



DEFENSE LOGISTICS AGENCY
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IN REPLY J-33
REFER TO PROCLTR 03- 05

FEB 28 2003

MEMORANDUM FOR PROCLTR DISTRIBUTION LIST

SUBJECT: Homeland Security Act and Temporary Emergency Procurement Authority, DLAD 13.003
and 13.201

The purpose of this PROCLTR is to implement guidance specific to an interim rule published in the Federal Register on January 27, 2003 implementing the subject authorities.

The interim rule made significant changes to both the micro-purchase threshold and the simplified acquisition threshold, and also authorized streamlined procedures for procurements that facilitate the defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.

This PROCLTR is effective immediately and expires upon incorporation of the coverage into the DLAD. To further assist you, flow charts and a matrix reflecting the decision logic pertaining to the new micro-purchase and simplified acquisition authorities can be found at http://www.dla.mil/j-3/j-336/logisticspolicy/procltrspage_2.htm. If you have any questions regarding this matter, please contact Mr. Frank Pane of my staff. He may be reached at either (703) 767-1461 (DSN 427) or francis_pane@hq.dla.mil.

CLAUDIA S. KNOTT
Executive Director
Acquisition, Technical and Supply

Attachment



PART 13

SIMPLIFIED ACQUISITION PROCEDURES

13.003 -- Policy

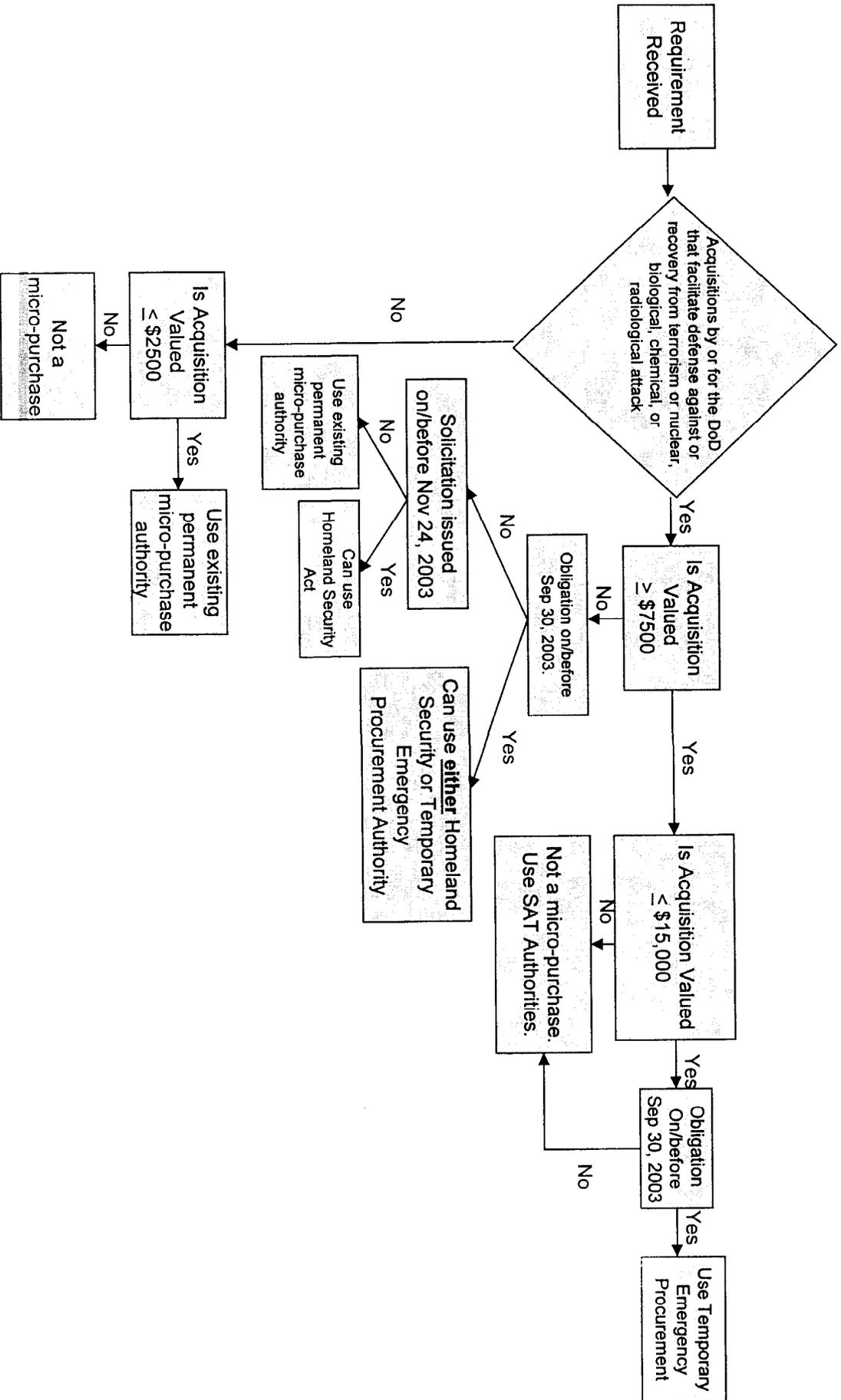
13.003(a) The Contracting Officer is delegated the authority to make the determination specified at 2.101, *Simplified Acquisition Threshold* (2), that the acquisitions are to be used to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack, thereby authorizing the use of the higher SAT thresholds specified under that section. The specific authority utilized (i.e. Temporary Emergency Procurement Authority or Homeland Security Act) shall be documented in the contract file. Combining the authorities on a single procurement to take advantage of the most favorable aspects of each authority is not allowed; the requirements of whichever authority is used must be fully complied with.

