, Table 15-1 | AAE | Yes | AAE or AAE's Delegate |
| 15 | Source Selection Responsibilities | Appointment of SSAs for other service acquisitions with a total planned dollar value of \$500 million or more, or service acquisitions identified by the ASA(ALT) as a special interest. See DoDI 5000.74 and AR 70-13. | 15.303(a) | Agency Head | Yes | KO or other appointed individual | No additional Guidance | - | - | - | 5115.303, Table 15-1 | ASA(ALT) | Yes | DASA(P) or SSM |
| 15 | Source Selection Responsibilities | Appointment of SSAs all other acquisitions for which formal source selection procedures are used. | 15.303(a) | Agency Head | Yes | KO or other appointed individual | No additional Guidance | - | - | - | 5115.303, Table 15-1 | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 15 | Only One Offer Waiver | Approval of waiver of requirement to resolicit for additional 30 days | - | - | - | - | 215.371-5(a) & (b) | HCA | Yes | 1 level above KO | 5115.371-5(a) | HCA | Yes | 1 level above KO |
| 15 | Prohibition on Obtaining Certified Cost or Pricing Data | Waiving requirement for submission of certified cost or pricing data | 15.403-1(c)(4) | HCA | No | - | DFARS PGI 215.405-1(c)(4)(A)(2) | HCA, with SPE coordination prior to HCA approval | Yes | No limitation | - | HCA, with SPE coordination prior to HCA approval | Yes | HCA, with DASA(P) coordination prior to HCA approval |
| 15 | Prohibition on Obtaining Certified Cost or Pricing Data | Waiving requirement for submission of certified cost or pricing data IAW CD 2024-00005—Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel | - | - | - | - | Class Deviation 2024-00005 | Head of the Agency | Yes | No limitation | 5115.403-1(c)(5) | HCA, without power to further delegate | No | - |
| 15 | Obtaining Certified Cost or Pricing Data | Determination that it is in the best interest of the Government to make award to offeror who does not comply with requirement to submit other than certified cost or pricing data | 15.403-3(a)(4) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5115.403-3(a)(4) | HCA | Yes | No lower than SCO |
| 15 | Requiring Certified Cost or Pricing Data | Authorize KO to obtain certified cost or pricing data for actions below \$2M but exceeding SAT | 15.403-4(a)(2) | HCA | No | - | No additional Guidance | - | - | - | - | HCA | No | - |
| 15 | Proposal Analysis Techniques | Determination that it is in the best interest of the Government to make award to offeror who does not comply with requirement to submit other than certified cost or pricing data - When the contractor continues to refuse to provide data to the contracting officer. | - | - | - | - | DFARS PGI 215.404-1(a)(1)(A)(iv) | HCA | Yes | No limitation | 5115.404-1(a)(1)(A)(iv) | HCA | Yes | No lower than SCO |
| 15 | Proposal Analysis, Profit | Approval of alternate approaches when weighted guidelines method does not produce reasonable profit objective | - | - | - | - | 215.404-4(c)(2)(C)(2) | HCA | Yes | No limitation | 5115.404-4(c)(2)(C)(2) | HCA | Yes | 1 level above KO |

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|------|--|--|----------------------------------|----------------------------|-----------|--|--|----------------------------|-----------|---------------------------------|--------------------------|----------------------------------|-----------|--|
| 15 | Proposal Analysis, Forward Pricing Rate Agreements | Waiver of use of forward pricing rate agreements when such rates are available. | - | - | - | - | 215.407-3(b)(i) | HCA | Yes | No limitation | 5115.407-3(b)(i) | HCA | Yes | 1 level above KO |
| 15 | Should-Cost Review | Request an overhead should-cost review for a contractor business unit that does not meet the criteria found in DFARS PGI 215.407-4(c)(3)(A). | - | - | - | - | DFARS PGI 215.407-4(c)(2)(B) | HCA | Yes | No limitation | 5115.407-4(c)(2)(B) | HCA | Yes | No lower than SCO |
| 15 | Contract Clauses and Provisions | Approve determination (when contracting with the Canadian Commercial Corporation) that data other than certified cost or pricing data are needed in order to determine that the price is fair and reasonable. | - | - | - | - | 215.408-3(i)(A)(2) & 225.870-4(c)(2)(ii) | HCA | Yes | 2 levels above KO | - | No Lower Than 2 Levels Above KO | No | - |
| 15 | Solicitation Provisions and Contract Clauses | Approve determination (when contracting with the Canadian Commercial Corporation) that it is reasonably certain that data other than certified cost or pricing data will be needed in order to determine that the price of modifications is fair and reasonable. | - | - | - | - | 215.408-3(i)(A)(2) & 225.870-4(c)(2)(ii) | HCA | Yes | 2 levels above KO | - | No Lower Than 2 Levels Above KO | No | - |
| 16 | Selecting Contract Types | Waiver approval authority for determining contract types for FMS contracts | - | - | - | - | See Class Deviation 2018-09017, Determining Contract Type for FMS Contracts | CoCO | No | - | - | CoCO | No | - |
| 16 | Fixed Ceiling-Price Contracts with Retroactive Price Predetermination, Limitations | Approval of fixed-price contracts with retroactive price redetermination | 16.206-3(d) | HCA or Higher | No | - | No additional Guidance | - | - | - | - | HCA or Higher | No | - |
| 16 | Limitations on Cost-Reimbursement Contracts | Limitations on Awarding Cost-Reimbursement Contracts in excess of \$25M. | 16.301-3(a) | - | - | - | 216.301-3(2) | HCA | Yes | No limitation | 5116.301-3(2) | HCA | Yes | No Lower than SCO |
| 16 | Incentive Contracts | Sharing Proven Incentive Strategies | 16.401(g) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5116.401(g) | ASA(ALT) | Yes | DASA(PI), without power to further delegate |
| 16 | Award-fee Contracts | Approval of D&F for all award-fee contracts (except for cost-reimbursement award-fee contracts in excess of \$25 million) justifying use of this type of contract | 16.401(d) | HCA | Yes | No limitation | 216.401(d)(0)(A) | HCA or Designee | Yes | No Lower than 1 Level Below HCA | 5116.401(d)(0) | No Lower than SCO | No | - |
| 16 | Incentive Contracts | Approval of D&F for all incentive contracts (except for cost-reimbursement contracts valued in excess of \$25 million) incentive contracts, justifying use of this type of contract | 16.401(d) | HCA | Yes | No limitation | 216.401(d)(0)(B) | HCA or Designee | Yes | 1 Level Above the KO | 5116.401(d)(0) | 1 Level Above the KO | Yes | - |
| 16 | Award-fee Contracts | Approval of D&F for cost-reimbursement incentive or award fee contracts valued in excess of \$25 million | 16.401(d) | HCA | Yes | No limitation | 216.401(d)(ii) | HCA | Yes | No limitation | 5116.401(d)(ii) | HCA | Yes | No lower than SCO |
| 16 | Cost-Plus-Award-Fee Contracts | Approval of remaining award fee pool less than 40% at time of final evaluation | - | - | - | - | 216.405-2(1) | HCA | No | - | - | HCA | No | - |
| 16 | Single Source Award | No task or delivery order contract in an amount estimated to exceed \$100 million (including all options) may be awarded to a single source unless the head of the agency determination | 16.504(c)(1)(ii)(D)(1) | Head of the Agency | Yes | - | 216.504(c)(1)(ii)(D)(1) | SPE | Yes | - | 5116.504(c)(1)(ii)(D)(1) | SPE | Yes | HCA, with authority to delegate to No lower than SCO |
| 16 | Indefinite-Delivery Contracts, Ordering | Approval of justification for an exception to fair opportunity over \$10M but not exceeding \$100M | 16.505(b)(2)(ii)(C)(3) | HCA | Yes | General/Flag officer, SES, or grade above GS-15 only | No additional Guidance | - | - | - | 5116.504(b)(2)(ii)(C)(3) | HCA | Yes | SCOs at GO/SES level only; otherwise HCA |
| 16 | Indefinite-Delivery Contracts, Ordering | Approval of justification for an exception to fair opportunity exceeding \$100M | 16.505(b)(2)(ii)(C)(4) | SPE | No | - | - | - | - | - | - | SPE | No | - |
| 16 | Indefinite-Delivery Contracts, Ombudsman | HCA shall designate a task and delivery order ombudsman for the contracting activity. | 16.505(b)(8) | Head of the Agency | Yes | No limitation | - | - | - | - | 5116.505(b)(8) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 16 | Time-and-Materials Contracts, Limitations | Approval of D&F for use of T&M when base period + options exceeds 3 years | 16.601(d)(1)(ii) | HCA | Yes | No limitation | 216.601(d)(0)(A)(2) | HCA | No | - | - | HCA | No | - |
| 16 | Determination of Price Reasonableness | Approval of Contracting Officer's Price Reasonableness for Letter contract under dispute | FAR 16.603-2(c) and 52.216-25(c) | HCA | No | - | No additional Guidance | - | - | - | - | HCA | No | - |
| 16 | Letter Contracts, Application | Approval of KO's determination of reasonable price to definitize UCA under certain circumstances. | 16.603-2(c)(3) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5116.603-2(c)(3) | HCA | Yes | No lower than SCO |
| 16 | Letter Contracts, Limitations | Authorizing use of letter contract | 16.603-3 | HCA | Yes | No limitation | 216.603-3 | HCA | Yes | No limitation | 5116.603-3 | HCA | Yes | No lower than SCO |
| 17 | Multi-Year Contracting | Authorize modifications of the requirements | 17.104(b) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5117.104(b) | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 17 | Multi-Year Contracting for Supplies | Authorize use of multi-year contract for supplies | 17.105-1(b) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5117.105-1(b) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 17 | Multi-Year Contracting for Supplies | Authorize use of multi-year contract for procurement of certain enumerated munitions | - | - | - | - | See DPC Class Deviation 2024-00065 Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel | Head of Agency | Yes | No limitation | 5117.105-1 | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 17 | Multi-Year Contracting | Authorizes recurring costs in cancellation ceiling | 17.106-3(e) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5117.106-3(e) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 17 | Multi-Year Contracting | Authorizes the use of a solicitation requesting only multi-year prices, provided that dual proposals are not necessary to meet the objectives in FAR 17.105-2. | 17.106-3(f) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5117.106-3(f) | HCA | Yes | No lower than SCO |
