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Subpart 501.1 - Purpose, Authority, Issuance

501.101 Purpose.

(a) The General Services Acquisition Regulation (GSAR) contains agency acquisition policies and practices, contract clauses, solicitation provisions, and forms that control the relationship between GSA and contractors and prospective contractors.

(b) The GSAR addresses rules directly to you, the contracting officer , unless otherwise indicated.

501.103 Authority.

GSA's Senior Procurement Executive issues the GSAR under the authority of the Federal Property and Administrative Services Act of 1949, as amended.

501.104 Applicability.

(a) *General.* The GSAR applies to contracts for supplies or services, including construction.

(b) *Acquisition of leasehold interests in real property.* [part 570](#) establishes rules for the acquisition of leasehold interests in real property. Other provisions of 48 CFR Chapter 5 (GSAR) do not apply to leases of real property unless specifically cross-referenced in [part 570](#).

(c) *Relationship to statute.* Some GSAR rules implement and interpret laws and other authorities affecting procurement. A GSAR rule specifically directed by statute has the force and effect of law.

501.105 Issuance.

501.105-1 Publication and code arrangement.

The GSAR is published in the following sources:

- (a) The Federal Register at <https://www.federalregister.gov/>.
- (b) Annual Code of Federal Regulations (CFR), as Chapter 5 of Title 48.

501.105-2 Arrangement of regulations.

(a) The GSAR numbers and captions policies and procedures to correspond to how they appear in the FAR, e.g., 1.104 in the FAR is [501.104](#) in the GSAR.

(b) GSAR rules not implementing the FAR have numbers beginning with 70, e.g., [part 570](#), subsection [515.209-70](#).

(c) The GSAR may have gaps in its numbering scheme because a FAR rule may not require GSAR implementation.

501.105-3 Copies.

Copies of the GSAR may be purchased from the Government Printing Office at <https://www.gpo.gov/>. The GSAR is also available electronically at <https://www.ecfr.gov/> or at <https://www.acquisition.gov> under the agency supplements tab.

501.106 OMB Approval under the Paperwork Reduction Act.

GSAR Reference	OMB Control No.	GSAR Reference	OMB Control No.
509.105-1(a)	3090-0007	552.237-71	3090-0006
511.204(b)	3090-0246	552.238-73	3090-0250
514.201-1	3090-0163	552.238-78	3090-0262
515.408	3090-0235	552.238-80	3090-0121 3090-0306
516.203-4(a)(1)	3090-0243	552.238-82	3090-0302
516.506	3090-0248	552.238-84	3090-0303

GSAR Reference	OMB Control No.	GSAR Reference	OMB Control No.
522.406-6	1215-0149	552.238-85	3090-0121, and 3090-0306
523.370	3090-0205	552.238-87	3090-0303
532.905-70	3090-0080	552.238-95	3090-0303
537.110(a)	3090-0197	552.238-96	3090-0303
537.110(b)	3090-0006	552.238-97	3090-0303
538.273	3090-0250, 3090-0262, 3090-0121, and 3090-0303	552.238-99	3090-0303
542.1107	3090-0027	552.238-111	3090-0303
546.302-70	3090-0027	552.239-71	3090-0294
546.302-71	3090-0027	552.242-70	3090-0027
552.211-13(a)	9000-0026	552.246-70	3090-0027
552.211-70(b)	9000-0058	552.246-71	3090-0027
552.211-77	3090-0246		
552.215-73	3090-0163	GSA-527	3090-0007
552.216-70	3090-0243		
552.216-72	3090-0248	GSA-1142	3090-0080
552.216-73	3090-0248	GSA 1217	3090-0086
552.216-75	3090-0306	GSA-1364	3090-0086
552.223-70	3090-0205	GSA-1678	3090-0027

GSAR Reference	OMB Control No.	GSAR Reference	OMB Control No.
552.232-5	3090-0080, 9000-0070, and 9000-0102	GSA-2419	9000-0102
552.232-72	3090-0080	570.802(b)	3090-0086
552.236-15	9000-0058	570.802(b)	3090-0086
552.236-72	3090-0308	570.802(c)	3090-0086
552.236-79	3090-0320		
552.236-80	9000-0034		

501.107 Certifications.

(a) A new requirement for a certification by a contractor or offeror may not be included in the GSAR unless

- (1) The certification requirement is specifically imposed by statute; or
- (2) Written justification for such certification is approved by all of the following:
 - (i) The head of the contracting activity (HCA);
 - (ii) The Senior Procurement Executive (SPE); and
 - (iii) The GSA Administrator.

501.170 General Services Administration Acquisition Management System.

(a) *Description.* The General Services Administration Acquisition Management System consists of the General Services Administration Acquisition Regulation (GSAR) and agency and Service non-regulatory acquisition policies and procedures guidance documents. The General Services Administration Acquisition Manual (GSAM) consolidates acquisition policies and procedures for all GSA personnel.

(b) *Applicability.* The GSAM applies to GSA contracts for supplies or services, including construction. The GSAM does not apply to the acquisition of leasehold interests in real property, unless specifically cross-referenced in [part 570](#).

(c) *Format.* The GSAM adheres to GSAR numbering and drafting conventions (see GSAR [501.105-2](#)). Shading distinguishes regulatory material from non-regulatory material that applies internally to GSA. GSAR material is shaded. Non-shaded material is non-regulatory.

(d) *Availability.* The GSAM is available electronically at <https://www.acquisition.gov/browsegsam>.

Subpart 501.3 - Agency Acquisition Regulations

501.301 Policy.

(a)

(1) GSA's implementation and supplementation of the Federal Acquisition Regulation (FAR) is issued in the GSAM, which includes the GSAR. The GSAM is under authorization and subject to the authority, direction, and control of the SPE. The GSAR contains acquisition policies and procedures that have a significant effect beyond the internal operating procedures of GSA or a significant cost or administrative impact on contractors or offerors.

(2) Relevant acquisition procedures, guidance, instruction, and information that do not meet the criteria in paragraph (a)(1) of this section are issued through the non-regulatory portion of the GSAM (see [501.170](#)) and other GSA publications (see [501.370](#)).

(b) See [501.304](#) for when Federal Register publication is required for any acquisition policy, procedure, solicitation provision, contract clause, or form.

