



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

Memorandum

Subject: ACTION: Class Deviation from the Federal
Acquisition Regulation 13.5, Test Program for
Certain Commercial Items

Date: APR - 8 2008

From: Linda J. Washington
Assistant Secretary for Administration

Reply to
Attn. of:

To: Procurement Management Council Members

In accordance with the Transportation Acquisition Regulation (TAR) 1201.404, I authorize a class deviation from the requirements of Federal Acquisition Regulation (FAR) 13.5, Test Program for Certain Commercial Items which expired on January 1, 2008. The Fiscal Year 2008 National Defense Authorization, Act Public Law 110-181, Section 822 extended the test program until January 1, 2010. Effective immediately, the Assistant Secretary for Administration hereby grants a Departmentwide class deviation from FAR 13.500(d) to extend the test program's expiration date to January 1, 2010. This class deviation remains in effect until implemented in the FAR.

As a result of this class deviation, the U.S. Department of Transportation contracting officers may continue issuing solicitations and awarding contracts under FAR Subpart 13.5, pending issuance of a FAR change.

If you have any questions on this class deviation, please contact Lenita Ahmadi at (202) 366-4974.

Attachment



GSA Office of the Chief Acquisition Officer

CIVILIAN AGENCY ACQUISITION LETTER 2008-01

EB 6 2008

MEMORANDUM FOR CIVILIAN AGENCIES OTHER THAN NASA

FROM:

Al Matera
AL MATERA
CHAIRMAN
CIVILIAN AGENCY ACQUISITION COUNCIL

SUBJECT:

Class Deviation from the Federal Acquisition Regulation (FAR) 13.5, Test Program for Certain Commercial Items

This memorandum serves as consultation for the extension of the test program discussed in FAR 13.5. The current test program expired on January 1, 2008. Section 822 of the National Defense Authorization Act for Fiscal Year 2008, Public Law 110-181, extended the test program until January 1, 2010. That section of the Act reads:

SEC. 822. EXTENSION OF AUTHORITY FOR USE OF SIMPLIFIED ACQUISITION PROCEDURES FOR CERTAIN COMMERCIAL ITEMS.

(a) Extension- Section 4202(e) of the Clinger-Cohen Act of 1996 (division D of Public Law 104-106; 110 Stat. 652; 10 U.S.C. 2304 note) is amended by striking 'January 1, 2008' and inserting 'January 1, 2010'.

An expedited FAR case is being processed to change the date of expiration for the program in FAR 13.500(d). Pending issuance of a final rule effecting that change, it is recommended that civilian agencies authorize a class deviation in accordance with FAR 1.404 to extend the program.