| 17 | Multi-Year Contracting | Approves the use of variable unit prices on multi-year contracts provided that, for competitive proposals, there is a valid method of evaluation. | 17.106-3(g) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5117.106-3(g) | HCA | Yes | No lower than SCO |

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|------|--|--|-------------------------|---|-----------|---------------|---|---|-----------|-------------------|----------------------------------|----------------------------------|-----------|--|
| 17 | Multi-Year Contracting | Written Notification to Congress to Award a Multi-Year Contract which includes a cancellation ceiling in excess of \$150M | 17.108(b) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5117.108(b) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 17 | Multi-Year Contracting for Services | Entering into a multiyear contract for a period of not more than 5 years for certain types of services, even though funds are limited by statute to obligation only during the fiscal year for which they were appropriated; the Head of Agency must follow certain principals and before entering into a multiyear contract for services; and the head of the agency must make a written determination that there will be continuing requirement for the services | - | - | - | No limitation | 217.171(a) through (c) | Head of Agency | Yes | No limitation | 5117.171(a) through (c) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 17 | Multi-Year Contracting Supplies | Entering into a multiyear contract for supplies if, in addition to the conditions listed in FAR 17.105-1(b), the use of such a contract will promote the national security of the United States (10 U.S.C. 3501(a)(6)). | - | - | - | - | 217.172 (a) through (e) and (g) | Head of Agency | Yes | No limitation | 5117.172 (a) through (e) and (g) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 17 | Multiyear Contracts for Supplies | For contracts equal to or greater than \$750 million, determination that the conditions required by paragraphs (h)(2)(i) through (vi) of this section will be met by such contract, in accordance with the Secretary's certification and determination required by paragraph (h)(2) of this section | - | - | - | - | 217.172(f)(2) | HCA | Yes | No limitation | 5117.172(f)(2) | HCA | Yes | No lower than SCO |
| 17 | Multiyear Contracts for Electricity from Renewable Energy Sources | Authorization to enter into contract for period not more than 10 years for electricity from renewable sources | - | - | - | - | 217.174(a) | HCA | Yes | No limitation | 5117.174(a) | HCA | Yes | No lower than CoCo |
| 17 | Multiyear Contracts for Electricity from Renewable Energy Sources | Authorization to enter into contract for electricity from renewable sources for more than 5 years based on business case analysis | - | - | - | - | 217.174(b) | HCA | Yes | No limitation | 5117.174(b) | HCA | Yes | No lower than CoCo |
| 17 | Contracts | Approval for use of contract terms in excess of the limitations specified in FAR 17.204(e). | 17.204(e) | - | - | - | 217.204(e) | - | - | - | 5117.204(e) | HCA | Yes | HCA, with authority to delegate to No Lower than SCO |
| 17 | Contracts (Options) | Approval of ordering periods in excess of 10 years for task/delivery order contracts | 17.204(e) | - | - | - | 217.204(e)(i)(C) | Agency Head | Yes | No limitation | 5117.204(e)(i)(C) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 17 | Contracts (Options) | Approval for task / delivery order performance more than 1 year beyond 10-year base contract limit in 217.204(e)(i)(C) | 17.204(e) | - | - | - | 217.204(e)(iii) | SPE | Yes | No limitation | 5117.204(e)(iii) | SPE | Yes | HCA, with power to further delegate |
| 17 | Interagency Acquisitions - The Economy Act | Approval of D&F for Economy Act order to obtain supplies or services by interagency servicing agency covered by the FAR | 17.502-2(c)(2) | KO of Requesting Agency or Another Official Designated by Agency Head | Yes | - | - | - | - | - | 5117.502-2(c)(2) | KO of Requesting Agency | No | KO of Requesting Agency |
| 17 | Interagency Acquisitions - The Economy Act | Approval of D&F for Economy Act order to obtain supplies or services by interagency acquisitions when servicing agency is not covered by the FAR | 17.502-2(c)(2) | SPE | No | - | - | - | - | - | - | SPE | No | - |
| 17 | Interagency Acquisitions | Waiver determination for acquisitions of supplies and services by nondefense agencies on behalf of DoD | 17.703(e) | USD(A&S) | Yes | No limitation | See DPC Memo Subject: Re-delegation of Authority Under Section 801 FY18 NDAA "Internal Controls for Procurements on Behalf of DoD by Certain Non-Defense Agencies", dated 17 June 2019. | SPE | Yes | No Lower than HCA | 5117.703(e) | SPE | Yes | DASA(P) or SSM, without power to further delegate |
| 17 | Interagency Acquisitions: Acquisitions by Nondefense Agencies on behalf of DoD | Concurrence to use non-DoD contract prior to public announcement of the requirement for acquisitions valued at or above the simplified acquisition threshold, but less than \$50 million | - | - | - | - | 217.77 | In accordance with Department and Agency Procedures | Yes | No limitation | 5117.770(2)(i) | HCA | Yes | No lower than 2 levels below SCO |
| 17 | Interagency Acquisitions: Acquisitions by Nondefense Agencies on behalf of DoD | Concurrence to use non-DoD contract prior to public announcement of the requirement for acquisitions valued at or above \$50 million but less than \$250 million | - | - | - | - | 217.77 | In accordance with Department and Agency Procedures | Yes | No limitation | 5117.770(2)(ii) | HCA | Yes | No lower than 1 level below SCO |
| 17 | Interagency Acquisitions: Acquisitions by Nondefense Agencies on behalf of DoD | Concurrence to use non-DoD contract prior to public announcement of the requirement for acquisitions valued at or above \$250 million | - | - | - | - | 217.77 | In accordance with Department and Agency Procedures | Yes | No limitation | 5117.770(2)(iii) | HCA | Yes | No lower than SCO |
| 17 | Unfinalized Contract Actions (UCA) Limitations. | Approval to enter into a UCA for foreign military sales contracts | - | - | - | - | 217.7404(a)(1)(ii) | HCA | Yes | No Limitation | 5117.7404(a)(1)(ii) | HCA | Yes | No lower than CoCo if \$50m or less; SCO if greater than \$50m |
| 17 | Unfinalized Contract Actions (UCA) Limitations. | Approval of unilaterally defmitizing UCAs with a value greater than \$30M | - | - | - | - | 217.7404(b)(2) | HCA | No | - | - | HCA | No | - |
| 17 | Unfinalized Contract Actions (UCA) Authorization. | Approves Unfinalized Contract Actions (UCA). | - | - | - | - | 217.7404-1 | HCA | Yes | No limitation | 5117.7404-1 | HCA | Yes | No lower than CoCo if \$50m or less; SCO if greater than \$50m |
| 17 | Unfinalized Contract Actions (UCA) Definitization Schedule | Approval of determination to extend definitization schedule beyond an additional 90 days | - | - | - | - | 217.7404-3(a)(1) | HCA | No | - | - | HCA | No | - |
| 17 | Unfinalized Contract Actions (UCA) Limitations on Obligations. | Waive the limitations in 217.7404(a), 217.7404-2, 217.7404-3, and 217.7404-4 for UCAs if determined that the waiver is necessary to support a contingency operation, or a humanitarian or peacekeeping operation. | - | - | - | - | 217.7404-5(b) | Agency Head | Yes | No limitation | 5117.7404-5(b) | ASA(ALT) | Yes | HCA, without power to further delegate |

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|------|---|--|--------------------------------|--------------------------------|-----------|---------------|---|--|-----------|---|------------------------|----------------------------------|-----------|---|
| 17 | Unfinalized Contract Actions (UCA) Limitations on Obligations. | Waive the limitations DFARS 217.7404(a) FMS contracts; 217.7404-3 Definitization schedule; and 217.7404-4. Limitations on obligations in accordance with subsection (D) of DPC 2024-00005 - Class Deviation - Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel. | - | - | - | - | Class Deviation 2024-00005 | Agency Head | Yes | No limitation | 5117.7404-5(b) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 17 | Unfinalized Contract Actions - Allowable Profit | Ensures profit reflects risk when UCA is finalized after substantial portion of performance is completed | - | - | - | - | 217.7404-6 | HCA | Yes | No limitation | 5117.7404-6 | HCA | Yes | No lower than CoCo |
| 17 | Acquisition of Parts When Data is not available | Authorization of reverse engineering | - | - | - | - | DFARS PGI 217.7504(4)(ii) | HCA | Yes | No limitation | 5117.7504(4)(ii) | HCA | Yes | No lower than SCO |
| 17 | Limitations on Price Increases | KO certification of certain requirements to HCA before award of contract for a part, the price of which exceeds the limit in 217.7505(a) | - | - | - | - | 217.7505(b) | HCA | Yes | No limitation | 5117.7505(b) | HCA | Yes | No lower than 1 level above KO |
| 18 | Protest to GAO | Override of CICA Stay due to a Protest | 18.125 (See 33.104(b) and (c)) | HCA | No | - | No additional Guidance | - | - | - | - | HCA | No | - |
