



GSA Office of Government-wide Policy

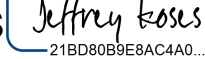
Acquisition Letter MV-21-07
5/6/2021

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FROM:

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SUBJECT:

Placing Rated Orders Under the Defense Priorities and
Allocations System for Novel Coronavirus Disease
2019 (COVID-19)

1. Purpose. This Acquisition Letter (AL) provides guidance on placing rated orders under the Defense Priorities and Allocations System (DPAS) to support emergency preparedness and continuity of Government operations for the Novel Coronavirus Disease 2019 (COVID-19). This AL also provides implementing instructions in accordance with GSAM 501.370. For rated orders that are not issued in response to COVID-19 purposes, see Acquisition Letter MV-21-02. Use of rated orders may be rare due to the

abundance of products and services on GSA's multiple contracts. To ensure an appropriate control environment, only GSA Global Supply and GSA Emergency Acquisition management are authorized to issue rated orders. If there is a need for other offices to issue rated orders, it may be addressed in a supplement to this AL.

2. Background. On March 18, 2020, Executive Order (EO) 13909 was issued to provide guidance on prioritizing and allocating health and medical resources to respond to the spread of COVID-19 in the United States, citing Title I of the *Defense Production Act of 1950* (DPA), as amended (50 U.S.C. 4501 *et seq.*).

The Department of Commerce (DOC) has provided specific DPAS priority rating authority to GSA to assist GSA with COVID-19 response activities. Specifically, DOC has issued two DPAS rating authorizations that give GSA authority to place DPAS priority ratings on contracts or orders for "DO-N1" priority rating on its telework emergency response equipment contracts or orders, and the "DO-N7" priority rating on its contracts or orders for cleaning supplies, including cleaning gloves and hand sanitizer, and associated contracts and purchase orders supporting its COVID-19 Program.

As described in the Senior Procurement Executive (SPE) Memo SPE-2020-06, GSA has a vital role in protecting human life and Federal property through the GSA supply system during the COVID-19 emergency. In that role, contracting officers may need to place rated orders to acquire key items for essential operations of Federal buildings or other Government functions. Common supplies that may be needed include: 1) hand sanitizer, disinfectants, cleaning gloves, and associated contracts including services to keep buildings safe and habitable to the public, and 2) laptop computers, accessories, and other IT products or services to support sharply increasing levels of telework, and 3) critical IT equipment used in providing healthcare.

GSA has additional authorities to use DPAS through DOC Delegation 3, which allows for GSA to issue rated orders if it is purchasing items for the Departments of Defense (DOD), Energy (DOE), or Homeland Security (DHS) for their approved programs. Instructions for implementing that authority is covered through separate guidance.

3. Effective Date. This AL is effective immediately and remains in effect until cancelled or incorporated into the GSAM.

4. Cancellation. Acquisition Letter MV-20-05 and MV-20-05 Supplement 1 are cancelled by this AL.

5. Authorities.

a. General. The priorities and allocations authorities of the President under Title I of the DPA with respect to industrial resources have been delegated to the Secretary of Commerce under EO 13603 of March 16, 2012. The priorities authorities of the President under the Selective Service Act and related statutes with respect to industrial resources have also been delegated to the Secretary of Commerce under EO 12742 of January 8, 1991.

b. Implementation Standards. DOC's Bureau of Industry and Security (BIS) administers its DPA delegated authority through the DPAS regulation (15 CFR Part 700).¹

c. Program Eligibility. DHS, through the Federal Emergency Management Agency (FEMA), determined under Section 202 of Executive Order 13603 that GSA's emergency response program for COVID-19 is eligible for use of DPAS for:

- Telework emergency response equipment (see Attachment A),
- Cleaning supplies (see Attachment A), and
- Emergency response IT products to support healthcare (see

¹ See 15 CFR Part 700 *Defense Priorities and Allocations System*.

