

## **PART 8 - REQUIRED SOURCES OF SUPPLIES AND SERVICES**

*(Revised December 16, 2016 through PROCLTR 2017-07)*

### **TABLE OF CONTENTS**

#### **SUBPART 8.4 - FEDERAL SUPPLY SCHEDULES**

8.490 DoD electronic mall (EMALL).

#### **SUBPART 8.7 - ACQUISITION FROM NONPROFIT AGENCIES EMPLOYING PEOPLE WHO ARE BLIND OR SEVERELY DISABLED**

[8.703](#) Procurement List.

[8.703-90](#) Policy for additions of AbilityOne products to the procurement list.

#### **SUBPART 8.4 - FEDERAL SUPPLY SCHEDULES**

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##### **8.490 DoD electronic mall (EMALL).**

(a) General. Access the DoD EMALL site at <https://dod-email.dla.mil/acct/>. DoD contractors may be authorized to order using DoD EMALL (FAR Subpart 51.1). For Government Purchase Cardholders refer to 13.301.

(b) Policy. DoD EMALL makes ordering available for DLA, military service, or GSA assigned or managed catalog products under contract with DLA, a military service, or GSA. "Open market" catalogs, which are catalogs of products not under contract with DLA, a military service, or GSA, are not permitted on DoD EMALL.

(c) Responsibilities.

(1) The Office of the Secretary of Defense (AT&L/Defense Procurement and Acquisition Policy) is the DoD Executive Agent for DoD EMALL and is responsible for issuing DoD EMALL policy.

(2) DLA Logistics Information Service is responsible for DoD EMALL program operations. DLA Information Operations J6, is responsible for DoD EMALL IA/IT architecture, including information assurance.

(d) Contracting.

(1) The DLA Contracting Services Office - Philadelphia is responsible for DLA contracts awarded for placement on DoD EMALL and shall comply with the following:

(i) Issue contracts only for DLA-assigned or managed items and use the delegated authority from GSA to create Federal Supply Schedule (FSS) type contracts to the maximum extent practicable. Base schedule groupings on product type and other relevant considerations;

(ii) Consider GSA Acquisition Manual (GSAM) guidelines and GSA contracting practices when issuing

FSS contracts. The contracting officer may use specific GSA clauses, procedures, and practices if determined to be in the best interest of the Government. When issuing FSS contracts, comply with FAR Part 38;

(iii) Determine price reasonableness using a valid price analysis technique in accordance with FAR Subpart 15.4. Price analysis is required, because DoD EMALL contracts are not directly competed on a price basis before being added to DoD EMALL.

(iv) Include a compliance requirement with DLIS rules of governance for contractors in DoD EMALL contracts; and

(v) Before removing a contract from DoD EMALL, determine if contract termination is appropriate.

(2) DoD EMALL contracts must not include Qualified Product List and critical safety items. DLA may restrict other types of items, such as body armor, from placement on DoD EMALL contracts.

(i) The DLA Contracting Services Office – Philadelphia performs a review of catalogs to cross-reference part numbered items to NSNs. The DLIS Program Management Office periodically conducts similar reviews after contract award and throughout the life of the contract.

(ii) Contracting officers must not place DLA stocked NSNs on DoD EMALL contracts, unless the contract contains a unique ordering corridor available only to DLA personnel. The DoD EMALL Office within the DLA Acquisition Compliance, Policy and Pricing Division develops restricted item lists and enforces compliance.

(iii) Contracting officers may allow ordering using DoD EMALL against contracts awarded for purposes other than DoD EMALL placement. The DoD EMALL-specific contract item restrictions do not apply to orders placed using DoD EMALL under these circumstances.

(3) Each procuring organization shall review and approve items for inclusion on DoD EMALL contracts. Each organization must appoint a DoD EMALL point of contact to review and approve items and address other organization-related DoD EMALL issues. The point of contact serves as a liaison to the J7 DoD EMALL Office and helps resolve issues related to the DoD EMALL program.

(4) Ordering. Ordering against DoD EMALL contracts is subject to FAR and for DoD EMALL FSS-type contracts to DFARS Subpart 8.4. Orders against non-DoD EMALL contracts available for ordering on DoD EMALL are subject to the ordering requirements applicable to the particular contract. DoD EMALL orders are normally limited to the SAT. Customers are responsible for complying with applicable ordering requirements, including competition requirements.