| 18 | Available Acquisition Flexibilities | Rights in Technical Data | - | - | - | - | 218.170(b) | Agency Head | Yes | No limitation | 5118.170(b) | ASA(ALT) | Retain | - |
| 18 | Emergency Acquisitions. Contingency Operation | Waive limitations for UCAs if necessary to support a contingency operation or humanitarian or peacekeeping operation | - | - | - | - | 218.201(9) & 217.7404-5(b) | Head of Agency | Yes | No limitation | 5118.201(9) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 18 | Emergency Acquisitions. Defense or recovery from certain events. | Approve determinations related to support of contingency ops or defense against / recovery from nuclear, biological, chemical, radiological attack, cyber attack, international disaster assistance, and response to an emergency or major disaster. | 18.201 18.202 | Head of Agency | Yes | No Limitation | 218.201 218.202 | HCA (per 218.270, Head of Agency is replaced with HCA for FAR Part 18.2) | Yes | No limitation | 5118.201 5118.202 | HCA | Yes | No lower than SCO |
| 18 | Emergency Acquisitions. Defense or recovery from certain events. | Permits the head of an agency carrying out a procurement of a product or a service for a covered contract to treat the product or service as a commercial product or a commercial service for the purpose of carrying out the procurement. | - | - | - | - | See Class Deviation 2024-00005, Temporary Authorizations for Covered Contracts Related to Ukraine, Taiwan, and Israel | Head of an Agency | Yes | No limitation | 5118.202(c) | ASA(ALT) | Yes | Contracting Officers may use this authority consistent with the terms of the class deviation. |
| 18 | Emergency Acquisitions. Head of contracting activity determinations | The term "head of the agency" is replaced with "head of the contracting activity," as defined in FAR 2.101. | - | - | - | - | 218.270(e) | HCA | Yes | No limitation | 5118.270(e) | HCA | Yes | No Lower than SCO |
| 19 | Encouraging small business participation in acquisitions | Determination that a consolidated requirement cannot be placed under one of the preference programs prior to release of the solicitation | - | - | - | - | - | - | - | - | 5119.202-1(1) | HCA | Yes | No lower than SCO |
| 19 | Partial Set-Asides | Authorizing partial set-aside when only 2 concerns (1 large, 1 small) are expected to respond with offers | 19.502-3(a)(5) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5119.502-3(a)(5) | HCA | Yes | No lower than CoCo |
| 19 | Rejecting Small Business Administration recommendations. | Issuing a decision in response to an appeal of KO's rejection of SBA procurement center recommendation | 19.502-8(b) | HCA | Yes | No Limitation | No additional Guidance | 219.502-8(b) | Yes | No lower than the Chief of Contracting Office | 5119.502-8(b) | HCA | Yes | No lower than CoCo |
| 19 | Contracting with the Small Business Administration (The 8(a) Program) | Confirm or withdraw the request for waiver of the termination requirement | 19.812(d) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5119.812(d) | ASA(ALT) | Yes | HCA without the power to further delegate |
| 19 | Contracting with the Small Business Administration (The 8(a) Program) | Suspension from the 8(a) Program | 19.816(b) | Head of Contracting Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5119.816(b) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 19 | HUBZone Set-Aside Procedures | Determining urgent and compelling circumstances exist to proceed with acquisition upon receipt of SBA's notice of intent to appeal | 19.1305(d)(2) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5119.1305(d)(2) | HCA | Yes | No lower than SCO |
| 19 | Service-Disabled Veteran-Owned Business Set-Aside Procedures | Issuing a decision in response to appeal of the KO's rejection of SBA recommendation to set aside a procurement for SDVOSB | 19.1405(d) | HCA | Yes | No limitation | No additional Guidance | #ERROR: #REF! | - | - | 5119.1405(d) | HCA | Yes | No lower than SCO |
| 22 | Labor Relations | Designation of programs or requirements for which contractors are required to notify Gov't of actual or potential labor disputes that delay or threaten to delay timely contract performance | 22.101-1(e) | HCA | Yes | No limitation | DFARS PGI 222.101-1 | Labor Advisor | Yes | No limitation | 5122.101-1 | HCA | Yes | No lower than CoCo |
| 22 | Reporting Labor Disputes | Submit a report of findings and recommendations to the labor advisor regarding the impact of potential or actual labor disputes that involve a product, project (including construction), or service that must be obtained in order to meet schedules for urgently needed military programs or requirements. | 22.101-3 | Contract Administration Office | Yes | No limitation | 222.101-3-70(b) | HCA | Yes | No limitation | 5122.101-3-70(b) | HCA | Yes | No lower than SCO |
| 22 | Overtime Approvals | Authority to approve overtime | 22.103-4 | Agency Approving Official | Yes | No limitation | 222.103-4 | Department Approving Official | Yes | No limitation | 5122.103-4(a) | See AFARS | Yes | Various |
| 22 | Liquidated Damages and Overtime Pay | Determination on Liquidated Damages | 22.302(c) | Agency Head | Yes | - | No additional Guidance | - | - | - | 5122.302(c) | ASA(ALT) | Yes | Chief of Engineers, Labor Advisor for other than USACE |
| 22 | Construction Wage Requirements Statute Wage Determinations | Extension request to modify wage determination | 22.404-6(b)(6) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5122.404-6(b)(6) | ASA(ALT) | Yes | HCA, with authority to delegate to no lower than CoCo |
| 22 | Labor Standards for Contracts Involving Construction | Processing of Contracting Officer's Report | 22.406-8(d) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5122.406-8(d) | ASA(ALT) | Yes | DA, Labor Advisor |

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|------|--|---|-------------------------|------------------------------|-----------|---------------|--|----------------------------|-----------|---------------|------------------------|----------------------------------|-----------|---|
| 22 | Use of Project Labor Agreements for Federal Construction Projects | Grant an exception grant an exception from using the requirement at FAR 22.503 to use project labor agreements (PLAs) on large-scale Federal construction projects, where the total estimated cost to the Government is \$35 million or more. | 22.504(d)(1) | Senior Procurement Executive | Yes | No Limitation | No additional Guidance | - | - | - | - | SPE | Retain | - |
| 22 | Contracts for Materials, Supplies, Articles, and Equipment Exceeding \$15,000 | Exemption of specific contracts or classes of contracts from the inclusion or application of one or more of the Small Business Act stipulations | 22.604-2(b)(1) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | - | Director, OSBP | No | - |
| 22 | Equal Employment Opportunity, Procedures | Approval to award without preaward clearance | 22.805(a)(8) | HCA | Yes | No Limitation | No additional Guidance | - | - | - | 5122.805(a)(8) | HCA | Yes | No lower than CoCO |
| 22 | Equal Employment Opportunity, Exemptions | Exemption of EO 11246 for national security | 22.807(a)(1) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5122.807(a)(1) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 22 | Non-displacement of Qualified Workers Under Service Contracts | Waive some or all of the provisions in FAR subpart 22.12 | 22.1203(a) | SPE | No | - | No additional Guidance | - | - | - | - | SPE | No | - |
| 22 | Equal Employment Opportunity for Veterans | Waiver of Requirements when determined that the contract is essential to the national security | 22.1305(a) | Head of Agency | Yes | No Limitation | No additional Guidance PGI 222.1305(c)(i) | Agency Head | Yes | No Limitation | 5122.1305(a) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 22 | Equal Employment Opportunity for Veterans | Waiver of Requirements when determined that the contract is essential to the national security | 22.1305(b) | Head of Agency | Yes | No Limitation | No additional Guidance PGI 222.1305(c)(ii) | Secretary of Defense | No | - | 5122.1305(b) | Secretary of Defense | No | - |
| 22 | Employment of Workers with Disabilities | Waiver of Requirements when determined that the contract is essential to the national security | 22.1403(a) | Head of Agency | Yes | No Limitation | 222.1403(c)(i) | Agency Head | Yes | No Limitation | 5122.1403(a) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 22 | Employment of Workers with Disabilities | Waiver of Requirements when determined that the contract is essential to the national security | 22.1403(b) | Head of Agency | Yes | No Limitation | No additional Guidance 222.1403(c)(ii) | Secretary of Defense | No | - | 5122.1403(b) | ASA(ALT) Secretary of Defense | Yes No | DASA(P), without power to further delegate - |