501.304 Agency control and compliance procedures.

(a) *Federal Register publication.* Federal Register publication is required for any acquisition policy, procedure, solicitation provision, contract clause, or form, that has a significant effect beyond the internal operating procedures of GSA or a significant cost or administrative impact on GSA contractors or offerors, including any significant revisions (see FAR 1.501-1 and [501.501\(a\)](#)).

(1) SPE approval is required for all Federal Register publications covered by paragraph (a) of this section.

(2) The Office of Acquisition Policy will coordinate with the HCA or authorized designee to adjudicate any comments received in response to a Federal Register publication.

(b) *Business case.* When publication in the Federal Register or a change to the GSAM is identified by a contracting activity, the HCA shall develop and submit a business case to the SPE for review and approval. The business case shall include, at a minimum, the following information—

(1) The name of the Service (*e.g.*, PBS) and, if applicable, the contracting activity requesting the change;

(2) The rationale supporting the need, including a-

(i) Description of the problem or matter to be addressed; and

(ii) Discussion of the benefit to the agency and/or organization.

(3) A discussion of the effect, if any, on GSA's internal operating procedures, including an analysis of any impact on the following-

(i) The acquisition workforce;

(ii) Another office within GSA (*e.g.*, FAS, PBS, OSDDBU, OIG); or

(iii) Automated systems (*i.e.*, financial and procurement).

(4) A discussion of the effect on contractors or offerors, if any, including an analysis of the following-

(i) The contracts and contractors affected (e.g. number, dollar value, and business size);

(ii) The estimated annual costs and benefits associated with the proposed change; and

(iii) The burden of new information collection requirements (see [44 U.S.C. 3501](#), *et seq.*), if any, associated with the proposed change (see 5 CFR 1320.8).

(5) An analysis of alternatives, risks, and risk mitigation;

(6) A discussion of the approach to be used to implement and monitor success;

(7) The proposed amendments to the FAR or the GSAM in line-in line-out format;

(8) A listing of the organization(s), if any, that have been briefed or involved in drafting the proposed amendments (*e.g.*, Office of Federal Procurement Policy, Category Management Leadership Council); and

(9) A statement of legal sufficiency from the requestor's legal counsel.

(c) *Compliance.* HCAs are responsible for ensuring compliance with this section. At a minimum, HCAs should consider establishing a structure for reviewing new policies issued at a higher level (*e.g.*, FAR and GSAM) and how this will facilitate the timely updating of any internal acquisition policy, procedure or guidance issued by the HCA consistent with their delegated authorities.

501.370 Other acquisition policies, procedures, and guidance.

(a) *SPE Issuance.* The SPE may issue an acquisition letter to provide interim acquisition policies, procedures, and guidance for a specific period of time or until such time that it can be incorporated into the GSAM or FAR, as applicable.

(b) *HCA Issuance.*

(1) HCAs, consistent with their delegated authorities, may issue internal acquisition policies, procedures, and guidance as described in FAR 1.301(a)(2) for their respective contracting activities.

(2) Internal acquisition policies, procedures, guidance shall not-

(i) Unnecessarily repeat, paraphrase, or otherwise restate the FAR, GSAM or SPE acquisition letters.

(ii) Except as required by law or as provided in subpart 501.4, conflict or be inconsistent with GSAM content.

(3) Prior to issuance, any new Service-level acquisition policy, procedure, or guidance shall be distributed to the following for review:

(i) The Office of Small Business Utilization, if applicable.

(ii) The Office of Acquisition Policy.

(c) *Contents.* All acquisition policy documents must contain the following elements, as appropriate—

- (1) Purpose;
- (2) Document type (*e.g.*, policy, procedure, or guidance);
- (3) Background;
- (4) Effective period;
- (5) Other affected or cancelled policies;
- (6) Applicability (*i.e.*, the offices to which the document applies);
- (7) Instructions or requirements;
- (8) Designated point of contact or e-mail address; and
- (9) Supporting documents, as attachments.

(d) *Availability.* All GSA publications that include acquisition policies, procedures, or guidance (including those issued according to paragraph (b) of this section) must be accessible through the GSA Acquisition Policy Library available at <https://insite.gsa.gov/acquisitionpolicylibrary>.

(e) *Maintenance.*

(1) The Office of Acquisition Policy is responsible for maintaining a current list of acquisition policies, procedures, and guidance issued by the SPE within, or accessible through the GSA Acquisition Policy Library.

(2)

(i) The Service-level policy organization (*e.g.*, FAS' Office of Policy and Compliance and PBS' Office of Acquisition) is responsible for maintaining a current list of acquisition policies, procedures and guidance issued by their respective contracting activities within, or accessible through, the GSA Acquisition Policy Library.

(ii) Each HCA is responsible for reviewing new or amendments to existing acquisition policies, procedures and guidance issued at a higher level (*e.g.*, FAR and GSAM) to ensure their existing acquisition policies, procedures and guidance are current. If changes are needed, the HCA shall

- (A) Notify affected contracting activities; and
- (B) Update the GSA Acquisition Policy Library.

501.371 Regulatory Agenda Reviews.

(a) The Office of Acquisition Policy conducts a review of existing acquisition policies issued by the SPE biannually as part of GSA's Regulatory Agenda. The purpose of the review is to prioritize resources for incorporating, as appropriate, active acquisition policies into the FAR or GSAM or for taking other actions, as necessary, to ensure currency of the existing acquisition policies.

(b) HCAs are encouraged to review GSA's Regulatory Agenda and existing acquisition policies issued by their respective contracting activities and to provide recommendations to the Office of Acquisition

Policy for inclusion in GSA's Regulatory Agenda.

Subpart 501.4 - Deviations from the FAR and GSAR

501.401 Definition.

For purposes of determining whether an individual or class deviation is appropriate, as used in FAR subpart 1.4 and in this subpart—

“Contract action” means-

(1) Any oral or written action that results in:

- (i) The purchase, rent, or lease of supplies, services, or construction;
- (ii) The lease of real property; or
- (iii) Modifications to these actions.

