

AMS/FAST CHANGE REQUEST (CR) COVERSHEET

Change Request Number: 21-65

Date Received: Jun 10, 2021

Title: Brand Name Mandatory Equal

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Policy and Guidance: (check all that apply)

- ☐ Policy
- ☒ Guidance
- ☐ Procurement Forms, Templates and Samples
- ☐ Real Property Templates and Samples
- ☐ Procurement Clauses
- ☐ Real Property Clauses
- ☐ Other FAST Tools and Resources

Summary of Change: The purpose for the changes related to brand name guidance is to provide clarity as to the information required for a rational basis and eliminates the need to do a full blown SSJ for brand name mandatory requirements unless the brand name mandatory requirement is from a single source.

Reason for Change: To add the revised brand name rational basis template to guidance and to simplify and clarify the process for brand name procurement.

Development, Review, and Concurrence: AAP-110, AAP-100, AAQ, ACG

Target Audience: Acquisition workforce

Briefing Planned: No.

ASAG Responsibilities: None.

Section / Text Location: T3.8.3, T3.2.2.8

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/procurementGuidance/guidanceT3.2.2.8.pdf>
<https://fast.faa.gov/docs/procurementGuidance/guidanceT3.8.3.pdf>

Attachments: Redlines and final documents.

Other Files: N/A.

Redline(s):

Section Revised: 1.2 – Set-Asides

Procurement Guidance - (~~4/2021~~7/2021)

T3.2.2.8 - Describing FAA Needs Revised 10/2006

A Describing Needs

1 Product Description Revised 10/2006

2 Types of Specification Revised 10/2018

3 Standards Revised 10/2006

4 Commercial Descriptions Revised 10/2006

5 Brand Name ~~Added 10/2006~~ Revised 7/2021

6 Statement of Work Revised 10/2006

7 Statement of Objective Added 10/2006

8 Statement of Requirements for Real Property Added 9/2020

B Clauses

C Forms

T3.2.2.8 - Describing FAA Needs Revised 10/2006

A Describing Needs

1 Product Description Revised 10/2006

a. Product description is a generic term for documents, such as specifications, standards, voluntary standards, commercial item descriptions, or statements of work, that describe FAA's needs and are used for procurement purposes. The program official prepares the appropriate type(s) of product description based on the specific need to be obtained.

b. A product description should:

- (1) Be accurate, clear, and concise;
- (2) Reflect minimum needs;
- (3) Not include overly restrictive requirements that would inhibit competition;
- (3) Have measurable delivery, performance, objectives, or outputs;
- (4) Encourage use of commercially-available items, when appropriate;
- (5) Specify environmentally sound, and energy and water efficient products and services, and reduce or eliminate hazardous materials and wastes;
- (6) Use metric measurements or a dual (metric/inch-pound) system of dimensions, when practical; and
- (7) Use voluntary standards when possible.

2 Types of Specification Revised 10/2018

a. A specification describes physical, functional, or performance requirements of a material, product, system, data, or service, and includes criteria for determining whether or not the requirements are met. Types of specifications include:

- (1) *Performance specification* that describes a product in terms of form, fit and function, and interface or interoperability requirements. "Form" describes the general constraints placed on the product; "fit" describes how the product must be compatible with related or existing products; and "function" describes what the product must do.
- (2) *Design specification* that describes a product in terms of its detailed form or composition, such as specific materials, dimensions, design concepts, drawings, and manufacturing

processes. This type of specification requires a product to meet all aspects of the design requirements and vendors cannot substitute their own design preference.

(3) *Hybrid specification* that combines design and performance specifications.

b. Performance specifications are generally preferred. Specifications may be coupled with a statement of work (SOW) to fully define all work requirements. (See the SOW and DID Library in FAST for possible SOW templates.)

3 Standards Revised 10/2006

a. Standards establish uniform engineering and technical limitations and applications of items, materials, processes, methods, designs, and engineering practices. It includes any related criteria deemed essential to achieve the highest degree of uniformity in materials or products, or interchangeability of parts used in those products.

b. A voluntary standard (non-Government standard) is established by a private sector association, organization, or technical society, and available for public use; the term does not include private standards of individual firms.

c. Product descriptions citing standards and specifications should identify each documents by number, title, approval date and revision number. When appropriate, the program official should tailor Government standards and specifications to eliminate unnecessary or non-value added portions of the standard or specification.

d. ATO System Engineering organization maintains FAA standards and system specifications applicable to National Airspace System equipment. Also, information about Federal standards, specifications, and commercial item descriptions is available on the General Services Administration website, the Department of Defense Single Stock Point website, and the National Institute of Technology and Standards website.

