26 January 2021

***[NOTE: Wording in bright red is text that should be changed in the CTAR. Wording formatted in burgundy italicized brackets, such as this, is for instructional use only and should be deleted prior to submitting.***

***Wording in grey text is linked throughout the document and should be populated in the subject line or deleted.]***

**MEMORANDUM FOR:** DCMA Commercial Item Group

NAME OF DCMA CIG Contracting Officer (For C and C&P cases) or NAME OF DCMA CIG Price/Cost Analyst (For P only cases)

Address (of applicable person above)

City, State Zip Code

cc: Name of CIG Price Cost Analyst (For C&P cases only)

**Subject**: Commercial and Technical Analysis Report (CTAR) for [Prime Contractor Name] ([Prime Contractor Cage]): RFP # [RFP #](if applicable), Subcontractor [Supplier Name] (if applicable), ([Supplier Cage]), [Program Name], Item(s)/Service(s) reviewed

# EXECUTIVE SUMMARY OF FINDINGS

This report summarizes the DCMA Commercial Item Group’s (CIG) Commerciality and Technical Analysis of Prime/Supplier Name and *Item(s)/Service(s)* (Part #123). (IF COMMERCIAL SUB) Based on the Prime Contractor’s Commercial Item Determination (CID) package, Supplier’s commercial item assertion, and DCMA CIG’s commerciality and technical assessment the DCMA CIG makes the following observations and recommendations: (IF COMMERCIAL PRIME) Based on the Prime Contractor’s Commercial Item Justification (CIJ) package and DCMA CIG’s commerciality and technical assessment, the DCMA CIG makes the following observations and recommendations:

1. Explicitly state whether we recommend the item or service to be commercial or not and FAR 2.101 definition we recommend using.
2. Key Summary 1.
3. Key Summary 2.
4. Key Summary 3…
5. Explicitly state whether or not the prime contractor provided a commercial item determination for their supplier, the FAR 2.101 definition asserted, and if they exercised reasonable business judgment by providing evidence of their market research consistent with DFARS 244.402.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Prime Contractor P/N | Subcontractor P/N | NSN | Nomenclature | DCMA CIG  Recommendation |
|  |  |  |  | (i.e., Paragraph 1,  Paragraph 3(i); non-commercial) |

The commercial item recommendation provided in this CTAR does not constitute a Commercial Item Determination (CID). DCMA’s CTAR provides information to the DCMA CIG Contracting Officer and supports whether the proposed item(s)/service(s) meet the FAR 2.101 definition of a commercial item based on the engineer’s opinion. The Contracting Officer has the ultimate determination authority for all CIDs per DFARs 212.102(a)(i). Please refer to the CID issued for the part(s)/service(s) discussed in this report.

*[TRY TO KEEP THE EXECUTIVE SUMMARY ON THE FIRST PAGE! IF IT DOESN’T FIT, YOU ARE PROBABLY INCLUDING TOO MUCH DETAIL.*

*NOTE: You must distinguish between (1)(i) and (1)(ii), and between (3)(i) and (3)(ii). The DCMA CIG KOs must obtain approval at one level above the contracting officer when a commercial item determination relies on subsections (1)(ii), (3), (4), or (6) of the commercial item definition at FAR 2.101 (DFARS 212.102(a)(i)(C)).]*

# CASE INFORMATION

|  |  |
| --- | --- |
| **DCMA CIG Case Number** | FYXX-XXX |
| **Prime Contractor Name** | [Prime Contractor Name] |
| **Prime Contractor CAGE Code** | [Prime Contractor Cage] |
| **Subcontractor Name** | [Supplier Name] (Delete Row if N/A) |
| **Subcontractor CAGE Code** | [Supplier Cage] (Delete Row if N/A) |
| **Proposal/RFP Number** | [RFP #] |
| **Proposal Date** |  |
| **Proposal Amount** |  |
| **Program Name** | [Program Name] |

# REFERENCES

*[This section should contain a list of documents or other sources referenced in, but not attached to, the report, and should identify all references/resources used in the analysis and recommendation (i.e. all applicable market research, catalogs, websites, quotes, documentation of all written and verbal conversations, etc.).* *Ensure all references are included in the case file.]*

1. Document name and other relevant information about the reference (e.g., Date)
2. Document name and other relevant information about the reference (e.g., Date)
3. Document name and other relevant information about the reference (e.g., Date)

# 

# CONTRACTOR’S COMMERCIAL ITEM ASSERTION PACKAGE

This section is used to summarize the Prime Contractor’s Commercial Item Determination of a Supplier’s assertion for commerciality OR Prime Contractor’s Commercial Item Justification when proposing a commercial item/service at the prime level. At a minimum the FAR 2.101 definition that was used for the CID/CIJ should be identified. Suggest one paragraph for prime and a second paragraph for supplier assertion (if applicable).

