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DLSC-P
FARS DEV 99-11

MEMORANDIUM FOR PROCLTR DISTRIBUTION LIST

SUBJECT: Class Deviation **from** Federal Acquisition Regulation (FAR) Part 12.204

[FAR 12.204](#) requires the use of the Standard Form (SF) 1449, Solicitation/Contract/Order for Commercial Items, if the acquisition is expected to exceed the simplified acquisition threshold, a paper solicitation or contract is being used, and the combined synopsis/solicitation procedures at 12.603 are not being used.

Mandatory use of the SF 1449 was found to create numerous unanticipated administrative problems for DLA contracting offices. Concerns were raised as to the extensive and costly changes required for the automated procurement systems utilized by DLA activities. FARS Deviation 97-05, dated July 15, 1997, authorized DLA activities to use the SF 1449 on an optional basis for all acquisitions of commercial items. This deviation expired on January 16, 1998.

The SF 1449 is being revised and will be included in a proposed rule that requires publication for public comment. Once this revision is finalized, any necessary system changes must subsequently be accomplished. Therefore, pursuant to the class deviation authority granted by the Director, Defense Procurement, to me by memorandum dated October 5, 1998, I authorize DLA activities to use the SF 1449 on an optional basis for all acquisitions of commercial items.

This class deviation expires when the practical issues related to the ability to use the form have been resolved, but in any event, no later than one year after date of issue.


TIMOTHY P. MALISHENKO
Major General, USAF
Senior Procurement Executive