

SUBPART 204.72—CONTRACTOR IDENTIFICATION

204.7200 Scope of subpart.

This subpart prescribes uniform policies and procedures for identification of commercial and Government entities when it is necessary to:

- (a) Exchange data with another contracting activity, including contract administration activities and contract payment activities, or to comply with the reporting requirements of Subpart 204.6; or
- (b) Identify contractors for the purposes of developing computerized acquisition systems or solicitation mailing lists.

204.7201 Definitions.

- (a) “Commercial and Government entity (CAGE) code” means—
 - (1) A code assigned by the Defense Logistics Services Center (DLSC) to identify a commercial or Government entity; or
 - (2) A code assigned by a member of the North Atlantic Treaty Organization (NATO) and maintained by the Defense Logistics Services Center.
- (b) “Contractor identification code” means any code required by the contracting office for the purpose of identifying the offeror. CAGE codes and Data Universal Numbering System (DUNS) numbers are two examples of contractor identification codes.

204.7202 General.

Various coding systems are in use to identify commercial and government entities. Codes are requested by contracting and contract administration offices for various reasons. This guidance is designed to improve the accuracy of the initial code assignment and to help ensure that the data are maintained accurately and are up-to-date.

204.7202-1 CAGE codes.

- (a) CAGE codes are assigned or maintained by the Defense Logistics Services Center (DLSC) to identify commercial and Government activities. Their use is prescribed by 253.204-70(b)(5)(ii)(C) and DoD 4000.25-5-M, Military Standard Contract Administration Procedures (MILSCAP).
- (b) CAGE codes have also been known in the past as federal supply codes for manufacturers (FSCM) and federal supply codes for nonmanufacturers (FSCNM).
- (c) If the CAGE code is not already available in the contracting office, and the apparent awardee does not respond to the provision at 252.204-7001, Commercial and Government Entity (CAGE) Code Reporting, use the following procedures in the order listed—

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(1) Use the bimonthly H-8 microfiche or CD ROM publication issued by DLSC. (Their address is: DLSC-RP, Federal Center, 74 N. Washington, Battle Creek, MI 49017-3084. Their telephone numbers are: DSN 932-4725, FTS 552-4725, or commercial (616) 961-4725.);

(2) Use the on-line access to the CAGE file through the Defense Logistics Information System;

(3) Use the on-line access to the Defense Logistics Agency CAGE file through the DLA Network or dial-up capability; or

(4) Ask DLSC to assign a CAGE code. Submit a DD Form 2051, Request for Assignment of a CAGE Code, (or electronic equivalent) to the address in paragraph (c)(1) of this subsection, ATTN: DLSC-SBB. The contracting activity completes Section A of the DD Form 2051, Request for Assignment of a Commercial and Government Entity (CAGE) Code, and the contractor completes Section B. The contracting activity must verify Section B before the form is submitted.

(d) Direct questions on obtaining computer tapes, electronic updates, or code assignments to DLSC (DLSC-SBB) at DSN 932-4358, FTS 552-4358, or commercial (616)961-4358.

204.7202-2 DUNS numbers.

Requirements for use of DUNS numbers are contained in FAR 4.602(d) and 4.603.

204.7202-3 Taxpayer identification numbers.

The taxpayer identification number (TIN) is prescribed in FAR Subpart 4.9.

204.7203 Responsibilities of contracting officers.

(a) The contracting officer shall assist the offeror in obtaining the required contractor code(s).

(b) Prospective offerors may not be denied a solicitation or bid set because the offeror does not have a contractor code.

(c) The contracting officer or designee shall not request a new code assignment until the appropriate microfiche, hardcopy or computer files have been screened in an effort to identify a current code for the entity. If the contracting officer does not have access to the files or listings, then initiate action to obtain the files or listings and any equipment necessary to use those files and/or listings (see 204.7202-1 and -2).

(d) If a CAGE code is being requested, it is the responsibility of the contracting activity to request the assignment of the CAGE code by completing section A of the DD Form 2051, Request for Assignment of a Commercial and Government Entity (CAGE) Code (see 253.303-2051). The prospective contractor will complete section B of the form. The completed form or electronic equivalent will be submitted by the contracting activity to DLSC-SBB for processing and code assignment after the contracting activity has verified the data submitted by the contractor. CAGE codes may be requested at the time the offeror is sent a solicitation package or added to the mailing list to ensure that a code is assigned in sufficient time to process the DD Form 350, Individual Contracting Action Report, without delay.

204.7204 Maintenance of the CAGE file.

(a) Changes, except name changes, may be submitted in writing—

(1) By the entity identified by the code, using company letterhead, through the contract administration office;

(2) By the contracting office; or

(3) By the contract administration office (see also FAR Subpart 42.12, Novation and Change-of-Name Agreements);

(4) Using the DD Form 2051, facsimile or electronic equivalent, to:

Defense Logistics Services Center
DLSC-SBB
Federal Center
74 N. Washington
Battle Creek, MI 49017-3084.
Telephone Numbers: DSN 932-4358, FTS 552-4358
commercial (616) 961-4358
Facsimile: (616) 961-4528, 4388
Internet: <http://www.dlsc.dla.mil/form2051.htm>

(b) The change-of-name agreement shall be submitted to DLSC-SBB by the contracting officer responsible for execution of the agreement (see FAR Subpart 42.12). In the event there are no current contracts in force, each contracting and contract administration office receiving notification of changes from the commercial entity shall forward a copy of the change notice annotated with the CAGE code to DLSC-SBB unless the change notice indicates that DLSC-SBB has already been notified.

(c) Additional guidance for maintaining CAGE codes is set forth at Volume 7 of DoD 4100.39-M, Defense Integrated Data System (DIDS) Manual.

204.7205 Novation agreements, mergers and sales of assets.

Contracting officers shall process and execute novation agreements in accordance with FAR Subpart 42.12, Novation and Change-of-Name Agreements. These actions are independent of code and name assignments made as a result of the occasion which created the need for the novation agreement. The maintenance activity will determine which entity(s) will retain the existing code(s) and which entities will be assigned new codes. The contracting officer responsible for processing the novation agreement shall provide the maintenance activity with the following information:

(a) Name(s), address(es), and code(s) of the contractor(s) transferring the original contractual rights and obligations.

(b) Name(s), address(es), and code(s) (if any) of the entity who is the successor in interest (transferor).

(c) Name(s), address(es), and code(s) (if any) of the entity who is retaining or receiving the rights to the technical data.

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(d) Description of the circumstances surrounding the novation agreement and especially the relationship of each entity to the other.

204.7206 Using CAGE codes to identify agents and brokers.

Authorized agents and brokers are entities and, as such, may be assigned CAGE codes for identification and processing purposes.

(a) A single CAGE code will be assigned to the agent/broker establishment in addition to any codes assigned to the entities represented by the agent/broker, i.e., only one code will be assigned to a specific agent/broker entity regardless of the number of firms represented by that agent/broker.

(b) Additional codes may be assigned to an agent/broker if they meet the criteria for assigning additional codes for entities, e.g., different location.

(c) Codes will not be assigned to an agent/broker in care of the entity being represented or in any way infer that the agent/broker is a separate establishment bearing the name of the entity represented by the agent/broker.