

Determination and Findings: To increase micro-purchase threshold and simplified acquisition threshold in support of Hurricane Sandy as a contingency operation.

Based upon the following determination and findings, the FAR micro-purchase threshold and simplified acquisition threshold are increased in support of the Hurricane Sandy contingency operation as described below effective October 26, 2012 and continuing.

Findings

1. The Department of Energy (DOE) is required to provide contingency operation support in response to Hurricane Sandy.
2. Increases in the micro-purchase threshold and the simplified acquisition threshold will facilitate DOE Contracting Offices' support of the disaster response efforts in the effected states and counties declared by the President as major disaster and/or emergency assistance areas.
3. When the Secretary of Defense, or designee, designates an operation as a contingency operation (10 U.S.C. 101(a)(13)(B)), Federal Acquisition Regulation (FAR) 18.201, Contingency Operation, permits DOE to make a determination to increase the thresholds for micro-purchase actions, including purchase cards but excluding construction, from \$3,000 to \$15,000 and for simplified acquisition actions from \$150,000 to \$300,000.
4. The President signed –
 - a. Major Disaster Declarations for the following states and counties:

Connecticut Hurricane Sandy (DR-4087) for the following counties: Fairfield County, Mashantucket Pequot Indian Reservation, Middlesex County, New Haven County and New London County;

New Jersey Hurricane Sandy (DR-4086) for the following counties: Atlantic County, Cape May County, Essex County, Hudson County, Middlesex County, Monmouth County, Ocean County and Union County;

New York Hurricane Sandy (DR-4085) for the following counties: Bronx County, Kings County, Nassau County, New York County, Queens County, Richmond County and Suffolk County; and

Rhode Island Hurricane Sandy (DR-4089) for the following counties: Bristol County, Newport County and Washington County.

b. Emergency Declarations for the following states and counties:

Connecticut Hurricane Sandy (EM-3353) Fairfield County, Hartford County, Litchfield County, Middlesex County, New Haven County, New London County, Tolland County and Windham County

Delaware Hurricane Sandy (EM-3357) for the following counties: Kent County, New Castle County and Sussex County;

District of Columbia Hurricane Sandy (EM-3352);

Maryland Hurricane Sandy (EM-3349) for the following counties: Allegany County, Anne Arundel County, Baltimore County, Calvert County, Caroline County, Carroll County, Cecil County, Charles County, Dorchester County, Frederick County, Garrett County, Harford County, Howard County, Kent County, Montgomery County, Prince George's County, Queen Anne's County, Saint Mary's County, Somerset County, Talbot County, Washington County, Wicomico County and Worcester County;

Massachusetts Hurricane Sandy (EM-3350) for the following counties: Barnstable County, Berkshire County, Bristol County, Dukes County, Essex County, Franklin County, Hampden County, Hampshire County, Middlesex County, Nantucket County, Norfolk County, Plymouth County, Suffolk County and Worcester County;

New Hampshire Hurricane Sandy (EM-3360) for the following counties: Belknap County, Carroll County, Cheshire County, Coos County, Grafton County, Hillsborough County, Merrimack County, Rockingham County, Strafford County and Sullivan County;

New Jersey Hurricane Sandy (EM-3354) for the following counties: Atlantic County, Bergen County, Burlington County, Camden County, Cape May County, Cumberland County, Essex County, Gloucester County, Hudson County, Hunterdon County, Mercer County, Middlesex County, Monmouth County, Morris County, Ocean County, Passaic County, Salem County, Somerset County, Sussex County, Union County and Warren County;

New York Hurricane Sandy (EM-3351) for the following counties: Albany County, Allegany County, Bronx County, Broome County, Cattaraugus County, Cayuga County, Chautauqua County, Chemung County, Chenango County, Clinton County, Columbia County, Cortland County, Delaware County, Dutchess County, Erie County, Essex County, Franklin County, Fulton County, Genesee County, Greene County, Hamilton County, Herkimer County, Jefferson County, Kings County, Lewis County, Livingston County, Madison County, Monroe County, Montgomery County, Nassau County, New York County, Niagara County, Oneida County, Onondaga County, Ontario County, Orange County, Orleans County, Oswego County, Otsego County, Putnam County, Queens County, Rensselaer County, Richmond County, Rockland County, Saint Lawrence County, Saratoga County, Schenectady County, Schoharie County, Schuyler County, Seneca County, Steuben County, Suffolk County, Sullivan County, Tioga

County, Tompkins County, Ulster County, Warren County, Washington County, Wayne County, Westchester County, Wyoming County and Yates County;

