



GSA Office of Governmentwide Policy

9/4/2020

Acquisition Letter MV-20-09
Supplement 1

MEMORANDUM FOR ALL GSA CONTRACTING ACTIVITIES

FROM:

JEFFREY A. KOSES
SENIOR PROCUREMENT EXECUTIVE
OFFICE OF ACQUISITION POLICY (MV)

DocuSigned by:

Jeffrey Koses

21BD80B9E8AC4A0...

MARK J. LEE
ASSISTANT COMMISSIONER
OFFICE OF POLICY AND COMPL
FEDERAL ACQUISITION SERVICE

DocuSigned by:

Mark Lee

0B572B8D8EB447F...

9/4/2020

SUBJECT:

Supplement to Extend Authority Provided in Acquisition Letter
MV-20-09 Regarding Moratorium on Enforcement of FAS Clause
I-FSS-639 in Response to COVID-19

1. Purpose. The purpose of this supplement to Acquisition Letter MV-20-09 is to extend the temporary moratorium on the enforcement of the minimum sales requirements of FAS clause I-FSS-639, Contract Sales Criteria from September 30, 2020 to March 31, 2021.
2. Background. On June 18, 2020, the Senior Procurement Executive issued a temporary moratorium on the enforcement of the minimum sales requirements of FAS clause I-FSS-639, Contract Sales Criteria. Paragraph (b) of FAS clause I-FSS-639, Contract Sales Criteria, stipulates that the Government may cancel the contract if reported sales are not at the levels prescribed therein (i.e., sales exceed \$25,000 in the first 24 months following contract award, and exceed \$25,000 in each 12-month period thereafter).

The SPE has determined there is a need to extend this moratorium to March 31, 2021 in order to continue support of America's response to COVID-19.

3. Period of Extension. Unless otherwise extended further, the exception authority provided in MV-20-09 is hereby extended from September 30, 2020 to March 31, 2021¹.
4. Point of Contact. Questions regarding this supplement may be directed to GSARPolicy@gsa.gov.

¹The extension provided under this Supplement 1 replaces all instances of "September 30, 2020" as prescribed with "March 31, 2021" within MV-20-09.



GSA Office of Governmentwide Policy

Acquisition Letter MV-20-09

MEMORANDUM FOR ALL GSA HEADS OF CONTRACTING ACTIVITY

FROM: JEFFREY A. KOSES JEFFREY KOSES
SENIOR PROCUREMENT EXECUTIVE
OFFICE OF ACQUISITION POLICY (MV)

Digitally signed by
JEFFREY KOSES
Date: 2020.06.18
17:51:00'00'

MARK J. LEE
ASSISTANT COMMISSIONER
OFFICE OF POLICY AND COMPLIANCE (QV)
FEDERAL ACQUISITION SERVICE

DocuSigned by:

6/18/2020

Mark Lee

0B572B8D8EB447F...

SUBJECT: Moratorium on Enforcement of FAS Clause I-FSS-639, *Contract Sales Criteria*, in Response to the Novel Coronavirus Disease 2019 (COVID-19)

1. Purpose.

This Acquisition Letter provides a temporary moratorium on the enforcement of the minimum sales requirements of FAS clause I-FSS-639, Contract Sales Criteria.

2. Background.

The Novel Coronavirus Disease 2019 (COVID-19) was declared a nationwide emergency by the President on March 13, 2020. This declaration was made pursuant to section 501 (b) of the Stafford Act. COVID-19 has also been declared a pandemic by the World Health Organization (WHO) on March 11, 2020 (see the [WHO webpage](#)), and public health emergency by the Secretary of Health and Human Services on January 31, 2020 (see the [Public Health Emergency webpage](#)). The economic impact of the COVID-19 pandemic continues to be felt by businesses throughout the country, to include GSA's Federal Supply Schedule (FSS) Program industry partners.

Executive Order 13924 directs agencies to "identify regulatory standards that may inhibit economic recovery" and to take actions such as rescission or suspension.

With this in mind, GSA is issuing a temporary moratorium on the enforcement of the minimum sales requirements of FAS clause I-FSS-639, Contract Sales Criteria. Paragraph (b) of FAS clause I-FSS-639, Contract Sales Criteria, stipulates that the

Government may cancel the contract if reported sales are not at the levels prescribed therein (i.e., sales exceed \$25,000 in the first 24 months following contract award, and exceed \$25,000 in each 12-month period thereafter).

3. Applicability.

This moratorium applies to all FSS contracts that include FAS clause I-FSS-639, Contract Sales Criteria.

4. Effective Date.

This moratorium is effective upon signature and continues until September 30, 2020, unless otherwise extended.

5. Point of Contact.

Questions regarding this letter may be directed to GSARPolicy@gsa.gov.