

February 25, 2010

## FAS INSTRUCTIONAL LETTER 2010-06

MEMORANDUM FOR ALL FAS ACQUISITION ACTIVITIES

FROM: STEVEN J. KEMPF  
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OFFICE OF ACQUISITION MANAGEMENT (QV)

SUBJECT: GSAR Part 511, Describing Agency Needs – Final Rule

1. Purpose: The purpose of this Instructional Letter (IL) is to establish the procedures necessary for the implementation of the Final Rule regarding the rewrite of GSAR Part 511, Describing Agency Needs.
2. Background: The Office of the Chief Acquisition Officer (OCAO) announced that, due to the outdated nature of the GSAM/GSAR it would be reviewed and rewritten in total.

Be advised that any "FSS" clauses applicable to this section were vetted through the Federal Register process and incorporated into GSAR Part 511, Describing Agency Needs. The "FSS" clauses have been removed from further use. This resulted in seven (7) former "FSS" clauses to be created in GSAR Part 511. The effective date of these changes is January 14, 2010.

Paragraph 7 contains a cross walk of the old clause number/title to the new clause number/title and when the clauses should be utilized.

3. Effective Date: Date of signature.
4. Termination Date: This IL expires one year from the effective date unless cancelled, extended, or incorporated into a handbook.
5. Applicability: This IL applies to all FAS contracts and VA activities awarding and administering Federal Supply Schedules (FSS) contracts.
6. Reference Regulations: GSAR Part 511, Describing Agency Needs
7. Instructions/Procedures.
  - A. Cross Walk of Clauses: The Solicitation Writing System (SWS) has been updated with these clause changes. The Attachment I cross walk is provide to show the changes as a result of GSAR Part 511, Describing Agency Needs being issued as a final rule.

### Federal Supply Schedules

- i. Schedule Solicitation Refresh: During the next scheduled solicitation refresh, incorporate the below clause changes into all Schedule solicitations.

- ii. In-House Offers: Schedule offers received prior to the solicitation refresh shall issue a solicitation amendment to incorporate these clause changes into the awarded contract.
  - iii. Contract Modification: Schedule contracts shall be modified to incorporate these clause changes. The effective date for existing Schedule contracts will be the date of the modification that incorporates these clauses into the contract.
- C. GSA Stock and Special Ordering Program (SOP).
- i. Amendment of Solicitations and Offers: Offers received prior to the inclusion of the clause in solicitations must be amended to include the below clause changes prior to contract award.
  - ii. Contract Modification: Basic contracts must be bilaterally modified to incorporate the below clause changes.

## Attachment I: Cross Walk of GSAR 511

Current Number	Current Title	Rewrite Number	Rewrite Title or Back Ground Information	Change to Clause	Stock Req	Stock DQ	SOP Req	SOP DQ	Sched Single Award	Sched Multiple Award
552.211-8 and Alternate I	Time of Delivery	Deleted	Moving to GSAR Part 538. Per Acquisition Letter V-09-10, Supplement #1, use 552.211-8 until GSAR Part 538 is published as a Final Rule	Moving to GSAR Part 538	NA	NA	NA	NA	NA	RA
552.211-15	Defense Priorities and Allocations System Requirements	Deleted	Moving to GSAR Part 538. Per Acquisition Letter V-09-10, Supplement #1, use 552.211-8 until GSAR Part 538 is published as a Final Rule	Moving to GSAR Part 538	NA	NA	NA	NA	NA	RA
552.211-71	Standard References	Deleted	Deleted in favor of the clause at 552.211-72	Deleted						
552.211-72	References to Specifications in Drawings	552.211-72	References to Specifications in Drawings	Prescription Change only	RA	RA	RA	RA	NA	RA
552.211-73	Marking	552.211-73	Marking	Prescription change only	RA	RA	RA	RA	RA	RA
552.211-74	Charges for Marking	Deleted	Deleted because the substance of the clause was incorporated into 552.211-76	Incorporated into 552.211-76						
552.211-75	Preservation, Packaging, and Packing	552.211-75	Preservation, Packaging and Packing	Prescription change only – use for non-Schedules	RA	RA	RA	RA	NA	NA
552.211-75, Alternate I	Preservation, Packaging, and Packing	552.211-75, Alternate I	Preservation, Packaging and Packing	Prescription change only – use for Schedules	NA	NA	NA	NA	RA	RA
552.211-76	Charges for Packaging and Packing	552.211-76	Charges for Packaging, Packing, and Marking	Text changes	RA	RA	RA	RA	NA	NA
552.211-77	Packing List	552.211-77	Packing List	Prescription change only – use for non-Schedules	RA	RA	RA	RA	NA	NA
552.211-77, Alternate I	Packing List	552.211-77, Alternate I	Packing List	Prescription change only – use for Schedules	NA	NA	NA	NA	RA	RA

