



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

Office of
Procurement
Operations

MEMORANDUM FOR: OPM ACQUISITION WORKFORCE

FROM: JUAN ARRATIA
Senior Procurement Executive (SPE) JUAN ARRATIA Digitally signed by JUAN ARRATIA
Date: 2018.11.20 11:38:16 -0500

DATE: November 20, 2018

SUBJECT: OPM FAR Class Deviation No. 19-01
Increasing the Micro-Purchase Threshold

Purpose: This class deviation is issued in accordance with Federal Acquisition Regulation (FAR) 1.404 to increase the Micro-Purchase Threshold (MPT) to \$10,000.

Effective Date: November 30, 2018

Background: The National Defense Authorization Act for Fiscal Year 2018 (NDAA FY18) (Public Law 115-91), Sections 806 increased the MPT to \$10,000). Additionally, Section 217 (b) of the NDAA FY 2017 (Public Law 114-328) changed a portion of the MPT definition in FAR 2.101 to increase the MPT for acquisitions from institutions of higher education or affiliated nonprofit entities, or from nonprofit research organization or independent research institutes, to \$10,000.

On February 16, 2018, the Civilian Agency Acquisition Council (CAAC) issued a memorandum to serve as consultation in accordance with FAR 1.404 allowing agencies to authorize a class deviation to implement these sections of the NDAA FY18 and NDAA FY17. FAR Case 2018 – 004 has also been opened to implement the appropriate statutory changes in the FAR. However, OPM desires to use the increased thresholds prior to publication of the FAR changes which, as of issuance of this class deviation, remain open.

Authority: By memorandum signed on November 8, 2018, OPM Acting Director Margaret Weichert delegated authority to issue this class deviation to OPM's Senior Procurement Executive (SPE) in accordance with FAR 1.404.

Deviation: This OPM FAR class deviation implements Sections 806 of the NDAA FY18. Attachment A is the FAR text with highlights of the appropriate FAR citations needing changes to implement the increased thresholds. Note: For baselining purposes, the FAR text includes the changes to the definition of micro-purchase threshold being promulgated under the separate FAR Case 2017-009, Special Emergency Procurement Authority. The baseline changes are shown in light grey.

OPM FAR Class Deviation 19-01

Applicability: Attachment B is a chart showing the rationale for changing or not changing thresholds in the FAR related to the micro-purchase threshold that are compelled by Section 806 of the NDAA FY18 and Section 217 (b) of the NDAA FY17. Attachment C is a list of those OPM's agency specific contracting policies affected by this class deviation. Attachment D the rationale for revisions to those agency specific contracting policies.

This class deviation applies to all acquisitions where OPM is the funding agency, including those involving the National Background Investigations Bureau (NBIB). NBIB's Head of the Contracting Activity may issue additional guidance and instructions to its workforce.

Expiration Date: This class deviation remains in effect until the FAR is revised to implement Sections 806 of the NDAA for FY18 or unless sooner terminated, in writing, by OPM's SPE.

Attachments:

Attachment A – FAR Text

Attachment B – Rationale for changing or not changing specific thresholds.

Attachment C – Contracting Policy Revisions Implementing the Micro-Purchase
Threshold Increase

Attachment D – Policy Revisions for Implementing Micro-Purchase Threshold Increase

Additional Information: Questions or comments on this class deviation may be directed to James Muetzel, Director, Acquisition Policy and Innovation Division at (202) 368-1517 or James.Muetzel@opm.gov.

