



OCT 8 2009

MEMORANDUM FOR STEVE J. KEMPF  
ASSISTANT COMMISSIONER  
OFFICE OF ACQUISITION MANAGEMENT (QV)

FROM: DAVID A. DRABKIN   
SENIOR PROCUREMENT EXECUTIVE  
OFFICE OF ACQUISITION POLICY

SUBJECT: Deviation to FAR Part 51

This memorandum supersedes the deviation dated September 16, 2009.

Federal Acquisition Regulation (FAR) Part 51 currently permits contractors to use Government sources of supply and services in performing cost-reimbursement contracts; other types of negotiated contracts when the agency determines that a substantial dollar portion of the contractor's contracts are of a Government cost-reimbursement nature; and fixed price contracts for protection of security classified information and related security equipment. FAR Part 51.101 limits authorization to access GSA sources of supply and does not include fixed price contractors on a general basis.

Based on discussions between our offices and other communications, the Federal Acquisition Service (FAS) sought a class deviation to FAR Part 51 to expand the authority of contractors allowed to use GSA sources of supply and services. Based on this request, I am granting a class deviation to FAR Part 51 to permit contracting officers to authorize all GSA contractors, who are performing an order on a time and material or labor-hour basis, to purchase supplies and services from other schedule contractors or process requisitions through the GSA Supply Program.

This deviation is effective for five years from the date of this memorandum.

This memorandum serves as evidence of consultation with the Chair of the Civilian Agency Acquisition Council as provided in GSAR 501.404(a).