4 Commercial Descriptions Revised 10/2006

a. Commercial item descriptions describe functional or performance characteristics of an item and include industry standards, manufacturer's standards, and standard grades.

b. The FAA should use commercial products and services when possible. Consistent with this emphasis, product descriptions that describe voluntary commercial standards or use commercial item descriptions are preferred and will generally result in shorter delivery lead times than will use of detailed design or performance specifications.

c. The use of additional FAA specifications or testing requirements is generally not appropriate with commercial descriptions.

5 Brand Name ~~Added 10/2006~~ Revised 7/2021

a. ~~a.~~ Brand ~~name~~ Name or Equal

Brand name or equal, and brand name mandatory, product descriptions may be used when in (1) the FAA's best interest.

(2) ~~b. Brand name or equal descriptions identify products~~ To initiate the procurement of a brand name product, the service organization official must document its rational basis for brand name or equal product description in the Brand Name Mandatory/Brand Name or Equal Rational Basis Template. The rational basis for using brand name or equal product description must address the following:

(a) Products by brand name, make, model, or catalog number and name of the manufacturer. ~~Brand;~~

(b) FAA's requirement in terms of specific physical, functional, or performance characteristics, and interfaces or interoperability;

(c) Unique features, functions, or characteristics of the brand name or equal product description that satisfies FAA's requirement; and

(3) When procuring a brand name product, the SIR must include both (a) state that the brand name or its equivalent is acceptable to the FAA; and (b) identify the brand name and a description of most important physical, functional, or performance characteristics that an equal product must meet to be acceptable for award. ~~Other products (an equal product)~~ The offered equivalent must have the same salient characteristics as ~~the identified~~ brand name product. The Offeror bears the burden of proving equivalency.

b. ~~(1)~~ Brand Name Mandatory

(1) Brand name mandatory descriptions may be used when in the FAA's best interest. For a brand name mandatory product, the particular brand name, product, or feature is essential to the FAA's needs, and market research indicates that other companies' similar products, or products lacking the particular feature, do not meet, or cannot be modified to meet, the FAA's needs.

(2) The service organization official must document its rational basis for brand name mandatory products from multiple sources in the Brand Name Mandatory/Brand Name or Equal Rational Basis Template. For brand name mandatory products from a single source, the service organization must document its rational basis in the single source justification template. (see AMS Procurement Guidance T3.2.2.4 "Single Source"). The rational basis for brand name mandatory requirements must be reviewed by Legal for sufficiency, approved by the Service Organization Official and the Contracting Officer's Representative (COR) (if applicable), and concurred with by the Contracting Officer or, for purchase card transactions, the Purchase Cardholder.

The rational basis for using brand name ~~or equal description must be documented by the program official and mandatory descriptions must~~ address: the following:

~~(a)~~ FAA's requirement in terms of specific physical, functional, or
(a) performance characteristics, and interfaces or interoperability;

~~(b)~~ Unique features, functions, or characteristics of the brand name product that
(b) satisfies FAA's requirement; and

(c) ~~(c)~~ Market research and analysis of other ~~manufacturer's~~ manufacturers' products, and a description of why other ~~product's~~ products' functions, features, performance, interfaces, or interoperability do not meet, or cannot be modified to meet the FAA's requirements.

~~(2) When a brand name or equal description is used, the solicitation must state the brand name product and salient physical, functional, performance, and interoperability or interface characteristics of the brand name product so that vendors may offer alternative but equal products.~~

~~c. Brand name mandatory descriptions identify a specific make, model, or catalog number, and manufacturer of a product. This type of description differs from brand name or equal because vendors may not provide an equal item. For brand name mandatory, a single source justification is required (see AMS Procurement Guidance T3.2.2.4 "Single Source").~~

6 Statement of Work Revised 10/2006

a. A properly written statement of work (SOW) is critical for the FAA to communicate and acquire what it needs. An SOW describes objectives, purpose, and requirements for the work to be accomplished. When possible, an SOW avoids defining the approach ("how to") to performing the work and should rely on the marketplace to define its own solution. The degree of specificity in an SOW depends on the type and size of the project. When possible, service contracts incorporate performance-based methods to encourage contractor innovation and efficiency, and to help ensure contractors provide timely, cost effective, and quality contract performance. Also, to the extent possible, an SOW complies with plain language requirements described in Order 1000.36, FAA Writing Standards.

b. *The 4 "W"s.* A SOW addresses who, what, when, and where of the required work, as applicable. It clearly defines expected outputs, deliverables, or objectives that can be measured. All 4 "W"s below are likely to be necessary in a service-type contract and should be included when appropriate in other types of work:

(1) What work will the contractor do?