If the case is pre-RFP, then use the following:

The case assigned is pre-Request for Proposal (RFP), and the contractor was not requested or required to provide a CID/CIJ.

# STATEMENT OF ADEQUACY OF CONTRACTOR’S SUBMISSION

The DCMA CIG engineer reviewed the CID/CIJ package submitted by [Prime Contractor Name]. Explicitly state whether or not the prime contractor provided a commercial item determination for their supplier, any deficiencies, and if they exercised reasonable business judgment by providing evidence of their market research justifying their assertion consistent with DFARS 244.402.

*[Engineers should be reviewing Adequacy Checklist Item 18 (IAW DFARS 252.215-7009, Proposal Adequacy Checklist, Item 18 a – c) as it is no longer in the Pricer report.*

*IAW DFARS 252.215-7009, Proposal Adequacy Checklist, Item 18:*

*a. Has the offeror specifically identified the type of commercial item claim (FAR 2.101 commercial item definition, paragraphs (1) through (8)), and the basis on which the item meets the definition?*

*b. For modified commercial items (FAR 2.101 commercial item definition paragraph (3)); did the offeror classify the modification(s) as either—*

*i. A modification of a type customarily available in the commercial marketplace (paragraph (3)(i)); or*

*ii. A minor modification (paragraph (3)(ii)) of a type not customarily available in the commercial marketplace made to meet Federal Government requirements not exceeding the thresholds in FAR 15.403-1(c)(3)(iii)(B)?*

*c. For proposed commercial items “of a type”, or “evolved” or modified (FAR 2.101 commercial item definition paragraphs (1) through (3)), did the contractor provide a technical description of the differences between the proposed item and the comparison item(s)?]*

*[The prime contractor’s submission adequacy review must include an explicit statement on the information received for an analysis. Select one of the following statements and delete the other two:]*

The proposal and/or information received was adequate to support a commercial item recommendation.

OR

The proposal and/or information provided by the Prime Contractor was inadequate to support their commercial item determination/justification (Please state reason why it was inadequate or the information that should have been provided); however, through independent market research and/or via requests for information (or other information), DCMA was able to gain sufficient information to provide a commercial item recommendation.

OR

The proposal and/or information received was inadequate to support a commercial item recommendation. DCMA was not able to independently obtain sufficient information through market research or via fact finding inquiries to make a commercial item recommendation.

*[If there are proposal deficiencies identified, the engineer shall send an email to the DCMA CACO/DACO/ACO (See Guidance Memo dated April 25, 2018).]*

# DCMA TECHNICAL ANALYSIS

*[This section can be organized however the analyst/engineer deems appropriate; however, ensure all of the topic below are covered and the commercial item recommendation section is included as its own section.]*

Proposed Part(s)/Service(s) Overview:

Briefly describe the function of the part(s) and then the overall system. If possible, include a picture of the part or diagram in Figure 1:

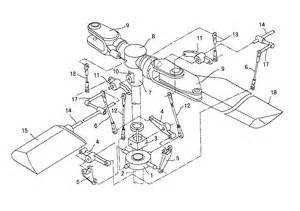


Figure 1: Rotorhead Drawing

Market Research:

Provide a summary of the market research performed and the results of the market research; ensure Market Research data is included in the Case File and identify any websites used in this section. Include a discussion on how the item {or of-a-type item} is used by the general public, how common it is, how much competition exists, alternate suppliers, potential sales volume etc… Any information found related to quantities sold is beneficial. Identify factors that will drive cost/price differences between the proposed price and the similar to price. Discuss any prior CIG analyses completed in support of a similar item/service and discuss its relevance.

*[This section should contain the following information if applicable:]*

* Identify sources in the industry and/or marketplace & where the marketplace is headed.
* Identify any significant changes in the marketplace (past and potential)
* Identify alternate market sources offering the identical P/N for sale
* Identify like/similar alternative parts, description of possible alternate P/N’s technical capabilities, or other critical information that would help the customer

Analysis:

This is the section that is used to provide information to the DCMA CIG Contracting Officer and the buying activity to describe the *Item* being procured and how it compares to any of-a-type items. The use of figures, illustrations, tables, and comparisons is highly recommended. Table 1 is used to illustrate the offered part provided by the supplier and the possible commercial equivalents. Table 1 is an example of a format used to compare an *Item* based on platform. Try to find comparable items from DIFFERENT SUPPLIERS.

