

Immediate Expansion of Eligible Ordering Activities Under Federal Supply Schedules (FSS)

GSA Authority for Unilateral Expansion of Eligible Ordering Activities:

Section 517 of Public Law 111-8, Omnibus Appropriations Act, 2009 provides that in furtherance of the emergency management policy set forth in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Administrator of the General Services Administration may provide for the use of the Federal Supply Schedules of the General Services Administration by relief and disaster assistance organizations as described in section 309 of that Act. Purchases under this authority shall be limited to use in preparation for, response to, and recovery from hazards as defined in section 602 of that Act. This authority expires midnight September 30, 2009.

Pursuant to the new authority in Section 517 of Public Law 111-8, Omnibus Appropriations Act of 2009, GSA has authorized the American National Red Cross as an eligible ordering activity under GSA Federal Supply Schedule (FSS) contracts and other organizations may be authorized at a future date. Revisions will be made to GSA Order ADM 4800.2E, dated January 3, 2000 to incorporate these newly authorized eligible ordering activities. These revisions to the GSA Order will be posted and made available at GSA's website.

This new authority does not require a modification to your existing GSA Schedule contract and is effective immediately. GSAM 552.238-78 Scope of Contract (Eligible Ordering Activities) (May 2004) or Alternative I (Feb 2007) is incorporated in all FSS contracts. This clause in paragraph (a) (8) authorizes GSA to add organizations to the eligible list of ordering activities, pursuant to statute or regulation. Since GSA has authorized this new ordering activity pursuant to the statute, no contract modification is needed for these new organizations to be eligible ordering activities under the contract. GSA FSS contractors are reminded that although these new ordering activities are eligible to place orders under the contract, this does not obligate the GSA FSS contractor to accept orders from these activities (See GSAM 552.238-78 (f)).