



National Aeronautics and
Space Administration
Washington, DC 20546

Deactivated on 3/1/2012 per PIC 11-08 effectivity language

Procurement Class Deviation

PCD 11-08
October 25, 2011

CLASS DEVIATION from FAR 17.204(e) and NFS 1817.204(e), FIVE YEAR TERM OF CONTRACT

PURPOSE: To provide a class deviation from the requirements of Federal Acquisition Regulation (FAR) 17.204(e) and NASA FAR Supplement (NFS) 1817.204(e). This class deviation applies only to existing contracts when the follow-on requirement requires compliance with PIC 11-05 dated August 19, 2011.

BACKGROUND: FAR 17.204(e) and NFS 1817.204(e) limit the terms of service contracts to five (5) years including the basic contract and all options.

On August 19, 2011, NASA issued PIC 11-05 to provide guidance on the funding and term of severable services contracts. This PIC reinforced the importance of FAR 37.106 – Funding and Term of Service Contracts which emphasizes that the basic period of performance for all severable services contracts shall not extend beyond the date of the availability of the funds initially obligated to the contract at the time of award. Refer to PIC 11-05 for detailed guidance and instructions.

NASA must maintain continuity of services by extending the period of performance for existing severable services contracts even though compliance with PIC 11-05 may require modifications to solicitations for follow-on severable services contracts. This PIC recognizes that increasing the time to conduct competitions may cause existing contracts to exceed the five year maximum period of performance.

GUIDANCE: A class deviation from FAR 17.204(e) and NFS 1817.204(e) is hereby provided to authorize contracting officers, with the approval of the procurement officer, to extend the period of performance on existing severable services contracts to allow adequate time for completion of the follow-on competitions.

Contracting Officers are authorized to extend the existing severable services contracts through March 31, 2012.

Extensions beyond the period described in this deviation must be supported by additional rationale and approved under an individual deviation by the Assistant Administrator for Procurement.

All other regulatory requirements, such as synopsis, JOFOC, etc., are still applicable.

CANCELLATION: This PIC supersedes PIC [10-15](#).

EFFECTIVE DATE: This PIC is effective as dated and shall remain in effect until March 1, 2012.

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William P. McNally
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