



DEPARTMENT OF THE ARMY
U.S. Army Corps of Engineers
WASHINGTON, D.C. 20314-1000

REPLY TO
ATTENTION OF:

CEPR-P (715)

11 JUN 1999

MEMORANDUM FOR COMMANDERS/DIRECTORS, ALL USACE COMMANDS

SUBJECT: Waiver to FAR Requirement for Pre-solicitation Notice on Construction Contracts

1. A waiver to Federal Acquisition Regulation (FAR) Part 36.213-2, Presolicitation Notices, is hereby granted for all construction contracts which are synopsisized electronically through the online Commerce Business Daily (CBD) and/or District web pages posted to the internet. The Engineer Federal Acquisition Regulation Supplement (EFARS) Subpart 36.302, Presolicitation Notices, is similarly waived in its entirety. This waiver should not be construed as a waiver or deviation from any other acquisition regulation requirement to include FAR Part 19.202-4(b) and (c).
2. This waiver is granted in support of paperless contracting efforts and the implementation of the Standard Procurement System (SPS). Using electronic CBD notices and posting to District web pages accomplishes all the goals set forth in FAR Part 36.213-2(b), except paragraph FAR Part 36.213-2(b)(6). Contractors will not be asked if they would like to receive future presolicitation notices as they will no longer exist.
3. If a contracting office uses the above electronic CBD notice or posted web page, inform all firms maintained on the solicitation mailing list of the change.
4. This waiver is a pilot covering the period of June through December 1999. Should this waiver demonstrate that there is no adverse effect upon effective competition and does not generate major adverse impacts on segments of our industrial base, a permanent waiver shall be considered for implementation in January 2000.
5. My point of contact for this action is LTC Martin R. Tillman at (202) 761-8641.

FOR THE COMMANDER:


BUNNATINE H. GREENHOUSE
Principal Assistant Responsible
for Contracting

CF: Directors/Chiefs of Contracting