(2) When is the work to be performed?

(3) Who should perform the work (what minimum qualifications, skills, education, and experience are needed)?

(4) Where must the work be performed?

c. *Redundancy.* The SOW should not repeat material included in other parts of the contract; e.g., general provisions, special provisions, payment, etc.. This makes a contract difficult to modify and can create ambiguity when even slightly different words are used to express the same thing in different places in the contract.

d. *Writing Style.* The SOW is written in a clear and direct style, using simplest words, phrases, and sentences, and without ambiguity so that the document will be readily understood. Indefinite or ambiguous terms, words or sentences are difficult to enforce and administer, and may be construed against the FAA.

e. *Active vs. Passive Voice.* Use direct, active sentence structure that clearly states the subject that will perform the requirement, as in the following example: "The Contractor must maintain all government property related to the contract." This sentence uses the active voice that clearly states the subject ("contractor") must perform the action ("maintain property"). The drafter should not use passive voice sentences. Passive voice implies who performs the action, as in the following example: "The government property related to the contract must be maintained." In this sentence, the subject who must maintain the property is not clearly stated, and could be interpreted as the FAA or contractor. Statements that do not directly assign an action to a subject are ambiguous, may be interpreted incorrectly, and may prevent the FAA from enforcing the rights intended in the statement.

f. *Terms/Abbreviations.* The first occurrence of new or complex terms should always be in full text. If an abbreviation will be used in further occurrences of the word, show the abbreviation in parenthesis following the first occurrence of the word.

g. *Word Selection.*

(1) *Must/Will.* The term "must" is used to specify a mandatory action from which the contractor cannot deviate. Any expression of a required action by the contractor should be stated as "the contractor must....". The word "will" is used to express declaration of future action on the part of the FAA. (As required by FAA's plain language order 1000.36, "must" replaces the traditionally used "shall" when specifying mandatory action).

(2) *Any/Either/Or.* These words imply a choice that either party may make, and should be avoided.

(3) *Use of Pronouns.* To avoid misinterpretation, use or repeat the noun rather than substitute it with a pronoun. Pronouns can create uncertainty as to what or whom the pronoun refers to which again promotes ambiguity.

h. *Other Elements*. The SOW should be tailored to the specific need. The following sections may be included when appropriate, provided they are not addressed elsewhere:

(1) General. This section should provide a broad overview of the SOW. It could include a general description of the scope of work;

(2) If there are personnel restrictions or requirements, they should be included;

(3) Quality control requirements;

(4) Definitions. A definition section includes all special terms and phrases used in the SOW. The definitions must clearly establish what is meant so that all parties will fully understand them. Also, SOW writers should carefully review trade terms or terms considered common to the industry, and provide definitions when those terms represent "slang" or are terms used only in specific geographical or industrial areas;

(5) Government-furnished property and services. If the Government will provide any property or services for the contractor's use during performance of the contract, this section should describe what will be given. If the list is fairly extensive, make it into an exhibit referenced in this section and attached elsewhere;

(6) Contractor-furnished items. In this section, describe material and equipment that the contractor must provide. As with government furnished property, if the list is lengthy, reference it in this section and make it an exhibit attached elsewhere;

(7) Specific Work/Tasks. Work/tasks to be performed by the contractor should be included in this section;

(8) Applicable Technical Orders, Specifications, Regulations, and Manuals. This section should contain a list of applicable directives. Tell what happens when a directive changes during the life of the contract and state whether each directive is mandatory or advisory on the contractor;

(9) Delivery requirements;

(10) Packaging, packing or marking; and

(11) Technical Exhibits. Some items are too bulky to include in the main body of the SOW. These items should be included as technical exhibits.

(i) Further information about preparing an SOW is described in MIL-HDBK-245D "Preparation of Statement of Work," available on the Department of Defense's ASSIST website.