| 22 | Procedures for acquiring end products on the list of products requiring contractor certification as to forced or indentured child labor. | Imposing remedies if the contractor has furnished an end product or component that has in fact been mined, produced, or manufactured, wholly or in part, using forced or indentured child labor. | 22.1503(f) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5122.1503(f) | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 22 | Notification of Employee Rights Under the National Labor Relations Act | Objection to Suspension or Termination of a contract if violation of National Labor Relations | 22.1604(d) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5122.1604(d) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 22 | Combating Trafficking in Persons | Exemption from the requirement to provide return transportation or pay for the cost of return transportation | 22.1703(a)(7) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5122.1703(a)(7) | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 22 | Combating Trafficking in Persons - Violations and Remedies | Receipt of agency Inspector General report | 22.1704(c) | Head of Executive Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5122.1704(c) | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 22 | Employment Eligibility Verification, Policy | Waive e-Verify requirement for a contract, subcontract, or class of contracts or subcontracts | 22.1802(d) | HCA | No | - | No additional Guidance | - | - | - | - | HCA | No | - |
| 23 | Sustainable Acquisition Policy - Exceptions | Determination of Application | 23.104(a) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5123.104(a) | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 23 | Sustainable Acquisition Policy - Exemption Authority | Exemption Authority to purchase sustainable products | 23.105 | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5123.105 | ASA(ALT) | Retain | - |
| 23 | Energy and Water Efficiency and Renewable Energy, Procurement Exemptions | Determination not to procure an ENERGY STAR or FEMP-designated product if no ENERGY STAR or FEMP-designated product is reasonably available or no ENERGY STAR or FEMP-designated product is cost effective | 23.204 | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5123.204 | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than the CoCO |
| 23 | Safety precautions for ammunition and explosives, Procedures | Waives the mandatory requirements for safety precautions for ammunition and explosives. | - | - | - | - | DFARS PGI 223.370-4(1)(i) | HCA | Yes | No limitation | 5123.370-4(1)(i) | HCA | Yes | No lower than SCO |
| 23 | Drug-Free Workplace | Determination to suspend contract payments, terminate a contract for default, debar or suspend | 23.506(e) | Agency Head | No | - | No additional Guidance | - | - | - | - | ASA(ALT) | No | - |
| 23 | Contractor Compliance with Environmental Management Systems | Determination that the use of Compliance With Environmental Management Systems clause for facilities located outside the U.S. | 23.903 | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5123.903 | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 25 | Buy America Supplies, Exceptions | Approval of determination for public interest exception to Buy American statute at various thresholds | 25.103(a) | Agency Head | Yes | No limitation | 225.103(a)(i)(B)(1) | At a Level Above KO | Yes | No limitation | 5125.103(a)(i)(B)(1) | No Lower than 1 Level Above KO | No | - |
| 25 | Buy America Supplies, Exceptions | Approval of determination for public interest exception to Buy American statute at various thresholds | 25.103(a) | Agency Head | Yes | No limitation | 225.103(a)(i)(B)(2) | HCA | Yes | No limitation | 5125.103(a)(i)(B)(2) | HCA | Yes | No lower than SCO |
| 25 | Buy America Supplies, Exceptions | Approval of determination for public interest exception to Buy American statute at various thresholds | 25.103(a) | Agency Head | Yes | No limitation | 225.103(a)(i)(B)(3) | Agency Head | Yes | No limitation | 5125.103(a)(i)(B)(3) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 25 | Buy America Supplies, Exceptions | Approval of determination for nonavailability exception to Buy American statute for acquisitions valued at or below SAT | 25.103(b)(2)(i) | HCA | Yes | No limitation | 225.103(b)(i)(A) | At a Level Above KO | Yes | No limitation | 5125.103(b)(i)(A) | No Lower than 1 Level Above KO | No | - |
| 25 | Buy America Supplies, Exceptions | Approval of determination for nonavailability exception to Buy American statute for acquisitions valued between the SAT and less than \$1.5M | 25.103(b)(2)(i) | HCA | Yes | No limitation | 225.103(b)(i)(B) | CoCO | Yes | No limitation | 5125.103(b)(i)(B) | CoCO | No | - |
| 25 | Buy America Supplies, Exceptions | Approval of determination for nonavailability exception to Buy American statute for acquisitions valued at \$1.5M or more | 25.103(b)(2)(i) | HCA | Yes | No limitation | 225.103(b)(i)(C) | HCA or Immediate Deputy | Yes | No limitation | 5125.103(b)(i)(C) | HCA | Yes | No lower than SCO |

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|------|---|--|-------------------------|----------------------------|-----------|---------------|--|--------------------------------------|-----------|---------------------------------|--|----------------------------------|-----------|--|
| 25 | Buy American - Supplies | Determination that use of higher evaluation factors are appropriate | 25.105(a)(1) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5125.105(a)(1) | ASA(ALT) | Yes | DASA(P) and for the U.S. Army Corps of Engineers, the HCA USACE, without power to further delegate |
| 25 | Buy American - Construction Materials | Authority to determine the use of a particular domestic construction material is impracticable | 25.202(a)(1) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5125.202(a)(1) | ASA(ALT) | Yes | DASA(P) and for the U.S. Army Corps of Engineers, the HCA USACE, without power to further delegate |
| 25 | Buy American - Construction Materials | Authority to determine the use of a particular domestic construction material is inconsistent with public interest | 25.202(a)(1) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5125.202(a)(1) | ASA(ALT) | Retain | - |
| 25 | Buy American-Construction Materials | Determining that construction material is not mined, produced, or manufactured in the US in sufficient and reasonably available quantities of a satisfactory quality | 25.202(a)(2) | HCA | Yes | No limitation | 225.202(a)(2) (see 225.103(b)(4)(A)) | At a Level Above KO | Yes | No limitation | 5125.202(a)(2) | No Lower than 1 Level Above KO | No | - |
| 25 | Buy American-Construction Materials | Determining that construction material is not mined, produced, or manufactured in the US in sufficient and reasonably available quantities of a satisfactory quality | 25.202(a)(2) | HCA | Yes | No limitation | 225.202(a)(2) (see 225.103(b)(4)(B)) | CoCO | Yes | No limitation | 5125.202(a)(2) | CoCO without further delegation | No | - |
| 25 | Buy American-Construction Materials | Determining that construction material is not mined, produced, or manufactured in the US in sufficient and reasonably available quantities of a satisfactory quality | 25.202(a)(2) | HCA | Yes | No limitation | 225.202(a)(2) (see 225.103(b)(4)(C)) | HCA or Immediate Deputy | Yes | No limitation | 5125.202(a)(2) | HCA | Yes | No lower than SCO |
| 25 | Buy American - Construction Materials | Specifying a higher percentage to the offered price of the cost of any foreign construction material proposed for exception from the requirements of the Buy American Act based on unreasonable cost of domestic materials | 25.204(b) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5125.204(b) | ASA(ALT) | Yes | DASA(P) and for the U.S. Army Corps of Engineers, the HCA USACE, without power to further delegate |
| 25 | World Trade Organization Government Procurement Agreement and Free Trade Agreement | Approval of national interest waiver for purchase by overseas purchasing activity in support of US forces stationed abroad | - | - | - | - | 225.403(c)(4)(A) | HCA | Yes | No limitation | 5125.403(c)(4)(A) | HCA | Yes | No lower than SCO |
| 25 | American Recovery and Reinvestment Act-Buy America Statute-Construction materials | Determining for ARRA that construction material is not mined, produced, or manufactured in the US in sufficient and reasonably available quantities of a satisfactory quality | 25.603(a)(1)(i) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5125.603(a)(1)(i) | HCA | Yes | No lower than SCO |
| 25 | American Recovery and Reinvestment Act-Buy America Statute-Construction materials | Determination that application of the restrictions of AARA in particular manufactured construction material would be inconsistent with the public interest | 25.603(a)(1)(iii) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5125.603(a)(1)(iii) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 25 | American Recovery and Reinvestment Act-Buy America Statute-Construction materials | Determination that application of the Buy American statute to a particular unmanufactured construction material would be impracticable | 25.603(a)(2) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5125.603(a)(2) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 25 | End Use Certificates | Authority to sign EUCs for non-PEO managed items. | - | - | - | - | 225.802-71 See DoDI 2040.03 for Delegation | DoD Component Heads | Yes | No Lower than GO/SES | 5125.802-71 | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 25 | End Use Certificates | Authority to sign EUCs for PEO managed items. | - | - | - | - | 225.802-71 See DoDI 2040.03 for Delegation | DoD Component Heads | Yes | No Lower than GO/SES | ASA(ALT) Memorandum, SUBJECT: Delegation of Authority under Department of Defense Instruction 2040.03, "End Use Certificates" dated 30 January 2021. | ASA(ALT) | Yes | PEOs/DPEOs |
| 25 | Contracting with Canadian Contractors, Contracting Procedures | Determination that data other than certified cost/pricing data from Canadian Commercial Corporation are needed in order to determine that price is fair and reasonable in circumstances other than those in 225.870-4(c)(2)(i) | - | - | - | - | 225.870-4(c)(2)(ii) | HCA | Yes | No lower than 2 levels above KO | 5125.870-4(c)(2)(ii) | No Lower Than 2 Levels Above KO | No | - |
