



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

MAY 21 2010

In reply refer to
DARS Tracking Number: 2010-O0012

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 & LOGISTICS MANAGEMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE
(CONTRACTING)
DIRECTORS, DEFENSE AGENCIES
DIRECTORS, DOD FIELD ACTIVITIES

SUBJECT: Class Deviation– Delegation of Approval for Use of Incentive-Fee Contracts

Effective immediately, the determination and finding required by FAR 16.401(d) to justify that the use of an award-fee contract is in the best interest of the Government, shall be signed by the head of the contracting activity (HCA) or designee no lower than one level below the HCA. The determination and finding required by FAR 16.401(d) for all other incentive contracts may be signed at one level above the contracting officer. This authority may not be further delegated.

This deviation remains in effect until incorporated in the DFARS or otherwise rescinded. My point of contact for this matter is Mr. Mark Gomersall, 703-602-0302 or mark.gomersall@osd.mil.

Shay D. Assad
Director, Defense Procurement
and Acquisition Policy