

Figure 2-4. D & F Ratification

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Determination and Findings Authority to Ratify an Unauthorized Commitment

1. A member of *[Office/Organization]* initiated an unauthorized commitment for *[insert description]* supplies/services. This determination and finding is based on requirements cited in FAR 1.602-3.

Findings

2. *[Insert details of the unauthorized commitment.]*

3. The unauthorized commitment was not made to circumvent or evade the procurement statutes and regulations. The commitment resulted from an urgent or emergency requirement or from a mistake of fact on the part of Government personnel. *(The supplies/services have been provided to and accepted by the Government) or (The Government (has obtained) (will obtain) a benefit resulting from performance of the unauthorized commitment.)* The contractor relied on the apparent authority of a Government officer or employee. Administrative settlement of the unauthorized commitment would not involve a claim subject to resolution under the Contract Disputes Act of 1978. The resulting contract would have otherwise been proper if made by an appropriate contracting officer. Funds were available at the time the commitment was made. Law did not otherwise preclude the Government from procuring the supplies/services. The price to be paid is considered fair and reasonable. The payment is not for unallowable costs. There is no doubt concerning a question of law or fact.

Determination

4. This unauthorized commitment has been determined to be otherwise proper and is recommended for ratification by the proper authority.

[Insert Name]
Contracting Officer

Date

CONCURRENCE:

[Insert Name]
Office of General Counsel

Date

APPROVAL:

[Insert Name]
Ratifying Official

Date