7 Statement of Objective Added 10/2006

a. A statement of objective (SOO) describes basic, top level results to be achieved. An SOO provides potential vendors flexibility to develop cost effective solutions and innovative alternatives meeting the stated objectives. The SOO includes at least:

- (1) Purpose;
- (2) Scope or mission;
- (3) Period and place of performance;
- (4) Background;
- (5) Performance objectives, *i.e.*, required results; and
- (6) Any operating constraints.

b. Vendors use an SOO to propose a detailed statement of work that the FAA evaluates as part of contractor source selection. The SOO does not become part of a resulting contract. Additional information on developing an SOO is in MIL-HDBK-245D “Preparation of Statement of Work;” and in the Air Force’s “Statement of Objectives (SOO) Preparation Guide,” available on their website.

8 Statement of Requirements for Real Property Added 09/2020

- a. A statement of requirements describes the functional, performance, or physical requirements of the land or space that is required to meet the FAA’s real property needs.
- b. A statement of requirements for real property should include but is not limited to:
 - (1) Description of the site and easements, expressed either in metes and bounds or as required by local land registries.
 - (2) Purpose of the real property contract.
 - (3) Size and scope of land or space requirements.
 - (4) Term of the real property contract.
 - (5) Required Occupancy date.
 - (6) Unique real property requirements.
 - (7) Surrounding area requirements (neighborhood, parking, amenities, and public transportation).
 - (8) Environmental requirements.
- c. The description must promote full and open competition. Include restrictive provisions or conditions only to the extent necessary to satisfy the agency’s needs or as authorized by law.

B Clauses

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C Forms

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Section Revised: T3.8.3 – Federal Supply Schedules

Procurement Guidance - (~~4/2021~~7/2021)

[T3.8.3 Federal Supply Schedules](#) Revised 1/2009

[A Federal Supply Schedules](#)

[1 General](#) Revised 10/2007

[2 GSA Advantage and e-Buy](#) Revised 10/2007

[3 GSA Global Supply](#) Revised 10/2007

[4 Use of Federal Supply Schedules](#) Revised ~~7/2020~~7/2021

[B Clauses](#)

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T3.8.3 Federal Supply Schedules Revised 1/2009

A Federal Supply Schedules 1

General Revised 10/2007

a. *Definitions.*

(1) *Multiple Award Schedule (MAS)*: Contracts awarded by General Services Administration (GSA) or Department of Veterans Affairs (VA) for similar or comparable supplies, or services, established with more than one supplier, at varying prices; and

(2) *Special Item Number (SIN)*: A group of generically similar (but not identical) supplies or services that are intended to serve the same general purpose or function.

b. The Federal Supply Schedule (FSS) program is directed and managed by GSA and provides Federal agencies with a simplified process for obtaining commercial supplies and services associated with volume buying. Indefinite delivery contracts are awarded to provide supplies and services at stated prices for given periods of time.

c. The terms and conditions of an order placed against a FSS contract are governed by the terms of the FSS basic contract, and the FSS basic contract is governed by applicable clauses of the Federal Acquisition Regulations (FAR).

d. GSA may establish special ordering procedures for a particular schedule. In this case, that schedule will specify the special ordering procedures.

e. GSA schedule contracts require all schedule contractors to publish an "Authorized Federal Supply Schedule Pricelist." The pricelist contains all supplies and services offered by a schedule contractor. In addition, each pricelist contains the pricing and terms and conditions pertaining to each Special Item Number (SIN) that is on schedule. The schedule contractor is required to provide one copy of its pricelist upon request. Pricelists may also be obtained by:

(1) Submitting a written e-mail request to schedules.infocenter@gsa.gov; or (2)

Telephone at 1-800-488-3111.

f. GSA issues FSS publications that give an overview of the FSS program and address pertinent topics. Copies can be ordered by:

(1) Requesting copies through the GSA website;

(2) Submitting a written e-mail request to CMLS@gsa.gov; or

(3) Completing GSA Form 457, FSS Publications Mailing List Application, and mailing it to the GSA Centralized Mailing List Service (7SM), P.O. Box 6477, Fort Worth, TX

2 GSA Advantage and e-Buy Revised 10/2007

- a. GSA offers an on-line shopping service called "GSA Advantage" through which a Contracting Officer (CO) or purchase card holder may place orders against Schedules. See the GSA Advantage website. FAA personnel may search the site using specific information (national stock number, part number, common name), review delivery options, place orders directly with Schedule contractors, and pay for orders using a purchase card.
- b. FAA may also use GSA Advantage to place orders through GSA's Global Supply System (formerly known as "GSA Stock" or "Customer Supply Center").
- c. Complementing GSA Advantage is "e-Buy," GSA's electronic Request for Quotation (RFQ) system. E-Buy allows COs to post requirements, obtain quotes, and issue orders electronically. The system can be found on the E-Buy website.

