



ACQUISITION,  
TECHNOLOGY  
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-3000

JUN -6 2012

In reply refer to  
DARS Tracking Number: 2012-O0008

MEMORANDUM FOR COMMANDER, UNITED STATES SPECIAL OPERATIONS  
COMMAND (ATTN: ACQUISITION EXECUTIVE)  
COMMANDER, UNITED STATES TRANSPORTATION  
COMMAND (ATTN: ACQUISITION EXECUTIVE)  
DEPUTY ASSISTANT SECRETARY OF THE ARMY  
(PROCUREMENT)  
DEPUTY ASSISTANT SECRETARY OF THE NAVY  
(ACQUISITION AND PROCUREMENT)  
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE  
(CONTRACTING)  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES

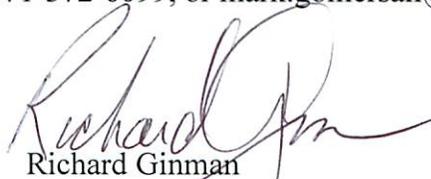
SUBJECT: Class Deviation—Limitation on Amounts Available for Contracted Services

Effective immediately, for any contract or task or delivery order for services with an estimated value in excess of \$10,000,000, in addition to the requirements of DFARS 215.406-1, Department of Defense contracting officers shall comply with the following requirements:

(1) Unless rates are otherwise established by law, negotiation objectives for labor rates and overhead rates not as yet formalized by the date of this deviation, for other than the acquisition of commercial items or competitively awarded contracts or task or delivery orders awarded to a contractor in fiscal year 2012 or 2013, shall not exceed labor rates and overhead rates paid to the contractor for the same or similar contract services performed under contract with procuring DoD component in fiscal year 2010; and

(2) Any contract or task or delivery order awarded to a contractor in fiscal year 2012 or 2013 that provides for continuing services at an annual price that exceeds the annual price paid by the DoD component concerned for the same or similar services in fiscal year 2010 shall be approved in writing by the Secretary of the Military Department or Head of the Defense Agency prior to contract award or order issuance.

This class deviation implements paragraphs (c)(1) and (c)(2) of section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), and remains in effect until incorporated in the FAR or DFARS, or is otherwise rescinded. My point of contact is Mr. Mark Gomersall, who may be reached at 571-372-6099, or mark.gomersall@osd.mil.

  
Richard Ginman  
Director, Defense Procurement  
and Acquisition Policy