

## AMS/FAST CHANGE REQUEST (CR) COVERSHEET

**Change Request Number:** 20-48

**Date Received:** 28 Apr 20

**Title:** AAP-20 Organizational Changes

---

**Initiator Name:** Tim Eckert

**Initiator Organization Name / Routing Code:** Procurement Policy Branch, AAP-110

**Initiator Phone:** 202.267.7527

**ASAG Member Name:** Monica Rheinhardt

**ASAG Member Phone:** 202.267.1441

**Policy and Guidance:** (check all that apply)

- Policy
- Procurement Guidance
- Real Estate Guidance
- Other Guidance
- Non-AMS Changes

**Summary of Change:**

Update of references to AAP-600 and AJA-8 as well as references to "Small Business Office", "Small Business Development Staff", "Small Business Development Office" etc. to AAP-20 (Small Business Program)

**Reason for Change:**

Administrative change consistent with reorganization.

**Development, Review, and Concurrence:**

AAP-2, AAP-20, and Acquisition Policy

**Target Audience:**

Program Office and Contracting personnel

**Briefing Planned:** No.

**ASAG Responsibilities:** None.

**Section / Text Location:**

AMS Policy Sections 3.6 and 3.8

**The redline version must be a comparison with the current published FAST version.**

I confirm I used the latest published version to create this change / redline

**or**

This is new content

**Links:**

[https://fast.faa.gov/docs/acquisitionManagementPolicy/acquisitionManagementPolicy\\_3.pdf](https://fast.faa.gov/docs/acquisitionManagementPolicy/acquisitionManagementPolicy_3.pdf)

**Attachments:**

Redline and final documents.

**Other Files:**

N/A

Redline(s):

Section Revised:

3.6.1 Small Business Development Program

3.8.6 Strategic Sourcing

## Acquisition Management Policy - (7/2020)

---

### 3.6 Socio-Economic and Other Policies and Programs

3.6.1 Small Business Development Program Revised 7/20057/2020

3.6.1.1 Applicability Revised 10/20127/2020

3.6.1.2 Policy Revised 1/20107/2020

3.6.1.3 Principles for the Small Business Development Program Revised 7/20057/2020

3.6.1.3.1 Program Goals Revised 7/20057/2020

3.6.1.3.2 Prime Contracting with Small Businesses Revised 1/2017

3.6.1.3.3 Reserved Revised 1/2017

3.6.1.3.4 Set-Asides to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals (8(a) Certified) and Service-Disabled Veterans Revised 7/20197/2020

3.6.1.3.5 Noncompetitive Awards to SEDB (8(a)) Vendors Revised 7/20167/2020

3.6.1.3.6 Set-Asides to Service-Disabled Veteran Owned Small Businesses Revised 10/2008

3.6.1.3.7 Subcontracting with Small Businesses and Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals

3.6.2 Labor Laws Revised 1/2020

3.6.2.1 Applicability Revised 10/2014

3.6.2.2 Policy Revised 4/2017

3.6.3 Environment, Conservation, Occupational Safety, and Drug-Free Workplace Revised 4/2009

3.6.3.1 Applicability Revised 4/2009

3.6.3.2 Policy Revised 1/2020

3.6.3.3 Environmental Performance and Sustainability Factors Revised 10/2016

3.6.3.3.1 Recycled-Content Products Revised 1/2020

3.6.3.3.2 Energy Conservation and Efficiency Revised 1/2020

3.6.3.3.3 BioPreferred and Biobased Designated Products Revised 1/2020

3.6.3.3.4 Alternatives to Ozone Depleting Substances and High Global Warming Potential Hydrofluorocarbons Revised 1/2020

3.6.3.3.5 Water Conservation and Efficiency Revised 1/2020

3.6.3.3.6 Chemicals Management Revised 1/2020

3.6.3.4 Delivery of Electronic and Paper Documents Revised 1/2020

3.6.3.5 Drug-Free Workplace Revised 4/2009

3.6.3.6 Hazardous and Radioactive Materials

3.6.3.6.1 Hazardous Material Identification and Safety Data Revised 10/2016

3.6.3.6.2 Notice of Radioactive Material Revised 10/2016

[3.6.3.7 Waste Management](#) Revised 1/2020  
[3.6.4 Foreign Acquisition](#) Revised 4/2014  
    [3.6.4.1 Buy American Act](#) Added 10/2014  
    [3.6.4.2 Export Control](#) Added 4/2014  
[3.6.5 Indian Incentive Program](#)  
[3.6.6 Fastener Quality Act](#)

