

Small Business Administration Acquisition Alert (SBA-AA)

Title	Class Deviation from Federal Acquisition Regulation (FAR) Part 9.4 – Flexibilities for Suspending or Debarring Official’s Correspondence with Contractors
Reference Number	2023-05
Version Number	1
Date Issued	03/07/2023
Function(s)	Acquisition
Point of Contact	Nauman Ansari
Source of this Requirement	Civilian Agency Acquisition Council Letter 2020-01
Regulatory Reference	FAR 9.4

Purpose

The purpose of this SBA Acquisition Alert (AA) is to authorize a Class Deviation providing flexibilities for the Suspending or Debarring Officials (SDOs) who need to correspondence with contractors.

Effective Date

This AA will be effective upon issuance and will remain in effect until cancelled, rescinded, incorporated into the SBA Acquisition SOP or Federal Acquisition Regulation (FAR).

Background

On April 1, 2020, the Civilian Agency Acquisition Council (CAAC) issued CAAC Letter 2020-01. The CAAC letter was issued to serve as consultation in accordance with FAR 1.404 allowing agencies to authorize a class deviation to provide flexibilities for SDOs who need to correspond with contractors being suspended, proposed for debarment, or debarred

This class deviation allows greater flexibility for the Small Business Administration (SBA) SDO by providing a means of electronic delivery of notices of suspension, proposed debarment, and debarment to contractors in addition to certified mail, return receipt requested as required under FAR 9.406-3 and FAR 9.407-3. The class deviation will also allow for greater flexibility in allowing contractors to make presentations via telephone or internet. The areas of the FAR that are being amended by this class deviation are: 9.406-3(b)(1), (c), and (e); 9.407-3(b)(1), (c), and (d)(4).

The current SDO for SBA is Mr. John Klein.

Action

The SBA SDO shall utilize the flexibilities outlined in the FAR deviation text issued under CAAC Letter 2020-01 and Contracting Officers shall review the attached CAAC letter to familiarize themselves of the SDO flexibilities.

Point of Contact

Questions regarding this AA should be directed to Nauman Ansari via email at nauman.ansari@sba.gov.

Attachments

Attachment 1 – CAAC Letter 2020-01

Approval Signature

Nauman A. Ansari
Senior Procurement Executive