

FAR Alert Notice (FAN)
Issuance of Proposed Rules and Federal Acquisition Circular 2005-86

This *FAR Alert Notice (FAN)* provides awareness to the acquisition workforce about upcoming regulatory changes.¹ This FAN highlights noteworthy proposed rules, and interim and final rules recently published in the released Federal Acquisition Circular (FAC) that impact the acquisition workforce.²

A brief description of each rule is provided below with hyperlinks to an expanded version of the rules. Agencies are encouraged to disseminate this FAN widely across their acquisition workforce.

Rules at a Glance

Proposed Rules

See notice below under Proposed Rules

FAC 2005-86 (published on December 31, 2015)

FAR Case 2015-019, Definition of Multiple-Award Contract
FAR Case 2015-032, Sole Source Contracts for Women-Owned Small Businesses
FAR Case 2015-034, New Designated Countries – Montenegro and New Zealand
FAR Case 2016-001, Trade Agreements Thresholds

Proposed Rules - Proposed rules are published more often than FACs. To provide timely updates to the acquisition community, the proposed rules will now be posted in real time on acquisition.gov - click on Proposed Rules in the moving banner at the top of the page.

To receive automatic email notices of the latest proposed rules as well as other FAR related news, go to <https://listserv.gsa.gov/cgi-bin/wa.exe?A0=ACQUISITIONNEWS>, and click on “Subscribe” and select either regular or digest – see below for definitions of regular and digest.³

Interim and Final Rules

FAC 2005-86 (Published on December 31, 2015)

[FAR Case 2015-019, Definition of Multiple-Award Contract](#)

This final rule amends the FAR to define multiple-award contract. This rule implements the definition established by the Small Business Administration (SBA) in its final rule that published in the Federal Register at 78 FR 61114 on October 2, 2013. SBA’s final rule implements the statutory definition of the term from section 1311 of the Small Business Jobs Act of 2010, Pub. L. 111-240. This rule will become effective on February 1, 2016.

[FAR Case 2015-032, Sole Source Contracts for Women-Owned Small Businesses](#)

This interim rule amends the FAR to implement regulatory changes made by the Small Business Administration (SBA) in its final rule as published in the Federal Register at 80 FR 55019, on September 14, 2015. SBA’s final rule implements the statutory requirements of paragraph (a)(3) of section 825 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015, Pub. L. 113-291, which grants contracting officers the authority to award sole source contracts to economically disadvantaged women-owned small business concerns and to women-owned small business (WOSB) concerns eligible under the WOSB Program. The interim rule became effective on December 31, 2015.

¹This FAR Alert was established by the Office of Federal Procurement Policy (OFPP) in 2012 to help improve agency awareness of regulatory changes. GSA prepares the FAN for dissemination to the acquisition workforce via the FAI website. Questions about the individual rules should be directed to the analyst in the “For Further Information Contact” paragraph of the rule.

² Proposed rules announce future changes being considered to the Code of Federal Regulations (CFR), include proposed regulatory text, and solicit public comments. Interim rules announce immediate changes to the CFR and are effective immediately upon publication, or on a specified date after publication, but may be amended based on public comment. Final rules make permanent changes to the FAR after considering public comment, if required. Final rules are effective on a specified date after publication.

³ Definitions/Instructions - "Regular" means you get one message at a time just like regular email. "Digest", of which there are several types means that instead of getting each message as it is sent, the person gets one message per day made up of all the messages sent to the list that day, the digest usually has an index of subject lines at the top linking to all the messages.

[FAR Case 2015-034, *New Designated Countries – Montenegro and New Zealand*](#)

This final rule amends the FAR to add Montenegro and New Zealand as new designated countries under the World Trade Organization Government Procurement Agreement. The rule also updates the list of parties to the Agreement on Trade in Civil Aircraft by adding Montenegro. This rule will become effective on February 1, 2016.

[FAR Case 2016-001, *Trade Agreements Thresholds*](#)

This final rule amends the FAR to adjust the threshold for application of the World Trade Organization Government Procurement Agreement and the Free Trade Agreements as determined by the United States Trade Representative, according to a pre-determined formula under the agreements. The final rule became effective on January 1, 2016.