GSA Office of the Chief Acquisition Officer

CIVILIAN AGENCY ACQUISITION COUNCIL LETTER 2005-04

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MEMORANDUM FOR CIVILIAN AGENCIES OTHER THAN NASA

FROM: JULIA WISE
CHAIR
CIVILIAN AGENCY ACQUISITION COUNCIL (CAAC)

SUBJECT: Hurricane Katrina Contingency Contracting Authorities

In the aftermath of Hurricane Katrina, the Secretary of Defense and the Secretary of Homeland Security determined that existing circumstances warrant the exercise of authority in accordance with 41 USC 428a. As a result of this declaration, the emergency procurement authorities authorized by section 1443 of the Services Acquisition Reform Act of 2003 (Title XIV of Pub. Law 108-136) are available. Therefore, pursuant to the authorities granted under Title XIV, Sec. 1443 of Pub. L. 108-136 codified at 41 U.S.C. 428a, and as implemented in the Federal Acquisition Regulations, the following authorities apply:

- The Micro-purchase threshold as defined in FAR 2.101 is $15,000 for acquisitions of supplies or services that, as determined by the head of your agency, are to be used to support the contingency operation. ($2,000 for construction subject to the Davis-Bacon Act).

- The Simplified Acquisition Threshold as defined in FAR 2.101 is $250,000 for acquisitions of supplies or services that, as determined by the head of your agency, are to be used to support the contingency operation.

- The FAR 19.502-1 requirements for setting aside acquisitions do not apply to purchases of $15,000 or less for acquisitions used to support the contingency operation.

- The threshold for application of the clauses FAR 52.225-1, Buy American Act--Supplies and FAR 52.225-13, Restrictions on Certain Foreign Purchases is $15,000 for acquisitions that, as determined by the head of your agency, are to be used to support the contingency operation (see FAR 25.1101 and 1103).

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