



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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