| 25 | Contracting with Canadian Contractors, Contracting Procedures | Determination that it is in the best interest of the Government to make award to offeror who does not comply with requirement to submit other than certified cost or pricing data | - | - | - | - | 225.870-4(c)(5) | HCA | Yes | No limitation | 5125.870-4(c)(5) | HCA | Yes | No Lower than 2 levels above KO |
| 25 | Foreign Acquisition | Waiver of Right to Examine Records | 25.1001(a)(2)(iii) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5125.1001(a)(2)(iii) | ASA(ALT) | Retain | - |
| 25 | Authorization Acts, Appropriation Acts, and Other Statutory Restrictions on Foreign Acquisition | Determination that items grown, reprocessed, reused, or produced in the United States cannot be acquired as and when needed in a satisfactory quality and sufficient quantity at U.S. market prices | - | - | - | - | 225.7002-2 | Secretary of the Army | No | - | 5125.7002-2(b)(1)(ii)(1) | Secretary of the Army | No | - |
| 25 | Restrictions on Acquisitions of Specialty Metals-Exceptions | Determines that specialty metal melted or produced in the United States cannot be acquired as and when needed at a fair and reasonable price in a satisfactory quality, a sufficient quantity, and the required form (i.e., a domestic nonavailability determination that apply to only 1 contract). | - | - | - | - | 225.7003-3(b)(5)(i) | Secretary of the Military Department | No | - | 5225.7003-3(b)(5)(i)(i) | Secretary of the Army | No | - |
| 25 | Restrictions on Acquisitions of Specialty Metals-Exceptions | Determines that specialty metal melted or produced in the United States cannot be acquired as and when needed at a fair and reasonable price in a satisfactory quality, a sufficient quantity, and the required form (i.e., a domestic nonavailability determination for more than 1 contract). | - | - | - | - | 225.7003-3(b)(5)(ii) | USD(AT&L) | No | - | 5225.7003-3(b)(5)(ii)(i) | USD(AT&L) | No | - |
| 25 | Waiver of Restrictions of 10 U.S.C. 2534 | Waiver of restrictions on certain foreign purchases on a case-by-case basis | - | - | - | - | 225.7008(a)(2) | HCA | Yes | No limitation | 5125.7008(a)(2) | HCA | Yes | No lower than SCO |

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|------|---|---|-------------------------|----------------------------|-----------|---------------|---|---|-----------|---------------|-------------------------|----------------------------------|-----------|---|
| 25 | Authorization Acts, Appropriations Acts, and Other Statutory Restrictions on Foreign Acquisition. | Waiver on restriction for supercomputer | - | - | - | - | 225.7012-2 | SECDEF | Yes | No limitation | 5125.7012-2 | SECDEF | No | - |
| 25 | Restriction on Acquisition of Certain Magnets and Tungsten | Determination to make individual nonavailability determination | - | - | - | - | 225.7018-4(a)(1) | HCA | Yes | No limitation | - | HCA | Retain | - |
| 25 | Requirement to Use Firm-Fixed-Price Contracts for FMS | Waiver of requirement to use a firm-fixed-price contract for FMS. | - | - | - | - | 225.7301-1(b) | See DPC Class Deviation 2020-00003 valid through Dec 31, 2020; After CoCO | Yes | No Limitation | 5125.7301-1(b) | CoCO | Retain | - |
| 25 | Enhanced Authority to Acquire Products or Services from Afghanistan, Determination Requirements | Determination to use enhanced authority for individual acquisition of products or services with a value of less than \$100M from Afghanistan | - | - | - | - | 225.7703-2(b)(2)(i) | HCA | Yes | No limitation | 5125.7703-2(b)(2)(i) | HCA | Yes | No lower than SCO |
| 25 | Enhanced Authority to Acquire Products or Services from Afghanistan, Determination Requirements | Determination to use enhanced authority for individual acquisition of products or services with a value of \$100M or more from Afghanistan | - | - | - | - | 225.7703-2(b)(2)(ii) | AAE | No | - | - | AAE | No | - |
| 25 | Prohibition on Providing Funds to the Enemy and Authorization of Additional Access to Records | Authority to terminate or void contracts and to restrict future awards directly or indirectly to any person that is actively opposing United States or coalition forces involved in a contingency operation in which members of the armed forces are actively engaged in hostilities. | - | - | - | - | 225.7793 (Class Deviation 2015-00016) | HCA | No | - | - | HCA | No | - |
| 25 | Enhanced authority to acquire products or services of Djibouti in support of DoB operations in Djibouti | Determination to use enhanced authority for individual acquisition of products or services with a value of \$93M or more, or a class of acquisitions, from Djibouti | - | - | - | - | 225.7798-4(b)(1)(ii) (Class Deviation 2016-00005) | HCA | No | - | - | HCA | No | - |
| 25 | Authority to acquire products and services (including construction) from Afghanistan or from countries along a major route of supply to Afghanistan, Determination Requirements | Determination to use authority for individual acquisition of products or services (including construction) with a value of \$93M or more, or a class of acquisitions, from Afghanistan or a country along a major route of supply to Afghanistan | - | - | - | - | 225.7799-2(b)(1)(ii) (Class Deviation 2016-00004) | HCA | No | - | - | HCA | No | - |
| 27 | Patent and Copyright Infringement Liability - Contract Clauses | Obtain approval to exempt specific US patents from the patent indemnity clause | 27.201-2(e) | Agency Head | Yes | No Limitation | No Additional Guidance | - | - | - | 5127.201-2(e) | ASA(ALT) | Yes | Commander, U.S. Army Legal Services Agency; Exception: the Commander for AMC and designees that have patent counsel |
| 27 | Patent Rights Under Government Contracts - Contract Clauses | Grant a foreign government a sublicense in subject inventions pursuant to a specified treaty or agreement | 27.303(b)(3) | Agency Head | Yes | No Limitation | 227.303(2)(ii)(B) | Agency Head | Yes | No limitation | 5127.303(b)(3) | ASA(ALT) | Retain | - |
| 27 | Patent Rights Under Government Contracts - Contract Clauses | Determine that restriction or elimination of the right to retain title to any subject invention will better promote the policy and objectives of USC 35, chapter 18. | 27.303(e)(1)(ii) | Agency Head | Yes | No Limitation | No Additional Guidance | - | - | - | 5127.303(e)(1)(ii) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 27 | Patent Rights Under Government Contracts - Contract Clauses | Determine that it would be in the national interests to sublicense foreign governments or international organizations pursuant to any existing or further agreement or treaty. | 27.303(e)(4)(ii) | Agency Head | Yes | No Limitation | No Additional Guidance | - | - | - | 5127.303(e)(4)(ii) | ASA(ALT) | Retain | - |
| 27 | Licensing Background Patent Rights to Third Parties | Allowing Government to Require Licensing to Third Parties of inventions when contracting with a small business firm or nonprofit organization | 27.306(a) | Agency Head | No | - | No Additional Guidance | - | - | - | - | ASA(ALT) | No | - |
| 27 | Government right to review, verify, challenge, and validate asserted restrictions. | Notification that the person asserting the restriction that urgent or compelling circumstances do not permit the Government to continue to respect the asserted restriction. | - | - | - | - | 227.7103-13(d)(6)(iii) (See DFARS 252.227-7037(g)(2)) | Agency Head | No | - | 5127.7103-13(d)(6)(iii) | ASA(ALT) | No | - |
| 27 | Conformity, Acceptance and Warranty of Technical Data | Authorization to withhold payments (or exercise such other remedies an agency head considers appropriate) during any period if the contractor does not meet the requirements of the contract pertaining to the delivery of technical data. | - | - | - | - | 227.7103-14(a)(2) | Agency Head | Yes | No limitation | 5127.7103-14(a)(2) | ASA(ALT) | Yes | No Lower Than the KO |
| 27 | Government right to review, verify, challenge, and validate asserted restrictions. | Notification that that urgent or compelling circumstances do not permit the Government to continue to respect the asserted restriction | - | - | - | - | 227.7203-13(e)(1) (See DFARS 252.227-7019(g)(3)) | Agency Head | No | - | 5127.7203-13(e)(1) | ASA(ALT) | No | - |
| 28 | Bid Guarantees | Class waivers may be authorized for bid guarantees | 28.101-1(c) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5128.101-1(c) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 28 | Other Types of Bonds | Approval to use other types of bonds in connection with acquiring particular supplies or services | 28.105 | HCA | Yes | No limitation | 228.105 | - | - | - | 5128.105 | HCA | Yes | No lower than CoCO |
| 28 | Substitution of Surety Bonds | Approval of new surety bond covering all or some obligations on a bond previously approved | 28.106-2(a) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5128.106-2(a) | HCA | Yes | No lower than CoCO |
| 28 | Furnishing information on Surety Bonds | Copies of payment bonds, provided for contracts, shall be furnished to any person who makes a request | 28.106-6(c) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5128.106-6(c) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 28 | Exclusion of Individual Sureties | Excluding individual from acting as a surety on bonds | 28.203-5 | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5128.203-5(d) | ASA(ALT) | Yes | Suspension and Debarment Official, without power to further delegate |
| 28 | Overseas Workers Compensation and War Hazard Insurance. | Waiver of applicability of the Defense Base Act to any contract, subcontract, work location or classification of employees | 28.305(d) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5128.305(d) | ASA(ALT) | Yes | DASA(P), without power to further delegate |

