

REQUEST FOR APPROVAL OF UNAUTHORIZED COMMITMENT

FEDERAL ACQUISITION REGULATION (FAR) 1.602-3

AMOUNT (\$)

TO (Contractor Name and Address)

FOR (Item or Service)

DATE OF COMMITMENT

COMMITTING ACTIVITY/UNIT

PART I - DESCRIPTION OF COMMITMENT AND UNIT COMMANDER'S REVIEW

AUTHORITY: FEDERAL ACQUISITION AUTHORITY (FAR) 1.602-3

ARMY FEDERAL ACQUISITION REGULATION SUPPLEMENT (AFARS) 5101.602-3.

The individual making the unauthorized commitment shall complete items 1-5 of Part I, Section A, provide the required documentation, sign, date, and forward to his/her immediate supervisor for completion of Items 6 & 7. The immediate supervisor shall then forward the file to the appropriate individual (Unit Commander, Director or Activity Chief) for completion of Part I, Section B. The complete file shall be forwarded through command channels to the Director of the Supporting Installation Directorate of Contracting. All information shall be completed in detail

SECTION A - COMMITMENT CIRCUMSTANCES

(Completed by individual making the unauthorized commitment and supervisor of that individual. Following immediate supervisor's completion of Part I, Section A, Items 6 & 7, forward through command channels to Unit Commander, Director or Activity Chief (first O6 or equivalent).

1. STATEMENT BY INDIVIDUAL DESCRIBING CIRCUMSTANCES

2. EXPLAIN WHY NORMAL PROCUREMENT PROCEDURES WERE NOT FOLLOWED

PART I - SECTION A - COMMITMENT CIRCUMSTANCES (Continued)

3. DESCRIBE BONA FIDE GOVERNMENT REQUIREMENT NECESSITATING THE COMMITMENT

[Redacted area for section 3]

4. DESCRIBE GOVERNMENT RECEIVED BENEFITS (Give value of benefit and other pertinent facts)

[Redacted area for section 4]

5. LIST AND ATTACH ALL RELEVANT DOCUMENTS (Include orders, invoices and other evidence of the transaction)

[Redacted area for section 5]

TYPED NAME, GRADE OR RANK AND TITLE OF INDIVIDUAL MAKING UNAUTHORIZED COMMITMENT	SIGNATURE	DATE (MM/DD/YY)
[Redacted]		

6. DESCRIBE ATTEMPTS TO RESOLVE UNAUTHORIZED COMMITMENT PRIOR TO REQUESTING RATIFICATION (Such as, returning merchandise, individual paying from personal funds, etc.)

[Redacted area for section 6]

7. COMMENTS OF IMMEDIATE SUPERVISOR OF INDIVIDUAL MAKING UNAUTHORIZED COMMITMENT

[Redacted area for comments]

TYPED NAME, GRADE OR RANK, TITLE AND ORGANIZATION OF SUPERVISOR

SIGNATURE

DATE (MM/DD/YY)

[Redacted area for supervisor name]

PART 1 - SECTION B - CONTRACTUAL RATIFICATION

(Completed by Unit Commander, Director, or Activity Chief (first O6 or equivalent in chain of command). Complete items 1 through 4 and forward through chain of command to Director of the Supporting Installation Directorate of Contracting.)

1. DESCRIBE SPECIAL REMEDIAL CORRECTIVE ACTION AND/OR DISCIPLINARY ACTION TAKEN *(Include a description of any administrative action to be taken under applicable personnel authority or furnish an explanation of why no disciplinary action was considered necessary.)*

[Redacted area for remedial action description]

2. DESCRIBE ACTION TAKEN TO PREVENT RECURRENCE OF UNAUTHORIZED ACT

[Redacted area for recurrence prevention action]

3. I HAVE REVIEWED PART I, SECTION A, AND VERIFY THAT THE INFORMATION IS ACCURATE AND COMPLETE, THAT THE GOVERNMENT RECEIVED A BENEFIT AND ASSOCIATED VALUE FROM THE UNAUTHORIZED COMMITMENT AND I:

CONCUR WITH RATIFICATION of the Unauthorized Commitment

DO NOT CONCUR with the ratification of the Unauthorized Commitment (Explain Non-concurrence)

4. COMPLETED PURCHASE DESCRIPTION AND FUNDING DA FORM 3953 IS EXECUTED AND ATTACHED (REQUIRED IF RATIFICATION IS RECOMMENDED)). DA FORM 3953 MUST SPECIFICALLY STATE THAT FUNDS WERE AVAILABLE AT THE TIME THE UNAUTHORIZED COMMITMENT WAS MADE AND ARE STILL AVAILABLE.

YES NO

TYPED NAME, GRADE OR RANK, TITLE AND ORGANIZATION OF UNIT COMMANDER

SIGNATURE

DATE(MM/DD/YY)

[Redacted area for unit commander name]

PART II - CONCURRING OFFICIAL'S APPROVAL (Applicable only to actions greater than \$10K)

(Completed by individual indicated by "X" as identified by Director of Contracting. When completed, forward to supporting Directorate of Contracting of unit committing Government.)

