



January 22, 2010

TO: Heads of Contracting Activity

FROM: Nancy J. Gunderson
Associate Deputy Assistant Secretary for Acquisition

SUBJECT: Class Deviation from FAR 25.402(b) to Implement New Procurement
Thresholds for Trade Agreements

Purpose: I hereby approve a class deviation from the table at FAR 25.402(b) to implement new procurement thresholds (attached) for trade agreements that were published by the United States Trade Representative in the *Federal Register* on December 29, 2009 [74 FR 68907]. These thresholds became effective on January 1, 2010.

Guidance: When determining which trade agreement clause to incorporate into a contract, contracting officers shall use the attached table, in lieu of the table at FAR 25.402(b), and substitute the new thresholds for the current thresholds wherever such thresholds appear in the Federal Acquisition Regulation (FAR).

Effective Date: Immediately. This deviation shall remain in effect until incorporated in the FAR or until otherwise rescinded.

CAAC Consultation: The attached memorandum from the Chairman of the Civilian Agency Acquisition Council constitutes the consultation required by FAR 1.404 for class deviations.

If you have any questions regarding this class deviation, please contact Gary Boyd at 202-205-4321 or at gary.boyd@hhs.gov.

Attachments

cc: FAR Secretariat

Trade Agreement	Supply Contract (equal to or Exceeding)	Service Contract (equal to or exceeding)	Construction Contract (equal to or exceeding)
World Trade Organization Agreement on Government Procurement (WTO GPA) Free Trade Agreements (FTA)	\$194,000 [\$203,000]	\$194,000 [\$203,000]	\$7,443,000 [\$7,804,000]
Australia FTA	\$67,826 [\$70,079]	\$67,826 [\$70,079]	\$7,443,000 [\$7,804,000]
Bahrain FTA	\$194,000 [\$203,000]	\$194,000 [\$203,000]	\$8,817,449 [\$9,110,318]
CAFTA-DR (Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua)	\$67,826 [\$70,079]	\$67,826 [\$70,079]	\$7,443,000 [\$7,804,000]
Chile FTA	\$67,826 [\$70,079]	\$67,826 [\$70,079]	\$7,443,000 [\$7,804,000]
Morocco FTA	\$194,000 [\$203,000]	\$194,000 [\$203,000]	\$7,443,000 [\$7,804,000]
NAFTA			\$8,817,449 [\$9,110,318]
Canada	\$25,000	\$67,826 [\$70,079]	\$8,817,449 [\$9,110,318]
Mexico	\$67,826 [\$70,079]	\$67,826 [\$70,079]	\$8,817,449 [\$9,110,318]
Oman FTA	\$194,000 [\$203,000]	\$194,000 [\$203,000]	\$7,443,000 [\$7,804,000]
Peru FTA	\$194,000 [\$203,000]	\$194,000 [\$203,000]	\$7,443,000 [\$7,804,000]
Singapore FTA	\$67,826 [\$70,079]	\$67,826 [\$70,079]	\$7,443,000 [\$7,804,000]
Israeli Trade Act	\$50,000	---	---