Attachment A

* * * * *

2.101 Definitions.

* * * * *

(b) * * *

"Micro-purchase threshold" means \$10,000, except it means—

(1) For acquisitions of construction subject to 40 U.S.C. chapter 31, subchapter IV, Wage Rate Requirements (Construction), \$2,000;

(2) For acquisitions of services subject to 41 U.S.C. chapter 67, Service Contract Labor Standards, \$2,500; and

(3) For acquisitions of supplies or services that, as determined by the head of the agency, are to be used to support a contingency operation; to facilitate defense against or recovery from cyber, nuclear, biological, chemical or radiological attack; to support a request from the Secretary of State or the Administrator of the United States Agency for International Development to facilitate provision of international disaster assistance pursuant to 22 U.S.C. 2292 et seq.; or to support response to an emergency or major disaster (42 U.S.C. 5122), as described in 13.201(g)(1), except for construction subject to 40 U.S.C. chapter 31, subchapter IV, Wage Rate Requirements (Construction) (41 U.S.C. 1903)—

(i) \$20,000 in the case of any contract to be awarded and performed, or purchase to be made, inside the United States; and

(ii) \$30,000 in the case of any contract to be awarded and performed, or purchase to be made, outside the United States—[; and]

(4) For acquisitions of supplies or services from institutions of higher education (20 U.S.C. 1001(a)) or related or affiliated nonprofit entities, or from nonprofit research organizations or independent research institutes—

(i) \$10,000; or

(ii) A higher threshold, as determined appropriate by the head of the agency and consistent with clean audit findings under 31 U.S.C. chapter 75, Requirements for Single Audits; an internal institutional risk assessment; or State law.

13.003 Policy.

* * * (b)(1) Acquisitions of supplies or services that have an anticipated dollar value exceeding \$10,000 (\$20,000 for acquisitions as described in 13.201(g)(1)) but not exceeding \$150,000 (\$750,000 for acquisitions described in paragraph (1)(i) of the simplified acquisition threshold definition at 2.101) are reserved exclusively for small business concerns and shall be set aside (see 19.000, 19.203, and subpart 19.5). * * * * *

19.203 Relationship among small business programs.

* * * (b) At or below the simplified acquisition threshold. For acquisitions of supplies or services that have an anticipated dollar value exceeding \$10,000 (\$20,000 for acquisitions as described in 13.201(g)(1)), but not exceeding \$150,000 (\$750,000 for acquisitions described in paragraph (1)(i) of the simplified acquisition threshold definition at 2.101), the requirement at 19.502-2(a) to exclusively reserve acquisitions for small business concerns does not preclude the contracting officer from awarding a contract to a small business under the 8(a) Program, HUBZone Program, SDVOSB Program, or WOSB Program.

* * * * *

19.502-1 Requirements for setting aside acquisitions.

* * *

(b) This requirement does not apply to purchases of \$10,000 or less (\$20,000 or less for acquisitions as described in 13.201(g)(1)), or purchases from required sources of supply under Part 8 (e.g., Committee for Purchase From People Who are Blind or Severely Disabled, and Federal Supply Schedule contracts).

19.502-2 Total small business set-asides.

(a) Before setting aside an acquisition under this paragraph, refer to 19.203(b). Each acquisition of supplies or services that has an anticipated dollar value exceeding \$10,000 (\$20,000 for acquisitions as described in 13.201(g)(1)), but not over \$150,000 (\$750,000 for acquisitions described in paragraph (1) (i) of the simplified acquisition threshold definition at 2.101), is automatically reserved exclusively for small business concerns and shall be set aside for small business unless the contracting officer determines there is not a reasonable expectation of obtaining offers from two or more responsible small business concerns that are competitive in terms of market prices, quality, and delivery. If the

contracting officer does not proceed with the small business set-aside and purchases on an unrestricted basis, the contracting officer shall include in the contract file the reason for this unrestricted purchase. If the contracting officer receives only one acceptable offer from a responsible small business concern in response to a set-aside, the contracting officer should make an award to that firm. If the contracting officer receives no acceptable offers from responsible small business concerns, the set-aside shall be withdrawn and the requirement, if still valid, shall be resolicited on an unrestricted basis. The small business reservation does not preclude the award of a contract as described in 19.203.

52.212-1 Instructions to Offerors—Commercial Items.

