

# AFFARS PGI 5343

## Contract Modifications

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## AF PGI 5343

### Contract Modifications

#### AF PGI 5343.103-90 Types of Contract Modifications

(a) This table is a guide for buyers and contracting officers to help determine the appropriate authority for issuance of specific types of modifications. The specific facts surrounding the individual modification should always be analyzed. Contracting officers may use the [Modification Authority Justification Template](#) to document their decision. The general rule is to cite the explicit authority, which is that authority expressly written into the contract, before citing a more general authority such as "By Mutual Agreement between both Parties". 10 U.S.C Chapter 137 should not be used as it is too broad and does not address modification authority. FAR 1.602, Authority for contracting officers, should not be used because it only defines the authority of the contracting officer (who is only one party to the original agreement) and does not cite a pre-agreed to condition or authority within the original contract that would allow a change.

(b) Explicit authority can be provided in the general clauses contained in Section I of the contract. The Changes clause (FAR 52.243-1), Definitization clause (FAR 52.216-25), or Options clauses (FAR 52.217-6 thru 9) are examples. Explicit authority can also be provided for under special contract requirements contained in Section H of the contract. Finally, explicit authority may be provided for under provisions contained elsewhere in the contract, such as the SOW.

(c) When citing a specific clause/provision as the authority for the modification, ensure the contract contains that specific clause/provision.

(d) Types of Contract Modifications & Modification Authority Table:

Modification Subject	Authority
Commercial Modification	FAR 52.212-4(c) Contract Terms and Conditions - Commercial Items
Data, adding of (within the limits of the J&A)	FAR 52.243-1 Changes--Fixed Price, 52.243-2 Changes--Cost Reimbursement, or 52.243-3 Changes Time-and- Material or Labor-Hour
Data, changing or revising	FAR 52.243-1 Changes--Fixed Price, 52.243-2 Changes--Cost Reimbursement, or 52.243-3 Changes Time-and- Material or Labor-Hour

<b>Modification Subject</b>	<b>Authority</b>
Defects in supplies, correction of	Inspection clauses 52.246-2/52.246-3, Warranty clauses, or Correction of Deficiency Clauses in contract
Defective cost or pricing data, Price reduction for	FAR 52.215-10 Price Reduction for Defect Cost or Pricing Data or 52.215-11 Price Reduction for Defective Cost or Pricing Data--Modifications
Definitization of a Change Order	FAR 52.243-1 Changes--Fixed Price, 52.243-2 Changes--Cost Reimbursement, or 52.243-3 Changes Time-and- Material or Labor-Hour
Definitization of a Letter Contract	FAR 52.216-25 Contract Definitization
Delivery, change in the place of	FAR 52.243-1 Changes--Fixed Price, 52.243-2 Changes--Cost Reimbursement, or 52.243-3 Changes Time-and- Material or Labor-Hour
Delivery, schedule extension (CR)	FAR 52.249-14 Excusable Delays
Delivery, schedule extension (FP)	FAR 52.242-17 Government Delay of Work or 52.249-8 Default Fixed-Price Supply and Service
Differing Site Conditions (fixed-price construction contract or a fixed-price dismantling, demolition, or removal of improvements contract)	FAR 52.236-2 Differing Site Conditions
ECP, incorporation of	FAR 52.243-1 Changes--Fixed Price, 52.243-2 Changes--Cost Reimbursement, or 52.243-3 Changes Time-and- Material or Labor-Hour
Economic Price Adjustment (EPA)	FAR 52.216-2 Economic price Adjustment--Standard Supplies 52.216-3 Economic Price Adjustment—Semi-standard Supplies 52.216-4 Economic Price Adjustment--Labor and Material
Funding an overrun (fully funded cost reimbursement (CR) contract)	FAR 52.232-20 Limitation of Cost
Funding, increase of (fixed-price contract)	DFARS 252.232-7007 Limitation of Government's Obligation
Funding, increase of (incrementally funded CR contract)	FAR 52.232-22 Limitation of Funds
GFP (Government Furnished Property) disposition of / increase or decrease of / replacement of / repair of	FAR 52.245-1 Government Property
Incentive price revision (FPIF), final price revision or funding to ceiling	FAR 52.216-16 Incentive Price Revision--Firm Target
Incentive price revision (FPIS), establishing a firm-fixed price or firm targets	FAR 52.216-17 Incentive Price Revision--Successive Targets
Make or buy program, changes in	FAR 52.215-9 Changes or Additions to Make-or-Buy Program

<b>Modification Subject</b>	<b>Authority</b>
New work, requiring J&A	Cite the appropriate exemption to CICA ( <a href="#">10 U.S.C. 2304 (c) (1) thru (7)</a> )
Option, exercise of (IAW contract, unilateral)	FAR 52.217-6 Option for Increased Quantity, 52.217-7 Option for Increased Quantity--Separately-Priced Line Item, 52.217-8 Option to Extend Services, or 52.217-9 Option to Extend the Term of the Contract
Option, exercise of (not IAW contract, bilateral)	Cite the appropriate exemption to CICA ( <a href="#">10 U.S.C. 2304 (c) (1) thru (7)</a> )
Packing or shipment, change in the method of	FAR 52.243-1 Changes--Fixed Price, 52.243-2 Changes--Cost Reimbursement, or 52.243-3 Changes Time-and- Material or Labor-Hour
Progress payments, adding after award	FAR 52.232-16 Progress Payments
Progress payments, increasing rate or liquidation rate	FAR 52.232-16 Progress Payments
Shipment or packing, change in the method of	FAR 52.243-1 Changes--Fixed Price, 52.243-2 Changes--Cost Reimbursement, or 52.243-3 Changes Time-and- Material or Labor-Hour
SOW, specification, designs, and drawings, change in	FAR 52.243-1 Changes--Fixed Price, 52.243-2 Changes--Cost Reimbursement, 52.243-3 Changes Time-and-Material or Labor-Hour, or 52.243-4 Changes
Stop Work	FAR 52.242-15 Stop-Work Order
Termination for Convenience	FAR 52.249-1 thru 7
Termination for Default	FAR 52.249-8 thru 10
Value Engineering Change Proposal (VECP), incorporation of	FAR 52.248-1 Value Engineering, 52.248-2 Value Engineering--Architect-Engineer, or 52.248-3 Value Engineering--Construction
Modification of Contractual Terms not covered by any other Clause or Section H (Default authority)	FAR 43.103(a), Mutual Agreement between both Parties

## **SMC PGI 5343 Contract Modifications**

### **SMC PGI 5343.102-90 General**

(a) When issuing a modification to an existing contract (or order), the contracting officer should consider documenting the scope determination in writing. See the [SMC Scope Determination Guide and sample Memorandum for Record \(MFR\)](#). Written scope determinations are not generally necessary for administrative modifications that do not impact the substantive rights of the parties (e.g., a change in the paying office or the appropriation data) or unilateral modifications that are authorized by clauses other than the Changes clause (e.g., property clause, options clause).

(b) If the legal reviewer does not find the contracting officer's scope determination to be legally sufficient and the contracting officer disagrees with the legal reviewer's opinion, the contracting officer should elevate the dispute to the COCO and SCO quickly to ensure the issue is resolved in a timely manner.

(c) Training: [Scope Determination Point of Need Training](#)