

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Chapter 1

Federal Acquisition Circular 2001–19; Introduction

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Summary presentation of final rules and technical amendments and corrections.

SUMMARY: This document summarizes the Federal Acquisition Regulation (FAR) rules agreed to by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council in this Federal Acquisition Circular (FAC) 2001–19. A companion document, the Small Entity Compliance Guide (SECG), follows this FAC. The FAC, including the SECG, is available via the Internet at <http://www.arnet.gov/far>.

DATES: For effective dates and comment dates, see separate documents which follow.

FOR FURTHER INFORMATION CONTACT: The FAR Secretariat at (202) 501–4755 for information pertaining to status or publication schedules. For clarification of content, contact the analyst whose name appears in the table below in relation to each FAR case or subject area. Please cite FAC 2001–19 and specific FAR case number(s). Interested parties may also visit our Web site at <http://www.arnet.gov/far>.

Item	Subject	FAR case	Analyst
I	New Consolidated Form for Selection of Architect-Engineer Contractors	2000–608A	Davis.
II	Free Trade Agreements—Chile and Singapore, and Trade Agreements Thresholds (Interim)	2003–016	Davis.

SUPPLEMENTARY INFORMATION:

Summaries for each FAR rule follow. For the actual revisions and/or amendments to these FAR cases, refer to the specific item number and subject set forth in the documents following these item summaries.

FAC 2001–19 amends the FAR as specified below:

Item I—New Consolidated Form for Selection of Architect-Engineer Contractors (FAR Case 2000–608A)

This amendment to final rule, FAR Case 2000–608, New Consolidated Form for Selection of Architect-Engineer Contractors, changes the effective date from January 12, 2004, to June 8, 2004. This final rule was published in FAC 2001–018 in the **Federal Register** at 68 FR 69227, December 11, 2003. This amendment also eliminates the reference to an applicability date. By changing the effective date, it allows the users of the SF 330 more time to prepare before the SF 330 is effective.

Item II—Free Trade Agreements—Chile and Singapore, and Trade Agreements Thresholds (Interim) (FAR Case 2003–016)

This interim rule amends FAR parts 5, 12, 13, 14, 17, 19, 22, 25, and 52 to implement new Free Trade Agreements with Chile and Singapore, as approved by Congress (Public Laws 108–77 and 108–78). These Free Trade Agreements are scheduled to go into effect January 1, 2004. Singapore is already a designated country under the Trade Agreements Act, but Chile was not previously a designated country. The threshold under these Free Trade Agreements for acquisition of end products and services is \$58,550 and the threshold for construction contracts is

\$6,725,000. In acquisitions that exceed these thresholds and are subject to trade agreements, this rule allows the acquisition of end products or construction material from Chile or Singapore without application of the Buy American Act, and provides for certain procedures in the acquisition of services, unless the service is excluded from coverage by the trade agreement. The interim rule directs the contracting officer to determine the origin of a service by the country in which the firm providing the services is established. The interim rule also implements new dollar thresholds for application of trade agreements, as published by the U.S. Trade Representative in the **Federal Register** at 68 FR 70861, December 19, 2003. Contracting officers must review the new thresholds in order to select the appropriate clauses to implement the Buy American Act, trade agreements, and sanctions of European Union country end products and services.

Dated: December 30, 2003.

Laura Auletta,
Director, Acquisition Policy Division.

Federal Acquisition Circular

Federal Acquisition Circular (FAC) 2001–19 is issued under the authority of the Secretary of Defense, the Administrator of General Services, and the Administrator for the National Aeronautics and Space Administration.

Unless otherwise specified, all Federal Acquisition Regulation (FAR) and other directive material contained in FAC 2001–19 are effective January 7, 2004, except for Item II, which is effective January 1, 2004.

Dated: December 30, 2003.

Richard K. Sylvester,
Acting Director, Defense Procurement and Acquisition Policy.

Dated: December 29, 2003.

David A. Drabkin,
Deputy Associate Administrator, Office of Acquisition Policy, General Services Administration.

Dated: December 30, 2003.

Lynn W. Bailets,
Acting Assistant Administrator for Procurement, National Aeronautics and Space Administration.

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DEPARTMENT OF DEFENSE

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1, 36, and 53

[FAC 2001–19; FAR Case 2000–608A Item I]

RIN 9000–AJ15

Federal Acquisition Regulation; New Consolidated Form for Selection of Architect-Engineer Contractors (Delay of Effective Date)

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Final rule: delay of effective date.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) have agreed to delay the effective date of FAR Case 2000–608, New Consolidated Form for Selection of Architect-Engineer Contractors, which was published in FAC 2001–018, in the

Federal Register at 68 FR 69227, December 11, 2003. The effective date is delayed from January 12, 2004, to June 8, 2004, and there is no longer any reference to the applicability date. Industry users have requested that the effective date be changed to allow them more time to prepare before the SF 330 is effective. This amendment changes the effective date and eliminates the applicability date.