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|------|--|--|-------------------------|----------------------------|-----------|---|---|-------------------------------------|-----------|--|------------------------|----------------------------------|-----------|--|
| 28 | Solicitation Provisions and Contract Clauses on Liability Insurance Under Cost-Reimbursement Contracts | Waiver of requirement to use clause at FAR 52.228-7 | 28.311-1 | - | - | - | 228.311-1 | HCA | Yes | No limitation | 5128.311-1 | HCA | Yes | No lower than CoCO |
| 28 | Insurance-Additional Clauses | Decision not to allow contractor to buy insurance for war-hazard losses | - | - | - | - | 228.3710(a)(2) | HCA | Yes | No limitation | 5128.3710(a)(2) | HCA | Yes | No lower than SCO |
| 29 | Federal Excise Taxes | Process applications to the Bureau of Alcohol, tobacco, and Firearms for permits to procure alcohol free of tax pursuant to guidance at Title 27 Code of Federal Regulations, Section 22.172 Application and permit | - | - | - | - | - | - | - | - | 5129.201(b) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 29 | Application of State and Local Taxes to Government Contractors and Subcontractors | Designation of Prime and Subcontractors as agents of the Government | 29.303(a) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5129.303(a) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 30 | Waiver of CAS | A waiver to CAS for a particular contract or subcontract | 30.201-5(a) and (b) | Agency head | Yes | not below the senior contract policymaking level | 230.201-5(a)(2) | Agency head | Yes | not below the senior contract policymaking level | 5130.201-5(a)(2) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 30 | CAS Program Requirements - Disclosure Requirements | Authorization of a CAS-covered contract award without obtaining submission of the required disclosure statement | 30.202-6(b) | Agency Head | No | - | No additional Guidance | - | - | - | 5130.202-6(b) | ASA(ALT) | No | - |
| 31 | Interest and Other Financial Costs | Waive some or all requirements of FAR part 31 for Government contracts awarded in conjunction with conveyance of a utility system under 10 U.S.C 2688 | 31 | - | - | - | 231.100-70 (Class Deviation 2011-O0006) | HCA | Yes | No limitation | - | HCA | Retain | No delegation for deviation |
| 31 | Individual Deviations of Cost Principles | Approve Individual Deviations from Cost Principles and procedures. | 31.101 | Agency head | Yes | No limitation | 201.402-1(iv) | DPC | No | - | - | DPC | No | - |
| 31 | Compensation for Personal Services - Severance Pay | Permission to waive severance payment allowability limitations | 31.205-6(g)(6) | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5131.205-6(g)(6) | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 31 | Compensation for Personal Services | Establish one or more narrowly targeted exceptions for employee compensation limits for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities. | 31.205-6(p)(4)(iii) | Agency head | Yes | No limitation | No additional Guidance | - | - | - | 5131.205-6(p)(4)(iii) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than the SCO |
| 32 | Contract Financing | Reduction or Suspension of Contractor Payments upon finding Fraud | 32.006-1(b) and (c) | Agency Head | Yes | Not below the Level IV of Executive Schedule [10 U.S.C. 2307(i)(9)] | No additional Guidance | - | - | - | 5132.006-1(c) | ASA(ALT) | Yes | HCA if they meet the criteria of Level IV SES, without power to further delegate |
| 32 | Contract Financing Payments | Prescription for shorter payment periods based on contracting pricing or administrative considerations. Cannot be period shorter than 7 days or longer than 30 days. | 32.007(a)(3) and (4) | Agency head | Yes | No limitation | No additional Guidance | - | - | - | 5132.007(a)(3) and (4) | ASA(ALT) | Yes | HCA, with authority to delegate to 1 level above KO |
| 32 | Unusual Contract Financing | Approve/authorize contract financing arrangements that deviate from arrangements in FAR 32.1 | 32.114 | Agency head | Yes | No limitation | 201.402(1)(vi) | Director, DPC | No | No limitation | 5132.114 | Director, DPC | No | - |
| 32 | Commercial Item Purchase Financing - Statutory Authority | Determination that payment for commercial items may be under such terms and conditions that are appropriate or customary in the commercial marketplace | 32.201 | Head of Agency | Yes | No Limitation | No additional Guidance | - | - | - | 5132.201 | ASA(ALT) | Yes | No Lower Than the KO |
| 32 | Commercial Item Purchase Financing | Approval, as unusual contract financing, of any contract financing arrangement not in accord with agency regs or FAR 32.202 | 32.202-1(d) | HCA | Yes | No limitation | 201.402(1)(vi) | Director, DPC | No | No limitation | 5132.202-1(d) | Director, DPC | No | - |
| 32 | Advance Payments for Non-Commercial Items | Determination that statutory requirements and standards for advance payment are met and in in the public interest | 32.402(c)(1)(iii)(A) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5132.402(c)(1)(iii)(A) | ASA(ALT) | Retain | - |
| 32 | Advance Payments for Non-Commercial Items | Determination that statutory requirements and standards for advance payment are met and facilitates the national defense | 32.402(c)(1)(iii)(B) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5132.402(c)(1)(iii)(B) | Secretary of the Army | No | - |
| 32 | Advance Payments for Non-Commercial Items | Authorization of advance payments without interest under certain types of contracts | 32.407(d) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5132.407(d) | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower Than SCO |
| 32 | Unusual Progress Payments | Approval of contractor's request for unusual progress payments | 32.501-2(a)(3) | HCA | Yes | No limitation | DFARS PGI 232.501-2 | Director, DPC | No | - | - | DPC | No | - |
| 32 | Contract Funding - Contracts Crossing Fiscal Years | Entering into a contract or exercising an option for severable services for a period that begins in one fiscal year and ends in the next fiscal year | 32.703-3(b) | Head of Executive Agency | Yes | No Limitation | 232.703-3(b) | KO | No | - | - | KO | No | - |
| 32 | Assignment of Claims | Determination to include a no-setoff commitment | 32.803(d) | Head of Agency | Yes | No Limitation | 232.803(d) | KO in accordance with FAR 32.803(d) | No | - | 5132.803(d) | ASA(ALT) | Retain | - |
| 32 | Prompt Payment. Applicability | Determination that conditions exist that limit normal business ops | - | - | - | - | 232.901(1)(ii) | HCA | Yes | No limitation | 5132.901(1)(ii) | HCA | Yes | No lower than the SCO |
| 32 | Prompt Payment. Applicability | Subsequent determinations as operational area becomes more stable or less stable | - | - | - | - | 232.901(3) | HCA | Yes | No limitation | 5132.901(3) | HCA | Yes | No lower than the SCO |
| 32 | Prompt Payment Responsibilities | Establish policies and procedures for prompt payment | 32.903(a) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5132.903(a) | ASA(ALT) | Yes | DASA(P), without power to further delegate, for policy and procedures. Execution may be addressed in AFARS |

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|------|--|---|-------------------------|--|-----------|---------------|-------------------------------|----------------------------|-----------|---|------------------------|--|-----------|--|
| 32 | Making Payments | Determination to make invoice payments earlier than 30 days prior to the due date | 32.906(a) | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5132.906(a) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than the SCO |
| 32 | Electronic Funds Transfer Mechanisms | Authorization of other mechanisms for domestic and nondomestic EFT | 32.1106 | Agency Head | Yes | No Limitation | No additional Guidance | - | - | - | 5132.1106 | ASA(ALT) | Yes | HCA, without power to further delegate |
| 33 | Protests | Make determinations when a solicitation, proposed award, or award does not comply with the requirements of law or regulation | 33.102(b) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5133.102(b)(i) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO, the Chief of the Supporting Legal Office or the Official Designated as the Independent Review Authority IAW FAR 33.103(d)(4) |
| 33 | Protests to agency | Procedures for Independent Reviews by Interested Parties | 33.103(d)(4) | Level above KO | Yes | No limitation | No additional Guidance | - | - | - | 5133.103(d)(4)(iii) | HCA | Yes | No lower than CoCo |
| 33 | Protests to GAO | Protests before award | 33.104(b)(1) | HCA | No | - | No additional Guidance | - | - | - | 5133.104(b) | HCA | No | - |
| 33 | Protests to GAO | Protests after award | 33.104(c)(2) | HCA | No | - | No additional Guidance | - | - | - | 5133.104(c) | HCA | No | - |
| 33 | Protests to GAO | Reporting to GAO the agency's failure to fully implement GAO's recommendations regarding a solicitation or contract award | 33.104(g) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5133.104(g) | HCA | Yes | No lower than SCO; Exception for USACE: Chief Counsel |
| 33 | Applicability of Disputes | Determination that the application of the Disputes statute to the contract with an international organization or a subsidiary body of that organization, would not be in the public interest. | 33.203(b)(2) | Agency head | Yes | No limitation | No additional Guidance | - | - | - | 5133.203(b)(2) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 33 | Contracting officer's duties upon appeal. | Approval of use of the Judgment Fund for cases at or below \$1M | - | - | - | - | - | - | - | - | 5133.212-98(a)(1) | ASA(FM&C) | Yes | DASA-FO, without power to further delegate |