Subpart 13.2 – Actions at or Below the Micro-Purchase Threshold

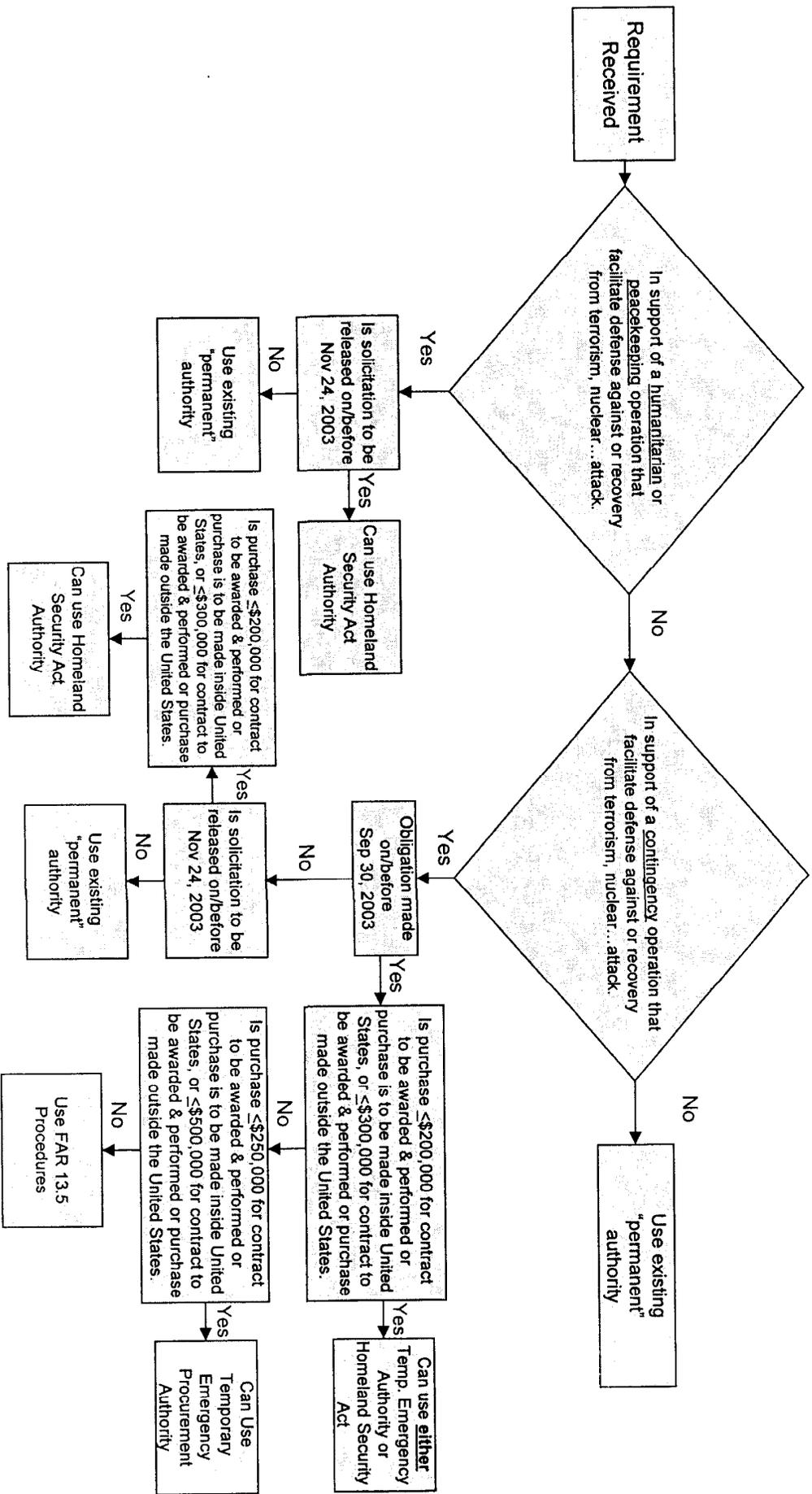
13.201 -- General

13.201(g)(1) For other than Purchase Card acquisitions, the authority to make the determination that the acquisitions of supplies or services are to be used to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack is delegated to the Contracting Officer. The specific authority utilized (i.e. Temporary Emergency Procurement Authority or Homeland Security Act) shall be documented in the contract file. For Purchase Card acquisitions, the determination authority is delegated to the individual specified in DLAI 4105.3 who provides the written pre-approval when purchasing other than routine office supplies. The written pre-approval will briefly describe why the acquisition meets the requirements for the higher micro-purchase threshold authority (i.e. how it facilitates defense against or recovery from ...radiological attack). Additionally, the Purchase Card Order Log shall be annotated to reflect the specific authority used.

Homeland Security Act & Temporary Emergency Procurement Authority (Micro-Purchases)



Homeland Security Act & Temporary Emergency Procurement Authority (SAT)



	<u>Conditions for Micro-Purchase Buys</u>	<u>Dollar Value for Micro-Purchase</u>	<u>Conditions for SAT Buys</u>	<u>Dollar Value for SAT</u>	<u>Small Business Set-Aside Threshold</u>	<u>Dollar Value for Using FAR 13.5 SAP</u>	<u>Commercial Determination</u>	<u>Authority Time Limit</u>
<p>Authority</p>	<p>An acquisition of supplies or services, the aggregate amount of which does not exceed the micro-purchase threshold</p>	<p>\$2,500</p>	<p>N/A</p>	<p>\$100,000 for contract to be awarded & performed or purchase is to be made inside United States. \$200,000 for contract to be awarded & performed or purchase is to be made outside the U.S. in support of a contingency, humanitarian, or peacekeeping operation.</p>	<p>\$100,000</p>	<p>\$5,000,000</p>	<p>In accordance with FAR 2.101.</p>	<p>N/A</p>