---

## **3.6 Socio-Economic and Other Policies and Programs**

### **3.6.1 Small Business ~~Development~~ Program Revised 7/20057/2020**

#### **3.6.1.1 Applicability Revised 10/20127/2020**

The policies in this Section apply to FAA procurements for products and services but exclude those procurements using purchase cards, purchase card checks, electric utilities, real property, grants, memoranda of understanding, non-appropriated funds, contracts to be awarded and performed entirely outside of the United States, contracts with foreign governments or international organizations, agreements, and required sources of products/services and use of Government sources including products available from Federal Prison Industries (FPI) (refer to AMS Small Business Program ~~Development~~ Guidance).

#### **3.6.1.2 Policy Revised 1/20107/2020**

The FAA must comply with Presidential directives, constitutional standards, public laws, and DOT Secretary Policy Statements to promote, expand, aggressively provide procurement opportunities as prime contractors and as subcontractors for small businesses, small businesses owned by socially and economically disadvantaged individuals, women-owned small businesses and service-disabled veteran owned small businesses. The FAA's Small Business ~~Development~~Program (AAP-20) staff currently has and will continue to have responsibility for:

- FAA's policy and program on the utilization of small business and small businesses owned and controlled by socially and economically disadvantaged individuals;
- Establishing mechanisms for monitoring and evaluating the effectiveness of the small business program; and
- Ensuring FAA-wide implementation and accomplishment of the small business program objectives.

Key features of the small business program will include:

- Competitive/noncompetitive set-asides;
- Establishment of eligibility criteria and measurable prime contracting and subcontracting goals;
- Vigorous outreach efforts;
- Mentor-Protégé Program; and
- Small business forums.

#### **3.6.1.3 Principles for the Small Business ~~Development~~ Program Revised 7/20057/2020**

##### **3.6.1.3.1 Program Goals Revised 7/20057/2020**

Prior to the end of each fiscal year, measurable annual FAA wide major procurement program goals (including subcontracting goals) will be established to provide attainable and reasonable opportunities for small businesses and small businesses owned and controlled by socially and economically disadvantaged individuals to participate in contracts awarded by the FAA for the next fiscal year.

To ensure attainment of the program goals, senior management will be held responsible and goal achievement will be monitored at all levels in the agency. Additionally, the **Small Business Development AAP-20** Staff will conduct vigorous outreach efforts that may include participating in Small Business Conferences, Small Business forums, etc.

### **3.6.1.3.2 Prime Contracting with Small Businesses Revised 1/2017**

When appropriate, individual procurements may be set aside for competitive award among small businesses. Individual procurements may also be set-aside for small businesses two categories (combined set-asides).

### **3.6.1.3.3 Reserved Revised 1/2017**

### **3.6.1.3.4 Set-Asides to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals (8(a) Certified) and Service-Disabled Veterans Revised 7/2019/2020**

Except for those acquisitions being purchased using the agency purchase card, or those acquisitions subject to AMS 3.8.4.2, each acquisition of supplies or services having an anticipated dollar value exceeding \$10,000, but not over \$150,000, is automatically reserved exclusively for SEDB (8(a)) vendors and/or Service-Disabled Veteran-Owned Small Businesses (SDVOSBs) unless the Contracting Officer determines there is not a reasonable expectation of obtaining offers from responsible SEDB (8(a)) or SDVOSB concerns that are competitive in terms of market prices, quality and delivery. The Contracting Officer must submit the Small Business Set-Aside Determination and Coordination Form if not setting aside for either SEDB (8(a)), SDVOSB, or small business firms for acquisitions exceeding \$10,000 but not over \$150,000 (see also AMS Small Business **Development** Program Guidance for use of this form). **These procurements may be either competitive or noncompetitive.**

In addition, other individual procurements outside the above specified range may be set-aside for competitive award among Socially and Economically Disadvantaged Businesses (SEDBs) that are 8(a) certified, or Service-Disabled Veteran-Owned firms, when appropriate.

### **3.6.1.3.5 Noncompetitive Awards to SEDB (8(a)) Vendors Revised 7/2016/2020**

Individual procurements may be noncompetitively awarded to SEDB (8(a)) vendors when the anticipated total value of the procurement (including all options) is \$6.5 million or below for procurements assigned manufacturing North American Industry Classification System codes and \$4 million or below for all other procurements. Where a procurement exceeds the noncompetitive threshold, the procurement may be awarded on a noncompetitive basis to SEDB (8(a)) vendors if: (1) there is not a reasonable expectation that at least two or more SEDB (8(a)) sources will submit offers that are in the Government's best interest in terms of quality, price and/or delivery; or (2) the award will be made to a concern owned by an Indian tribe or an Alaska Native Corporation. Noncompetitive awards above \$22 million to SEDB 8(a) vendors must be justified and documented as indicated in AMS Small Business ~~Development~~**Program** Procurement Guidance.

#### **3.6.1.3.6 Set-Asides to Service-Disabled Veteran Owned Small Businesses **Revised 10/2008****

When appropriate, individual procurements may be awarded noncompetitively or set-aside competitively for award among service-disabled veteran owned small businesses.

#### **3.6.1.3.7 Subcontracting with Small Businesses and Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals**

When appropriate, subcontracting opportunities will be encouraged.

### **3.6.2 Labor Laws**

#### **3.6.2.1 Applicability **Revised 10/2014****

The Davis-Bacon Act (40 U.S.C. § 276a), Convict Labor (18 U.S.C. § 4082-(c)(2)), Copeland Act (18 U.S.C. § 874 and 40 U.S.C. § 276c), Walsh-Healey Public Contracts Act (41 U.S.C. §§ 6501-6511), Equal Employment Opportunity (Executive Order 11,141, 29 FR 2477), Service Contract Act (41 U.S.C. §§ 6701-6707), and other labor laws and regulations will apply to acquisitions for products, services, and construction.

#### **3.6.2.2 Policy **Revised 4/2017****

The FAA will comply with labor laws when acquiring products, services, and construction, consistent with the thresholds established herein the Acquisition Management System.

### **3.6.3 Environment, Conservation, Occupational Safety, and Drug-Free Workplace **Revised 4/2009****

#### **3.6.3.1 Applicability **Revised 4/2009****

This section applies to all FAA Screening Information Requests (SIRs) and contracts performed in the United States.

### **3.6.3.2 Policy Revised 1/2020**

It is the policy of FAA to contract with entities that are in compliance with applicable environmental, energy, safety, and drug-free workplace laws, orders, and regulations.

FAA will ensure that all contract actions and purchases comply with statutory requirements, where applicable to the product or service. FAA should prioritize products and services that meet more than one of the applicable requirements and is encouraged to procure products and services in a cost-effective manner that advance achievement of energy and environmental performance goals. FAA will use Category Management solutions to the maximum extent practicable, which can help meet sustainability goals and better leverage the government's buying power.

FAA will give purchasing preference to products that:

- Meet minimum requirements for recycled content as identified by EPA's Comprehensive Procurement Guideline (CPG) Program;
- Are designated as biobased or BioPreferred by USDA; and
- Are certified by ENERGY STAR® or designated by FEMP as energy efficient products.

FAA will maximize substitution of alternatives to ozone-depleting substances in its procurements, as identified under EPA's Significant New Alternatives Policy (SNAP) program.

FAA should also seek sustainable products and services identified by other EPA programs, including WaterSense®, Safer Choice®, and SmartWay® as well as non-federal specifications, standards or labels that meet or exceed those recommended by EPA or meet criteria developed or adopted by consensus standards bodies.

### **3.6.3.3 Environmental Performance and Sustainability Factors Revised 10/2016**

#### **3.6.3.3.1 Recycled-Content Products Revised 1/2020**

In order to meet the objectives of Executive Order (EO) 13834, FAA will procure products composed of recycled content, which are produced with waste materials and byproducts recovered or diverted from solid waste. Recycled-content products are designated in EPA's Comprehensive Procurement Guidelines (CPG) and FAA will purchase these products at the highest percentage of recovered content practicable. FAA should purchase uncoated paper (including office products or support services that include the supply of written documents) containing at least 50 percent post-consumer recycled content whenever practicable, but if not practicable, FAA will purchase uncoated printing and writing paper containing at least 30 percent post-consumer recycled content or higher. These

considerations will be identified in procurement planning and SIR/contract documents. The decision not to procure such items will be based on a determination that such procurement items:

1. Are not reasonably available within a reasonable period of time;
2. Fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or
3. Are only available at an unreasonable price.

### **3.6.3.3.2 Energy Conservation and Efficiency Revised 1/2020**

In order to meet the objectives of EO 13834, the Energy Policy Act of 2005 (EPAct 2005), the Energy Independence and Security Act of 2007 (EISA 2007), and FAA Order 1053.1B (or the latest version), FAA will procure ENERGY STAR® -labeled and FEMP-designated products. FAA will also promote electronics stewardship throughout the acquisition life cycle and ensure a procurement preference for environmentally sustainable electronic products in accordance with statutory mandates such as Electronic Products Assessment Tool (EPEAT)-registered products. These considerations will be identified in the procurement planning and SIR/contract documents when procuring products or services affecting FAA energy consumption. The decision not to procure such items will be based on a determination that such procurement items:

1. Are not reasonably available within a reasonable period of time;
2. Fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or
3. Are only available at an unreasonable price.

### **3.6.3.3.3 BioPreferred and Biobased Designated Products Revised 1/2020**

In order to meet the objectives of EO 13834, the Farm Security and Rural Investment Act of 2002, the Food Conservation and Energy Act of 2008, and the Agricultural Act of 2014, FAA will purchase and use USDA BioPreferred and biobased designated products, which are products derived from plants and other renewable agricultural, marine, and forestry materials and provide an alternative to conventional petroleum derived products. FAA will give preference to products composed of the highest percentage of biobased material practicable. These considerations will be identified in procurement planning, SIR/contract documents. The decision not to procure such items will be based on a determination that such products within a product category:

1. Are not reasonably available within a reasonable period of time;
2. Fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring agencies; or
3. Are only available at an unreasonable price.

### **3.6.3.3.4 Alternatives to Ozone Depleting Substances and High Global Warming Potential Hydrofluorocarbons Revised 1/2020**

In order to meet the objectives of EO 13834 and the Clean Air Act, FAA will procure Significant New Alternative Policy (SNAP) chemicals or other alternatives to ozone-depleting substances and

high global warming potential hydrofluorocarbons, where feasible, as identified by SNAP. FAA will ensure that the product complies with statutory mandates (e.g., biobased) if applicable to the product category. These considerations will be identified in the procurement planning and SIR/contract documents.

#### **3.6.3.3.5 Water Conservation and Efficiency Revised 1/2020**

In order to meet the objectives of EO 13834 and FAA Order 1053.1C (or the latest version), FAA should purchase WaterSense certified products and services. These considerations will be identified in the procurement planning and SIR/contract documents when procuring products or services affecting FAA water consumption.

#### **3.6.3.3.6 Chemicals Management Revised 1/2020**

In order to meet the objectives of EO 13834, FAA should purchase Safer Choice labeled products to reduce the overall quantity of chemicals and toxic materials acquired, used, and disposed of. FAA will ensure that the product complies with the statutory mandates (e.g., biobased) if applicable to the product category. These considerations will be identified in the procurement planning and SIR/contract documents.

Additionally, FAA will implement EPA's Integrated Pest Management Principles and Water Efficient Landscaping practices to reduce and eliminate the use of toxic and hazardous chemicals and materials.

#### **3.6.3.4 Delivery of Electronic and Paper Documents Revised 1/2020**

Contractors must submit acquisition-related documents electronically, to the maximum extent practicable. When paper documents are submitted to the FAA, they must be printed or copied double-sided. Refer to the Recycled-Content Products Policy above for additional requirements for delivery of paper documents.

#### **3.6.3.5 Drug-Free Workplace Revised 4/2009**

The FAA must deem any offer unqualified and ineligible for award unless the offeror has certified that it is a drug free workplace. After contract award, if there is adequate evidence to suspect that the contractor submitted a false certification or failed to comply with the certification, the FAA may suspend payments, terminate the contract for default, debar or suspend the contractor, or take other appropriate action to obtain quality performance by a lawfully operating contractor.

#### **3.6.3.6 Hazardous and Radioactive Materials**

##### **3.6.3.6.1 Hazardous Material Identification and Safety Data Revised 10/2016**

It is FAA policy to comply with Occupational Safety and Health Administration (OSHA) regulations on hazardous materials, conditions and precautions. To comply with these regulations, FAA must obtain information from contractors when hazardous materials are provided to FAA. Contractors are required to identify any hazardous materials delivered under a contract, as defined in Federal Standard 313; and must provide Safety Data Sheets for all identified hazardous materials.

#### **3.6.3.6.2 Notice of Radioactive Material Revised 10/2016**

The contractor is required to notify the FAA, prior to delivery, of radioactive material that requires specific licensing under the Atomic Energy Act of 1954; or material with a specific activity that is greater than 0.002 microcuries per gram, or a specific activity per item exceeds 0.01 microcuries.

#### **3.6.3.7 Waste Management Revised 1/2020**

In order to meet the objectives of EO 13834, FAA will demonstrate incremental improvement on reducing the tons of non-hazardous solid waste generated and reducing the percentage of non-hazardous solid waste sent to treatment and disposal facilities. FAA will also demonstrate incremental improvement on reducing the tons of non-hazardous construction and demolition (C&D) materials and debris generated and reducing the percentage of non-hazardous C&D materials and debris sent to treatment and disposal facilities. Contractors must comply with the waste reduction and reporting requirements set forth by FAA with regard to the diversion of non-hazardous solid waste and C&D debris. Waste management will further be accomplished through employing source reduction strategies (such as purchasing items that require less packaging materials during shipping) and reducing printing paper use. Waste management factors must be considered, to the maximum extent practicable, in acquisitions where their application would be meaningful and consistent with meeting FAA requirements. These factors must be identified in the procurement planning and SIR/contract documents.

#### **3.6.4 Foreign Acquisition Revised 4/2014**

##### **3.6.4.1 Buy American Act Added 10/2014**

The FAA will comply with the tenets of the Buy-American Act (41 U.S.C. §§ 8301-8305) as part of the agency's best value determination during the contractor selection process.

##### **3.6.4.2 Export Control Added 4/2014**

The FAA will comply with all U. S. Export Control laws and regulations, including the International Traffic in Arms Regulations (ITAR), 22 CFR Parts 120 through 130 and the Export Administration Regulations (EAR), 15 CFR Parts 730 through 774.

#### **3.6.5 Indian Incentive Program**

The FAA is subject to the requirements of paragraph 1544 of 25 U.S.C. that establishes an incentive payment for contractors of Federal agencies that subcontract with or use suppliers who are Indian organizations or Indian-owned economic enterprises in performing the contract. This incentive payment may be equal to 5 percent of the amount paid, or to be paid, to a qualifying subcontractor or supplier that is an Indian organization or Indian-Owned economic enterprise.

### **3.6.6 Fastener Quality Act**

The FAA must comply with Pub. L. 101-592, as amended by Pub. L. 104-113 in equipment and construction applications which require the use of high-strength fasteners.

## Acquisition Management Policy - (7/2020)

---

### 3.8 Special Categories of Contracting

#### 3.8.1 Agreements

##### 3.8.1.1 Applicability

##### 3.8.1.2 Use of Agreements Revised 1/2012

##### 3.8.1.3 Principles for Agreements

#### 3.8.2 Service Contracting

##### 3.8.2.1 Applicability

##### 3.8.2.2 Policy

##### 3.8.2.3 Personal Services Contracts

###### 3.8.2.3.1 Reserved

###### 3.8.2.3.2 Determination

##### 3.8.2.4 Performance Based Service Contracts

##### 3.8.2.5 Cloud Computing Services Contracts Added 10/2016

#### 3.8.3 Federal Supply Schedule Contracts

##### 3.8.3.1 Applicability

##### 3.8.3.2 Policy

#### 3.8.4 Required Sources of Products/Services and Use of Government Sources

##### 3.8.4.1 Applicability Revised 2/2005

##### 3.8.4.2 Government Sources for Products and Services Revised 10/2014

#### 3.8.5 Leases Added 1/2006

##### 3.8.5.1 Applicability Added 1/2006

##### 3.8.5.2 Policy Added 1/2006

#### 3.8.6 Strategic Sourcing Revised ~~7/2007~~/2020

#### 3.8.7 Construction Contracting Added 7/2007

##### 3.8.7.1 Applicability Added 7/2007

##### 3.8.7.2 Policy Added 7/2007

---

## **3.8 Special Categories of Contracting**

### **3.8.1 Agreements**

#### **3.8.1.1 Applicability**

#### **3.8.1.2 Use of Agreements Revised 1/2012**

It is FAA's policy to use various agreements, other than procurement contracts, to obtain or provide services and supplies when necessary to accomplish the mission of FAA. These agreements may be made with another Federal agency or instrumentality of the Federal government, a modal administration within the Department of Transportation, a state, local government, municipality, or other public entity, and private entities. (See 49 U.S.C. 106(l)). The following is a list of the more commonly used agreements (other than procurement contracts):

- Interagency agreements;
- Intra-agency agreements;
- Reimbursable agreements;
- Agreements with other public entities; and
- Agreements to provide services to a private entity on an individualized basis.

#### **3.8.1.3 Principles for Agreements**

Agreements with other Federal Agencies (as defined in section 551(1) of title 5) are appropriate where FAA provides services or supplies or facilities to another Federal agency, or where FAA is the requesting agency to receive services, or supplies, or facilities from another Federal agency or that agency's contractor. Where the FAA and the Department of Defense are engaged in joint actions to improve or replenish the national air traffic system, the AMS policies governing FAA acquisitions are applicable. In those instances where the FAA acquires goods or services through the Department of Defense or other agencies, the FAA is bound by the acquisition laws governing those agencies.

### **3.8.2 Service Contracting**

#### **3.8.2.1 Applicability**

This section applies to advisory and assistance contracts and other services, including personal services such as employees support service as provided for in FAA's Personnel Management System. This section does not apply to FAA employees, temporary, part-time or permanent

appointed or hired in accordance with the other applicable portions of the FAA Personnel Management System.

### **3.8.2.2 Policy**

The FAA will generally rely on the private sector for commercial services (see OMB Circular No. A-76, Policies for Acquiring Commercial or Industrial Products and Services Need by the Government). In no event may a contract be awarded for the performance of an inherently governmental function. Advisory and assistance contracts must comply with all applicable laws concerning post-employment and other conflict of interest and ethics laws and policies.

### **3.8.2.3 Personal Services Contracts**

#### **3.8.2.3.1 Reserved**

#### **3.8.2.3.2 Determination**

The FAA may award personal services contracts when the head of a line of business determines that a personal service contract is in the best interest of the agency after thorough evaluation, which includes, but is not limited to the following factors:

- Worker's compensation payments and other tax implications;
- Government's potential liability for services performed;
- Availability of temporary hires to perform the desired services;
- Demonstration of tangible benefits to the agency;
- Detailed cost comparison demonstrating a financial advantage to the Government from such contract;
- Potential post employment restrictions applicable to former employees;
- Legal determination that the work to be performed is not inherently governmental; and
- Potential post employment restrictions pursuant to Federal Workforce Restructuring Act of 1994 Public Law 103-226.

Although personal service contracts are permitted, they should be used only when there is a clear demonstrated financial and program benefit to the FAA. The determination required herein is non-delegable and must be reviewed for legal sufficiency by the Office of the Chief Counsel.

### **3.8.2.4 Performance Based Service Contracts**

Service contracts should incorporate performance based contracting methods to encourage contractor innovation and efficiency, and to help ensure contractors provide timely, cost- effective, and quality

performance with measurable outcomes as opposed to either the manner by which the work is to be performed or broad and imprecise statements of work.

### **3.8.2.5 Cloud Computing Services Contracts Added 10/2016**

All cloud computing services contracts will be conducted in accordance with Federal Risk and Authorization Management Program (FedRAMP) requirements. Further information on FedRAMP may be found at [www.fedramp.gov](http://www.fedramp.gov).

## **3.8.3 Federal Supply Schedule Contracts**

### **3.8.3.1 Applicability**

This section is applicable when FAA awards Federal Supply Schedule delivery orders for recurring products and services. Additionally, this section addresses requirements to utilize Federal Supply Schedules awarded by GSA, when the FAA is identified in the schedule as a mandatory/non-mandatory user of any supply/service on the schedule.

