Determination and Findings

Determination and Findings (D&F) (FAR Subpart 1.7) is a special form of written approval by an authorized official that is required by statute or regulation as a prerequisite to taking certain contract actions. The “determination” is a conclusion or decision supported by the “findings.’’ The findings are statements of fact or rationale essential to support the determination and must cover each requirement of the statute or regulation. A D&F is normally for an individual contract action.

Class determinations and findings.

* A class D&F provides authority for a class of contract actions. A class may consist of contract actions for the same or related supplies or services or other contract actions that require essentially identical justification.
* The findings in a class D&F shall fully support the proposed action either for the class as a whole or for each action. A class D&F shall be for a specified period, with the expiration date stated in the document.
* The contracting officer shall ensure that individual actions taken pursuant to the authority of a class D&F are within the scope of the D&F.

D&F Content

A D&F set forth enough facts and circumstances to clearly and convincingly justify the specific determination made. As a minimum, each D&F should include:

* Identification of the agency and of the contracting activity and specific identification of the document as a “Determination and Findings.”
* Nature and/or description of the action being approved.
* Citation of the appropriate statute and/or regulation upon which the D&F is based.
* Findings that detail the particular circumstances, facts, or reasoning essential to support the determination. Necessary supporting documentation shall be obtained from appropriate requirements and technical personnel.
* A determination, based on the findings, that the proposed action is justified under the applicable statute or regulation.
* Expiration date of the D&F, if required.
* The signature of the official authorized to sign the D&F and the date signed.

AcqNotes and References:

[1] Website: FAR Subpart 1.7 “Determinations and Findings"