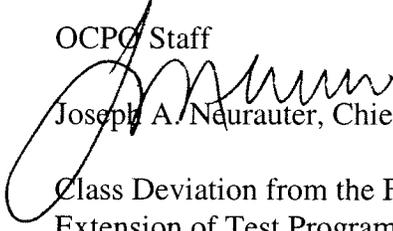




U.S. Department of Housing and Urban Development
Washington, D.C. 20410-3000

APR 18 2008

OFFICE OF THE CHIEF PROCUREMENT OFFICER

MEMORANDUM FOR: OCPO Staff
FROM: 
Joseph A. Neurauter, Chief Procurement Officer, N
SUBJECT: Class Deviation from the Federal Acquisition Regulation –
Extension of Test Program for Certain Commercial Items

This class deviation implements the Civilian Agency Acquisition Council (CAAC) Letter 2008-001 that grants approval to deviate from the requirements in FAR Subpart 13.500(d) Test Programs for Certain Commercial Items. The Chairperson, Civilian Agency Acquisition Council (CAAC), has given written concurrence for the issuance of this class deviation as required in FAR 1.404.

FAR Subpart 13.5 authorizes, as a test program, the use of simplified procedures for the acquisition of supplies and services in amounts greater than the simplified acquisition threshold but not exceeding \$5.5 million, including options, if the contracting officer reasonably expects, based on the nature of the supplies or services sought, and on market research, that offers will include only commercial items. FAR 13.500(d) has an expiration date for this test authority of January 1, 2008.

Language to extend this test authority for all agencies was included in Section 822 of the National Defense Authorization Act for Fiscal Year 2008, Public Law 110-181. The Defense appropriations bill was vetoed and the Chairman of the CAAC has recommended that civilian agencies authorize a class deviation in accordance with FAR 1.404 to extend the program. An expedited FAR case is being processed to change the date of expiration for the program.

This class deviation is to extend the program for the period January 1, 2008 until the FAR is amended to authorize the new test period through January 1, 2010. Contracting officers can continue processing solicitations and contracts under Subpart 13.5 until implementation of FAR language that updates FAR 13.5(d).

This deviation remains in effect until implemented in the FAR, or otherwise rescinded. If you have any questions, please contact Linda Stivaletti-Petty at (202) 402-7110 or Gloria Sochon at (202) 402-7144. OCPO appreciates your continued support and cooperation.