(2) Contract actions include, but are not limited to:

- (i) Leases for real property;
- (ii) Definitive contracts;
- (iii) Any type of contract or agreement against which calls, orders, or purchases may be placed (*e.g.*, governmentwide acquisition contracts, multi-agency contract, multiple-award contract, and blanket purchase agreements); and
- (iv) Any call, order, or purchase made under leases for real property, contracts, or agreements.

501.402 Policy.

(a) Uniformity is a goal of GSA's Acquisition Management System. Despite this desire for uniformity, a contracting activity may take any of the following actions:

- (1) Develop and test new acquisition policies, procedures, methods or techniques.
- (2) Adopt alternate acquisition policies, procedures, methods, or techniques to satisfy unique programmatic or managerial requirements.
- (3) Change an
 - (i) Existing non-regulatory provision, or
 - (ii) Existing regulatory provision, including those implementing a statutory requirement provided the deviation does not violate the underlying statute.

(b) Deviations, as described by paragraph (a) of this section, must not be used to defeat the FAR or GSAM approval requirements.

(c) When an HCA believes that a deviation may be required on a permanent basis, the HCA should recommend an appropriate FAR or GSAM revision. Recommendations shall be submitted to the Office of

501.403 Individual deviations.

(a) Individual deviations to the FAR may be approved by the HCA. This authority may not be delegated.

(b) Individual deviations to the GSAM may be approved by the HCA. HCAs may delegate approval authority for individual deviations to the GSAM to a level no lower than the Contracting Director.

(c) If GSA delegates authority to another agency and requires compliance with the GSAM as a condition of the delegation, the Contracting Director in the agency receiving the delegation may approve individual deviations from the GSAM, unless the agency head receiving the delegation designates another official.

(d) Copies of approved individual deviations shall be sent to the Office of Acquisition Policy within five business days after approval.

501.404 Class deviations.

(a) *General.* Class deviations to the FAR and the GSAM may be approved by the SPE, unless FAR 1.405(e) is applicable. A deviation to a multiple-award contract as defined in FAR 2.101 is considered to be a class deviation.

(b) *Submission requirements.* Class deviation requests shall be submitted through the contracting activity's respective policy organization (*e.g.*, FAS' Office of Policy and Compliance and PBS' Office of Acquisition) to spe.request@gsa.gov for SPE review and approval.

(c) *Expiration.* Unless otherwise specified in the deviation itself or extended, class deviations expire 12 months from the date of approval.

(d) *Other agencies.* If GSA delegates authority to another agency and requires compliance with the GSAM as a condition of the delegation, the HCA in the agency receiving the delegation may approve class deviations from the GSAM, unless the agency head receiving the delegation designates another official.

501.470 Content requirements.

(a) Deviation requests shall include the information in [501.304\(b\)](#) as well as the following information—

- (1) Identification of the type deviation (*i.e.*, an individual or class deviation);
- (2) Identification of which paragraph(s) of FAR 1.401 best categorizes the request;
- (3) Citations to the specific part or parts of the FAR or GSAM from which a deviation is needed;
- (4) The proposed effective period of the deviation; and

(5) If the request is to support a new acquisition, provide a copy of the draft solicitation and acquisition plan.

Subpart 501.5 - Agency and Public Participation

501.501 Solicitation of agency and public views.

(a) A revision to the FAR or GSAM requires public participation through the rulemaking process if it is considered to be significant, as defined at FAR 1.501-1. For example, the revision—

(1) Contains a new certification requirement for contractors or offerors that is not imposed by statute (see FAR 1.107 and [501.107](#)); or

(2) Will be used on a repetitive basis and imposes a new requirement for the collection of information from 10 or more members of the public (see FAR 1.106).

(b) A revision to the FAR or GSAM does not require public participation through rulemaking if it is not considered to be significant as defined at FAR 1.501-1. For example, the revision—

(1) Is for a single-use intended to meet the needs of an individual acquisition (*e.g.*, a clause developed as a result of negotiations and documented in the business clearance or similar document), except for clauses that constitute a deviation as defined at FAR 1.401; or

(2) Is used on a repetitive basis, but does not impose a new requirement for the collection of information from 10 or more members of the public (*e.g.* a requirement for a statement of work)(see FAR 1.106).

Subpart 501.6 - Career Development, Contracting Authority, and Responsibilities

501.601 General.

(a) Definitions.

“Acquisition Career Manager (ACM)” means the GSA Agency official located in the Office of Acquisition Policy, responsible for issuing and establishing GSA acquisition workforce certification policy, implementation procedures, internal controls and conducting periodic reviews. The ACM represents GSA on the Interagency Acquisition Career Management Committee to ensure that workforce development policies and opportunities meet the needs of the acquisition workforce.

“Bureau Certification Manager (BCM)”, means the GSA agency official, appointed by the respective HCA, who serves as a liaison between the contracting activity and the ACM, and ensures consistency in the federal certification and GSA warrant programs. The BCM provides guidance to the acquisition workforce on application preparation for the federal certification programs and contracting officer warrants. The BCM reviews and makes a recommendation on any Federal Acquisition Certification package submitted electronically in the Federal Acquisition Institute Training Application System (FAITAS) or warrant packages prior to submission to the Contracting Officer Warrant Board. This includes those applicants seeking to be certified under fulfillment or equivalencies.

“Contracting Officer Warrant Board (COWB)” means a group of senior-level acquisition employees within a contracting activity who receive, evaluate, and process requests for selection and nomination of contracting officers at the basic, simplified acquisition, intermediate, and senior levels.

“Contracting Officer Warrant Program (COWP)” establishes the criteria for the appointment and termination of GSA contracting officers. This ensures that GSA follows a standardized process for qualifying and appointing individuals as contracting officers based on the organization's needs for contracting authority.

(b) Heads of Contracting Activities (HCAs) as defined in GSAM [502.101](#) are contracting officers by virtue of their position. Other contracting officers are appointed under FAR 1.603 and GSA’s contracting officer warrant program (See [501.603](#)). The Administrator of GSA delegated Head of Contracting Activity (HCA) authority to the Senior Procurement Executive (SPE). The SPE is authorized to re-delegate the HCA authority and contracting authority to the Commissioners and Deputy Commissioners of the Federal Acquisition Service (FAS) and the Public Buildings Service (PBS), and to the Chief Administrative Services Officer (CASO). These officials serve within the limits of their delegated authority.

