



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
ACQUISITION LOGISTICS AND TECHNOLOGY
103 ARMY PENTAGON
WASHINGTON DC 20310-0103

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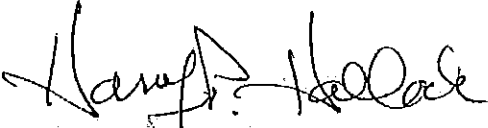
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MEMORANDUM FOR PRINCIPAL ASSISTANTS RESPONSIBLE FOR
CONTRACTING AND POLICY CHIEFS

SUBJECT: Contractor Use of Mandatory Sources of Supply or Services

1. The AbilityOne Program exists to generate employment for Americans who are blind or who have other significant disabilities, including wounded veterans and military dependents. The Department of the Army has a long history of purchasing supplies and services from the AbilityOne Program and the Army is one of the programs largest customers. Accordingly, this memorandum reminds and encourages the Contracting Enterprise to incorporate the clause at Federal Acquisition Regulation (FAR) 52.208-9, Contractor Use of Mandatory Sources of Supply or Services, in solicitations and contracts.
2. The FAR Part 8.005 prescribes the use of the clause and requires Contracting Officers to include FAR 52.208-9 in solicitations and contracts when a contractor will provide supplies or services that are on the Procurement List maintained by the AbilityOne Program. The contract schedule must identify the supplies and services that must be purchased from a specific, mandatory source. This information may be obtained from the website AbilityOne.gov or from the catalog at AbilityOnecatalog.com.
3. Invoking FAR 52.208-9 as often as possible is an important Army objective. Each purchase of supplies or services has a direct and positive impact on the thousands of individuals with disabilities who provide AbilityOne products through services, supplies, manufacturing and shipping.
4. The Army's continued support of the AbilityOne Program facilitates a viable and successful program. The point of contact is Ms. Felicia Harvey, 703-617-0413, or e-mail: felicia.m.harvey.civ@mail.mil.

Encl


Harry P. Hallock
Deputy Assistant Secretary
of the Army (Procurement)

52.208-9 Contractor Use of Mandatory Sources of Supply or Services.

As prescribed in 8.005, insert the following clause:

CONTRACTOR USE OF MANDATORY SOURCES OF SUPPLY OR SERVICES (OCT 2008)

(a) Certain supplies or services to be provided under this contract for use by the Government are required by law to be obtained from nonprofit agencies participating in the program operated by the Committee for Purchase From People Who Are Blind or Severely Disabled (the Committee) under the Javits-Wagner-O'Day Act (41 U.S.C. 48). Additionally, certain of these supplies are available from the Defense Logistics Agency (DLA), the General Services Administration (GSA), or the Department of Veterans Affairs (VA). The Contractor shall obtain mandatory supplies or services to be provided for Government use under this contract from the specific sources indicated in the contract schedule.

(b) The Contractor shall immediately notify the Contracting Officer if a mandatory source is unable to provide the supplies or services by the time required, or if the quality of supplies or services provided by the mandatory source is unsatisfactory. The Contractor shall not purchase the supplies or services from other sources until the Contracting Officer has notified the Contractor that the Committee or an AbilityOne central nonprofit agency has authorized purchase from other sources.

(c) Price and delivery information for the mandatory supplies is available from the Contracting Officer for the supplies obtained through the DLA/GSA/VA distribution facilities. For mandatory supplies or services that are not available from DLA/GSA/VA, price and delivery information is available from the appropriate central nonprofit agency. Payments shall be made directly to the source making delivery. Points of contact for AbilityOne central nonprofit agencies are:

- (1) National Industries for the Blind
1310 Braddock Place
Alexandria, VA 22314-1691
(703) 310-0500; and
- (2) NISH
8401 Old Courthouse Road
Vienna, VA 22182
(571) 226-4660.

(End of clause)