

DFARS Procedures, Guidance, and Information

PGI 212—Acquisition of Commercial Items

(Revised April 28, 2022)

PGI 212.1—ACQUISITION OF COMMERCIAL ITEMS—GENERAL

PGI 212.102 Applicability.

(a)(iii) *Commercial item determination.*

(A) *Making the commercial item determination.*

(1) Before making a commercial item determination, the contracting officer shall search the DoD Commercial Item Database at <https://piee.eb.mil> for the item and an associated commercial item determination or the decision that the item is not commercial in accordance with the commercial product or commercial service definition at FAR 2.101.

(2) In accordance with 10 U.S.C. 2380(b)(1), the contracting officer may—

(i) Request support from the Defense Contract Management Agency (DCMA) by sending an email to DCMA Commercial Item Group (CIG) at dcma.boston-ma.eastern-rc.mbx.Commercial@mail.mil;

(ii) Request support from the cognizant Defense Contract Audit Agency (DCAA) office;

(iii) Request support from other appropriate experts in DoD such as program office technical evaluators, program managers, cognizant engineers, or other contracting officers; or

(iv) Consider the views of appropriate public and private sector entities such as documents provided by the contractor asserting commerciality to include technical drawings, product or catalog descriptions, or national stock numbers.

(3) The contracting officer may make the commercial item determination or the decision that the item is not commercial in accordance with the commercial product or commercial service definition at FAR 2.101 or request a DCMA CIG contracting officer make the determination or the decision that the item is not commercial in accordance with the commercial product or commercial service definition at FAR 2.101 by submitting a request to dcma.boston-ma.eastern-rc.mbx.Commercial@mail.mil. The contracting officer may withdraw the request at any point prior to the determination being made.

(B) *Documenting the commercial item determination.*

(1) The contracting officer making the determination shall document the market research and rationale supporting a conclusion that the item is or is not commercial and include it in the contract file.

(2) Particular care must be taken when documenting determinations

DFARS Procedures, Guidance, and Information

PGI 212—Acquisition of Commercial Items

involving items that are of a type customarily used by the general public or by nongovernmental entities, modifications of a type customarily available in the marketplace, and items only offered for sale, lease, or license to the general public but not yet actually sold, leased, or licensed. In these situations, the documentation must clearly detail the particulars of the items and modifications of a type and sales offers. When such items lack sufficient market pricing information, additional diligence must be given to determinations that prices are fair and reasonable as required by FAR subpart 15.4.

(3) The contracting officer shall include the part number, the national stock number, or both, as applicable, in the commercial item determination or the decision that the item does not meet the commercial product or commercial service definition at FAR 2.101.

(4) The contracting officer shall include the commercial item determination or the decision that the item does not meet the commercial product or commercial service definition at FAR 2.101 in the contract file.

(C) *DoD commercial item database.* In accordance with 10 U.S.C. 2380(b)(2), within 30 days of contract award, the contracting officer making the determination shall upload the signed commercial item determination or the decision that the item does not meet the commercial product or commercial service definition at FAR 2.101 to the DoD Commercial Item Database at <https://piee.eb.mil>. The only documentation that is required to be uploaded to the database is the commercial item determination or the decision that the item is not commercial. Contracting officers shall avoid uploading any data marked as proprietary or controlled unclassified information to the Commercial Item Database. Additional information is available at <https://www.dcms.mil/commercial-item-group/>.

(D) *Prior commercial item determination.*

(1) If a prior DoD commercial item determination for the same item is made by a military department, defense agency, or another component of DoD, contracting officers may presume that the prior commercial item determination shall serve as a determination for subsequent procurements of such item, unless the process is followed to overturn the prior determination (see DFARS [212.102\(a\)\(ii\)\(B\)](#)). If there is no prior commercial item determination, see [PGI 212.102\(a\)\(ii\)\(B\)](#).

(2) If the DoD Commercial Item Database contains a prior decision that an item does not meet the definition of a commercial product or commercial service at FAR 2.101, the contracting officer may use the prior decision to serve as the decision for subsequent procurements of the same item. To promote consistent acquisition procedures across DoD, contracting officers should consult contracting activities that regularly procure the item to understand the basis for determining that the item does not meet the commercial product or commercial service definition at FAR 2.101. If there is no prior commercial item determination or prior decision that an item does not meet the definition of a commercial product or commercial service at FAR 2.101, see [PGI 212.102\(a\)\(i\)\(A\)](#).