(i) The SPE must be consulted prior to any re-delegation of HCA authority.

(ii) Any delegation of HCA authority must be in writing with a copy forwarded to the SPE.

(c) *FAITAS*. The Clinger-Cohen Act (Public Law 104-106 §4307) mandated federal agencies to have a database containing education, experience, training and other data about their acquisition workforce. FAITAS is the official system of record for the federal civilian agency acquisition workforce (www.fai.gov) and is maintained by the Federal Acquisition Institute (FAI).

(1) The following members of GSA’s acquisition workforce and their supervisors must be registered in FAITAS:

(i) All positions in the GS-1102 contracting series.

(ii) All contracting officers, regardless of series, with the authority to obligate funds.

(iii) Program and project managers.

(iv) Contracting Officer’s Representatives (CORs).

(v) Any acquisition-related position identified by the Chief Acquisition Officer (CAO), the Senior Procurement Executive (SPE), the HCA, or equivalent.

(2) Individuals are responsible for maintaining records supporting certification or satisfaction of warrant requirements for quality assurance purposes

(3) Supervisors must ensure acquisition workforce members are registered in FAITAS and verify the accuracy of data entered.

(d) *Federal Acquisition Certification (FAC) program*. The FAC program is a government-wide, competency-based certification program for the acquisition workforce. The FAC program applies to contract specialists, program and project managers, and contracting officers’ representatives. The Office of Federal Procurement Policy established the training, education and experience requirements for the FAC program across all civilian agencies to align with the Department of Defense Acquisition Workforce Improvement Act (DAWIA). The competencies, training, education and experience requirements may be found at www.fai.gov.

(e) *Maintaining FAC and contracting officer warrants*. All FAC-certified members of the GSA acquisition workforce and those appointed as contracting officers are required to earn Continuous Learning Points (CLPs) every two years from the date of issuance of the certification and/or warrant. The requirements for CLP achievement can be found under the Career Management tab of GSA’s Acquisition Portal at <https://insite.gsa.gov/acquisitionportal>. All CLPs must be in support of the competencies associated with the certification.

(1) Failure to complete the required CLPs and obtain an approved Continuous Learning Achievement Request prior to the ending date of the continuous learning period will result in the expiration of the FAC certification.

(i) Expired certifications may be reinstated when evidence of accumulation of sufficient CLPs demonstrated.

(ii) Expired certifications may result in the suspension or termination of COR delegations and Program/Project Manager assignments.

(2) Failure to complete the required CLPS and obtain an approved Continuous Learning Achievement Request prior to the ending date of the continuous learning period for a contracting officer warrant will result in the suspension or termination of the warrant.

(f) *Other Federal agencies' funds.* A GSA buying activity must not exceed a fund limitation on a customer agency's purchase request unless authorized by supply support agreements. If a purchase request indicates insufficient funds to cover all costs, the customer agency must provide additional funds. Regardless of which Central Office or Regional buying activity will make the acquisition, the office initially receiving the requirement requests the additional funds.

501.602 Contracting officers.

501.602-2 Responsibilities.

(a) *Fund sufficiency.* A requisition or purchase request signed by an authorized individual is evidence that sufficient money for the purchase is available in the fund cited.

(b) *GSA revolving funds.* A requisition for indefinite delivery, indefinite quantity contracts requiring a guaranteed minimum quantity must specify enough funds to pay for the guaranteed minimum.

(c) *GSA funds, other than revolving funds.*

(1) The requisitioning activity must certify that additional funds are available before contract or purchase order award if the purchase exceeds the dollar amount on the requisition by 10percent or \$50, whichever is greater.

(2) If a requisition is not used, e.g., lease of real property, the contracting officer must ensure funds are available before awarding the contract.

(d) *Other Federal agencies' funds.* A GSA buying activity must not exceed a fund limitation on a customer agency's purchase request unless authorized by supply support agreements. If a purchase request indicates insufficient funds to cover all costs, the customer agency must provide additional funds. Regardless of which Central Office or Regional buying activity will make the acquisition, the office initially receiving the requirement requests the additional funds.

501.602-3 Ratification of unauthorized commitments.

(a) *Authority to ratify.* Under [FAR 1.602-3](#), the contracting officer may ratify unauthorized contractual commitments if the HCA approves the ratification action. An HCA may not redelegate approval authority.

(b) *Criminal investigation.* Generally, the Government is not bound by commitments made by persons with no contracting authority. Unauthorized commitments may violate laws or regulations. They

constitute serious employee misconduct and may warrant disciplinary action. If unauthorized commitments involve any type of misconduct that might be punishable as a criminal offense, either the contracting officer or the employee's supervisor must report the matter immediately to the Office of the Inspector General with a request for a complete investigation.

(c) *Documentation required for ratification.* The individual who made the unauthorized commitment gives the contracting director all records and documents about the commitment and a complete written statement of facts, including all the following:

- (1) Why normal acquisition procedures were not followed.
- (2) Why the contractor was selected.
- (3) Other sources considered.
- (4) Description of work or products.
- (5) Estimated or agreed-upon contract price.
- (6) Appropriation citation.
- (7) Status of contract performance.

(d) *Documentation waivers.* Under exceptional circumstances, a contracting director may waive the requirement that the individual who made the unauthorized commitment must initiate and document the request for ratification. In such a case, the individual who does initiate the request for ratification must provide a written determination stating that an unauthorized commitment was made and identifying the individual who made it. For example, an exceptional circumstance may occur when the person who made the unauthorized commitment is no longer available to attest to the circumstances.

(e) *Processing a ratification.*

(1) The contracting officer must process the request for ratification. Prepare a summary statement of facts addressing the limitations in [FAR 1.602-3\(c\)](#) and recommend whether or not the procurement should be ratified. Include a recommendation for other disposition if you advise against ratification.

(2) Submit to the HCA all the following:

- (i) Request for ratification,.
- (ii) The contracting officer's statement of facts and recommendation(s).
- (iii) Concurrence of assigned legal counsel (except when the contracting officer recommends payment based on quantum meruit or quantum valebant).
- (iv) If applicable, recommendation for payment on a quantum meruit or quantum valebant basis (see [501.602-3\(f\)](#)).
- (v) Recommendation for corrective action to prevent recurrence.