* * * (j) *Unique entity identifier.* (Applies to all offers exceeding \$10,000, and offers at any dollar level if the solicitation requires the Contractor to be registered in the System for Award Management (SAM) database.) * * * * *

Attachment B

FAR section	Statute	Analysis
FAR sections related to \$3,500 threshold		Question – should the threshold in this section be changed to \$10,000?¹ Answer:
2.101 definition micro-purchase threshold: \$3,500	41 USC 1902	Yes. The FAR is directly based on the statute 41 USC 1902: “(a) Definition.- (1) Except as provided in sections 2338 and 2339 of title 10 and paragraph (2) of this subsection, for purposes of this section, the micro-purchase threshold is \$10,000.” (Statute changed by section 806 of NDAA FY18). Also, paragraph (4) of the definition is new, based on the section 217 of the NDAA FY17.
2.101 definition micro-purchase threshold: the related thresholds of \$2,000, \$2,500, \$20,000 and \$30,000	40 USC ch 31, 40 USC ch 67, 41 USC 1903	No. Make no change. These are based on other statutes which are not changed; the NDAA FY18 is not authority for making changes to these thresholds.
8.405-1 through 8.405-6		Yes; However, the language is written already as “the micro-purchase threshold”. The 2.101 definition change applies automatically--the change to \$10,000 in the FAR is self-executing. Wherever this is the case, no formal change to the text is required.
8.605(e)		No. Did not originate under the micro-purchase statute.
9.104-5(a)(2)		No. Did not originate under the micro-purchase statute.
9.406-2(b)(1)(v)		No. Did not originate under the micro-purchase statute.
9.407-2(a)(7)		No. Did not originate under the micro-purchase statute.

¹ The FAR sometimes refers to “\$3,500” rather than “the micro-purchase threshold”. Each reference had to be individually examined to see whether the NDAA FY18 is authority for making a change.

13.003(b)(1)	41 USC 1902	Yes. The FAR is directly based on the statute 41 USC 1902, at the original lowest amount.
16.505(b)(1), (b)(2)(i), (b)(2)(ii)(A) fair opportunity	41 USC 4106(c)	No. Statute set amount at \$2,500. FAR inflation case increased to \$3,500. Cannot change to \$10,000.
19.203(b)		Yes. The FAR is directly based on the statute 41 USC 1902, at the original lowest amount.
19.502-1(b), 19.502-2(a)	15 USC 644(j)	Yes. See section 1702 of NDAA FY18. SEC. 1702. UNIFORMITY IN PROCUREMENT TERMINOLOGY. (a) IN GENERAL.—Section 15(j)(1) of the Small Business Act (15 U.S.C. 644(j)(1)) is amended by striking “greater than \$2,500 but not greater than \$100,000” and inserting “greater than the micro-purchase threshold, but not greater than the simplified acquisition threshold”.
25.703-2(a)(2), 25.703-4(c)(5)(ii), (c)(7)(iii), (c)(8)(iii) (Iran)		No. Did not originate under the micro-purchase statute. From the team report for FAR Case 2012-030 interim rule published 12-10-12: The Team discussed the meaning of "significant transaction" and decided, in consultation with representatives from the Department of State and the Department of the Treasury, that in this context, to require the certification with regard to any transaction that exceeds \$3,000 with Iran's Revolutionary Guard Corps (or officials, agents, or affiliates).
52.209-5(a)(1)(i)(D)		No. Did not originate under the micro-purchase statute.
52.212-1(j)		Yes. Based on prescription at 4.1102 which refers to the micro-purchase threshold.
52.212-3(h)(4)		No. Did not originate under the micro-purchase statute.
52.212-3(o)(2)(iii) Iran		No. See 25.703-2 explanation.
52.222-54(e)(2)		No. Did not originate under the micro-purchase statute.
52.225-25(c)(3) Iran		No. – see 25.703-2 explanation.

Attachment C

***Contracting Policy Revisions Implementing
the Micro-Purchase Threshold Increase***

Contracting Policy 1.102-4(c)
Acquisition Career Training

5) Education, Training, Experience, and Continuous Learning Requirements for Other Acquisition Workforce Personnel

* * *

Procurement Responsibility	Education	Mandatory Training
Purchase Card Holders at or below the micro-purchase threshold ⁵ ⁵ For authority above the micro-purchase threshold, see Level I or Level II CO	Determined by job series and program office to which assigned	41/2 hr. Purchase Card Training (Internal) or Self-Study (Internal) OR Approved Commercial Equivalent Green Purchasing Training- 1 hour classroom or 3 hours online course- see Contracting Policy (CP) No. 23.4 Green Procurement Program (GPP) for more information.

* * *

Position or .	Type of Training	Amount	Frequency
Purchase Card Holders at or below the micro-purchase threshold ⁶ ⁶ For authority above the micro-purchase threshold, see non-GS-1102 CO	Internal purchase card briefings/ seminars; OR Interactive CD ROM training; OR Satellite Broad-casts; OR on-line Internet training Green Purchasing Training	1 hour (minimum) 1 hour	Quarterly Annually

Contracting Policy 4.602
Federal Procurement Data System

* * *

Background:

According to section 4.602(a) of the Federal Acquisition Regulation (FAR), FPDS-NG provides a comprehensive mechanism for assembling, organizing, and presenting contract placement data for the Federal Government. Agencies must report all transactions over the **micro-purchase threshold** * * *

Contracting Policy 19.2
Small Business Participation in OPM Acquisitions

* * *

The Policy:

* * *

1) Responsibilities

* * *

b) Small Business Technical Advocate

* * *

- i) Review all actions between with a total estimated value between the **micro-purchase** * * *

4) Acquisition Review

* * *

b) Simplified Acquisitions Above the **Micro-purchase Threshold**

Every open market acquisition of supplies or services that has an anticipated dollar value exceeding the **micro-purchase threshold** * * *

Attachment D

***Policy Revisions for Implementing
Micro-Purchase Threshold Increase***

<i>Policy</i>	<i>Revision Required?</i>	<i>If yes, describe why</i>	<i>Revision(s)</i>
CP 1.102-4(c) Acquisition Career Training	Yes	There are two tables under section 5, Education, Training, Experience, and Continuous Learning Requirements for Other Acquisition Workforce Personnel, that use "<\$3,000" and "above \$3,000." These instances should be replaced with "micro-purchase threshold."	Replace "<\$3,000" in the tables for section 5 with "at or below the micro-purchase threshold." Replace "above \$3,000" with "above the micro-purchase threshold."
CP 4.602(a) Federal Procurement Data System	Yes	Here, the first paragraph of Background uses "micropurchase" followed by a parenthetical that says "(currently \$3,000)." The policy should be revised to replace "micropurchase" with "micro-purchase" and the parenthetical can be deleted.	Replace "micropurchase threshold (currently \$3,000)" with "micro-purchase threshold."
CP 19.2 Small Business Participation in OPM Acquisitions	Yes	Under the section pertaining to Small Business Technical Advocate the policy says "micropurchase limit (currently \$3,000)." The policy should be revised to replace this "micropurchase limit (currently \$3,000)" with "micro-purchase threshold." There are other instances where the word "limit" is used that should be replaced with "threshold."	Replace "micropurchase limit (currently \$3,000)" with "micro-purchase threshold." Replace all instances of "limit" with "threshold."



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UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

MEMORANDUM FOR: OPM ACQUISITION WORKFORCE

FROM: Juan Arratia
Senior Procurement Executive (SPE)

JUAN ARRATIA
Digitally signed by JUAN
ARRATIA
Date: 2019.01.15 20:30:22
-05'00'

DATE: January 15, 2019

SUBJECT: OPM FAR Class Deviation No. 19-02
Increasing the Simplified Acquisition Threshold

Purpose: This class deviation is issued in accordance with Federal Acquisition Regulation (FAR) 1.404 to increase the Simplified Acquisition Threshold (SAT) to \$250,000.

Effective Date: January 15, 2019

Background: The National Defense Authorization Act for Fiscal Year 2018 (NDAA FY18) (Public Law 115-91), Sections 806 and 805, respectively, increased the micro-purchase threshold (MPT) to \$10,000 and the SAT to \$250,000. OPM FAR Class Deviation No. 19-01, which became effective on November 30, 2018, effectuated changes related to the MPT. This deviation, OPM FAR Class Deviation No. 19-02, pertains specifically to changes with the SAT.

On February 16, 2018, the Civilian Agency Acquisition Council (CAAC) issued a memorandum to serve as consultation in accordance with FAR 1.404, allowing agencies to authorize a class deviation to implement these sections of the NDAA FY18. FAR Case 2018 – 004 has also been opened to implement the appropriate statutory changes in the FAR. However, OPM desires to use the increased thresholds prior to publication of the FAR changes which, as of issuance of this class deviation, remain open.

Authority: By memorandum signed on December 13, 2018, OPM Acting Director Margaret Weichert delegated authority to issue this class deviation to OPM's Senior Procurement Executive (SPE) in accordance with FAR 1.404.

Deviation: This OPM FAR class deviation implements Section 805 of the NDAA FY18. Attachment A is the FAR text with highlights of the appropriate FAR citations needing changes to implement the increased SAT threshold. Note: For baselining purposes, the FAR text includes the changes to the definition of simplified acquisition threshold being promulgated under the separate FAR Case 2017-009, Special Emergency Procurement Authority. The baseline changes are shown in light grey.

Applicability: Attachment B is a chart showing the rationale for changing or not changing thresholds in the FAR related to the SAT that are compelled by Sections 805 and 806 of the NDAA FY18 and Section 217 (b) of the NDAA FY17. Attachment C is a list of those OPM's agency specific contracting policies affected by this class deviation. Attachment D shows revisions to those agency specific contracting policies.

This class deviation applies to all acquisitions where OPM is the funding agency, including those involving the National Background Investigations Bureau (NBIB). NBIB's Head of the Contracting Activity may issue additional guidance and instructions to its workforce.

Expiration Date: This class deviation remains in effect until the FAR is revised to implement Section 805 of the NDAA FY18 or unless sooner terminated, in writing, by OPM's SPE.

Attachment:

Attachment A – FAR Text

Attachment B – Rationale for changing or not changing specific thresholds

Attachment C – Contracting Policy Revisions Implementing the Simplified Acquisition Threshold Increase

Attachment D – Policy Revisions for Implementing the Simplified Acquisition Threshold Increase

Additional Information: Questions or comments on this class deviation may be directed to James Muetzel, Director, Acquisition Policy and Innovation at (202) 368-1517 or James.Muetzel@opm.gov.

Attachment A

* * * * *

2.101 Definitions.

* * * * *

"Simplified acquisition threshold" means \$250,000 (41 U.S.C. 134), except for-

(1) Acquisitions of supplies or services that, as determined by the head of the agency, are to be used to support a contingency operation; to facilitate defense against or recovery from cyber, nuclear, biological, chemical, or radiological attack; to support a request from the Secretary of State or the Administrator of the United States Agency for International Development to facilitate provision of international disaster assistance pursuant to 22 U.S.C. 2292 et seq.; or to support response to an emergency or major disaster (42 U.S.C. 5122), (41 U.S.C. 1903), the term means-

(i) \$750,000 for any contract to be awarded and performed, or purchase to be made, inside the United States; and

(ii) \$1.5 million for any contract to be awarded and performed, or purchase to be made, outside the United States; and

(2) Acquisitions of supplies or services that, as determined by the head of the agency, are to be used to support a humanitarian or peacekeeping operation (10 U.S.C. 2302), the term means \$500,000 for any contract to be awarded and performed, or purchase to be made, outside the United States.

13.003 Policy.

* * * (b)(1) Acquisitions of supplies or services that have an anticipated dollar value exceeding \$10,000 (\$20,000 for acquisitions as described in 13.201(g)(1)) but not exceeding \$250,000 (\$750,000 for acquisitions described in paragraph (1)(i) of the simplified acquisition threshold definition at 2.101) are reserved exclusively for small business concerns and shall be set aside (see 19.000, 19.203, and subpart 19.5). * * * * *

13.501 Special documentation requirements.

(a) * * * (2) * * *

(i) For a proposed contract exceeding \$250,000, but not exceeding \$700,000, the contracting officer's certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief will serve as approval, unless a

higher approval level is established in accordance with agency procedures. * * * * *

19.203 Relationship among small business programs.

* * * (b) At or below the simplified acquisition threshold. For acquisitions of supplies or services that have an anticipated dollar value exceeding \$10,000 (\$20,000 for acquisitions as described in 13.201(g)(1)), but not exceeding \$250,000 (\$750,000 for acquisitions described in paragraph (1)(i) of the simplified acquisition threshold definition at 2.101), the requirement at 19.502-2(a) to exclusively reserve acquisitions for small business concerns does not preclude the contracting officer from awarding a contract to a small business under the 8(a) Program, HUBZone Program, SDVOSB Program, or WOSB Program.* * *
* * *

19.502-2 Total small business set-asides.

(a) Before setting aside an acquisition under this paragraph, refer to 19.203(b). Each acquisition of supplies or services that has an anticipated dollar value exceeding \$10,000 (\$20,000 for acquisitions as described in 13.201(g)(1)), but not over \$250,000 (\$750,000 for acquisitions described in paragraph (1) (i) of the simplified acquisition threshold definition at 2.101), is automatically reserved exclusively for small business concerns and shall be set aside for small business unless the contracting officer determines there is not a reasonable expectation of obtaining offers from two or more responsible small business concerns that are competitive in terms of market prices, quality, and delivery. If the contracting officer does not proceed with the small business set-aside and purchases on an unrestricted basis, the contracting officer shall include in the contract file the reason for this unrestricted purchase. If the contracting officer receives only one acceptable offer from a responsible small business concern in response to a set-aside, the contracting officer should make an award to that firm. If the contracting officer receives no acceptable offers from responsible small business concerns, the set-aside shall be withdrawn and the requirement, if still valid, shall be resolicited on an unrestricted basis. The small business reservation does not preclude the award of a contract as described in 19.203.

(b) Before setting aside an acquisition under this paragraph, refer to 19.203(c). The contracting officer shall set aside any acquisition over \$250,000 for small business participation when there is a reasonable expectation that— * * * * *

19.508 Solicitation provisions and contract clauses.

* * (e) The contracting officer shall insert the clause at 52.219- 14, Limitations on Subcontracting, in solicitations and contracts for supplies, services, and construction, if any portion of the requirement is to be set aside or reserved for small business and the contract amount is expected to exceed \$250,000. This includes multiple-award contracts when orders may be set aside for small business concerns, as described in 8.405-5 and 16.505(b)(2)(i)(F).

52.203-16 Preventing Personal Conflicts of Interest.

* * * (d) Subcontract flowdown. The Contractor shall include the substance of this clause, including this paragraph (d), in subcontracts—

(1) That exceed \$250,000; and * * *

52.219-9 Small Business Subcontracting Plan.

* * * (d) * * * (11) * * *

(iii) Records on each subcontract solicitation resulting in an award of more than \$250,000, indicating— * * *

52.219-9 Small Business Subcontracting Plan.

Alternate IV

* * *(d) * * * (11) * * * (iii) Records on each subcontract solicitation resulting in an award of more than \$250,000, indicating—
* * * * *

Attachment B

FAR section	Statute	Analysis
FAR sections related to \$150,000 threshold		Question – should the threshold in this section be changed to \$250,000?¹ Answer:
2.101 definition SAT \$150,000	41 USC 134	Yes. The FAR is directly based on the statute 41 USC 134: “In division B, the term "simplified acquisition threshold" means \$250,000.” (Statute changed by section 805 of NDAA FY18).
2,101 definition SAT – the related thresholds of \$750,000 and \$1.5 million	41 USC 1903	No. These are based on statutes which are not changing.
2.101 definition SAT – the related threshold for humanitarian or peacekeeping operations: \$300,000	41 USC 1903 (PL 108-436 sec 1443)	This is supposed to be a doubling of the SAT so change \$300,000 to \$500,000 (not to \$250,000). ²
3.502-2(i)	41 USC 8703 Kickback	No. Statute set at \$100,000.
3.804, 3.808(a) and (b)	31 USC 1352(d)(2)(B) Byrd/Anti-lobby	No. Statute set at \$100,000.
5.206(a)(1), (2)	15 USC 637(k)	No. Statute does not specifically address.
8.405-1 through 8.405-6		Yes; However, the language is written already as “the simplified acquisition threshold”. The 2.101 definition change applies automatically--the change to \$250,000 in the FAR is self-executing. Wherever this is the case, no formal change to the text is required.