## **SUBPART 8.7 - ACQUISITION FROM NONPROFIT AGENCIES EMPLOYING PEOPLE WHO ARE BLIND OR SEVERELY DISABLED**

*(Revised December 16, 2016 through PROCLTR 2017-07)*

### **8.703 Procurement List.**

#### **8.703-90 Policy for additions of AbilityOne products to the procurement list.**

(a) The 1971 Supply Management Relationship Agreement between DoD and GSA gives DoD authority to buy assigned items for the Federal Government. DoD assigned this authority to DLA.

(b) DLA works with AbilityOne to add DLA-managed and bought items to its procurement list.

(1) Refer to the AbilityOne site for general guidance at [http://www.abilityone.gov/procurement\\_list/services\\_commodity.html](http://www.abilityone.gov/procurement_list/services_commodity.html).

(2) When adding NSNs managed by DLA to the list, the AbilityOne liaison works with the contracting officer and the Small Business Office to gain approval. All parties must consider requirements, pricing, costs, drawings and specifications, and proposed delivery schedules. The contracting officer signs the price concurrence letter, AbilityOne form CBSD 1005, when receiving an agreeable price proposal. The contracting officer must complete the actions within 30 days.

(3) AbilityOne must send a business case analysis with supporting documents to the contracting officer and the Small Business Office when adding managed or procured items assigned to DLA for Total Government Requirement (TGR) or a Broad Government Requirement (BGR).

(i) Central Nonprofit Agency (CNA), NIB, or Source America sends the BCA to the Small Business Office AbilityOne liaison to begin the review. The Small Business Office verifies the NSN and contacts the NSN owner. When the material does not match an NSN, DLA cannot create a new NSN.

(ii) The procuring organization shall name a contracting officer to review the BCA and evaluate the AbilityOne request. The contracting officer must have responsibility for the DLA item proposed for addition. The contracting officer must:

(A) Review the BCA and supporting documents.

(B) Conduct a market comparison to document price reasonableness. The contracting officer must find the price fair and reasonable. DLA does not expect AbilityOne to offer the lowest price or to offer prices matching out-of-date prices, loss leaders, salvage prices, or sale prices, especially when using raw materials that have high market volatility. AbilityOne pricing is based on free on board (f.o.b.) origin.

(4) When the BCA adequately identifies a need, the contracting officer should consider sponsorship regardless of demand history.

(i) When considering adding an NSN to the AbilityOne list, the contracting officer reviews for long-term contract coverage. If a long-term contract exists for the item, the contracting officer may base price reasonableness on comparison with the current contract price.

(ii) When comparing the proposed fair market price (FMP) to an f.o.b. destination contract price, the contracting officer should add the estimated freight to the proposed FMP for an accurate comparison.

(iii) When that cost is unreasonably higher than the current DLA f.o.b. destination contract price, the contracting officer documents the addition as not in the Government's best interest. The contracting officer tells the AbilityOne liaison the decision. The CNA may either propose a lower price or withdraw the BCA.

(5) If the contracting officer agrees with the proposed addition, the contracting officer shall sign and electronically send AbilityOne Form CBSD 1005 to the AbilityOne liaison. Include the BCA number for the proposal. Contracting officers shall make their best efforts to complete these actions within 30 days. The AbilityOne liaison sends the addition information to the CNA.

(6) The CNA confirms receipt and tells AbilityOne it is ready for production. The contracting officer decides the suitable contracting vehicle for the item. The contracting officer should consider the

Government-wide nature of the procurement list and ensure item availability to all Federal agencies.

(i) For NSNs on long-term contract or BPA, the contracting officer shall confirm when the current option period expires.

(ii) DLA may add NSNs to AbilityOne agreements after receipt of the addition notice and the CNA ready letter.

(iii) DLA cannot add NSNs on requirements contracts to AbilityOne agreements until after the current option period expires.

(iv) For NSNs on a prime vendor contract, the contracting officer decides whether to have the prime vendor buy the product from AbilityOne or remove the NSN from the contract. If the prime vendor removes the item from contract, then DLA can add it to an AbilityOne agreement.