



DEFENSE LOGISTICS AGENCY
DEFENSE ENERGY SUPPORT CENTER
8725 JOHN J. KINGMAN ROAD, SUITE 4950
FORT BELVOIR, VIRGINIA 22060-6222

IN REPLY
REFER TO

DESC-CPB

SEP 30 2003

CONTRACTING INSTRUCTION (CI): 03-23
MEMORANDUM FOR CI Distribution

SUBJECT: DEPI CHANGE: Section 1.691 Legal Review

The purpose of this CI is to notify you of changes to when contract actions require legal review. DEPI 1.691 Legal Review section has been revised to indicate the legal review thresholds for those areas not previously covered (Electricity, Privatization, ESPC, CAAS, FAS and IT, and Missile Fuels). Section 1.691 of the DEPI has been changed to read as shown on the attached.

This instruction is effective immediately and will be incorporated into the next DEPI change. Point of contact is Phoebe Rolen, 767-8465.

Gabriella M. Earhardt
GABRIELLA M. EARHARDT
Center Senior Procurement Official

Attachment



DEFENSE ENERGY PROCUREMENT INSTRUCTION

1.691 Legal Review

(a) The following actions will be reviewed for legal sufficiency by DESC-G:

(1) Revisions to standard provisions and clauses that are to be contained in solicitations or amendments thereto.

(2) Any other questionable legal areas that may arise during the acquisition cycle.

(3) Solicitations for Missile Fuels:

(i) That are expected to result in contract actions totaling \$1 million or more; or

(ii) For non-standard contracts which are unusually complex as determined by joint agreement of the CBU Director and DESC-G:

(4) Proposed contracts and contract modifications, including task orders, letter contracts and exercise of options, (but excluding routine price escalation modifications) for:

(i) PC&S, Coal, Natural Gas, Electricity, Bunkers and Into-plane, when the contracting officer or division chief determines legal review is in the best interests of the Government, or at the discretion of DESC-G.

(ii) Bulk fuels and bulk lubricants totaling \$300,000 or more.

(iii) Services: All indefinite delivery type contracts, and any other action totaling \$100,000 or more.

(iv) Any action requiring DLA review.

(v) Postaward actions where DESC-CPB review has identified significant issues.

(vi) Any Privatization and ESPC actions.

(vii) Missile Fuels actions totaling \$1 million or more and non-standard contracts.

(viii) All CAAS Actions.

(ix) FAS or IT: All indefinite-delivery type contracts or any other action totaling \$100,000 or more.

(b) Coordination of, and comments resulting from legal review of proposed actions will be made on DESC Form 15.2 and DESC Form 15.4, CONTRACT ACTION

DEFENSE ENERGY PROCUREMENT INSTRUCTION

ROUTE SLIP, when the contract document is not available for review or on the award message/letter.

- (c) Other preaward review requirements are set forth in 1.690.