PART 38 – FEDERAL SUPPLY SCHEDULE CONTRACTING

SUBPART 38.90 DLA–MANAGED FEDERAL SUPPLY SCHEDULES

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(Revised December 8, 2020 through PROCLTR 2021-02)

38.9000 Scope.

This subpart prescribes policy and procedures for awarding and administering DLA-managed Federal Supply Schedules, including those for placement on FedMall.

38.9001 General.

(a) Under the provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486(e)), the Administrator of General Services designates and authorizes the DoD to procure and supply personal property and non-personal services and perform related functions in support of the federal civil agencies within the terms of the Agreement between the Department of Defense and the General Services Administration Governing Supply Management Relationships Under the National Supply System (https://dlamil.dps.mil/sites/Acquisition/Shared%20Documents/Forms/AllItems.aspx?RootFolder=%2Fsites%2FAcquisition%2FShared%20Documents%2FJ%2D72%2FPROCLTR%2DFiles&FolderCTID=0x01200080FADA3E9BBF764593CF2E25DC6FA477), dated February 19, 1971, and the 1972 Supplement. Enter your email address to access documents.

(b) In accordance with the 1971 Agreement, both GSA and DoD agreed that “GSA and DSA (Defense Supply Agency, now DLA) will develop and maintain Federal Supply Schedule type contracts for Groups, Commodities, or items assigned under terms of this Agreement.”

(c) In establishing and maintaining a uniform federal supply catalog system, GSA and DoD shall coordinate to avoid unnecessary duplication (40 U.S.C. 506).

38.9002 DLA–Managed Federal Supply Schedules for FedMall.

(a) DCSO contracting officers shall—

(1) Use delegated authority from GSA to establish Federal Supply Schedules in compliance with FAR Part 38 and the Agreement between the DoD and GSA Governing Supply Management Relationships Under the National Supply System, dated February 19, 1971.

(2) Consider GSA Acquisition Manual (GSAM) guidelines and GSA contracting practices when establishing Federal Supply Schedules. Contracting officers may use specific GSA clauses, procedures, and practices if determined to be in the best interest of the Government.

(3) Determine the prices of fixed-price supplies to be fair and reasonable for the purpose of establishing the Federal Supply Schedule.

(4) Determine in writing contract termination is appropriate prior to removing a contract from FedMall.