(f) *Payment based on quantum meruit or quantum valebant.*

(1) If ratification is not permissible due to legal improprieties, the contracting officer may recommend that payment be made under either:

(i) Services rendered on a quantum meruit basis (the reasonable value of work or labor).

(ii) Goods furnished on a quantum valebant basis (the reasonable value of goods sold and delivered).

(2) To base payment on either of these conditions, there must be a showing that the Government has received a benefit (See [FAR 1.602-3\(d\)](#)).

(3) The contracting officer must obtain the approval of assigned counsel before making any payment on a quantum meruit or quantum valebant basis.

(g) *HCA action*. The HCA either:

(1) Approves the ratification request in writing and sends the approval to the contracting officer for issuance of the necessary contractual documents.

(2) Forwards a recommendation for payment on a quantum meruit or quantum valebant basis to assigned counsel for approval.

(3) Returns an unjustified request or recommendation with a written explanation why the request or recommendation is denied.

(h) *Files*. The HCA maintains a separate file containing a copy of each request to ratify an unauthorized contractual commitment and the response. The HCA must make this file available for review by the Senior Procurement Executive and the Inspector General.

501.603 Selection, appointment, and termination of appointment for contracting officers.

501.603-1 General.

(a) *Definitions*.

“Contracting experience” means personal and substantial involvement in purchasing, renting, leasing, or otherwise obtaining goods or services from federal and nonfederal sources and includes any of the following functions: preparing and issuing purchase orders, including issuing requests for quotations or solicitations, evaluating bids or proposals, selecting sources, price/cost analysis, participating in price negotiations, and contract award and administration.

(b) *Federal Acquisition Certification in Contracting (FAC-C)*. All employees in the GS-1102 series must be certified (FAC-C) at the appropriate level (Level I, II or III) in order to be considered for a contracting officer warrant. Effective October 1, 2014, contracting officers, regardless of their series, and other contracting professionals in the GS-1102 series must be certified at an appropriate level as of October 1, 2014. Any contracting professional issued a senior level warrant after October 1, 2014, must be Level III certified. GSA's Acquisition Portal at <https://insite.gsa.gov/acquisitionportal>.

(1) FAC-C Application Process:

(i) Applicants are responsible for preparing and submitting their FAC-C certification request in FAITAS for supervisor approval. The electronic application must include all supporting documentation such as transcripts, training certificates, resume, and any other supporting documents.

(ii) The supervisor is responsible for verifying the accuracy and completeness of the application in FAITAS. After supervisory review, the certification request is routed electronically to the

BCM in FAITAS. If the BCM recommends approval, the application is forwarded to the ACM, unless delegated, for final approval.

(iii) After the ACM or designee approves, the FAC-C certificate is generated through FAITAS.

(2) FAC-C Certifications from other agencies.

(i) *Department of Defense (DoD)*. GSA will recognize Defense Acquisition Workforce Improvement Act (DAWIA) certification issued by DOD activities as long as there is demonstrated proof that the CLP requirement was completed and maintained. Personnel with current DAWIA certifications must submit a request for FAC-C in FAITAS.

(ii) *Other civilian agencies*. GSA will recognize FAC-C certification issued by another civilian agency, as long as the FAC-C is current in the FAITAS certification history and there is demonstrated proof that the CLP requirement was maintained.

(3) *FAC-C Waivers*. The SPE may waive the requirement for obtaining FAC-C certifications prior to appointment as a contracting officer. Waivers will only be considered in compelling and well documented circumstances. This authority is non-delegable. FAC-C waivers are not transferable to other agencies.

(c) *Contracting Officer Warrant Program (COWP)*. GSA's COWP is administered by the Office of Acquisition Policy.

(1) *Factors in determination of need for warranted contracting officers*. The COWP ensures that a GSA organization has qualified individuals as contracting officers who meet the organization's needs for contracting authority. Factors considered in determining the number of contracting officers appropriate for a given organization include volume of actions, work complexity, and organizational structure.

(2) *Training, education and experience*. The COWP ensures warrant applicants meet all federal and agency requirements for training, education and experience.

(3) *Responsibilities*.

(i) GSA's SPE:

(A) Establishes the policies, procedures, and requirements that govern COWP.

(B) Approves/disapproves in writing, any deviations, waivers or exemptions from any of the COWP requirements.

(ii) HCAs:

(A) Establish and budget for training plans for contracting officers.

(B) Monitor contracting officers' performance.

(C) Establish controls to ensure compliance with laws, regulations, procedures, and good management practice with respect to warrant use by Contracting Officers.

(D) Determine the number of contracting officer warrants necessary for a particular work unit and the grade levels at which the warrant authority will be granted.

(E) Appoint a BCM to oversee the FAC and warrant programs.

(F) Appoint the contracting activity's Contracting Officer Warrant Board (COWB) to process

requests for contracting officer warrants.

(G) Establish written procedures for the COWB to ensure the requirements of Federal Acquisition Regulation (FAR) 1.603 and this section [501.603](#) are met when appointing contracting officers.

(H) Select and nominate through the COWB qualified candidates for appointment as contracting officers.

(I) Appoint contracting officers. The HCA may further limit warrant authorities at each warrant level.

(J) Regional HCAs retain acquisition career management responsibilities for both regional and national warrants, based on the contracting officer's FAITAS bureau.

(iii) ACM:

(A) Ensures consistent implementation of the COWP across GSA.

(B) Establishes minimum criteria for the contracting activity's COWB to use in the selection, appointment, and termination of appointment of GSA contracting officers.

(4) Applicability. COWP applies to all contracting officers except those appointed under the Inspector General Act (Pub. L. 95-452). Contracting authority is not required to:

(i) Sign training authorizations for public course offerings.

(ii) Sign travel documents.

(iii) Order printing and duplicating services from Government sources.

(iv) Order supplies from GSA stock through GSA Advantage! or other electronic means.

(v) Sign Government Bills of Lading.

(vi) Sign system-generated orders for motor vehicles or for requisitions under the Federal Acquisition Service Special Order Program.