Attachment B).

d. Rating Authorization. DOC issued two rating authorizations to GSA providing GSA certain DPAS priority rating authority:

- SIES Rating Authorization 20-30-01 on March 16, 2020, as amended May 6, 2020, for cleaning supplies, telework emergency response equipment, and associated contracts including services supporting GSA's COVID-19 response and recovery activities (see Attachment C), and
- SIES Rating Authorization 20-30-02 on March 25, 2020, as amended May 6, 2020, for emergency response IT healthcare response equipment for healthcare purposes in support of the Federal government's COVID-19 response and recovery activities (see Attachment D).

e. GSA Re-Delegation. The Administrator of General Services delegates authority to place DO rated orders in support of GSA's COVID-19 response and recovery activities through March 31, 2022, or until the Presidential Emergency Declaration is rescinded, (see Attachments E and F) to the following:

- For DPAS priority rated orders, identified by the symbol "DO-N1", to acquire critical IT equipment used in providing healthcare or telework emergency response equipment to:
 - Commissioner of the Federal Acquisition Service (Q),
 - GSS Central Office Acquisition Division (QSAB) within the Office of General Supplies and Services (QS), and
 - Federal Civilian Group (QFBE) within the Federal Systems Integration and Management Center (FEDSIM) (QFB).

This authority may not be re-delegated.

- For DPAS priority rated orders, identified by the symbol "DO-N7", for cleaning supplies, including cleaning supplies and hand sanitizer to:

- Commissioner of the Federal Acquisition Service (Q), and
- GSS Central Office Acquisition Division (QSAB) within the Office of General Supplies and Services (QS).

This authority may not be re-delegated.

In addition, the Administrator of General Services delegates to the Senior Procurement Executive authority to issue policies and procedures to monitor the acquisitions that carry a priority rating, identify any allegations of DPAS violations for reporting to the Department of Commerce, Bureau of Industry and Security (DOC/BIS), and monthly reporting to the DOC/BIS on the contracts assigned priority ratings and their dollar value.

6. Applicability. This policy provides guidance for placing DPAS rated orders to purchase cleaning supplies, IT equipment for telework, and IT equipment for healthcare, such as that identified in the Sample Items Descriptions list at Attachment G. The Sample Item Descriptions list is not a comprehensive list, rather it describes the types of items GSA may acquire for the approved COVID-19 emergency response program.

7. Requirements. Authorized GSA contracting officers can place rated orders under the DPAS subject to the requirements below and the Federal Acquisition Assistance Procurement Information Notification 2020-01 (see Attachment H). The procedures that contracting officers should follow is in Attachment I and its supplement Decision Tree in Attachment I1 provides detailed guidance on the steps to follow when placing rated orders.

8. Training. Authorized GSA contracting officers should become familiar with DPAS policies and procedures prior to placing rated orders. Training and information is available as noted below.

- [FAR 48 CFR subpart 11.6](#)
- [GSAR 48 CFR subpart 511.6](#)
- [DOC 15 CFR part 700](#)
- [DOC DPAS Training Course](#)

- e. **FAITAS CLC 043 Defense Priorities & Allocations System (DPAS)**
- f. [Acquisition Portal Public Health Emergencies Topic Page](#)

9. Point of Contact. Questions regarding this acquisition letter may be directed to GSARPolicy@gsa.gov.

Attachments

- *Attachment A - [FEMA GSA DPAS Determination March 14, 2020](#)*
- *Attachment B - [FEMA GSA DPAS Determination March 22, 2020](#)*
- *Attachment C - [DOC SIES Rating Authorization 20-30-01, Amendment 1 May 6, 2020](#)*
- *Attachment D - [DOC SIES Rating Authorization 20-30-02, Amendment 1 May 6, 2020](#)*
- *Attachment E - [ADM 5450.175 Delegation of Authority April 24, 2020](#)*
- *Attachment F - [ADM 5450.39D Chapter 4 GSA Delegation June 5, 2016](#)*
- *Attachment G - [Sample Item Descriptions](#)*
- *Attachment H - [FAS PIN 2020-01 FAS Acquisitions in Support of COVID April 7, 2020](#)*
- *Attachment I - [Procedures for Placing Rated Orders-COVID](#)*
- *Attachment I1- [DPAS COVID Decision Tree](#)*
- *Attachment J - [Sample Contract Language](#)*