

## COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

### Procurement List; Additions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Additions to the Procurement List.

**SUMMARY:** This action adds to the Procurement List commodities to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**EFFECTIVE DATE:** April 12, 1999.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Gateway 3, Suite 310, 1215 Jefferson Davis Highway, Arlington, Virginia 22202-4302.

**FOR FURTHER INFORMATION CONTACT:** Beverly Milkman (703) 603-7740.

**SUPPLEMENTARY INFORMATION:** On October 3, 1997, August 28, 1998 and January 29, 1999, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (62 FR 51827, 63 FR 45996 and 64 FR 4638) of proposed additions to the Procurement List.

*The following comments pertain to Bag, Contamination.*

Comments were received from the two current contractors for these contamination bags and from the mayor of the contractor's city and three Members of Congress. Two Members and the mayor expressed concern that a number of one contractor's employees would be displaced by the Committee's action. That contractor expressed the same concern, but also objected to the loss of opportunity to bid on contracts for the bags, which it claimed represent a sizable portion of its sales, and questioned whether the nonprofit agencies designated by the Committee have the ability to make the bags to the Government's specifications. The mayor questioned whether this Procurement List addition is at odds with Clinton Administration initiatives on welfare-to-work and increasing Federal contracting with distressed urban areas. The other contractor, supported by a third Member of Congress, claimed that it would lose a portion of its sales and its investment in new machinery if the bags were added to the Procurement List.

Prior to 1993, all five of the contamination bags were purchased locally by individual Navy shipyards. In 1990 and 1991, the Committee added to its Procurement List the requirements of three specific Naval shipyards for all

five bags. The same nonprofit agency has successfully supplied the bags since their addition. When the Naval Inventory Control Point (NAVICP) began buying these bags, it was unaware that part of the requirement was already on the Procurement List. As a result, the current contractors have gained sales they should not have received.

In addition, the Navy ordering staff has advised the Committee that it has purchased far more of these containment bags than were needed and, with the exception of one bag, does not expect to purchase additional bags for several years. Equally important, based on recent demand data, the Navy estimates that the number of bags purchased annually in the future will be far less than has been the case in the past.

Most significant, data provided by the contractors reveal that percentage of each firm's sales represented by the four bags affected by this action is extremely small. In one case, the contractor has had no sales for more than a year. In the other case, there have been no buys for several months. Sales of the fifth bag initially proposed for addition represented a more significant percentage of one of the current contractor's business, and that bag is not being added to the Procurement List at this time.

As a consequence of these factors, the Committee has concluded that the current contractors will not experience severe adverse impacts as a result of adding four of the five proposed bags to the Procurement List at this time. The firms, their investment in machinery, their employees and the areas in which they are located have already been impacted by the downturn in containment bag business. Moreover, they will continue to be impacted in the coming months whether or not the items are added to the Procurement List because of the overstocking and reduced demand. Similarly, as there will be no Government buys for some time for three of the four bags and only a small buy for the fourth, losing the opportunity to compete for Government business is something that will happen regardless of the Committee's action.

*The following material pertains to Pen, Rollerball, Free Ink and Bag, Contamination.*

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodities and impact of the additions on the current or most recent contractors, the Committee has determined that the commodities listed below are suitable for procurement by

the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities to the Government.

2. The action will not have a severe economic impact on current contractors for the commodities.

3. The action will result in authorizing small entities to furnish the commodities to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodities proposed for addition to the Procurement List.

Accordingly, the following commodities are hereby added to the Procurement List:

#### Pen, Rollerball, Free Ink

7520-01-461-2660

7520-01-461-2663

7520-01-461-2664

7520-01-461-2665

#### Bag, Contamination

8105-01-352-1390

8105-01-352-1391

8105-01-352-1392

8105-01-352-1394

This action does not affect current contracts awarded prior to the effective date of this addition or options that may be exercised under those contracts.

**Beverly L. Milkman,**

*Executive Director.*

[FR Doc. 99-6131 Filed 3-11-99; 8:45 am]

BILLING CODE 6353-01-P

## COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

### Procurement List; Proposed Additions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Proposed additions to procurement list.

**SUMMARY:** The Committee has received proposals to add to the Procurement List services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**DATES:** Comments must be received on or before April 12, 1999.