### **3.8.3.2 Policy**

The FAA may consider awarding Federal Supply Schedule contracts, or placing orders against Federal Supply Schedules awarded by GSA, for recurring products and services when it is determined to be in the best interest of the FAA.

## **3.8.4 Required Sources of Products/Services and Use of Government Sources**

### **3.8.4.1 Applicability Revised 2/2005**

This section applies to procurement of all products and services, except for real property, utilities, and construction.

### **3.8.4.2 Government Sources for Products and Services Revised 10/2014**

The CO may use available Government sources when they offer the best value to satisfy FAA's mission need. However, pursuant to FAA policy, the CO must acquire products and services offered through the Randolph-Sheppard Vending Facilities Program (20 U.S.C. 107) and AbilityOne (formerly the Javits-Wagner-O'Day Program) (41 U.S.C. §§ 8501-8506).

FAA policy also requires that FAA purchase products offered by Federal Prison Industries (FPI) when the FPI's product represents the best value to FAA, unless an exception below applies. In making a best value determination for FPI products, the CO must utilize the procedures in AMS Procurement Guidance T3.8.4.A.4. The CO must post an announcement for any procurement for products available from FPI in accordance with AMS Policy 3.2.1.3.12. This policy concerning FPI does not apply if:

- (a) The monetary value of the procurement would not require a competitive procurement process under AMS Policy 3.2.2.4;
- (b) A market analysis would not be required under AMS Policy 3.2.2.4 to support a single-source procurement of the product;
- (c) Suitable used or excess products are available from the government;
- (d) The products are acquired and used outside the United States;
- (e) Services are being acquired; or
- (f) FAA has obtained a waiver from FPI with respect to the particular product or class of products at issue in the procurement.

The CO may allow contractors with cost-reimbursement contracts to use Government sources when in FAA's best interest and the products or services are available. Contractors with fixed-price contracts to protect classified information may acquire security equipment through GSA sources after CO approval.

### **3.8.5 Leases Added 1/2006**

#### **3.8.5.1 Applicability Added 1/2006**

This section applies to products, services and real property to the extent authorized by law. For Real Property specific policy and Guidance see Section 4.2 Real Property.

#### **3.8.5.2 Policy Added 1/2006**

It is the policy of the FAA to enter into leases for various products, services or real property when it is determined by the Contracting Officer, based on financial and other considerations, to be in the best interest of the Government compared to the outright purchase of such assets, real property, or services.

It is also FAA policy to avoid establishment of capital leases or lease purchases unless the requesting organization demonstrates they have complied with the requirements of OMB Circular A-11, Part 8, Appendix B "Scoring of Lease Purchases and Leases of Capital Assets".

### **3.8.6 Strategic Sourcing Revised 7/2007**

The FAA is leveraging its spending through strategic sourcing and will award contracts for products and services to help the agency optimize performance and minimize price to increase the value of each dollar spent. Therefore, when a needed product or service is available through a strategic sourcing contract, purchasing employees must use a strategic sourcing contract.

All strategic sourcing contracts are established following the AMS Policy and Guidance. To increase achievement of socio-economic acquisition goals, all strategic sourcing procurements must be balanced with socio-economic goals for small businesses, small disadvantaged businesses, women-owned small businesses, veteran-owned businesses, and service-disabled veteran-owned businesses in accordance with AMS Policy 3.6.1 Small Business ~~Development~~ Program.

When performance of any strategic sourcing contract requires access to FAA facilities and/or requires handling of sensitive material, the contract must include all of the appropriate clauses and/or restrictions and comply with FAA Order 1600.72A, Contractor and Industrial Security Program and FAA Order 1600.75, Protecting Sensitive Unclassified Information (SUI).

When an organization is going to strategically source a product or service, it must use mandatory government sources as described in AMS Policy 3.8.4 and Procurement Guidance T3.8.4A.

### **3.8.7 Construction Contracting Added 7/2007**

#### **3.8.7.1 Applicability Added 7/2007**

This section applies to construction contracts, contracts for dismantling, demolition, or removal of improvements, and to the construction portion of contracts for products or services.

#### **3.8.7.2 Policy Added 7/2007**

If portions of multipurpose contracts are so commingled that priced deliverables for construction, service, or supply cannot be segregated and the predominant purpose of the contract is construction, the contract will be classified as construction.