Table 1: Title

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |
| Helicopter | Black Hawk | S-76 | S-92 | HAL Dhruv | EC225/725 Super Puma MII + | Augusta AW-139 |
| Supplier | XXXX | XXXX | XXXX | YYYY | YYYY | YYYY |
| 123 system | info | info | info | info | info | info |
| Customer | Military | Commercial | Military/ Commercial | Military and Commercial | Commercial (EC225) and Military (EC725) | Commercial |
| Type | Utility | Search and Rescue / Utility | Transport/Utility | Utility | Civil Range | Transport |

Table 2 is an example of a format that provides a comparison of *Items.*

Table 2: *Item* Comparison

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Requirement:** | **Picture of Box 1** | **Picture of Box 2** | **Picture** | **Picture** | **Picture** | **Pricing Impact** |
| Supplier | ACME | Widgets R Us | Box Inc |  |  |  |
| 1 Power | 10 W | 12 W | 10 W | Spec info | Spec info |  |
| 2 Weight | 13 lb | 22 lb | 15 lb | Spec info | Spec info |  |
| 3 MIL STD 1234 | Yes | No | Yes | Spec info | Spec info |  |
| 4 | Spec info | Spec info | Spec info | Spec info | Spec info |  |
| 5 | Spec info | Spec info | Spec info | Spec info | Spec info |  |
| 6 | Spec info | Spec info | Spec info | Spec info | Spec info |  |
| 7 | Spec info | Spec info | Spec info | Spec info | Spec info |  |

The following information should support the analysis of the above table to assist with the recommendation. Explain what the table(s) are showing us and how significant any differences/similarities are.

If there are modifications, describe the modifications and provide technical details. Include drawings (if available), pictures, figures, etc… and discuss the scope of work required to make the modification (labor, materials, testing, manufacturing processes, etc…). State whether or not the modification is major or minor if it is a government-unique requirement (subjective, but backed by data – do not use the configuration management definition of a modification). Discuss any military requirements, the operating environment, etc… If the item has a National Stock Number (NSN), include NSN data including the criticality code, demilitarization code, and controlled item inventory code.

If the modification is customarily available to any customer, describe the types of modifications available to the general public and include any applicable evidence.

If performing an evaluation for a proposed service, it is recommended that you include a Terms & Conditions (T&C) Comparison Table to evaluate the proposed T&Cs with the standard/customary T&Cs. Discuss similarities/differences between T&Cs.

Commercial Item Recommendation:

*[****This section must be included in the final CTAR.*** *Remember to connect the dots for the KO and/or non-technical reader. Do not assume that others have the same knowledge base as you. Use the following tables as guidelines to assure there is substantiation for each part of the applicable definition that is determined. Use the right part of the check boxes to provide short bullets that substantiate the box being checked.* ***Only include the definitions that are applicable for the item being reviewed. Delete the other definitions from the report****. All boxes within a definition must be checked in order for the item to meet the definition. For multiple parts/services, please group parts by paragraph or commerciality as discussed with the assigned DCMA CIG Contracting Officer.]*

Summarize how the above information fits or does not fit the FAR 2.101 definition. Recommend which part of the FAR definition (e.g., 3(ii)) you consider the part/service to fall under. If our recommendation is different than the contractor’s assertion, state the reasons why. \*\*If recommending non-commercial state why each definition (1-8) is not satisfied in one brief paragraph – do not need to include the eight definition checkboxes.

DEFINITION 1: Any item, other than real property, that is of a type customarily used by the general public or by non-governmental entities for purposes other than governmental purposes, and--

(i) Has been sold, leased, or licensed to the general public; or,

(ii) Has been offered for sale, lease, or license to the general public;

|  |  |
| --- | --- |
| Is the item of a type customarily used by the general public or non-government entities for purposes other than governmental purposes?  Has the item been sold, leased, or licensed to the general public or offered for sale, lease or license to the general public? | Substantiate how the proposed and of a type item(s) are similar (form, fit, function, features, specs, etc)  Substantiate where the item has been  (i) sold, leased, or licensed to the general public; or,  (ii) offered for sale, lease, or license to the general public; |