| 33 | Obligation to continue performance | Approve the determination to use the alternate paragraph in the clause at FAR 233-1 | 33.213 | - | - | - | - | - | - | - | 5133.213(a) | HCA | Yes | No lower than SCO; Exception for USACE: No lower than CoCo, Deviation Required |
| 33 | Disputes and Appeals. Contract Clauses | Determination that continued performance is necessary pending resolution of claims arising under or related to the contract | 33.215(a) | - | - | - | 233.215(3) | HCA | Yes | No limitation | 5133.215(3) | HCA | Yes | No lower than CoCo |
| 33 | Grant and Cooperative Agreement Claims, Disputes and Appeals | Designation of grant appeal authority | - | - | - | - | - | - | - | - | 5133.9001(c) | HCA if a GO/SES; otherwise DASA(P) designates on case by case basis. | No | - |
| 34 | Acquisition of Major Weapon Systems as Commercial Items | Determination that the information submitted pursuant to DFARS 234.7002(d)(1) and (d)(2) (Relevant Information) is not sufficient to determine the reasonableness of price | - | - | - | - | 234.7002(d)(4) | HCA | Yes | No limitation | 5134.7002(d)(4) | HCA | Yes | No Lower than CoCo |
| 35 | Government Property and Title | Application of policies regarding title to equipment to contracts with nonprofit institutions of higher education and nonprofits who conduct scientific research | 35.014(b) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5135.014(b) | ASA(ALT) | Yes | DASA(P), without power to further delegate |
| 35 | Special requirements for research and development contracts. | Determination that the facilities and equipment are necessary for the performance of the contract | 35.014 | Secretary of the Military Department Concerned | Yes | No Limitation | No additional Guidance | - | - | - | - | Secretary of the Army | No | - |
| 35 | Special Use Allowances for Research Facilities Acquired by Educational Institutions | Approval for special use allowance for research facilities | - | - | - | - | 235.015-70(c) | HCA | Yes | No limitation | 5135.015-70(c) | HCA | Yes | No lower than SCO |
| 35 | Special Use Allowances for Research Facilities Acquired by Educational Institutions | Consent to put research facility to significant use other than that which justified the special use allowance | - | - | - | - | 235.015-70(d)(3)(ii) | HCA | Yes | No limitation | 5135.015-70(d)(3)(ii) | HCA | Yes | No lower than SCO |
| 36 | Concurrent Performance of Firm-Fixed Price and Other Types of Construction Contracts | Approval of CPFF, FPI, or other types of contracts with cost variation or adjustment features concurrently, at same work site, with FFP, lump sum or unit price contracts | 36.208 | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5136.208 | HCA | Yes | No lower than CoCo |
| 36 | Construction Contracts with Architect-Engineer Firms | Prohibits award of a contract for the construction of a project to the firm that designed the project or its subsidiaries or affiliates, except with the approval. | 36.209 | Agency head | Yes | No limitation | No additional Guidance | - | - | - | 5136.209 | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 36 | Special Procedures for Sealed Bidding in Construction Contracting--Procurement Notices | Waiving presolicitation notices on any construction requirement when proposed contract is expected to exceed SAT | 36.213-2(a) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5136.213-2(a) | HCA | Yes | No lower than CoCo |
| 36 | Expediting Construction Contracts | 10 U.S.C 2856 requires approval to expedite the completion date of a contract funded by Military Construction Appropriations Act, if there are additional costs | - | - | - | - | 236.270(a) | Agency head | No | - | 5136.27 | Secretary of the Army | No | - |
| 36 | Construction and Architect-Engineer Contracts--Prequalification of Sources | Authorization and approval of prequalification of sources | - | - | - | - | 236.272(b) | HCA | Yes | No limitation | 5136.272(b) | HCA | Yes | No lower than CoCo |
| 36 | Construction and Architect -- Engineer Contracts | Criteria for use of low-phase design-build procedures | 36.301(b)(3)(vi) | Head of Contracting Activity | Yes | No Limitation | No additional Guidance | - | - | - | 5136.301(b)(3)(vi) | HCA | Retain | - |
| 36 | Two-Phase Design-Build Selection Procedures | Approval of determination that more than 5 offerors will be selected to submit phase-two proposals for acquisitions greater than \$4.5M | - | - | - | - | 236.303-1(a)(4) | HCA | Yes | No Lower Than the Senior Contracting Official | - | HCA | Yes | No Lower than the SCO |
| 36 | Construction and Architect-Engineer Contracts--Additional Provisions and Clauses | Approval of use of separate bid item for mobilization and prep work | - | - | - | - | 236.570(b)(2) | HCA | Yes | No limitation | 5136.570(b)(2) | HCA | Yes | No lower than CoCo |

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|------|---|---|--|----------------------------|-----------|---------------|---|--|-----------|---------------|--|----------------------------------|-----------|---|
| 36 | Selection of Firms for Architect-Engineer Contracts | Permits approval of the use of design competition; authorizes final selection decision; and requires review of the selection report under a short selection process for contracts not expected to exceed the simplified acquisition threshold and approval or return to the chairperson of the evaluation board for appropriate revision. | 36.602-1(b)
36.602-4(a)
36.602-9(b)(2) | Agency head | Yes | No limitation | No additional Guidance | - | - | - | 5136.602-1(b) 5136.602-4(a)
5136.602-5(b)(2) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than CoCO
Exception for USA&E: HCA, with authority to delegate to the Center Director/District Commander, with authority to re-delegate to the Center/District Chief Of Engineering, the CoCO, or other appropriate officials Not Below the level of the CoCO. |
| 36 | Design Within Funding Limitations | Determination not to insert clause at 52.236-22 Design within Funding Limitations | 36.609-1(c)(1) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5136.609-1(c)(1) | HCA | Yes | No lower than CoCO |
| 37 | Personal Services Contracts | Personal services contracts for experts and consultants authorized by 10 U.S.C. 129b | - | - | - | - | 237.104(b)(0) | In accordance with Agency regulations | Yes | No limitation | 5137.104(b)(0) | HCA | Yes | No lower than SCO |
| 37 | Personal Services Contracts | Approval Requirements for Personal services contracts for health care are authorized by 10 U.S.C. 1091 | - | - | - | - | 237.104(b)(iii)(C)(2) | In accordance with Agency regulations | Yes | No limitation | 5137.104(b)(iii)(C)(2) | HCA | Yes | No Lower Than SCO; Exception for MEDCOM No Lower than the CoCO |
| 37 | Personal Services Contracts | Approval of personal services contract in accordance with 10 USC 129b(d) | - | - | - | - | 237.104(b)(iii)(A)(2) | HCA | Yes | No limitation | 5137.104(b)(iii)(A)(2) | HCA | Yes | No lower than SCO |
| 37 | Severance Payments with Foreign Nationals | Permits waiver of FAR 31.205-6(g)(6) cost allowance limitations on severance payments to foreign nationals | 37.113-1(a) | Agency head | Yes | No limitation | No additional Guidance | - | - | - | 5137.113-1(a) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 37 | Approval of Contracts and Task Orders for Services | Approval of contract or task order that is not performance-based (at or below \$100M) | - | - | - | - | DFARS 237.170-2(a)(1) | Official designated by the Department or Agency | Yes | No limitation | 5137.170-2(a)(1) | HCA | Yes | No Lower than SCO |
| 37 | Approval of Contracts and Task Orders for Services | Approval of contract or task order that is not performance-based (exceeding \$100M) | - | - | - | - | DFARS 237.170-2(a)(2) | SPE | Yes | No limitation | 5137.170-2(a)(2) | SPE | Yes | HCA, without power to further delegate |
| 37 | Guidelines for Determining Availability of Personnel | Determines if sufficient personnel are available to evaluate/analyze proposals for advisory and assistance service procurements. | 37.204 | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5137.204 | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower than SCO |
| 37 | Management Oversight of Service Contracts | Agency Head Responsibilities | 37.503 | Agency Head | Yes | No limitation | 237.503 | Agency Head or Designee | Yes | No limitation | 5137.503 | ASA(ALT) | Yes | Army Regulation 70-13, Management and Oversight of Service Contracts, chapter 2, implements the responsibilities set forth in FAR 37.503; and FAR 37.503(c) and DFARS 237.503 are implemented at AFARS 5107.503 |
| 37 | Management Oversight of Service Contracts | Review and approval of Acquisition Strategies | - | - | - | - | DoDi 5000.74 | - | - | - | 5137.590-3 (category I)
Acquisition of services with an estimated total value of \$1B or more, or more than \$300M in any one year. | AAE | Yes | DASA(P) or Senior Services Manager, without power to further delegate |
| 37 | Management Oversight of Service Contracts | Review and approval of Acquisition Strategies | - | - | - | - | DoDi 5000.74 | USD(AT&L) for acquisitions designated as special interest by the USD(AT&L) | - | - | 5137.590-3 (special interest)
As designated by USD(A&S), ASA(ALT), DASA(P) or SSM. | ASA(ALT) | Yes | ASA(ALT), DASA(P) or Senior Services Manager, without power to further delegate |