(vii) Authorize interagency transfers of funds.

(viii) Use the Government telephone systems for commercial long distance and local service and/or approving payments for such services.

(ix) Use the Federal Acquisition Service (FAS) nationwide contract for express small package transportation services and/or approving payments for such services.

(x) Certify receipt and acceptance of goods or services. (This does not apply to certified invoices under [513.370](#).)

(5) *Warrant levels.*

(i) COWP warrant levels are based on the dollar value of individual transactions.

(ii) Individual transactions include the following:

(A) The dollar value of a contract award, including the dollar value of option periods.

(B) The dollar value of a modification award, and not the aggregate contract dollar value.

(C) The dollar value of a blanket purchase agreement award including the dollar value of option periods.

(D) The dollar value of a blanket purchase agreement modification award, and not the aggregate blanket purchase agreement dollar value.

(E) The dollar value of an order award against an indefinite delivery, indefinite quantity contract (e.g. Federal Supply Schedules, Governmentwide Acquisition Contracts, Multi-agency Contracts, agency- specific indefinite delivery, indefinite quantity contracts) including the dollar value of option periods, and not the aggregate contact dollar value.

(F) The dollar value of a modification award to an order against an indefinite delivery, indefinite quantity contract, and not the aggregate order dollar value.

(G) The dollar value of a purchase order.

(H) The dollar value of a modification to a purchase order and not the aggregate purchase order dollar value.

(iii) If an individual transaction includes both additions and deductions, the aggregate, absolute value of the changes determines the warrant level required for award (e.g., the value of an individual action that adds \$35,000 of work and deducts \$80,000 is \$115,000).

(iv) HCAs may further limit warrant authorities and dollar values..

Warrant Level	Threshold	Net Average Annual Rent for Leases
Basic	Up to \$25,000	Up to \$25,000
Simplified Acquisition	Up to the Simplified Acquisition Threshold	Up to the Simplified Lease Acquisition Threshold
Intermediate	Up to and including \$10,000,000	Up to and including \$10,000,000
Senior	Above \$10,000,000	Above \$10,000,000

Note: GSA use of the Government purchase card for micro-purchases shall follow the instructions under GSA Order 4200.1A CFO.

(d) *Change order authority.* Contracting officers may authorize COR change order authority in accordance with the limitations in GSAM [543.202](#), Authority to issue change orders.

(e) If the HCA determines that the considerations listed under GSAM [542.302](#)(c) warrant the establishment of a contract administration office, a contracting officer with an unlimited warrant may authorize contract administrative functions in accordance with GSAM [542.302](#)(d).

501.603-2 Selection.

(a) Contracting Officer Warrant Board (COWB).

(1) The COWB ensures that all of the applicable criteria have been met prior to granting any GSA contracting officer warrant.

(2) Composition of the COWB. The HCA appoints the Board members and the Chair.

(i) COWB Chair. The COWB Chair evaluates the contracting officer candidate's credentials prior to submission to the COWB.

(ii) Senior leadership representing each type of warrant issued by the contracting activity.

(iii) Other specialized representation, such as legal counsel assistance (as requested).

(iv) Any other designee with knowledge and experience in the warrant procedures.

(b) Nominations for appointment.

(1) Nominations for a regional appointment are submitted by the candidate's supervisor of record to the regional bureau warrant manager (BWM). The regional BWM will invite the contracting officer candidate to apply for a warrant via FAITAS. In response to the invitation, the contracting officer candidate must provide-

(i) Unofficial college transcripts.

(ii) Completed GSA Form 3409, Personal Qualifications Statement for Appointment as a Contracting Officer or resume detailing experience, education, and training relevant to the position.

(iii) GSA Form 3410, Request for Appointment. The GSA Form 3410 must discuss the contracting activity's specific need for the warrant. Justify the need in Block 1 of the form.

(iv) Verification of candidate's training.

(2) National Warrant Nomination Process-

(i) Nominations for a national acquisition appointment are submitted by the candidate's HCA to the National Office of Acquisition Management.

(ii) Nominations for a national leasing appointment are submitted by the candidate's respective regional HCA to the National Office of Leasing.

(iii) Nominations for a national site acquisition appointment are submitted by the Director, Office of Real Property Valuation to the National Office of Acquisition Management.

(iv) The applicable BCM will invite the contracting officer candidate to apply for a warrant via FAITAS. In response to the invitation, the contracting officer candidate must provide-

(A) Unofficial college transcripts.

(B) Current resume detailing experience, education, and training relevant to the position or previous/current regional warrant certificate.

(C) Completed and signed national warrant nominee form.

(D) Verification of candidate's training.

(c) *Evaluation of candidates for contracting officer warrants.*

(1) Experience requirements. The COWB must consider the candidate's relevant experience in determining the candidate's capability to assume contracting officer responsibilities at the desired level.

Warrant Level	Experience Required
Basic	At least 1 year of current (within last 3 years) contracting experience with progressively broader assignments
Simplified Acquisition	At least 2 years of current (within the last 5 years) contracting experience with progressively broader assignments
Intermediate	At least 3 years of current (within the last 7 years) contracting experience with progressively broader assignments*
Senior	At least 4 years of current (within the last 10 years) contracting experience with progressively broader assignments*

*The COWB will consider the quality of past contracts and leases and the results of any independent review conducted by the contracting activity to verify the nominee's contracting experience as defined in [501.603-1\(a\)](#) at the intermediate and senior level.

(2) Training requirements.

(i) Any contracting professional issued an unlimited warrant after October 1, 2014 must be Level III certified.

(ii) Contracting officer candidates must complete the minimum training requirements. GSA has adopted the FAC-C curriculum established by the Federal Acquisition Institute (FAI).

(iii) Refer to the Acquisition Workforce Community of Practice accessible through GSA's Acquisition Portal at <https://insite.gsa.gov/acquisitionportal>. for the minimum training requirements for warrants.

(iv) In addition to the warrant requirements, individuals may be required to complete additional training to strengthen the acquisition workforce.

(v) Contracting officers with multiple warrant authorities (*e.g.*, with authority to dispose of and to acquire goods and services) must complete the mandatory training required for all warrant authorities at the applicable warrant level(s).

