



DEFENSE LOGISTICS AGENCY
DEFENSE ENERGY SUPPORT CENTER
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IN REPLY
REFER TO DESC-CPA

SEP 14 2004

CONTRACTING INSTRUCTION (CI): 04-20
MEMORANDUM FOR CI DISTRIBUTION

SUBJECT: Publication of Yearly Requirements

FAR 5.203(h) requires acquisitions subject to the Trade Agreements Act (TAA) to have a published period of time for the synopsis notice and receipt of offers of no less than 40 days. However, if the acquisition falls within the requirements identified in a published annual forecast, the contracting officer may reduce this time period for publication time to as few as 10 days.

In the past DESC has not published forecasted annual requirements and therefore, has not been able to utilize the exception available at FAR 5.203(h) for appropriate TAA acquisitions.

DESC will now begin publishing its estimated yearly petroleum requirements prior to the beginning of each new fiscal year, starting with the upcoming publication in FedBizOpps of the FY 05 petroleum requirements. This will allow for a much shorter period of time in which to award contracts in those applicable TAA situations.

Other commodity categories may be considered for publication of their forecasts if applicable for the award of contracts under TAA situations.

Contract files for awards made under this exception must be documented with a copy of the applicable FedBizOpps published forecast.

The new DEPI 5.203 (h)(101) coverage is attached. This CI is effective immediately and expires upon inclusion in the DEPI. Point of contact is Ms. D. Baker, (703) 767-8459 or DSN 427-8459.

GABRIELLA M. EARHARDT
Center Senior Procurement Official

Attachment
DEPI coverage



SUBPART 5.2 - SYNOPSES OF PROPOSED CONTRACT ACTIONS

5.203 Publicizing and response time.

(h) (101) FAR 5.203(h) and DLAD 5.203(h) provide for circumstances allowing a minimum of 10 days publishing time and receipt of offers for acquisitions made under Trade Agreements Act (TAA) coverage. In order to allow this flexibility on the up-coming Fiscal Year, DESC will publish forecasts in FedBizOpps for appropriate categories of products. For each up-coming Fiscal Year the forecast shall be published prior to September 30 of the current Fiscal Year. Awards made under this minimum of 10 day publishing exception must be for product categories contained in the published forecast. Further, contract files for awards made under this exception must be documented with a copy of the applicable FedBizOpps published forecast.

(1) Petroleum Categories - DESC-BZ will post the forecast for petroleum categories (only) to FedBizOpps. The data for DESC's combined petroleum forecasts will be obtained from DESC-RB. The posted estimated requirements will consist of the total combined projected million barrels (mbbls) for the up-coming Fiscal Year, followed by a listing of those general categories identified as making up the forecast total.

(2) Other Categories – Other commodities may also be published in FedBizOpps if appropriate for those acquisitions made under the Trade Agreements Act (TAA). It will be the responsibility of the CBU to obtain the projected forecast and publish it in FedBizOpps. It shall contain the total combined forecast followed by a listing of those general categories identified as making up the forecast total.