

Subpart 5301.6 - CAREER DEVELOPMENT, CONTRACTING AUTHORITY, AND RESPONSIBILITIES

Parent topic: [Part 5301 - Federal Acquisition Regulations System](#)

5301.601 General

(a)(i) See [MP5301.601\(a\)\(i\)](#) for the DAF Approval Authority Matrix.

5301.601-91 Department of the Air Force Contracting Self-Inspection Program

(a) The DAF Self-Inspection program assesses compliance with federal laws, regulatory policies, DoD and DAF directives, and instructions across the enterprise. It is also used to verify adequacy of contract preparation.

(b) SCOs will manage a self-inspection program, which includes both the assessment of individual contract files and the assessment of contracting management programs contained in the Management Internal Control Toolset (MICT) Self-Assessment Checklists (SACs) as required by [DAFI 90-302](#), The Inspection System of the Department of the Air Force, and the assessment of individual contract files. As a minimum, contracting offices must perform post-award self-inspections of individual contract files on an annual basis. The results of the assessment of contracting management programs contained in the SACs are reported in MICT by individual units. The results of self-inspection of individual contract files are not reported in MICT.

(c) For self-inspection of individual FAR-based contract files reviewed after award, to include Special Access Programs (SAP)/classified contract files, SCOs shall use the [Air Force Contracting Self-Inspection Checklist](#). For Contracting offices listed in KT FileShare (KTFS), the self-inspections shall be performed utilizing the KTFS Inspection tool beginning no later than 1 October 2024 in order to capture self-inspection results. For contracting offices not listed in KTFS, the self-inspection summary data shall be submitted into the AFMC/PKQ Automated Self-Inspection Reporting Tool (ASIRT). For SAP/classified contracts reviewed, releasable results shall be reported to SAF/AQCS via secure means for briefing to SAF/AQC.

(d) SCOs will ensure corrective actions are implemented as a result of any self-inspection findings. Contracting offices must have a documented program for self-inspection, to include a process for closing resolved findings in a timely manner, ensuring an effective level of review necessary to close a finding, and integrating findings and resolutions into unit training.

(e) SCOs must review 8% (5% for FY24 only) of their contract actions each fiscal year. Business/contract clearances shall not be counted towards meeting the required 8% of contracting actions reviewed. Maintaining a robust self-inspection program and sharing the data results will support a DAF-wide consolidated trend analysis report for the previous fiscal year. All reviews in KTFS, summary reporting in ASIRT, and SAP/classified reporting for the previous fiscal year must be

completed by 15 February of each year.

5301.602-1 Authority

(a) Contracting officers are authorized to enter into and execute contracts funded either partially or completely with non-appropriated funds.

5301.602-2 Responsibilities

(c)(i) Legal Review

(A) Contracting officers must obtain legal advice during all phases of acquisitions. See the tailorable Legal Review template. In particular, contracting officers must obtain legal advice, coordination, and review from the supporting legal office for the following situations regardless of dollar amount, and if required elsewhere in regulation or policy:

- (1) When there is doubt or controversy about the interpretation or application of statutes, directives, and regulations;
- (2) When using or applying unique or unusual contract provisions;
- (3) When actions are likely to be subject to public scrutiny or receive higher-level agency attention;
- (4) Procurement integrity or organizational conflict of interest issues;
- (5) Source selection decisions and supporting documentation for actions accomplished pursuant to the requirements of MP5315.3;
- (6) Issues dealing with licensing, technical data rights, and patents;
- (7) Ratifications
- (8) Termination for default/cause
- (9) Terminations for convenience, except cancellations or terminations of purchase orders;
- (10) Individual or class deviations; and
- (11) Any other legal issue at the discretion of the contracting officer or supporting legal office.

(B) Contracting officers must obtain legal review for all Justifications and Approvals (J&A) requests for actions expected to exceed \$750,000

(C) In addition to the general conditions identified in DAFFARS 5301.602-2(c)(i)(A), contracting officers must obtain legal review for the following actions that are expected to exceed \$5,000,000. Contracting officers shall exercise good judgement in seeking legal review if the total value of the contract action is less than the thresholds listed in this paragraph and guard against using reviews as a means of quality control.

- (1) Solicitations and amendments, except administrative amendments;
- (2) Proposed contracts and modifications;
- (3) Orders for supplies or services issued under indefinite delivery type contracts (FAR 16.5), including Governmentwide Acquisition Contracts (GWACs), and Federal Supply Schedules (FSS), that require negotiation at the order level; and
- (4) Orders under Blanket Purchase Agreements (BPA) established under FSS.

(5) The SCO and their local legal office may establish a different threshold than identified in (C) based on organizational needs. Thresholds should not be established below \$1,000,000 for Operational organizations and \$5,000,000 for Non-Operational organizations unless coordinated with the SCO and cognizant HCA.

(D) Legal review is not normally required for:

- (1) Funding actions without any other changes;
- (2) Unilateral exercise of pre-priced options that were reviewed and approved at the time of award of the basic contract; or
- (3) Except as indicated at DAFFARS 5301.602-2(c)(i)(C)(3), order solicitations and orders issued against existing contracts in accordance with all terms and conditions of the basic contract.

(d) For Designation, Assignment, and Responsibilities of a Contracting Officer's Representative, see MP5301.602-2(d).

5301.602-3 Ratification of Unauthorized Commitments

(b) *Policy.*

(2) See MP5301.601(a)(i). See the ratification approval template.

5301.603 Selection, appointment, and termination of appointment for contracting officers.

5301.670 Appointment of Property Administrators and Plant Clearance Officers

(a) When the DAF retains contract administration, the PCO must select, appoint, or terminate (in writing) property administrators and plant clearance officers. One level above the PCO shall approve any of these appointments.