<p>Existing</p>	<p>Acquisitions by or for the DoD that facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.</p>	<p>\$15,000</p>	<p>Acquisitions in support of a contingency operation by or for the DoD that facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.</p>	<p>\$250,000 for contract to be awarded & performed or purchase is to be made inside United States. \$500,000 for contract to be awarded & performed or purchase made outside the United States.</p>	<p>\$100,000</p>	<p>\$5,000,000</p>	<p>Acquisition of biotechnology supplies or services for use to facilitate the defense against terrorism or biological attack against the U.S. shall be considered as an acquisition of commercial items.</p>	<p>Award must be made and funds obligated on or before Sept 30, 2003.</p>
<p>Temporary Emergency Procurement Authority</p>	<p>Acquisitions by any Federal Agency that facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.</p>	<p>\$7,500</p>	<p>Acquisitions by any Federal Agency in support of a humanitarian, peacekeeping, or contingency operation that facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack.</p>	<p>\$200,000 for contract to be awarded & performed or purchase is to be made inside United States. \$300,000 for contract to be awarded & performed or purchase made outside the United States.</p>	<p>\$200,000</p>	<p>Unlimited</p>	<p>Contracting Officers may treat acquisitions of supplies or services that are to be used to facilitate defense against or recovery from terrorism or nuclear, biological, chemical, or radiological attack as an acquisition of commercial items.</p>	<p>May be used if solicit. is issued through Nov 24, 2003.</p>