3 GSA Global Supply Revised 10/2007

a. GSA, through its Stock Program, purchases a wide variety of common-use items and makes them available to Federal agencies via a network of distribution centers. The GSA Global Supply Catalog contains an alphabetical index of stock items, descriptions, National Stock Numbers (NSN), and prices. GSA also operates regional Customer Supply Centers, which are retail outlets for small quantity, immediate supply items, i.e. office supplies. The FAA may purchase Government stock items when in the FAA's best interest. Methods for ordering GSA stock items include:

(1) GSA Global Supply online site: Orders can be placed online, by registered users;

(2) Telephone/Fax: Orders can be placed by calling (800) 525-8027 or by fax to (800) 856-7057; and

(3) FEDSTRIP (Federal Standard Requisitioning and Issue Procedure): Orders utilizing FEDSTRIP can be placed by:

(a) Using the FEDSTRIP feature on the GSA Global Supply website;

(b) Mail, using a Standard Form (SF) 344, to GSA Global Supply, Room 6A06, 819 Taylor Street, Fort Worth, TX 76102; or

(c) FEDSTRIP requisitions can be submitted through GSA Advantage website.

b. Additional information. Additional information regarding GSA Global Supply can be found at the GSA Global Supply website or by calling (800) 525-8027.

c. Registered Users. Users registered with GSA Advantage gain access to the GSA Global Supply website with the same user ID and password.

4 Use of Federal Supply Schedules Revised 7/2020/7/2021

a. *General.*

(1) Although GSA has already determined that prices are fair and reasonable, with the exception of prices of certain orders for services (see below), FAA must select the FSS product or service which represents the best value for FAA. FAA should consider, as appropriate, factors such as delivery, features, capabilities, trade-in terms, probable life, warranties, maintenance availability, past performance, environmental factors, and energy efficiency.

(2) FAA is exempt from mandatory use of FSS contracts that GSA or the FAR designates as mandatory.

(3) Before procuring supplies through an FSS, the CO must confirm that the items are not covered by FAA mandatory sources, including the Strategic Sourcing for the Acquisition of Various Equipment and Supplies (SAVES) Program.

(4) FAA's requirements should be performance-based to the maximum extent practicable. Program officials must not "over-scope" requirements to the point that it hinders competition. If an FAA requirement is for a specific "brand name" product available from only one manufacturer, and no other equal product will be satisfactory, the program official must document the rational basis for requiring the brand name product: in the single source justification template. (Refer to AMS T3.2.2.8.A.5 Brand Name and T3.2.2.4 Single Source for guidance on required documentation for rational basis.)

(5) The CO must request pricing from three or more vendors when using an FSS to obtain supplies or services. To ensure FAA receives the full benefit of competition, the CO is encouraged to seek pricing from as many vendors as reasonably possible (but at least three).

(6) Single source procurements using FSS contracts, or procurements involving schedules that only have one vendor, must be justified, documented, reviewed and approved as single source actions. (Refer to AMS Policy 3.2.2.4)

(7) For support services on a time and materials or labor hour basis, the CO and program official must review resumes of proposed contractor personnel. (Refer to AMS Procurement Guidance T3.8.2).

(8) For services that require a statement of work, the program official is responsible for evaluating the level of effort and mix of labor proposed to perform the specific task being ordered.

(9) The evaluation criteria and the basis on which the selection will be made must be plainly stated and strictly adhered to.

(10) For administrative convenience, the CO may add items not available through FSS (also referred to as open market items) to a FSS blanket purchase agreement or FSS individual task or delivery order only if:

(a) All applicable acquisition rules pertaining to the purchase of the items not on the FSS have been followed;

(b) The CO has determined the price for the items not on the FSS is fair and reasonable;

(c) The items are clearly labeled on the order as items not on the FSS; and

(d) All clauses applicable to items not on the FSS are included in the order.

(11) Supplies offered on a Schedule are listed at fixed prices, and services are priced either at hourly rates or at a fixed price for performance of a specific task.