DATES: Effective Date: Effective January 7, 2004, the effective date of FAR Case 2000-608, New Consolidated Form for Selection of Architect-Engineer Contractors, published in the **Federal Register** at 68 FR 69227, December 11, 2003, is delayed until June 8, 2004.

Applicability Date: The applicability date specified in the final rule published in the **Federal Register** at 68 FR 69227, December 11, 2003, is removed from this final rule.

FOR FURTHER INFORMATION CONTACT: The FAR Secretariat, Room 4035, GS Building, Washington, DC 20405, (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Ms. Cecelia Davis, Procurement Analyst, at (202) 219-0202. Please cite FAC 2001-19, FAR Case 2000-608A.

SUPPLEMENTARY INFORMATION:

A. Background

An interagency ad hoc committee developed the SF 330.

It was based on the results of a joint Federal-industry survey of the existing Standard Forms (SFs) 254, Architect-Engineer and Related Services Questionnaire, and 255, Architect-Engineer and Related Services Questionnaire for Specific Project, conducted by the Standing Committee on Procurement and Contracting of the Federal Facilities Council (FCC) in 1995 and published in 1996 as FCC Report Number 130, entitled "Survey on the Use of Standard Forms 254 and 255 for Architect-Engineer Qualifications." The survey's purpose was to evaluate the current use of the forms which are used for the submission of qualifications by architect-engineer (A-E) firms interested in Federal contracts, and to identify possible improvements which would enable the existing forms to better serve the needs of Federal agencies and the A-E industry. The SFs 254 and 255 have changed little since their introduction in 1975, although the variety of A-E services has greatly expanded and new technologies have dramatically changed the way A-E firms do business. The report states that Federal agencies and A-E industry overwhelmingly support a structured

format for submitting A-E qualifications, because the structured format saves time and effort and allows efficient and consistent evaluations. It also recommends many specific changes to the existing forms to enhance their effectiveness and simplify their use. Both Federal and A-E industry practitioners believe that the forms need streamlining as well as updating to facilitate electronic usage. The objectives of the SF 330 are to merge the SFs 254 and 255 into a single streamlined form, expand essential information about qualifications and experience, reflect current architect-engineer disciplines, experience types and technology, eliminate information of marginal value, permit limitations on submission length, and facilitate electronic usage. A proposed FAR rule for a new Architect-Engineer Qualifications form was published in the **Federal Register** at 66 FR 53314, October 19, 2001. The final rule replaces SFs 254 and 255 with SF 330, and makes related FAR revisions in 1.106, 36.603, 36.702, 53.236-2, 53.301-254, 53.301-255, and 53.301-330. Use of the SF 330 becomes effective June 8, 2004. Agencies are to continue to use SFs 254 and 255 until the SF 330 is effective.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act analysis was completed and addressed in the final rule published in the **Federal Register** at 68 FR 69227, December 11, 2003.

C. Paperwork Reduction Act

The Paperwork Reduction Act (Pub. L. 104-13) applies; however, this information was provided in the final rule published in the **Federal Register** at 68 FR 69227, December 11, 2003.

List of Subjects in 48 CFR Parts 1, 36, and 53

Government procurement.

Dated: December 30, 2003.

Laura Auletta,

Director, Acquisition Policy Division.

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DEPARTMENT OF DEFENSE

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48 CFR Parts 5, 12, 13, 14, 17, 19, 22, 25, and 52

[FAC 2001-19; FAR Case 2003-016; Item II]

RIN 9000-AJ87

Federal Acquisition Regulation; Free Trade Agreements—Chile and Singapore, and Trade Agreements Thresholds

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Interim rule with request for comments.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) have agreed on an interim rule amending the Federal Acquisition Regulation (FAR) to implement new Free Trade Agreements with Chile and Singapore, as approved by Congress. These Free Trade Agreements are scheduled to go into effect January 1, 2004. The interim rule also implements new dollar thresholds for application of trade agreements, as published by the U.S. Trade Representative in the **Federal Register** at 68 FR 70861, December 19, 2003.

DATES: Effective Date: January 1, 2004.

Comment Date: Interested parties should submit comments to the FAR Secretariat at the address shown below on or before March 8, 2004, to be considered in the formulation of a final rule.

ADDRESSES: Submit written comments to—General Services Administration, FAR Secretariat (MVA), 1800 F Street, NW., Room 4035, Attn: Ms. Laurie Duarte, Washington, DC 20405.

Submit electronic comments via the Internet to—farcase.2003-016@gsa.gov. Please submit comments only and cite FAC 2001-19, FAR case 2003-016, in all correspondence related to this case.

FOR FURTHER INFORMATION CONTACT: The FAR Secretariat at (202) 501-4755, for information pertaining to status or publication schedules. For clarification of content, contact Ms. Cecelia Davis, Procurement Analyst, at (202) 219-0202. Please cite FAC 2001-19, FAR case 2003-016.

SUPPLEMENTARY INFORMATION: