



U.S. ABILITYONE COMMISSION

Procedure 51.610-02
Effective Date: 10/05/2015

TITLE: SUBMITTING ABILITYONE RECOMMENDED-FMP FOR PRODUCTS

1. PURPOSE.

This document prescribes the procedures for submitting the Recommended Fair Market Prices (FMP) for products on the AbilityOne® Program Procurement List (PL).

2. APPLICABILITY.

These procedures apply to the U.S. AbilityOne Commission (Commission), Central Nonprofit Agencies (CNAs), and Nonprofit Agencies (NPA) participating in the AbilityOne Program. In addition, all Federal entities subject to the Javits-Wagner-O'Day (JWOD) Act and Federal contractors awarding directed subcontracts to meet the mandatory source requirement in their prime contracts must also comply.

3. AUTHORITY.

- (a) Federal Acquisition Regulation (FAR) 52.208-9, Contractor Use of Mandatory Sources of Supply and Services
- (b) 41 CFR 51-5.5, Prices
- (c) U.S. AbilityOne Commission Policy 51.610, Pricing AbilityOne Products.
- (d) U.S. AbilityOne Commission Policy 51.630, Market Research.

4. DEFINITIONS AND ACRONYMS.

Definitions, abbreviations, and acronyms frequently used throughout this policy system are provided in 51.102, Definitions. Definitions specific to this document are provided in Policy 51.600, Fair Market Price.

5. RESPONSIBILITIES.

- (a) The Commission has sole authority and responsibility for determining the FMP for products on the PL. In addition to performing review and evaluation to set the FMP, the Commission's responsibilities include providing guidance to all parties involved in the development of the Recommended-FMP.
- (b) CNAs shall ensure that all parties are knowledgeable of AbilityOne Program requirements for developing and negotiating a price for AbilityOne products.
- (c) NPAs shall submit all requests to propose a Recommended-FMP through their respective CNAs in a timely manner that allows the CNAs to meet the Commission's prescribed deadlines.

U.S. ABILITYONE COMMISSION

51.610-02 – *Submission of AbilityOne Recommended-FMP: Products*
October 5, 2015

- i. The submission must support the Recommended-FMP.
- ii. The submission must document the NPA's certification of their participation in the development, negotiations, and concurrence in the Recommended-FMP.
- iii. Contracting Activities shall provide documentation to the CNA that certifies their price concurrence and fair and reasonable determination. The Commission may request information directly from the Contracting Activity before making an FMP determination if necessary.

6. POLICY.

This procedure implements the policies delineated in Commission Policy 51.610, Pricing AbilityOne Products.

7. EXCEPTION TO POLICY.

None

8. PROCEDURES.

(a) Submitting the Recommended-FMP.

- i. When negotiations and verbal concurrence of a Recommended-FMP are complete, the CNA shall obtain signed concurrence documentation from the Contracting Activity and the NPA.
- ii. If any Contracting Activity or NPA does not concur on a price for a particular AbilityOne product, the Commission may establish that price at its discretion.
- iii. CNAs shall submit the Recommended-FMP and supporting documentation that meets the requirements to the Commission as follows:
 - a. CBSD 1005, Product Pricing Information.
 - b. CBSD 1005-A, Recommendation for Initial Price/Price Change Determination.
 - c. CBSD 1005-B1, B2, and B3 if a market survey was accomplished; or
 - d. Documentation detailing analysis technique used.
 - e. All price proposal information submitted to the Contracting Activity.

(b) The following language shall be used for the signed concurrences Certification:

i. NPA

As the Nonprofit Agency representative, I certify that we have participated in development of this Recommended-FMP and agree to produce the product according to the pricing terms and conditions of this Agreement.

¹ CBSD is the acronym that was used for the Committee for Purchase From People Who are Blind or Severely Disabled prior to the AbilityOne designation, and remains part of the name of earlier documentation.

U.S. ABILITYONE COMMISSION

51.610-02 – Submission of AbilityOne Recommended-FMP: Products

ii. Central Nonprofit Agency

As the Central Nonprofit Agency representative, in accordance with the Code of Federal Regulations (CFR 51-3.2(e) and 51-3.2(i)), I certify that my organization has participated in the development and/or review of the Recommended-FMP, and that the Contracting Officer has indicated agreement with the Recommended-FMP. I recommend the Committee approve the FMP.

iii. Contracting Activity

As Contracting Officer, I certify that I have determined the price recommendation to be fair and reasonable in accordance with Commission Policy 51-610 and with the standards set forth in FAR 15.404-1, Proposal Analysis Techniques. The analysis method used for determining the recommended price(s) to be fair and reasonable was:

_____ Price Analysis _____ Cost Analysis _____ Cost-Realism Analysis
_____ Other (Explain). Nonprofit Agency

9. SUPERSESION.

None



APPROVED: _____

E. Ballard
Executive Director

Date: _____

10/5/15