



Homeland  
Security

**MEMORANDUM FOR:** Department of Homeland Security  
Heads of the Contracting Activities

**FROM:**   
Daniel L. Clever  
Deputy Chief Procurement Officer

NOV - 1 2012

**SUBJECT:** Federal Acquisition Regulation (FAR) Clause 52.223-2,  
Affirmative Procurement of Biobased Products Under  
Service and Construction Contracts; Class Deviation  
(Number 13-01)

**Purpose:** This class deviation is issued in accordance with Federal Acquisition Regulation (FAR) 1.404 to extend the reporting deadline contained in paragraph (c)(2) of the clause at FAR 52.223-2 from October 31, 2012 to December 31, 2012.

**Effective Date:** Immediately.

**Background:** The clause at FAR 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts, requires reporting of biobased products under service and construction contracts, for the previous Government fiscal year, by October 31<sup>st</sup> of each year during contract performance. The United States Department of Agriculture (USDA) is implementing a web-based portal designed to consolidate Government-wide reporting. This web-based portal is scheduled to be available for contractors by October 31, 2012.

To ensure contractor use of the web-based portal for this reporting period, civilian agencies were encouraged by the General Services Administration (GSA), Civilian Agency Acquisition Council (CAAC) Chairperson via CAAC Letter 2013-01 (dated October 29, 2012), to issue a class deviation to extend the reporting deadline contained in paragraph (c)(2) of the clause at FAR 52.223-2.

**Deviation:** This deviation extends the contractor's reporting deadline contained in paragraph (c)(2) of the clause at FAR 52.223-2 from October 31, 2012 to December 31, 2012. Contracting Officers shall notify contractors of the extended reporting deadline and of the USDA web-based portal at <http://www.biopreferred.gov> for satisfying the reporting requirements of the clause, including the reporting template under "Key Initiatives," or at <http://www.biopreferred.gov/FARReporting/FARReporting.xhtml>.

**Expiration Date:** This class deviation will remain in effect until December 31, 2012 unless otherwise rescinded or modified earlier.

**Additional Information:** Questions regarding this class deviation may be directed to Ava Morgan at 202-447-0743, or by email at [Ava.Morgan@hq.dhs.gov](mailto:Ava.Morgan@hq.dhs.gov).

**Attachment**

CAAC Letter 2013-01

**Distribution**

Kelly Curtin, HCA, United States Secret Service

Richard Gunderson, HCA, United States Customs and Border Protection

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William Randolph, HCA, United States Immigration and Customs Enforcement


Francis Spampinato, HCA, Federal Emergency Management Agency





October 29, 2012

MEMORANDUM FOR CIVILIAN AGENCIES OTHER THAN NASA

FROM: LAURA AULETTA   
CHAIR  
CIVILIAN AGENCY ACQUISITION COUNCIL (CAAC)

SUBJECT: Class Deviation from the Federal Acquisition Regulation (FAR) extending the Biobased Product Reporting Requirement

The clause at FAR 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts, requires reporting of biobased products under service and construction contracts, for the previous Government fiscal year, by October 31st of each year during contract performance. The United States Department of Agriculture (USDA) is implementing a web-based portal designed to consolidate government-wide reporting. The web-based portal is scheduled to be available for contractors by October 31, 2012.

To ensure contractor use of the web-based portal for this reporting period, agencies are encouraged to issue a class deviation, in accordance with FAR 1.404, to extend the reporting deadline contained in paragraph (c)(2) of the clause at FAR 52.223-2 from October 31, 2012 to December 31, 2012. Agencies should also notify contractors of the USDA web-based portal at <http://www.biopreferred.gov> for satisfying the reporting requirements of the clause, including the reporting template under "Key Initiatives," or at <http://www.biopreferred.gov/FARReporting/FARReporting.xhtml>.

This CAAC memorandum constitutes consultation with the Chair of the CAAC required by FAR 1.404(a)(1). Agencies are reminded that FAR 1.404 requires agencies to furnish a copy of each approved class deviation to the FAR Secretariat, General Services Administration, Regulatory Secretariat (MVCB), ATTN: Hada Flowers at [hada.flowers@gsa.gov](mailto:hada.flowers@gsa.gov).

If you have questions or require additional information regarding this memorandum, please contact Marissa Petrusek at (202) 501-0136 or by email at [marissa.petrusek@gsa.gov](mailto:marissa.petrusek@gsa.gov).