(3) *Educational requirements.*

(i) *Applicants at pay grades 5 through 12.* Applicants for permanent warrants above the simplified acquisition level, who are at grades 5 through 12, must have completed a four year course of study leading to a bachelor's degree or 24 semester hours in one of the designated fields as shown in paragraph (c)(3)(iii) of this section.

(ii) *Applicants at grades 13 and above.* Applicants for permanent warrants above the

simplified acquisition level, who are at grade 13 or above, must have completed a four year course of study leading to a bachelor's degree that included or was supplemented by at least 24 semester hours in any combination of the designated fields as shown in paragraph (c)(3)(iii) of this section. The SPE may waive these requirements. The applicant must demonstrate significant analytical and decision-making capabilities, an acceptable job performance record, and qualifying experience.

(iii) The designated educational fields are:

- (A) Accounting.
- (B) Business.
- (C) Finance.
- (D) Law.
- (E) Contracts
- (F) Purchasing
- (G) Economics.
- (H) Industrial management.
- (I) Marketing.
- (J) Quantitative methods.
- (K) Organization and management.

(iv) Employees who were warranted prior to January 1, 2000, are considered to have met the educational standard for their existing warrant; however, warrant increases or new warrant applications are subject to applicable warrant requirements.

(v) To retain warrants, Contracting Officers must meet the 80 hour CLP requirement, every two years, as outlined in the FAC-C curriculum.

(4) Job classification requirements.

(i) PBS National Acquisition Warrants are limited to candidates within the GS-1102 job series.

(ii) PBS National Leasing Warrants are limited to candidates within the GS-1170 job series.

(iii) PBS National Site Acquisition Warrants are limited to candidates within the GS-1170 job series.

501.603-3 Appointment.

(a) *Certificate of Appointment.*

(1) The HCA appoints contracting officers at the Basic, Simplified Acquisition, Intermediate, or Senior level using Standard Form 1402, Certificate of Appointment.

(2) The HCA signs the original Certificate of Appointment before it is issued to the appointed contracting officer.

(3) Suggested language for the Certificate of Appointment may be found on the Acquisition Workforce Community of Practice accessible through GSA's Acquisition Portal at <https://insite.gsa.gov/acquisitionportal>.

(4) PBS National Acquisition Warrants will be issued by the PBS Deputy Commissioner, the PBS Assistant Commissioner of Acquisition Management or their delegate in a centralized manner.

(5) PBS National Leasing Warrants will be issued by the PBS Deputy Commissioner or PBS Assistant Commissioner of Leasing or their delegate in a centralized manner.

(6) PBS National Site Acquisition Warrants will be issued by the PBS Deputy Commissioner, the PBS Assistant Commissioner of Portfolio Management and Customer Engagement or their delegate in a centralized manner.

(b) *Types of appointments.* Candidates are nominated for either an interim or permanent appointment. Candidates for a national warrant are nominated only for a permanent appointment. National appointments replace the need for a regional appointment. A contracting officer may only hold one warrant.

(1) *Interim appointments.* Interim appointments are for a specified period of time. Personnel who hold interim simplified acquisition warrants must complete all training required for a permanent warrant within 1 year of the interim appointment. Personnel who hold interim warrants above the simplified acquisition level must complete all training and formal education required for a permanent warrant within 3 years of the interim appointment.

(2) *Permanent appointments.* A permanent appointment may be made when a candidate who meets all requirements for experience, education, and training at the time the appointment is made.

(3) *Regional appointments.* Regional appointments are for work specific to one region or portfolio. Regional appointments may be issued on either a permanent or interim basis.

(4) *National appointments.* National appointments are for work across GSA geographically.

(c) *Transferability of Warrants.*

(1) *Regional warrants.* Warrants may not transfer across contracting activities. Contracting officers that transfer to a new contracting activity must be invited to re-apply for a warrant in FAITAS.

(2) *National warrants.* PBS National Acquisition Warrants, National Leasing Warrants, and National Site Acquisition Warrants are issued for PBS-wide work, which allows the contracting officer to perform work for various entities within PBS. If a contracting officer with a PBS National Acquisition Warrant, National Leasing Warrant or National Site Acquisition Warrant transfers to another office within PBS, follow the requirements at [501.603-4\(e\)](#).

(d) *Authority to make purchases for domestic and national security emergencies.*

(1) A contracting officer, you may enter into contracts on behalf of a GSA organization different from the organization specified in their Certificate of Appointment in response to a contingency operation, defense or recovery from certain attacks, major disaster declarations as defined in FAR 18 and other domestic or national security emergencies.

(2) The Office of the Chief Acquisition Officer (OCAO) or HCA may grant higher contracting authority during emergencies for Basic, Simplified and Intermediate warrants.

(3) The OCAO or HCA may appoint contracting officers with authority limited to entering into contracts required to respond to domestic or national security emergencies. This will provide GSA a

cadre of emergency contracting officers who can instantly respond to emergencies if necessary. For warrants issued as a direct result of an emergency, the OCAO or HCA must have reasonable assurance that the employee is eligible to be warranted if the nature of the emergency precludes submission of otherwise necessary required documentation for the warrant (see [501.603-3\(b\)](#)).

(e) *Record Maintenance and Disposal.*

(1) HCAs are required to keep and maintain comprehensive files containing relevant information on all appointed contracting officers until such time as all warrant data is fully maintained in FAITAS as determined by the ACM.

(2) HCAs are required to submit reports to the ACM with consistent and up to date information on the contracting officer warrants issued and terminated until such time as all warrant data is fully maintained in FAITAS as determined by the ACM.

(3) Acquisition professionals are responsible for maintaining a copy of their acquisition training history and source documents used for certification requests.

(4) In accordance with GSA Order OAS P 1820.1, GSA Records Management Program, dispose of expired contracting officer files and warrants by placing the contracting officer records in an inactive file following reassignment, termination of employment or revocation of designation. The inactive file cutoff date is the end of the fiscal year. The files are to be destroyed two years after the cutoff.

501.603-4 Termination.

(a) The SPE has the authority to suspend or terminate any GSA contracting officer appointment in any organizational component of the agency. SPE suspensions or terminations of warrants may not be overridden by any other GSA appointing official.

