



**UNITED STATES MARINE CORPS**

MARINE CORPS AIR STATION  
BOX 99100  
YUMA, ARIZONA 85369-9100

StaO 4290.1

3KG

20 MAY 1996

STATION ORDER 4290.1

From: Commanding Officer  
To: Distribution List

Subj: CLAIMS ARISING FROM UNAUTHORIZED COMMITMENTS

Ref: (a) Federal Acquisition Regulation, Subpart 1.602-3 (NOTAL)  
(b) Navy Acquisition Procedures Supplement, Subpart  
5201.602-3 (NOTAL)  
(c) FISC San Diego Instruction 4295.2B (NOTAL)  
(d) COMNAVSUPSYSCOM ltr 4205 SUP 21J 94-26 of 22 Aug 94  
(NOTAL)

1. Purpose. To set forth procedures to be utilized by MCAS Yuma and tenant activities serviced by MCAS in processing unauthorized commitments for ratification and payment as prescribed by references (a) through (d).

2. Background

a. References (a), (b) and (c) provide authority and procedures for processing of unauthorized commitments for payment. An unauthorized commitment, for the purpose of this Order, occurs when supplies or services are furnished to the government as a result of the direction, order or commitment issued by individuals other than contracting or ordering officers within the Station Supply Contracts Division.

b. Unauthorized commitments made for the purpose of circumventing or evading procurement statutes and regulations may not be ratified. An unauthorized commitment may only be ratified when the ratifying official finds that the commitment was made in good faith and resulted from either an urgent or emergency requirement or from a mistake in fact on the part of Government personnel. The ratifying official must also find that the contractor relied on the apparent authority of the officer or employee making the unauthorized commitment.



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StaO 4290.1 Ch 1  
3KG  
18 AUG 1990

STATION ORDER 4290.1 Change 1

From: Commanding Officer  
To: Distribution List

Subj: CLAIMS ARISING FROM UNAUTHORIZED COMMITMENTS

Encl: (1) New page inserts to StaO 4290.1

1. Purpose. To transmit page inserts and direct pen changes to the basic Order.

2. Action.

a. Attach enclosure (1) to the basic Order, and insert the following "Encl:" section on the signature page of the basic Order:

"Encl: (1) Checklist for Ratification of Unauthorized Commitments"

b. Delete reference (d) and replace reference (c) with MCO P4200.15G.

c. In the first paragraph of the basic Order replace "references (a) through (d)" with "references (a) through (c)."

d. Replace the last sentence of paragraph 3. a. (1) with "Recommendation to ratify the unauthorized commitment will be made only if all the following documentation is received by the Contracting Division who will forward the documentation to Western Area Counsel Office (WACO) with a Determination and Finding (D & F) and WACO agrees with the documentation."

e. In paragraph 3.a.(1) (e), insert "and whether funds are still available." at the end of the sentence.

f. In paragraph 3.a.(2), delete "FISC SDIEGO Office of Counsel, Code 060 937 N Harbor Drive, San Diego, CA 92132-0062, with", and replace with "the Contracting Division, Code 3KG, with an"

g. Insert the following as paragraph 3.a.(2)(c):

(c) Provides a complete purchase description and funds for the ratifying contract (DD 1348-6).

h. Replace the entire paragraph 3.b., which is located at the top of page 4 of the basic Order with:

b. Station Contracting Division. After evaluation of the claim and the surrounding circumstances and with concurrence by legal counsel, WACO will, when appropriate, ratify the claim administratively, provided such settlement does not exceed \$25,000 as authorized by reference (c). Claims in excess of that amount will be evaluated by the Station Contracts Division and forwarded to LBO with an appropriate recommendation, for a final determination. Enclosure (1) is a checklist of procedures required to ratify an unauthorized commitment.

3. Filing Instructions. File this Change transmittal immediately behind the signature page of the basic Order.

  
C. J. TURNER

DISTRIBUTION: B plus 3KG (15)

STATION DIRECTIVES REVIEW FORM

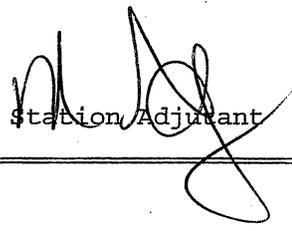
From: STATION ADJUTANT To: SUPPLY Date: 010214  
 Obj: Sta 0 4290-1 (Originator Code) 3K6 (Date Published) 08 MAY 98  
 Original Title: CLAIMS ARISING FROM UNAUTHORIZED COMMITMENTS

- Ref: (a) MCO P5215.1G, The Marine Corps Directives System
- (b) StaBul 5215, Station Directives Quarterly Checklist

The following action is requested as per reference (a) and (b):

- The subject directive, originating from your section, requires annual review.
- The subject directive, originating from your section, has been previously reviewed. The projected staffing date of the required change/revision was due on \_\_\_\_\_. Provide the CURRENT status of this directive.
- The subject directive, originating from your section, requires a change/revision based on REVIEW / NO ANN REV SINCE 98

As directed by reference (a), review must be completed and this form returned endorsed the Station Adjutant within 10 working days (C. O. B. 010307).

  
 Station Adjutant

BEST ENDORSEMENT

From: \_\_\_\_\_  
To: STATION ADJUTANT

Returned. The subject directive has been reviewed and the following applies:

- The subject directive is less than NINE years old and is current and accurate.
- The subject directive is less/more than NINE years old and does/does not require change/revision. Required change/revision will be staffed for technical review by (Date) \_\_\_\_\_.
- The subject directive is no longer required and may be CANCELED.

P. O. C. \_\_\_\_\_ Ext. \_\_\_\_\_

REMARKS: \_\_\_\_\_

SIGNATURE OF ORIGINATOR: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR USE BY DIRECTIVES CONTROL POINT

SIGNATURE OF REVIEWING OFFICER: \_\_\_\_\_ DATE: \_\_\_\_\_