

Acquisition Policy
DOT DASH
2011-11

Date: April 11, 2011
To: Chief of the Contracting Office (COCO)
Acquisition Personnel
From: Office of the Senior Procurement Executive
Subj: Federal Acquisition Circular 2005-51

SUMMARY: Federal Acquisition Circular 2005-51, which makes changes to the Federal Acquisition Regulation (FAR), was published in the April 1, 2011, issue of the Federal Register.

Unless otherwise specified, all Federal Acquisition Regulation (FAR) and other directive material contained in FAC 2005-51 is effective April 1, 2011, except for Item II, which is effective May 2, 2011.

This DASH and its attachment will be available online at the following website:
<http://www.dot.gov/ost/m60>, under Breaking News or Quick Picks, Policy DASHES.

Questions concerning this policy DASH should be directed to Lenita Ahmadi at (202) 366-4974 or lenita.ahmadi@dot.gov.


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Attachment

Item Title Page

- I. Women-Owned Small Business (WOSB) Program (Interim)
- II. Clarification of Standard Form 26—Award/Contract

FAC 2005-51 SUMMARY OF ITEMS

Federal Acquisition Circular (FAC) 2005-51 amends the Federal Acquisition Regulation (FAR) as specified below:

Item I—Women-Owned Small Business (WOSB) Program (Interim) (FAR Case 2010-015)

This interim rule amends the FAR to add subpart 19.15, Women-Owned Small Business Program, which will assist Federal agencies in achieving the 5 percent statutory goal for contracting with women-owned small business (WOSB) concerns. Agencies may restrict competition to economically disadvantaged women-owned small business (EDWOSB) concerns for contracts assigned a North American Industry Classification Systems (NAICS) code in an industry in which the Small Business Administration has determined that WOSB concerns are underrepresented in Federal procurement. For NAICS code industries where WOSB concerns are not just underrepresented, but substantially underrepresented, agencies may restrict competition to WOSB concerns eligible under the WOSB Program. EDWOSB concerns and WOSB concerns eligible under the WOSB Program must be owned and controlled by one or more women who are citizens of the United States. An EDWOSB concern is automatically a WOSB concern eligible under the WOSB Program.

Item II—Clarification of Standard Form 26—Award/Contract (FAR Case 2009-029)

This final rule amends the FAR to revise FAR part 53 to amend the Standard Form (SF) 26, Award/Contract, above blocks 17 and 18 and in block 18 to clarify that block 18 should not be used when awarding a negotiated procurement and should only be checked when awarding a sealed bid contract. The changes will not prevent contracting officers from using block 17 of the SF 26 when awarding negotiated procurements in which the signature of both parties, on a single document, is required; it will only prohibit them from using block 18 of the SF 26 when awarding negotiated procurements.