- GARRISON COMMANDER *(Unauthorized action committed by individual in direct chain of command of Garrison Commander)*
- INSTALLATION COMMANDER *(Unauthorized action committed by individual in direct chain of command of Installation Commander)*
- FIRST GENERAL OFFICER OR SES *(Unauthorized action committed by individual in tenant activity outside direct chain of command or Supporting Installation) (Does not include reserve component)*
- COMMANDER OF DIRECT REPORTING UNITS (DRU)

1. APPROVAL OF CORRECTIVE ACTION AND/OR DISCIPLINARY ACTION TAKEN

- YES NO *(Explain non-concurrence)*

2. APPROVAL OF RECOMMENDED CORRECTIVE ACTION TO PRECLUDE RECURRENCE

- YES NO *(Explain non-concurrence)*

3. I VERIFY THE ACCURACY AND COMPLETENESS OF DOCUMENTATION AND CONCUR WITH PURCHASE DESCRIPTION AND FUNDING FOR THE RATIFYING CONTRACT

- YES NO *(Explain non-concurrence)*

TYPED NAME, GRADE OR RANK, TITLE AND ORGANIZATION	SIGNATURE	DATE(MM/DD/YY)
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PART III - CONTRACTING OFFICER ASSIGNMENT

PROPOSED RATIFICATION ASSIGNED FOR PROCESSING TO *(Name of Contracting Officer)*

[Redacted]

TYPED NAME OF DIRECTOR OF CONTRACTING	SIGNATURE	DATE(MM/DD/YY)
[Redacted]		

PART IV - CONTRACTING OFFICER'S REVIEW

FAR 1.602.3 AND AFARS 5101.602-3.90

THE CONTRACTING OFFICER ASSIGNED IN PART III SHALL REVIEW THE FILE AND PROCEED AS FOLLOWS:

1. Determine the adequacy of all facts, records, and documents furnished, and obtain any additional material required.
2. Prepare a summary of facts to include a recommendation as to whether or not the transaction should be ratified and reasons for the recommendation. A recommendation not to ratify must include a recommendation as to whether or not the matter should be processed under FAR Part 50 and DFARS Part 250 (Pub. L. 85-804) as a GAO claim or in some other appropriate way.
3. Obtain an opinion from legal counsel as to whether the acquisition is ratifiable under FAR and AFARS, whether the matter should be processed under FAR and DOD FAR Supplement Part 50 (Public Law 85-804), processed as a GAO claim, or otherwise handled. (Refer to Part V, Section A - Legal Review before proceeding with items 3 -10).
4. Determine whether supplies or services have been provided to and accepted by the Government, or the Government otherwise has obtained or will obtain a resulting from performance of the unauthorized commitment.
5. The ratifying official has the authority to enter into a contractual commitment.
6. Determine whether the resulting contract would otherwise have been proper if made by an appropriate contracting officer.
7. State whether the price is considered fair and reasonable and indicate how that determination was made.
8. Indicate whether or not the contracting officer recommends payment and legal counsel concurs in the recommendation, unless agency procedures expressly do not require such concurrence.
9. Determine that sufficient funds are available, and were available at the time the unauthorized commitment was made.
10. State whether the ratification is in accordance with any other limitations prescribed under agency procedures.

CONTRACTING OFFICER'S REVIEW:

[Redacted]

If more space is required, KO's statement may be attached; signature and date required below and on attachment).

TYPED NAME OF CONTRACTING OFFICER	SIGNATURE	DATE (MM/DD/YY)
[Redacted]		

PART V

SECTION A - LEGAL REVIEW

(Completed by Legal Counsel)

DETERMINE WHETHER THE ACQUISITION IS RATIFIABLE UNDER FAR 1.602-3 AND AFARS 5101.602-3. OR WHETHER THE MATTER SHOULD BE PROCESSED UNDER FAR AND DOD FAR SUPPLEMENT PART 50 (Public Law 85-804), AS A GAO CLAIM, OR RECOMMEND OTHER APPROPRIATE DISPOSITION. (Return to Director of Contracting for review)

(If more space is required, legal opinion may be attached; signature and date required below and on attachment)

TYPED NAME OF LEGAL ADVISOR

SIGNATURE

DATE (MM/DD/YY)

SECTION B

AFARS 5101.602-3

(Completed by Director of Contracting)

1. ACTIONS OF \$10,000 OR LESS

BASED ON THE FOREGOING DETERMINATION, REQUEST FOR UNAUTHORIZED COMMITMENT IS:

- Approved (Issue Purchase Order)
- Disapproved (Explain disapproval)

2. ACTIONS OVER \$10,000 BUT NOT OVER \$100,000. (Written request shall be submitted to the appropriate PARC for approval with all appropriate documentation.)

- Approval is recommended

3. ACTIONS OVER \$100,000 (Written request shall be submitted through the appropriate PARC to the HCA for approval with all appropriate documentation.) Refer to ACA Acquisition Instruction.

- Approval is recommended

TYPED NAME OF DIRECTOR OF CONTRACTING

SIGNATURE

DATE (MM/DD/YY)