DEFINITION 2: Any item that evolved from an item described in paragraph (1) of this definition through advances in technology or performance and that is not yet available in the commercial marketplace, but will be available in the commercial marketplace in time to satisfy the delivery requirements under a Government solicitation;

|  |  |
| --- | --- |
| Has the item evolved from an item that meets definition 1 above, but is not yet available in the commercial marketplace?  Will the item be available in the commercial marketplace in time to satisfy delivery requirements under a Government solicitation? | Substantiate per definition 1 above the item from which the proposed item evolved  Substantiate when the evolved item will be available in the commercial marketplace and when the delivery requirements under a Government solicitation will occur |

DEFINITION 3(i): Any item that would satisfy a criterion expressed in paragraphs (1) or (2) of this definition, but for --

(i) Modifications of a type customarily available in the commercial marketplace; or

|  |  |
| --- | --- |
| Does the proposed item meet definition (1) except for modification(s)?  Are the modification(s) customarily available in the commercial marketplace? | Substantiate per definition (1) or (2) for the item that is being modified  Substantiate each modification and describe  Substantiate where each modification is commercially available in the marketplace |

DEFINITION 3(ii): Any item that would satisfy a criterion expressed in paragraphs (1) or (2) of this definition, but for -- (ii) Minor modifications of a type not customarily available in the commercial marketplace made to meet Federal Government requirements. Minor modifications means modifications that do not significantly alter the nongovernmental function or essential physical characteristics of an item or component, or change the purpose of a process. Factors to be considered in determining whether a modification is minor include the value and size of the modification and the comparative value and size of the final product. Dollar values and percentages may be used as guideposts, but are not conclusive evidence that a modification is minor;

|  |  |
| --- | --- |
| Does the proposed item meet definition (1) except for modification(s)?  Are the modifications minor modification(s) of a type not customarily available in the commercial marketplace made to meet Federal Government requirements? | Substantiate per definition (1) or (2) for the item that is being modified  Substantiate each modification and describe the purpose of the modification  Substantiate why the modification(s) is/are minor (i.e. the modifications haven’t significantly altered the item’s non-governmental function or essential physical characteristics)  Add FAR 15.403-1(c)(3)(iii)(C) requirement for certified cost or pricing data |

DEFINITION 4: Any combination of items meeting the requirements of paragraphs (1), (2), (3), or (5) of this definition that are of a type customarily combined and sold in combination to the general public;

|  |  |
| --- | --- |
| Does the proposed item meet the definition of a combination of paragraphs (1), (2), (3), or (5) that are of a type customarily combined and sold in combination to the general public? | List all of the applicable annotations for the definitions of the combination of items (1), (2), (3), or (5). |

DEFINITION 5: Installation services, maintenance services, repair services, training services, and other services if--

(i) Such services are procured for support of an item referred to in paragraph (1), (2), (3), or (4) of this definition, regardless of whether such services are provided by the same source or at the same time as the item; and

(ii) The source of such services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government;

|  |  |
| --- | --- |
| Are the services procured for support of an item that meets the definition in paragraphs (1), (2), (3), or (4) regardless of whether such services are provided by the same source or at the same time as the item?  Does the source of such services provide similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government? | Substantiate description of service(s)  Substantiate the item for which such services are procured  Substantiate that the item being supported is commercial or has been determined commercial (services do not have to be provided by the same source or at the same time as the item)  Substantiate where the source of such services provides similar services contemporaneously to the general public  Substantiate where these similar services are provided under terms and conditions similar to those offered to the Federal Government; |

DEFINITION 6: Services of a type offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog or market prices for specific tasks performed or specific outcomes to be achieved and under standard commercial terms and conditions. For purposes of these services—

(i) “Catalog price” means a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or vendor, is either published or otherwise available for inspection by customers, and states prices at which sales are currently, or were last, made to a significant number of buyers constituting the general public; and

(ii) “Market prices” means current prices that are established in the course of ordinary trade between buyers and sellers free to bargain and that can be substantiated through competition or from sources independent of the offerors.

|  |  |
| --- | --- |
| Is the service of a type:  Offered and sold competitively in the commercial marketplace?  Sold in substantial quantities in the commercial marketplace based upon established catalog or market prices for specific tasks performed or specific outcomes to be achieved?  Are the services proposed using standard commercial terms and conditions? | (1) Substantiate of a type services that are offered and sold in the commercial marketplace  (2) Substantiate where these of a type services are sold competitively in the commercial marketplace  (3) Substantiate where these of a type services are sold in substantial quantities in the commercial marketplace based on established catalog or market prices for specific tasks performed or specific outcomes to be achieved  (4) Substantiate that the proposed services are proposed using standard commercial terms and conditions. |

\*\*FAR 15.403-1(c)(3)(ii)(A) requires that when services are “of a type”, they may be considered commercial items “only if the contracting officer determines in writing that the offeror has submitted sufficient information to evaluate, through price analysis, the reasonableness of the price of such services.”

