



GSA Office of Governmentwide Policy

Acquisition Letter MV-20-09

MEMORANDUM FOR ALL GSA HEADS OF CONTRACTING ACTIVITY

FROM: JEFFREY A. KOSES JEFFREY KOSES Digitally signed by JEFFREY KOSES Date: 2020.06.18 17:51:00' SENIOR PROCUREMENT EXECUTIVE OFFICE OF ACQUISITION POLICY (MV)

MARK J. LEE DocuSigned by: 6/18/2020 ASSISTANT COMMISSIONER Mark Lee 0B572B8D8EB447F... OFFICE OF POLICY AND COMPLIANCE (QV) FEDERAL ACQUISITION SERVICE

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.