(v) *Commercial item guidebook.* See the [Department of Defense Guidebook for Acquiring Commercial Items, Part A: Commercial Item Determination](#), for detailed guidance and practical examples on improving the consistency and timeliness of commercial item determinations to include a template for new commercial item determinations and for general information related to commercial items.

DFARS Procedures, Guidance, and Information

PGI 213—Simplified Acquisition Procedures

(Revised April 28, 2022)

PGI 213.3—SIMPLIFIED ACQUISITION METHODS

PGI 213.301 Governmentwide commercial purchase card.

(1) A Governmentwide commercial purchase card program is a program that is authorized pursuant to a delegation of contracting authority and designation as a DoD contracting activity for the purpose of streamlining the purchase and payment processes for supplies and services by use of a Government-issued purchase card.

(2) Governmentwide commercial purchase card programs cannot be established or operated unless contracting authority is granted in accordance with governing laws and regulations, and delegated through a contracting activity identified at PGI 202.101. Further guidance regarding establishment, operation, and oversight of Governmentwide commercial purchase card programs can be found in the “Department of Defense Government Charge Card Guidebook for Establishing and Managing Purchase, Travel, and Fuel Card Programs” at <https://www.acq.osd.mil/asda/dpc/ce/pc/docs-guides.html>.

PGI 213.302 Purchase orders.

PGI 213.302-3 Obtaining contractor acceptance and modifying purchase orders.

Generally, use unilateral modifications (see FAR 43.103) for—

(1) No-cost amended shipping instructions if—

- (i) The amended shipping instructions modify a unilateral purchase order; and
- (ii) The contractor agrees orally or in writing; and

(2) Any change made before work begins if—

- (i) The change is within the scope of the original order;
- (ii) The contractor agrees;
- (iii) The modification references the contractor’s oral or written agreement; and
- (iv) Block 13D of Standard Form 30, Amendment of Solicitation/Modification of Contract, is annotated to reflect the authority for issuance of the modification.

DFARS Procedures, Guidance, and Information

PGI 213—Simplified Acquisition Procedures

PGI 213.306 SF 44, Purchase Order-Invoice-Voucher.

(a) (1) (A) Establish fuel card accounts—

(1) For DoD customers, contact the Service or Agency Component Program Manager (CPM) for fuel cards (see <http://www.desc.dla.mil/DCM/Files/CPMPOCs06022010.pdf>); and

(2) For non-DoD customers, contact the designated Account Manager identified at <http://www.desc.dla.mil/DCM/DCMPage.asp?pageid=41>.

(B) Purchases using the AIR Card® and SEA Card® shall follow the guidance found at <http://www.desc.dla.mil/DCM/DCMPage.asp?pageid=28>.

PGI 213.307 Forms.

(a) *Commercial items.* If SF 1449 is not used, use DD Form 1155 in accordance with paragraph (b)(i) of this section.

(b) *Other than commercial items.*

(i) Use DD Form 1155, Order for Supplies or Services, for purchases made using simplified acquisition procedures.

(A) The DD Form 1155 serves as a—

(1) Purchase order or blanket purchase agreement;

(2) Delivery order or task order;

(3) Receiving and inspection report;

(4) Property voucher;

(5) Document for acceptance by the supplier; and

(6) Public voucher, when used as—

(i) A delivery order;

(ii) The basis for payment of an invoice against blanket purchase agreements or basic ordering agreements when a firm-fixed-price has been established; or

DFARS Procedures, Guidance, and Information

PGI 213—Simplified Acquisition Procedures

(iii) A purchase order for acquisitions using simplified acquisition procedures.

(B) The DD Form 1155 is also authorized for use for—

(1) Orders placed in accordance with FAR Subparts 8.4, 8.6, 8.7, and 16.5;
and

(2) Classified acquisitions when the purchase is made within the United States or its outlying areas. Attach the DD Form 254, Contract Security Classification Specification, to the purchase order.

(ii) Do not use Optional Form 347, Order for Supplies or Services, or Optional Form 348, Order for Supplies or Services Schedule--Continuation.

(iii) Use Standard Form 30, Amendment of Solicitation/Modification of Contract, to—

(A) Modify a purchase order; or

(B) Cancel a unilateral purchase order.