(b) At any time, an HCA may terminate an appointment, change a permanent warrant to an interim warrant, reduce the warrant level, or refuse to accept a warrant from another contracting activity.

(c) The supervisor of record must notify the BCM within the organization when a contracting officer does any of the following:

- (1) Resigns.
- (2) Transfers to another agency.
- (3) Is reassigned to another office within GSA.
- (4) Is terminated, or otherwise disciplined, for malfeasance or incompetence.
- (5) Does not need the appointment.
- (6) Fails to comply with experience, education or training requirements.

(d) Managers within the supervisory chain-of-command may at any time, suspend a contracting officer's appointment for any of the following:

(1) There is reason to believe that the contracting officer failed to exercise sound business judgment.

(2) There is reason to believe that the contracting officer engaged in other improprieties in carrying out contracting officer responsibilities.

(3) Failure of the contracting officer to comply with continuous learning requirements.

(e) If a contracting officer with a PBS National Acquisition Warrant or PBS National Leasing Warrant-

(1) Transfers to another office within PBS, the gaining PBS office must validate the organizational need for the national warrant and issue a new national warrant via FAITAS. In the absence of validation, the warrant is terminated with no replacement.

(2) Transfers to an office outside of PBS, the warrant is terminated.

(f) If a contracting officer with a PBS National Site Acquisition Warrant transfers to another office outside of PBS Central Office, National Center for Site Acquisition, Real Property Valuation, the warrant is terminated.

501.604 Contracting Officer's Representative (COR).

The FAC-COR's role is to develop proper requirements and ensure during contract administration the contractors meet the commitments of their contracts, including the timeliness and delivery of quality goods and services as required by the contract. Information on the FAC-COR certification is available at <https://www.fai.gov/>.

(a) *Applicability.* Any GSA employee assigned to perform COR duties, regardless of series, must obtain FAC-COR certification, except as provided in paragraphs (b) and (c) of this section. CORs must be certified at the appropriate level no later than six months from the date of their appointment.

(b) *FAC-COR waivers.* The SPE may waive the requirement for obtaining the FAC-COR certifications prior to appointment as a COR. Waivers will only be considered in compelling and well documented circumstances. This authority is non-delegable. FAC-COR waivers are not transferable to other agencies.

(c) *Reciprocity of certifications.* As described in OMB memorandum, "Revisions to the Federal Acquisition Certification for Contracting Officers' Representatives," of September 6, 2011, (<http://www.fai.gov>), individuals certified as Federal Acquisition Certification in Contracting (FAC-C) Levels I or II or Federal Acquisition Certification for Program and Project Managers (FAC-P/PM) Mid-Level/Journeyman are considered to have met the FAC-COR requirements for Level II. Individuals certified as FAC-C Level III or FAC-P/PM Senior/Expert are considered to have met the FAC-COR requirements for Level III. These individuals must submit their FAC certificates and continuous learning documents to their BCMs for FAC-COR certification in accordance with the procedures shown in the Acquisition Workforce Community of Practice accessible through process that can be found on GSA's Acquisition Portal at <https://insite.gsa.gov/acquisitionportal>.

(d) HCAs or their designees, typically BCMs, must do all of the following:

(1) Manage and monitor their FAC-COR programs.

(2) Coordinate with the agency ACM to grant certifications.

(3) Evaluate candidate proficiencies and determine course equivalencies for certification, in accordance with FAI's required COR competencies.

(4) Resolve any certification-related disputes.

(e) *FAC-COR application process.* Applicants are responsible for preparing an application package for submission electronically through FAITAS (www.fai.gov) for supervisor approval. The application

package must include the application form and copies of relevant training certificates. The supervisor is responsible for verifying the accuracy and completeness of the application package in FAITAS. After supervisory review, the certification request is routed electronically to the BCM. If the BCM recommends approval, the application is routed to the ACM, unless delegated, for final approval. After the ACM or designee approves, the FAC-COR certificate is generated through FAITAS.

(f) *Contracting officer's responsibilities.*

(1) In appointing CORs under GSAM [542.2](#), the contracting officer must take into consideration the appropriate FAC-COR Level needed to protect the government's interest. The contracting officer must consider the risk associated with the acquisition, including contract type, in order to determine the appropriate level of FAC-COR coverage.

(2) Contracting officers must provide appointment letters in writing to the contractor, outlining the COR's responsibilities under the contract and the limits of the COR's authority to the contractor. The contracting officer must also provide a copy to the COR and the COR supervisor, and maintain a copy in the official contract file, or a central file referenced in the contract file.

(3) The contracting officer is authorized to revoke a COR appointment. Any revoked COR appointment must be documented in writing, notifying the COR, the COR's supervisor, the contractor and the BCM.

(g) *Other executive agency FAC-COR.* GSA will recognize COR certifications issued by other executive agencies as long as they appear in the FAITAS certification record and are compliant with current FAC-COR requirements, including continuous learning.

(h) *FAITAS.* CORs must be registered in FAITAS, the official system of records for all civilian agency FAC programs (www.fai.gov). CORs are responsible for submitting all training and continuous learning activities into FAITAS.

501.670 Category Managers.

(a) Category managers are responsible for identifying inefficient purchasing behavior and crafting smarter buying strategies within specific areas of spend as described in Government-wide Category Management, Guidance Document issued by the Office of Management Budget, available at https://hallways.cap.gsa.gov/information/Gov-wide_CM_Guidance_V1.pdf.

(b) *Transactional data.* Category managers should use transactional data collected via clauses [552.216-75](#) and [552.238-80](#) Alternate I in conjunction with commercial market benchmarks to identify potential areas for improvement in contracting methods, pricing, and terms or conditions.

Subpart 501.7 - Determinations and Findings

501.707 Signatory authority.

(a) The FAR frequently refers to determinations made by the agency head. Under section 309 of the Federal Property and Administrative Services Act, the Administrator authorized HCA's to act as agency head to facilitate procurement of property and services under Title III of the Act. (See GSA Delegation of Authority Manual, ADM P 5450.39C.)

(b) An HCA normally signs a class D&F.

(c) If a statute precludes an agency head redelegating authority, the Administrator must sign the D&F (See, for example, FAR 6.302-7).

Appendix 501A - [Reserved]