(12) Orders placed under an established FSS are exempt from public announcement requirements (as stated in AMS Policy 3.2.1.3.12).

b. *Ordering supplies or services without a SOW.* When ordering supplies or service listed in a FSS and a statement of work (SOW) is not required, COs must place orders with the schedule contractor that can provide the supply or service that represents the best value to FAA.

(1) Before placing an order, COs must consider reasonably available information about the supply or service offered under MAS contracts by surveying three or more schedule contractors through the GSA Advantage Online shopping service or by requesting pricing from three or more schedule contractors.

(2) If the use of a single source is required or only one vendor is present on an applicable schedule and the total dollar value is \$10,000 or less, no single-source justification is required.

(3) If the use of a single source is required and the total dollar value is above \$10,000, a single-source justification is required and must be:

(a) Compliant with the requirements in AMS Policy 3.2.2.4;

(b) Developed and approved by the service organization;

(c) Reviewed by legal counsel; and

(d) Concurred with by the CO.

(4) In addition to those items detailed in AMS Procurement Guidance T3.10.1, the CO must document the Schedule contracts considered, noting the contractor from which the supply or service was ordered.

c. Ordering Procedures for Service Requiring a Statement of Work.

(1) *SOW*. All SOWs must include the work to be performed, location of work, period of performance, deliverable schedule, applicable performance standards, and any special requirements.

(2) *Request for Quotation (RFQ) Procedures*. The CO must provide the RFQ, which includes the SOW and evaluation criteria, to at least three schedule contractors that offer services that will meet FAA's needs, and may post it to e-Buy.

(a) If the use of a single source is required or only one vendor is present on an applicable schedule and the total dollar value is \$10,000 or less, no single- source justification is required.

(b) If the use of a single source is required and the total dollar value is above \$10,000, a single-source justification is required and must be:

(i) Compliant with the requirements in AMS Policy 3.2.2.4;

(ii) Developed and approved by the service organization;

(iii) Reviewed by legal counsel; and

(iv) Concurred with by the CO.

(3) In addition to those items detailed in AMS Procurement Guidance T3.10.1, the CO must document:

(a) The Schedule contracts considered, noting the contractor from which the supply or service was ordered;

(b) Description of the services purchased;

(c) The evaluation methodology used in selecting the contractor;

(d) The rationale for any tradeoffs;

(e) The price reasonableness determination; and

(f) The rationale for not using a firm-fixed price or performance-based order.

d. There may be circumstances when the quantity of the order has a potential to reduce price. FSS contracts contain a "level," or maximum order threshold, at which customers must request price decreases from the contractor before placing an order. FSS contractors are authorized to offer price reductions in accordance with commercial practices, and the FSS contractors are not required to extend the same price reductions to all ordering activities that they gave to an individual ordering activity for a specific order. Despite the presence of the maximum order threshold, the customer may request a price reduction on any order.

e. COs may establish blanket purchase agreements (BPAs) with FSS contractors. COs may use BPAs to establish accounts with FSS contractors to fill recurring requirements. All FSS contracts contain BPA provisions. If using a BPA is in FAA's best interest, COs should refer to the applicable FSS contract for BPA requirements. As detailed in AMS Procurement Guidance T3.2.2.5, a BPA with a vendor does not justify purchasing from only one source, as the initial BPA and future orders awarded are subject to competition requirements. Other FAA requirements detailed in AMS Procurement Guidance T3.2.2.5 include the need to publicly announce BPAs anticipated having a total value over \$100,000, only a warranted CO may place orders exceeding \$100,000, and reviews to include legal counsel and the Chief Information Officer apply.

f. *Termination.*

(1) *Termination for Default.* A CO may terminate individual orders for default, and may include charging the contractor with excess costs resulting from repurchase. The schedule contracting office must be notified of all instances where an order has been terminated for default, and refer to GSA for specific termination procedures.

(2) *Termination for Convenience.* A CO may terminate individual orders for convenience, and the contracting officer must endeavor to enter into a "no cost" settlement agreement with the contractor.

g. *Disputes.*

(1) Under the Disputes clause of a schedule contract, the CO may:

(a) Issue decisions on disputes arising from performance of an order and notify the schedule contracting officer of the decision; or

(b) Refer the dispute to the schedule CO.

(2) Disputes pertaining to the terms and conditions of schedule contracts must be referred to the schedule contracting officer for resolution.

B Clauses

[view contract clauses](#)

C Forms

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