

5303.104-4 Disclosure, Protection, and Marking of Contractor Bid or Proposal Information and Source Selection Information

(a) When it comes to safeguarding public data, trust is paramount. Contract management security and data privacy are critical. Contracting data produced or maintained by the Contracting workforce must also be handled in accordance with applicable laws and regulations to safeguard this data. Any individuals requiring access to contract data as a result of participating on a source selection or in the performance of their duties must sign a Non-Disclosure Agreement.

i. Contracting Officers must ensure appropriate clauses and data protections are included in any contract, order or agreement providing the assistance of support personnel. Since contract data may include sensitive or proprietary information, it is important to protect restricted data sets from improper use. Contractors whose employees have been determined to have a "Need to know" by the data requesting organization shall have Non-disclosure Agreements (NDAs), Organizational Conflicts of Interest (OCI) mitigation plans, necessary information owner permissions and any applicable contract clauses or articles prior to gaining access to any contracting system restricted data sets. Confirmation of these items is the responsibility of the organizations requesting access to the data and organizations are required to provide the items upon request.

ii. Before giving contractors access to contracting data, Contracting Officers shall ensure that the government team has verified that safeguarding actions have been taken and processes have been put into place to protect the contracting data. This verification shall be documented using the [Compliance Certification Contracting Access and Security \(CCCAS\) Memo template](#). Once completed, the CCCAS template shall be uploaded into the [Contracting Modernization SharePoint Site](#) to establish an auditable record that due diligence has been taken to safeguard contracting data.

Note for DAFFARS 5303.104-4(a)(ii): Atch 4 of [SAF/AQC memo 24-C-04](#) will be made into a DAFFARS template and archived within the Air Force Contracting Central (AFCC) templates when the 2024 DAFAC is finalized - once this action is complete, this note will be removed from the DAFFARS language

iii. A singular Non-Disclosure Agreement (NDA) for both DAFFARS 5303.104-4(a) and FAR clause 52.203-16 "PREVENTING PERSONAL CONFLICTS OF INTEREST" may be completed and remain on file by the requesting government or contractor organization for the term of employment rather than accomplished annually, as long as both provisions are referenced in the NDA.

Parent topic: [Subpart 5303.1 - SAFEGUARDS](#)