

CLASS DEVIATION FINDINGS AND DETERMINATION
Class Deviation – Extending the Biobased Product Reporting Requirement

Findings

1. The Presidential Memorandum, “Driving Innovation and Creating Jobs in Rural America through Biobased and Sustainable Product Procurement” issued February 21, 2012, directs agencies to take stronger steps to procure biobased products. Section 5 of this Presidential Memorandum requires USDA, in consultation with the Chief Acquisition Officers Council (CAOC), to develop a template to facilitate annual reporting.
2. On October 31, 2012, USDA’s online reporting solution was established and is operational. This portal will allow contractors whose contracts include FAR 52.223-2 to report directly to USDA’s Bio Preferred Program Web site at www.biopREFERRED.gov.
3. To provide contractors sufficient time to report on their biobased purchases, the Civilian Agency Acquisition Council (CAAC), issued Civilian Agency Acquisition Letter 2013-01, dated October 29, 2012, to encourage agencies to issue deviations to inform contractors of USDA’s Biobased Reporting Web site address and to extend the reporting deadline from October 31, 2012 to December 31, 2012.

Determination

It is hereby determined that this class deviation to extend the reporting deadline contained in paragraph (c)(2) of the clause at FAR 52.223-2, from October 31, 2012 to December 31, 2012, is appropriate to provide contractors sufficient time to report on their biobased purchases. This class deviation remains in effect until January 1, 2013, unless it is otherwise rescinded. The deviation shall be provided by a Policy Flash.



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