



DEFENSE LOGISTICS AGENCY
DEFENSE LOGISTICS SUPPORT COMMAND
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JUN 23 1999

IN REPLY
REFER TO

DLSC-P
PROCLTR 99-06

MEMORANDUM FOR PROCLTR DISTRIBUTION LIST

SUBJECT: Incorporating Provisions, Clauses, and Other Contract Requirements by Reference in DLA Solicitations, Purchase Orders, and Contracts (FAR/DLAD 52.102)

This PROCLTR issues new policy at DLAD 52.102(b) that is intended to increase the use of incorporation by reference. This attached policy is based on recommendations of the Integrated Process Team (IPT) to Streamline DLSC Purchase Orders and is consistent with the FAR requirement to incorporate provisions and clauses by reference to the maximum practical extent (see FAR 52.102(a)). The IPT was formed in response to concerns about the costs of scanning unnecessarily lengthy purchase orders into automated systems. In particular, it was found that provisions and clauses are often being incorporated in full text when they could be incorporated by reference. Additionally, one of the findings of the IPT was that other contract requirements, such as Quality Assurance Provisions and contract data requirements lists should also be incorporated by reference.

To facilitate the use of incorporation by reference, DLSC-PPP has developed a Web site at www.procregs.hq.dla.mil/icps.htm that will provide links to all provisions and clauses (FAR, DFARS, DLAD, and local) that are incorporated by reference in DLA solicitations and awards. Buying activities shall cite this Web address in the provision at FAR 52.252-1, Solicitation Provisions Incorporated by Reference, and in the clause at FAR 52.252-2, Clauses Incorporated by Reference, which shall be included in all DLA solicitations, purchase orders, and contracts, as prescribed in FAR 52.107(a) and (b), respectively. This requirement also applies to acquisitions of commercial items. The provision and clause shall be incorporated in full text, as required in FAR 52.102(b). As required in FAR 52.252-1 and 52.252-2, contracting officers shall continue to make full text available upon request.

Successful implementation of this policy is essential for the mutual benefit of DLSC and DCMC. Incorporation by reference not only saves on the costs of printing and scanning paper documents, but also facilitates electronic commerce by reducing the costs to transmit and store electronic information and by eliminating potential inconsistencies between electronic and hard copy documents.

This PROCLTR is permissive effective in 60 days and mandatory effective 120 days after the date of issue. The focal point is Anne Burleigh, DLSC-PPP, who can be reached at (703) 767-1358 or DSN 427-1358, or by e-mail at anne_burleigh@hq.dla.mil. This PROCLTR will remain in effect until it is incorporated in the DLAD.

William J. Kenny

Attachment

WILLIAM J. KENNY
Executive Director
Procurement Management



PART 52

SOLICITATION PROVISIONS AND CONTRACT CLAUSES

TABLE OF CONTENTS

SUBPART 52.1 - INSTRUCTIONS FOR USING PROVISIONS AND CLAUSES

- 52.101 Using Part 52.
- 52.102 Incorporating provisions and clauses.

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52.102 Incorporating provisions and clauses.

(b) (90) The following Web address shall be inserted in the spaces provided for this purpose in the provision at FAR 52.252-1, Solicitation Provisions Incorporated by Reference, and the clause at FAR 52.252-2, Clauses Incorporated by Reference: www.procregs.hq.dla.mil/icps.htm. (This page can also be reached by accessing the DLSC-PPP

Web page at www.procregs.hq.dla.mil/regs.htm and selecting "Go to FAR/DFARS & Local Clauses."

- (91) The Web page referenced above will provide links to all provisions and clauses (FAR, DFARS, DLAD, and local) that are incorporated by reference in DLA solicitations and awards. DLSC-PPP shall maintain the Web page and the DLAD provisions and clauses. Buying activities shall maintain their local provisions and clauses.
- (92) Buying activities shall also ensure that quality assurance provisions (QAPs), contract data requirements lists (CDRLs), and other similar contract requirements can be accessed electronically and are incorporated by reference. If the electronic address where these documents can be accessed is other than the Web page referenced above, that address shall also be identified in FAR 52.252-1 and 52.252-2.
- (93) Archive databases of provisions, clauses, and other contract requirements that are incorporated by reference and have been superseded within the last three years (or longer period, if determined appropriate by the buying activity) shall also be maintained and made accessible electronically. The archive database shall identify a point of contact who can provide older documents that are not available in the archive database. DLSC-PPP and the buying activities shall maintain the DLAD and local archives, respectively.
- (94) Buying activities may identify reasonable circumstances when incorporation in full text is appropriate, such as the following:
 - (i) For approximately the first six months after a significant new policy is issued (e.g., Central Contractor Registration);
 - (ii) When incorporation by reference is not practical, effective, or efficient (e.g., when a provision or clause is almost entirely composed of fill-ins);
 - (iii) When noncompliance with contract terms is significantly reduced by incorporation in full text; or
 - (iv) When incorporation in full text is more suitable to the nature of the business segment (e.g., for commodities subject to voluminous technical requirements that change frequently).

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