¹ The FAR sometimes refers to “\$150,000” rather than “the SAT”. Generally these thresholds derive from statutes which were set at \$100,000, which appear in the FAR as \$150,000 due to the FAR inflation cases (see FAR 1.109). Each reference had to be individually examined to see whether the NDAA FY18 is authority for making a change.

² The \$300,000 amount in the SAT definition will change. It is calculated based on the SAT amount: "in the case of a contract to be awarded and performed, or purchase to be made, outside the United States in support of a humanitarian or peacekeeping operation, the term means an amount equal to two times the amount specified for that term in section 134 of this title." (41 U.S.C. 153). Therefore that threshold will be changed to \$500,000.

13.003(b)(1)		Yes. See analysis for 19.502-2.
13.005(a)(5)		No. See analysis for 23.406(d).
13.501(a)(2)(i)		Yes. Based on 41 USC 1901(e) which refers to 41 USC 3304, which has reference at paragraph (c)(2) to the SAT.
16.206-2, 16.206-3(a), 16.207-3(d)		No. Amount set at \$100,000 in original publication of the FAR in 1983; is not related to the establishment of the SAT.
16.505(b) (multiple references)		Yes; However, the language is written already as “the simplified acquisition threshold”. The 2.101 definition change applies automatically--the change to \$250,000 in the FAR is self-executing. Wherever this is the case, no formal change to the text is required.
19.203(b)		Yes. See analysis for 19.502-2.
19.502-2(a), (b)	15 USC 644(j)	Yes. See section 1702 of NDAA FY18.
19.508(e)		Yes. See analysis for 19.502-2.
22.305(a)	40 USC 3701(b)(3)(iii)	No. Statute set at \$100,000.
22.1303(a), (c), 22.1310(a)(1)	38 USC 4212 Vet	No. Statute set at \$100,000.
23.406(d)	42 USC 6962(c)(3)	No. Statute set at \$100,000.
28.102-1(a), (b)(1), 28.102- 2(b), (c), 28.102-3(a), (b)	40 USC 3131 Miller Act	No. Statute set at \$100,000.
32.503-6(g)(4)		No. Did not originate under the SAT statute.
33.211(a)(4)(v)(1)		No. Did not originate under the SAT statute but under 41 U.S.C. 7106, under the Board of Contract Appeals claims procedures.
42.1502		Yes; However, the language is written already as “the simplified acquisition threshold”. The 2.101 definition change applies automatically--the change to \$250,000 in the FAR is self-executing. Wherever this is the case, no formal change to the text is required.
52.203-7(c)(5)		No. See analysis for 3.502-2(i).
52.203-12(g)(1), (3)		No. See analysis for 3.804.
52.203-16(d)		Yes. This is the flowdown paragraph, which should be consistent with the original clause prescription at 3.1106 which is the SAT.

52.204-8(c)(1)(ii)		No. See analysis for 3.502-2.
52.212-3(e)		No. See analysis for 3.502-2.
52.213-4(b)(1)(iv), (vi)		No. See analysis for 22.1303-1310.
52.219-9(d)(11)(iii) and Alt IV (d)(11)(iii)		Yes. Needs to be consistent with the SAT change in part 19.
52.222-35(c)		No. See analysis for 22.1303-1310.
52.222-37(g)		No. See analysis for 22.1303-1310.
52.228-15(b)		No. See analysis for 28.102.
52.248-1(l)		No. Amount set at \$100,000 in original publication of the FAR in 1983; is not related to the establishment of the SAT. In the 2005 inflation case the prescription for 52.248-1 was changed to the SAT but the flowdown paragraph was not, apparently inadvertently.

