



UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer
Assistant Secretary for Administration
Washington, D.C. 20230

April 5, 2000

PROCUREMENT MEMORANDUM 2000-03

INFORMATION

Memorandum for: Heads of Contracting Offices

From: Lisa Jandovitz, Acting Director
Acquisition Policy and Programs

Signed

Subject: Revised Local DoC Clauses

As you are aware, APP has recently undertaken a review of all the Commerce-specific (non-FAR) provisions and clauses which have been provided to the acquisition community through the automated Document Generator System (DGS). We convened a committee of high-level contract specialists and contracting officers to review each provision and clause and make recommendations regarding whether each should be retained, modified or deleted. A second group of contract specialists and contracting officers volunteered to rewrite the clauses recommended for retention. The clauses have undergone review by APP and the Office of General Counsel (OGC) and have been finalized.

Our goal, as indicated to the committees, is that the Commerce Acquisition Community will follow the Guiding Principles in FAR subpart 1.1 by making acquisition decisions that deliver the best value product or service to the customer. Our intent is that rules, regulations and policies should be promulgated only when their benefits clearly exceed the costs of their development, implementation, administration and enforcement. To that end, we intend to only deviate or expand on FAR principles when absolutely necessary.

The final recommendation of the committees was that 57 provisions and clauses of the 160 currently in DGS be deleted. Many of them are not relevant to the revised FAR and others are not considered value added or address a rare circumstance. Twenty-three of the provisions/clauses are related to shipbuilding and are being reviewed by a separate committee. The remaining 80 provisions/clauses have been consolidated and rewritten into 44 meaningful, value-added provisions and clauses. Many of the provisions are templates which will require tailoring by the contract specialist, but with the current focus on professionalizing the acquisition workforce, we feel that this approach will be more effective than the approach of developing a separate clause for each possible scenario.

The 44 new provisions and clauses are attached, for your information, along with their prescriptions for use. Each provision/clause is numbered in accordance with the Commerce Acquisition Regulation (CAR) numbering scheme and all provisions/clauses will be promulgated in the Federal Register. You are authorized to utilize these provisions and clauses as if they have been promulgated in the Federal Register, effective immediately. The attachment includes information regarding the appropriate Uniform Contract Format (UCF) section as well as prescriptions for use.

The provisions/clauses have been provided to OAM's Acquisition Systems for incorporation into CSTARS and DGS. All existing local provisions and clauses will be removed from DGS, with the exception of the 23 shipbuilding clauses, numbered 1352.217-90 through 1352.217-112.

Should you have any comments or questions regarding this matter, please contact me at (202) 482-0202.

Attachments:

[Table of Clauses and Prescriptions](#) (March 28, 2000; rev. 6/5/00)

[DoC Local Clauses](#) (March 15, 2000; revised 6/5/00)