DEFINTION 7: Any item, combination of items, or service referred to in paragraphs (1) through (6) of this definition, notwithstanding the fact that the item, combination of items, or service is transferred between or among separate divisions, subsidiaries, or affiliates of a contractor.

|  |  |
| --- | --- |
| Does the item, combination of items, or service meet the definition in paragraphs (1) through (6)?  Is this item, combination of items, or service transferred between or among separate divisions, subsidiaries, or affiliates of a contractor? | (1) Substantiate which of the above definitions are included  (2) Substantiate evidence for the definition above that applies (1-6)  (3) Substantiate whether the items or services are interdivisional, subsidiaries or affiliates of the contractor. |

DEFINITION 8: A nondevelopmental item, if the procuring agency determines the item was developed exclusively at private expense and sold in substantial quantities, on a competitive basis, to multiple State and local governments.

|  |  |
| --- | --- |
| Is the item a nondevelopmental item?  Was the item developed exclusively at private expense?  Has the item been sold in substantial quantities, on a competitive basis, to multiple State and local governments? | Substantiate evidence that the items were  (1) developed exclusively at private expense  (2) sold in substantial quantities  (3) on a competitive basis  (4) to multiple state and local Governments: |

*[Remember to bounce the commercial assertion against the various parts of the commercial item definition; it needs to meet all parts of one of the definitions, not just most of one of the definitions. Also, please ensure the statement below is included in the report. It is a repeat of the statement at the bottom of the executive summary.]*

The commercial item recommendation provided in this CTAR does not constitute a Commercial Item Determination (CID). DCMA’s CTAR provides information to the DCMA CIG Contracting Officer and supports whether the proposed item(s)/service(s) meet the FAR 2.101 definition of a commercial item based on the engineer’s opinion. The Contracting Officer has the ultimate determination authority for all CIDs per DFARs 212.102(a)(i). Please refer to the CID issued for the part(s)/service(s) discussed in this report.

Other Considerations:   
Summarize any other considerations from your analysis. This includes cost, schedule, risk, and other technical considerations. Sole source suppliers, products with only military/govt end use, obsolete products or components, or unique terms and conditions should be highlighted.

# REVIEWS AND APPROVALS

<Name of Preparer >

DCMA Commercial Item Group Engineer  
Email:   
Phone:

<Name of Reviewer/Approver >

DCMA Commercial Item Group - Lead Engineer/Supervisory Engineer  
Email:   
Phone:

# ATTACHMENTS

1. Att 1

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1. The contents of this report should not be released or disclosed, other than to those persons whose official duties require access in accordance with DoD 5200.1-R, Information Security, January 1997 (as amended), Appendix 3, paragraph AP3.2.3. This document may contain information exempt from mandatory disclosure under the Freedom of Information Act. Exemption 4, of the Freedom of Information Act, which addresses proprietary information, may apply.

2. Proprietary data determinations should be made in the event of an external request for access. Unauthorized disclosure of proprietary information violates 18 U.S.C. 1905 (Disclosure of confidential information generally) and, if the information is contractor bid or proposal or source selection information, 41 U.S.C. 423 (Restrictions on disclosing and obtaining contractor bid or proposal information or source selection information). Any person who unlawfully discloses such information is subject to penalties such as fines, imprisonment, and/or removal from office or employment.

3. This restriction addresses the release of subcontractor information or data to the prime contractor (or a high-tier subcontractor) as prescribed in DFARS PGI 215.404-3(a). Prior to releasing this report to the prime contractor, the contracting officer must ensure it complies with any written restrictions provided by the subcontractor. For assistance, please contact DCMA CIG.

*[NOTE: Restrictions 1 and 2 above are required. \* Restriction 3 above is required for subcontractor proposal analysis to support the prime contractor or higher-tier subcontractor. Please turn the text to black if you use it in the report. Please delete the text if you are reviewing a prime contractor and do not require the text.]*