Attachment C

Contracting Policy Revisions Implementing the Simplified Acquisition Threshold Increase

Contracting Policy 19.2
Small Business Participation in OPM Acquisitions

* * *

The Policy:

* * *

1) Responsibilities

* * *

b) Small Business Technical Advocate

* * *

i) Review all actions between with a total estimated value between the **micro-purchase threshold** and the simplified acquisition **threshold** * * *

ii) Review all procurement requisitions over the simplified acquisition **threshold** * **

b) OPM's Contracting Professionals

* * *

ii) Prepare annually a forecast of contract opportunities, which identifies each anticipated purchase in excess of **the simplified acquisition threshold**. * * *

3) Encouraging Small Business Participation

* * *

c) Anti-Bundling Strategy

* * *

(B) For procurements expected to exceed **the simplified acquisition threshold**, * * *

4) Acquisition Review

* * *

b) Simplified Acquisitions Above the Micro-purchase Threshold

Every open market acquisition of supplies or services that has an anticipated dollar value exceeding the micro-purchase threshold but less than the simplified acquisition threshold, * * *

c) Acquisitions Above the Simplified Acquisition Threshold

Although acquisitions above the simplified acquisition threshold * * *

5) Contracting With the Small Business Administration Under the 8(a) Program

* * *

b) Identifying Acquisitions for the 8(a) Program

i) Types of Suitable Acquisitions

All acquisitions, including those under the simplified acquisition threshold, * * *

Contracting Policy 19.7
The OPM Small Business Subcontracting Program

* * *

Attachment 2

* * *

7. RECORDKEEPING

* * *

C. On a contract-by-contract basis, records on all subcontract solicitations over the simplified acquisition threshold * * *

Attachment 3

* * *

E. RECORD KEEPING

* * *

4. For each contract, bidder's lists on subcontract solicitations over **the simplified acquisition threshold** * * *

Attachment 4

* * *

35. Does the contractor's recitation of the types of records include:

* * *

e. On a contract-by-contract basis, records on all subcontract solicitations over **the simplified acquisition threshold** * * *

Contracting Policy 42.15
Contractor Performance Information

* * *

Background:

* * *

In accordance with FAR 42.15, agencies are responsible for completing interim (also referred to as current) and final performance evaluations for all contracts that exceed the **simplified acquisition threshold**. * * *

The following policy applies to all contracts for supplies and/or services with a total value, including options, that exceeds the **simplified acquisition threshold**. * * *

Attachment D

Policy Revisions for Implementing the Simplified Acquisition Threshold Increase

<i>Policy</i>	<i>Revision Required?</i>	<i>If yes, describe why</i>	<i>Revision(s)</i>
CP 19.2 Small Business Participation in OPM Acquisitions	Yes	Under the section pertaining to Small Business Technical Advocate the policy says "simplified acquisition limit (currently \$100,000)." The policy should be revised by replacing simplified acquisition limit (currently \$100,000)" with "simplified acquisition threshold." There are other instances where the word "limit" is used which should be replaced with "threshold." Also, under the subheadings "OPM's Contracting Professionals" on page 5 and "Strategy" on page 11, "\$100,000" should be replaced with "the simplified acquisition threshold."	Replace all instances of "limit" with "threshold." Delete "(currently \$100,000)" on page 3 and replace "\$100,000" on pages 5 and 11 with "the simplified acquisition threshold."
CP 19.7 The OPM Small Business Subcontracting Program	Yes	For the attachments, subcontract solicitation record keeping, the policy has requirements when the amount is "over \$100,000." This amount appears in sections on page 22, 26, and 30 of the policy. The policy should be revised by saying "simplified acquisition threshold" instead of "\$100,000."	Replace "\$100,000" with "simplified acquisition threshold" on pages 22, 26, and 30.
CP 42.15 Contractor Performance Information	Yes	This policy uses the term "Simplified Acquisition Threshold", followed by "(currently \$100,000)". The policy should be revised to say "simplified acquisition threshold" without being followed by the parenthetical.	Replace "Simplified Acquisition Threshold (currently \$100,000)" with "simplified acquisition threshold."