CIVILIAN AGENCY ACQUISITION LETTER 2010-01

JAN 1 4 2010

MEMORANDUM FOR CIVILIAN AGENCIES OTHER THAN NASA

FROM: AL MATERA
                CHAIRMAN
                CIVILIAN AGENCY ACQUISITION COUNCIL

SUBJECT: Class Deviation from the Federal Acquisition Regulation (FAR) to implement new increased thresholds for the Trade Agreements

On December 29, 2009 (74 FR 68907), the United States Trade Representative established new procurement thresholds. These thresholds became effective on January 1, 2010.

An expedited FAR case (2009-040) is being processed to update the thresholds in the FAR. This FAR case is being processed as an interim rule.

This CAAC letter provides the updated thresholds consistent with the USTR changes (see below).

To determine which trade agreement clause to incorporate into a contract, contracting officers shall use the table provided below, in lieu of the table at FAR 25.402(b), and shall also substitute the new thresholds wherever they appear in the FAR.

Trade Agreement	Supply Contract (equal to or exceeding)	Service Contract (equal to or exceeding)	Construction Contract (equal to or exceeding)
WTO GPA	$203,000	$203,000	$7,804,000
FTAs			
Australia FTA	70,079	70,079	7,804,000
Bahrain FTA	203,000	203,000	9,110,318
CAFTA-DR (Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras,	70,079	70,079	7,804,000

and Nicaragua)			
Chile FTA	70,079	70,079	7,804,000
Morocco FTA	203,000	203,000	7,804,000
NAFTA			
—Canada	25,000	70,079	9,110,318
—Mexico	70,079	70,079	9,110,318
Oman FTA	203,000	203,000	9,110,318
Peru FTA	203,000	203,000	7,804,000
Singapore FTA	70,079	70,079	7,804,000
Israeli Trade Act	50,000	—	—

This CAAC letter constitutes the consultation with the Chairman of the Civilian Agency Acquisition Council required by FAR 1.404(a)(1).

Pending issuance of an interim rule effecting this change, it is recommended that civilian agencies authorize a class deviation in accordance with FAR 1.404 to use the new procurement thresholds for the Trade Agreements.