

OFFICE OF THE STAFF JUDGE ADVOCATE

SHADOW MOSES AIR FIELD, ALASKA

MEMORANDUM FOR: Maj Emma Emmerich, Contracting Officer, 713 CONS

FROM: Maj Naomi Hunter, Deputy Staff Judge Advocate, 713 ABW/JA

DATE: 24 August 2027

SUBJECT: Proposed \$32,000 ratification for Campbell Hall Office 214

Question presented

Whether the \$32,000 commitment created when designated COR 1st Lt Jack 'Raiden' signed IB-02 and directed Peace Walker to perform extra-contractual work may be ratified under RFO FAR 1.405 and the archived DAF procedure retained as non-regulatory strategic guidance.

Legal analysis

ISSUE	LEGAL CONCLUSION	SUPPORT
Authority	Raiden possessed only the actual authority delegated in his COR designation. It withheld contract-change authority.	RFO FAR 1.402-1; designation; IB-06
Unauthorized commitment	His signed agreement was not binding solely because he lacked authority to make it.	RFO FAR 1.405(a); IB-02 and IB-06
Benefit	The Government accepted and uses a technically acceptable system.	RFO FAR 1.405(c)(1); IB-04 and IB-07
Authority to ratify	The retained DAF matrix assigns this below-SAT action to the COCO without further delegation.	RFO FAR 1.405(b)(2), (c)(2); archived DAF guidance
Proper purchase	The in-scope facility change could have been lawfully ordered in writing by the CO before performance.	RFO FAR 1.405(c)(3); IB-05 and IB-08
Price and funds	\$32,000 is fair and reasonable; appropriate funds existed then and remain available.	RFO FAR 1.405(c)(4), (6); IB-07
Recommendation and legal	The CO recommends payment and legal counsel concurs in this signed record.	RFO FAR 1.405(c)(5); this record

Legal concurrence I concur in ratification at \$32,000, provided the COCO approves before the Contracting Officer executes the written contractual and payment action. An ordinary bilateral modification signed first would not cure the unauthorized commitment.

/s/ NAOMI HUNTER

Naomi Hunter

Major, USAF | Deputy Staff Judge Advocate, 713 ABW/JA

24 August 2027

CONTRACTING OFFICER CASE SUMMARY

Recommendation for below-SAT ratification

Unauthorized commitment	Raiden's 11 August 2027 signed field authorization to Peace Walker
Amount	\$32,000
Contract	SM-MACC-01 Task Order FA-27-005
Recommended decision	Ratify and authorize the later written contractual and payment action

Case summary

Peace Walker installed the dedicated system after Raiden approved its \$32,000 proposal and directed immediate performance. Raiden was the designated COR but had no authority to change price, scope, schedule, or other terms; Maj Emmerich did not know of or authorize the work before performance. The contractor's reliance on Raiden's official COR status and signed direction explains its conduct but does not expand his delegated authority. The Government retained and uses the acceptable system.

RFO FAR 1.405(c) recommendation record

CONDITION	EVIDENCE	CO FINDING
Government benefit	IB-04 and IB-07 technical acceptance and use record	Satisfied
Ratifying authority	IB-08 archived DAF strategic-guidance application	COCO has authority
Otherwise proper purchase	IB-05 and IB-08 scope and vehicle analysis	Satisfied
Fair and reasonable price	IB-07 benchmark and CO determination	\$32,000 fair and reasonable
CO recommendation and legal	This summary and signed legal concurrence	Satisfied
Funds then and now	IB-07 funds certification	Satisfied

Recommendation

I recommend that the COCO ratify the \$32,000 commitment. After approval, I will execute the appropriate written contract action citing the ratification, scope, price, funds, and complete-adjustment terms; process the supported invoice; update the contract and finance records; and retain the corrective-action package. No payment or ordinary modification will precede the COCO decision.

/s/ EMMA EMMERICH

Emma Emmerich

Major, USAF | Contracting Officer, 713 CONS

24 August 2027

RATIFICATION APPROVAL ROUTING RECORD

Decision authority 713 CONS COCO | \$32,000 below SAT

PACKAGE ITEM	RECORD	STATUS
Contractor invoice and basis	IB-01	Complete
Signed field authorization and operational request	IB-02 and IB-03	Complete
Benefit photograph and original-scope evidence	IB-04 and IB-05	Complete
CO investigation and individual statements	IB-06	Complete
Benefit, price, and funds	IB-07	Complete
Otherwise-proper purchase and approval authority	IB-08	Complete
Organization circumstances and corrective action	IB-09	Complete
Legal concurrence and CO recommendation	IB-10 pages 1 and 2	Complete

Coordination

FUNCTION	NAME AND POSITION	ACTION AND DATE
Requiring organization	Lt Col Mei Ling, 713 CES Commander	/s/ Mei Ling 23 Aug 2027
Funds certification	Capt Rosemary Marquez, 713 CPTS	/s/ Rosemary Marquez 20 Aug 2027
Legal review	Maj Naomi Hunter, 713 ABW/JA	/s/ Naomi Hunter 24 Aug 2027
CO recommendation	Maj Emma Emmerich, 713 CONS	/s/ Emma Emmerich 24 Aug 2027

COCO decision

[] APPROVE RATIFICATION AT \$32,000	[] DISAPPROVE AND ATTACH LEGAL BASIS
Signature _____ Lt Col Helena Dolph Jackson Commander and COCO 713 CONS	Date _____ Approval is not further delegable.

Facilitator control Leave the decision unsigned until trainees select and justify a response. On the complete intended record, the strong response supports COCO approval followed by the Contracting Officer's written contractual and payment action.