Pennsylvania Hurricane Sandy (EM-3356) for the following counties: Adams County, Allegheny County, Armstrong County, Beaver County, Bedford County, Berks County, Blair County, Bradford County, Bucks County, Butler County, Cambria County, Cameron County, Carbon County, Centre County, Chester County, Clarion County, Clearfield County, Clinton County, Columbia County, Crawford County, Cumberland County, Dauphin County, Delaware County, Elk County, Erie County, Fayette County, Forest County, Franklin County, Fulton County, Greene County, Huntingdon County, Indiana County, Jefferson County, Juniata County, Lackawanna County, Lancaster County, Lawrence County, Lebanon County, Lehigh County, Luzerne County, Lycoming County, McKean County, Mercer County, Mifflin County, Monroe County, Montgomery County, Montour County, Northampton County, Northumberland County, Perry County, Philadelphia County, Pike County, Potter County, Schuylkill County, Snyder County, Somerset County, Statewide, Sullivan County, Susquehanna County, Tioga County, Union County, Venango County, Warren County, Washington County, Wayne County, Westmoreland County, Wyoming County and York County;

Rhode Island Hurricane Sandy (EM-3355) for the following counties: Bristol County, Kent County, Newport County, Providence County and Washington County

Virginia Hurricane Sandy (EM-3359) for the following counties: Accomack County, Albemarle County, Alexandria, Alleghany County, Amelia County, Amherst County, Appomattox County, Arlington County, Augusta County, Bath County, Bedford, Bland County, Botetourt County, Bristol, Brunswick County, Buchanan County, Buckingham County, Buena Vista, Campbell County, Caroline County, Carroll County, Charles City County, Charlotte County, Charlottesville, Chesapeake, Chesterfield County, Clarke County, Colonial Heights, Covington, Craig County, Culpeper County, Cumberland County, Danville, Dickenson County, Dinwiddie County, Emporia, Essex County, Fairfax County, Falls Church, Fauquier County, Floyd County, Fluvanna County, Franklin County, Frederick County, Fredericksburg, Galax, Giles County, Gloucester County, Goochland County, Grayson County, Greene County, Greenville County, Halifax County, Hanover County, Harrisonburg, Henrico County, Henry County, Highland County, Hopewell, Isle of Wight County, James City County, King George County, King William County, King and Queen County, Lancaster County, Lee County, Lexington, Loudoun County, Louisa County, Lunenburg County, Lynchburg, Madison County, Manassas Park, Martinsville, Mathews County, Mattaponi Indian Reservation, Mecklenburg County, Middlesex County, Montgomery County, Nelson County, New Kent County, Newport News, Norfolk, Northampton County, Northumberland County, Norton, Nottoway County, Orange County, Page County, Pamunkey Indian Reservation, Patrick County, Petersburg, Pittsylvania County, Poquoson, Portsmouth, Powhatan County, Prince Edward County, Prince George County, Prince William County, Pulaski County, Radford, Rappahannock County, Richmond, Roanoke County, Rockbridge County, Rockingham County, Russell County, Salem, Scott County, Shenandoah County, Smyth County, Southampton County, Spotsylvania County, Stafford County, Staunton,

Suffolk, Surry County, Sussex County, Tazewell County, Virginia Beach, Warren County, Washington County, Waynesboro, Westmoreland County, Williamsburg, Winchester, Wise County, Wythe County and York County; and

West Virginia Hurricane Sandy (EM-3358) for the following counties: Barbour County, Berkeley County, Boone County, Braxton County, Brooke County, Cabell County, Calhoun County, Clay County, Doddridge County, Fayette County, Gilmer County, Grant County, Greenbrier County, Hampshire County, Hancock County, Hardy County, Harrison County, Jackson County, Jefferson County, Kanawha County, Lewis County, Lincoln County, Logan County, Marion County, Marshall County, Mason County, McDowell County, Mercer County, Mineral County, Mingo County, Monongalia County, Monroe County, Morgan County, Nicholas County, Ohio County, Pendleton County, Pleasants County, Pocahontas County, Preston County, Putnam County, Raleigh County, Randolph County, Ritchie County, Roane County, Summers County, Taylor County, Tucker County, Tyler County, Upshur County, Wayne County, Webster County, Wetzel County, Wirt County, Wood County and Wyoming County

5. The Defense Procurement and Acquisition Policy, Office of the Secretary of Defense, has determined that the FAR definition of "contingency operation" has been met. This determination and associated FAR 18.201 authority applies only to efforts in response to Hurricane Sandy for the states and the counties identified in the Major Disaster Declarations and the Emergency Declarations for Hurricane Sandy listed in the paragraphs above.

Determination

Based upon the above findings and as authorized by DOE Delegation No. 00-022.00E, I have determined that supplies or services procured in support of the disaster relief efforts for and in the states and counties declared disaster areas will support the Hurricane Sandy contingency operation efforts. In accordance with Federal Acquisition Regulation 18.201(a), (b), (c), and (d), the FAR thresholds are increased to \$15,000 for micro-purchase actions, to include the purchase card program but excluding construction, and to \$300,000 for simplified acquisition actions. This determination shall remain in effect so long as the major disaster and emergency declarations identified herein are in effect.


Senior Procurement Executive Signature

11-9-12
Date