Current Number	Current Title	Rewrite Number	Rewrite Title or Back Ground Information	Change to Clause	Stock Req	Stock DQ	SOP Req	SOP DQ	Sched Single Award	Sched Multiple Award
552.211-78	Commercial Delivery Schedule (Multiple Award Schedule)	Deleted	Moving to GSAR Part 538. Per Acquisition Letter V-09-10, Supplement #1, use 552.211-8 until GSAR Part 538 is published as a Final Rule	Moving to GSAR Part 538	NA	NA	NA	NA	NA	RA
552.211-79	Acceptable Age of Supplies	552.211-79	Acceptable Age of Supplies	Prescription change only	RA	RA	RA	NA	RA	NA
552.211-79, Alternate I	Acceptable Age of Supplies	552.211-79, Alternate I	Acceptable Age of Supplies	Prescription change only	RA	RA	NA	NA	NA	NA
552.211-80	Age on Delivery	552.211-80	Age on Delivery	Prescription change only	RA	RA	RA	NA	RA	NA
552.211-81	Time of Shipment	552.211-81	Time of Shipment	Prescription change only	O	NA	O	NA	O	NA
552.211-81, Alternate I	Time of Shipment	552.211-81, Alternate I	Time of Shipment	Prescription change only	O	NA	O	NA	O	NA
552.211-82	Notice of Shipment	Deleted	Deleted because it is redundant to various requirements already addressed in the FAR	Deleted						
552.211-83	Availability for Inspection, Testing, and Shipment/Delivery	552.211-83	Availability for Inspection, Testing, and Shipment/Delivery	Prescription change only	NA	NA	O	NA	NA	NA
552.211-83, Alternate I	Availability for Inspection, Testing, and Shipment/Delivery	552.211-83, Alternate I	Availability for Inspection, Testing, and Shipment/Delivery	Prescription change only	O	O	NA	NA	NA	NA
552.211-84	Non-Compliance with Contract Requirements	Deleted	Deleted and moved to GSAR Part 536, Construction	Deleted						

Current Number	Current Title	Rewrite Number	Rewrite Title or Back Ground Information	Change to Clause	Stock Req	Stock DQ	SOP Req	SOP DQ	Sched Single Award	Sched Multiple Award
D-FSS-457	Consistent Pack and Package Requirements	552.211-85	Consistent Pack and Package Requirements	Deleted FSS clause	RA	RA	NA	NA	NA	NA
D-FSS-462	Maximum weight per shipping container	552.211-86	Maximum Weight per Shipping Container	Deleted FSS Clause	O	O	O	O	NA	NA
D-FSS-465	Export Packing	552.211-87	Export Packing	Deleted FSS Clause	NA	NA	NA	NA	RA	RA
D-FSS-466	Export Preparation	552.211-88	Vehicle Export Preparation	Deleted FSS Clause	NA	NA	NA	O	NA	NA
D-FSS-468	Non-Manufactured Wood Packaging Material for Export	552.211-89	Non-Manufactured Wood Packaging Material for Export	Deleted FSS Clause	RA	RA	RA	RA	RA	RA
D-FSS-469	Parts	552.211-90	Small Parts	Deleted FSS Clause	NA	NA	O	O	O	O
D-FSS-478	Decals, Stickers, and Data Plates	552.211-91	Vehicle Decals, Stickers, and Data Plates	Deleted FSS Clause	NA	NA	NA	O	NA	NA
NONE	New clause	552.211-92	Radio Frequency Identification (RFID) Using Passive Tags	New clause	RA	RA	RA	RA	NA	NA
NONE	New clause	552.211-93	Unique Item Identification	New clause	RA	RA	RA	RA	NA	NA
NONE	New clause	552.211-94	Time of Delivery	New clause	RA	RA	NA	NA	NA	NA

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