



DEPARTMENT OF THE AIR FORCE
BUSINESS AND ENTERPRISE SYSTEMS DIRECTORATE
MAXWELL AIR FORCE BASE, GUNTER ANNEX ALABAMA



09 August 2017

MEMORANDUM FOR ALL NETCENTS-2 PRODUCTS VENDORS AND CUSTOMERS

SUBJECT: NETCENTS-2 Products Trade Agreements Act (TAA) Guidance

1. Dollar Threshold

The Trade Agreements Act of 1979 (TAA) apply to NETCENTS-2 Product orders, which are subject to dollar thresholds defined in FAR 25.402(b). It has been determined by AFLCMC/HI that these thresholds have been met at the IDIQ level. Therefore, TAA applies to all NETCENTS-2 Products delivery orders regardless of dollar value unless an exception applies.

2. TAA Exceptions

FAR 25.401(a) provides the following exceptions to TAA applicability:

- (a) Acquisitions set aside for small businesses;
- (b) Acquisitions of arms, ammunition, or war materials, or purchases indispensable for national security or for national defense purposes;
- (c) Acquisitions of end products for resale;
- (d) Acquisitions from Federal Prison Industries, Inc. and acquisitions from nonprofit agencies employing people who are blind or severely disabled; and
- (e) Other acquisitions not using full and open competition when the limitation of competition would preclude use of TAA procedures; or sole source (including brand name) acquisitions justified in accordance with FAR 13.501(a).

3. Product Service Groups (PSGs)

DFARS 225.401-70 provides a listing of Product Service Groups (PSG) covered by TAA unless an exception applies. If an end product is not in one of the listed groups, TAA does not apply.

4. NETCENTS-2 Products IDIQ Vendors

For all end products subject to TAA (i.e., an exception does not apply and the products are in one of the PSGs listed at DFARS 225.401-70), NETCENTS-2 Products IDIQ vendors shall deliver only U.S.-made, qualifying country, or designated country end products (DFARS 252.225-7021) unless:

- (a) In its offer, the vendor specified delivery of other non-designated country end products in the Trade Agreements Certificate (DFARS 252.225-7020); and
- (b) (i) Offers of U.S.-made, qualifying country, or designated country end products from responsive, responsible offerors are either not received or are insufficient to fill the Government's requirements; or
- (ii) A national interest waiver has been granted

NETCENTS-2 Products IDIQ vendors **shall certify** (DFARS 252.225-7020) that each end product delivered is a U.S.-made, qualifying country, or designated country end product. Any product delivered that is not a U.S.-made, qualifying country, or designated country end product must be identified to the ordering office along with the product's country of origin.

5. Contracting Officers

Contracting Officers utilizing the NETCENTS-2 Products IDIQ contract shall evaluate offers in accordance with DFARS 225.502(b) and DFARS 225.403(c)(i) as follows:

(a) Consider only offers of U.S.-made, qualifying country, or designated country end products from responsive, responsible offerors unless such offers are:

(i) Not received; or

(ii) Insufficient to fill the Government's requirements. In this case, accept all responsive, responsible offers of U.S.-made, qualifying country, and eligible products before accepting any other offers.

(b) Document your determination

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