| 37 | Management Oversight of Service Contracts | Review and approval of Acquisition Strategies | - | - | - | - | DoDi 5000.74 | - | - | - | 5137.590-3 (category II)
Acquisition of services with an estimated total value of \$250M or more, but less than \$1B. | AAE | Yes | DASA(P) or Senior Services Manager, without power to further delegate |
| 37 | Management Oversight of Service Contracts | Review and approval of Acquisition Strategies | - | - | - | - | DoDi 5000.74 | - | - | - | 5137.590-3 (category III)
Acquisition of services with an estimated total value of \$100M or more, but less than \$250M. | AAE | Yes | HCA, with authority to delegate to No Lower than SCO |
| 37 | Management Oversight of Service Contracts | Review and approval of Acquisition Strategies | - | - | - | - | DoDi 5000.74 | - | - | - | 5137.590-3 (category IV)
Acquisition of services with an estimated value of \$10M or more, but less than \$100M. | AAE | Yes | HCA, with authority to delegate to No Lower than CoCO |
| 37 | Management Oversight of Service Contracts | Review and approval of Acquisition Strategies | - | - | - | - | DoDi 5000.74 | - | - | - | 5137.590-3 (category V)
Acquisition of services with an estimated total of simplified acquisition threshold, but less than \$10M. | AAE | Yes | HCA, with authority to delegate to No Lower than 1 Level Above KO |
| 37 | Services at Installations Being Closed--Policy | Determination that services acquired from local gov't are in the best interests of DoD | - | - | - | - | 237.7401(c) | HCA | Yes | No limitation | 5137.7401(c) | HCA | Yes | No lower than CoCO |
| 39 | Acquisition of Information Technology - Policy | Determination that no commercial items are suitable to meet the agency's needs for information technology products or services, as determined through the use of market research appropriate to the circumstances. | - | - | - | - | 239.101(1) | HCA | Yes | No limitation | 5139.101(1) | HCA | Yes | No Lower than CoCO |
| 39 | Telecommunications Services | Authorization of provision of the necessary property as GFP or acquisition as CAP if conditions at FAR 45.102(b) met | - | - | - | - | 239.7402(b)(4) | Agency head | Yes | No limitation | 5139.7402(b)(4) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 42 | Assignment of Contract Administration | Approval of delegation of authority to issue orders under provisioning procedures and under BOAs | 42.202(c)(2) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5142.202(c)(2) | HCA | Yes | No lower than CoCO |
| 42 | Contract Administration Office Functions--Monitoring Contractor Costs | Specific direction to conduct formal program of Gov't monitoring of contractor policies, procedures, and practices for controlling costs where significant Gov't business exists | - | - | - | - | DFARS PGI 242.302(a)(S-75)(c)(1)(10)(C) | HCA | Yes | No limitation | 5142.302(a)(S-75)(c)(1)(10)(C) | HCA | Yes | No lower than SCO |
| 42 | Assignment of CACO | Approve the need for CACO | 42.602(a)(2) | Agency head | Yes | No limitation | No additional Guidance | - | - | - | 5142.602(a)(2) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 42 | Indirect Cost Rates--Waiver of Certification | Waive the Certification requirement when in the interest of the US or written determination is made available to public | 42.703-2 | Agency head | Yes | No limitation | No additional Guidance | - | - | - | 5142.703-2 | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |

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|------|---|---|-------------------------|-------------------------------|-----------|---------------------------------|-------------------------------|--|-----------|---------------|---------------------------|----------------------------------|-----------|---|
| 42 | Voluntary Refunds | Approval to solicit voluntary refunds | - | - | - | - | PGI 242.7100(4) | HCA | Yes | No limitation | 5142.7100(4) | HCA | Yes | No lower than SCO |
| 43 | Exceptions to Limitations on Change Orders | Waive the limitations in 243.204-70-2, 243.204-70-3 and 243.204-70-4 for unpriced orders necessary to support contingency or humanitarian or peacekeeping operations | - | - | - | - | 243.204-70-5 | Agency head | Yes | No limitation | 5143.204-70-5(c) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 43 | Allowable Profit - Change Orders | Ensure profit allowed reflects reduced cost risk due to substantial portion of the work complete before definitization | - | - | - | - | 243.204-70-6 | HCA | Yes | No limitation | 5143.204-70-6 | HCA | Yes | No lower than 1 level above KO |
| 45 | Government Property | Determination that non-severable installation / construction of Gov't property on contractor-owned real property is necessary and in Government's interest | 45.102(e) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5145.102(e) | HCA | Yes | No lower than SCO |
| 45 | Government Property | Exception to GFP ID for items used to support a contingency operation or to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack | - | - | - | - | 245.102(4)(ii)(B) | Agency head | Yes | No limitation | 5145.102(4)(ii)(B) | ASA(ALT) | Yes | HCA, with authority to delegate to No Lower Than SCO |
| 45 | Government Property-- Policy | Determine exception to requirement for contractor to tag, label, or mark items (IUID) acquired from a small business or commercial item | - | - | - | - | 245.102(4)(ii)(C)(1)(i) | Component Acquisition Executive for ACAT 1 program | Yes | No limitation | 5145.102(4)(ii)(C)(1)(i) | AAE | Yes | Responsible Program Executive Officer |
| 45 | Government Property-- Policy | Determine exception to requirement for contractor to tag, label, or mark items (IUID) acquired from a small business or commercial item | - | - | - | - | 245.102(4)(ii)(C)(1)(ii) | HCA for non-ACAT 1 programs | Yes | No limitation | 5145.102(4)(ii)(C)(1)(ii) | HCA | Yes | No lower than SCO |
| 45 | Use and Rental of Government Property | Approval of contractor use of Gov't property for commercial use expected to exceed 25% of total use of Gov't and commercial work performed | 45.301(f) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5145.301(f) | HCA | Yes | No lower than SCO |
| 48 | Value Engineering, Policies | Exemption for class of contracts from inclusion of value engineering provisions | 48.102(a) | Agency head | Yes | No limitation | No additional Guidance | - | - | - | 5148.102(a) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 48 | Value Engineering, Sharing Arrangements | Determination that cost of calculating & tracking savings will exceed benefits (sharing collateral savings) | 48.104-3(a) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5148.104-3(a) | HCA | Yes | No lower than CoCo |
| 48 | Value Engineering-- Clauses for Supply or Service Contracts | Exempted the contract (or a class of contracts) from the requirements of this Part 48 | 48.201(a)(6) | Agency Head | Yes | No limitation | No additional Guidance | - | - | - | 5148.201(a)(6) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than SCO |
| 48 | Value Engineering-- Clauses for Supply or Service Contracts | Determination that Collateral savings computation not cost-effective. | 48.201(e) | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5148.201(e) | HCA | Yes | 1 level above KO |
| 48 | Value Engineering-- Clauses for Construction Contracts | Determination that benefits from inclusion of FAR clause 52.249-3 Alt 1 exceeds the cost of computing and tracking collateral savings | 48.202 | HCA | Yes | No limitation | No additional Guidance | - | - | - | 5148.202 | HCA | Yes | No lower than CoCo |
| 49 | Special Termination Costs | Approve the use of clause at 252.249-7000, Special Termination Costs, in an incrementally funded contract | - | - | - | - | 249.501-70(a) | Agency head | Yes | No limitation | 5149.501-70(a) | ASA(ALT) | Yes | HCA, with authority to delegate to No lower than the CoCo |
| 50 | Delegation of and Limitations on Exercise of Authority | Authority to indemnify against unusually hazardous or nuclear risks, including extension of such indemnification to subcontracts | 50.102-1(d) | Secretary of Agency Concerned | No | - | 250.102-1(d) | Secretary of the Military Department | No | - | 5150.102-1(d) | Secretary of the Army | No | - |
| 50 | Delegation of and Limitations on Exercise of Authority | Authority to approve contract adjustments requests for amounts not exceeding the threshold at FAR 50.102-1(b) | 50.102-1(a) | Agency Head | Yes | - | 250.102-1-70(a) | - | - | - | 5150.102-1-70(a) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 50 | Delegation of and Limitations on Exercise of Authority | Authority to deny contract adjustment requests, regardless of dollar value | 50.102-1(a) | Agency Head | Yes | - | 250-102-1-70(a) | - | - | - | 5150.102-1-70(a)(i) | ASA(ALT) | Yes | HCA, without power to further delegate |
| 50 | Delegation of and Limitations on Exercise of Authority | Authority to approve contract adjustment requests for amounts exceeding the threshold at FAR 50.102-1(b) and endorsed by the contracting activity | 50.102-1(b) | Agency Head | Yes | Not Below the Secretarial Level | 250.102-1-70(a) | - | - | - | 5150.102-1-70(a)(ii) | ASA(ALT) | Yes | Army Contract Adjustment Board (ACAB) |
| 52 | Riding Gang Member Requirements | Authority to waive the requirements for contractor background checks if the individual possesses a valid U.S. Merchant Mariner's Document issued under 46 U.S.C., chapter 73, or a transportation security card issued under section 70105 of such title. | - | - | - | - | 252.247-7027(c)(2)(i)(B)(ii) | HCA | Yes | No limitation | - | HCA | Retain | HCA |

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