

ANNEX 9-A-1
CENTRAL LEVEL OF GOVERNMENT ENTITIES

This Chapter applies to procurement by the central level government entities listed in each Party's Schedule to this Annex where the value of procurement is estimated, in accordance with Article 9.1.5, to equal or exceed the following relevant threshold. Unless specified otherwise, this Chapter covers all agencies subordinate to the entities listed in a Party's Schedule to this Annex.

Thresholds

(To be adjusted according to the formula in Annex 9-E)

For procurement of goods and services:	\$175,000 DH 1,817,000
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For procurement of construction services:	\$ 6,725,000 DH 69,881,000
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SCHEDULE OF MOROCCO

1. Office of the Prime Minister (1)
2. National Defense Administration (2)
3. General Secretariat of the Government
4. Ministry of Justice
5. Ministry of Foreign Affairs and Cooperation
6. Ministry of the Interior (3)
7. Ministry of Communication
8. Ministry of Higher Education, Executive Training and Scientific Research
9. Ministry of National Education and Youth
10. Ministry of Health
11. Ministry of Finance and Privatization
12. Ministry of Tourism
13. Ministry of Maritime Fisheries
14. Ministry of Infrastructure and Transportation
15. Ministry of Agriculture and Rural Development (4)
16. Ministry of Sport
17. Ministry Reporting to the Prime Minister and Charged with Economic and General Affairs and with Raising the Status of the Economy
18. Ministry of Handicrafts and Social Economy
19. Ministry of Energy and Mining (5)
20. Ministry of Industry, Commerce, and Telecommunications
21. Ministry of Culture
22. Ministry Reporting to the Prime Minister and Charged with Housing and Urban Planning
23. Ministry of Employment, Social Affairs and the Common Interest
24. Ministry Charged with Modernization of the Public Sectors
25. Ministry of Foreign Trade
26. Ministry of Human Rights
27. Ministry of Land Use Planning, Water and the Environment
28. Office of the High Commissioner for Planning
29. Office of the High Commissioner for Water and Forestry and the Fight Against Desertification
30. Office of the High Commissioner for Former Resistance Fighters and Former Members of the Army of Liberation

Notes to Schedule of Morocco

1. Office of the Prime Minister: This Chapter does not cover procurement directly relating to drought and natural disaster relief programs.
2. National Defense Administration:
 - (a) This Chapter does not cover the procurement of the goods listed below:

FSC 11	Nuclear Ordnance
FSC 18	Space Vehicles
FSC 19	Ships, Small Craft, Pontoons, and Floating Docks (the part of this classification defined as naval vessels or major components of the hull or superstructure thereof)
FSC 20	Ship and Marine Equipment (the part of this classification defined as naval vessels or major components of the hull or superstructure thereof)
FSC 2310	Passenger Motor Vehicles (only Buses)
FSC 2350	Combat, Assault & Tactical Vehicles, Tracked
FSC 51	Hand Tools
FSC 52	Measuring Tools
FSC 60	Fiber Optics Materials, Component, Assemblies, and Accessories
FSC 8140	Ammunition & Nuclear Ordnance Boxes, Packages & Special Containers
FSC 83	Textiles, Leather, Furs, Apparel, Shoes, Tents, and Flags (all elements other than pins, needles, sewing kits, flagstuffs, flagpoles and flagstaff trucks)
FSC 84	Clothing, Individual Equipment, and Insignia (all elements other than sub-class 8460 - luggage)
FSC 89	Subsistence (all elements other than sub-class 8975 - tobacco products)
 - (b) Further to Article 21.1 (Essential Security), this Chapter does not cover procurement of the goods listed below:

FSC 10	Weapons
FSC 12	Fire Control Equipment
FSC 13	Ammunitions and Explosives
FSC 14	Guided Missiles
FSC 15	Aircraft and Airframe Structural Components
FSC 16	Aircraft Components and Accessories
FSC 17	Aircraft Launching, Landing, and Ground Handling Equipment
FSC 19	Ships, Small Craft, Pontoons, and Floating Docks
FSC 20	Ship and Marine Equipment
FSC 28	Engines, Turbines, and Components
FSC 31	Bearings
FSC 58	Communications, Detection, and Coherent Radiation
FSC 59	Electrical and Electronic Equipment Components
FSC 95	Metal Bars, Sheets, and Shapes

(c) Whether a good is included within the scope of subparagraphs (a) or (b) shall be determined solely according to the descriptions provided in the right column above. U.S. Federal Supply Codes are provided for reference purposes only. (For a complete listing of the United States Federal Supply Codes, to which the Moroccan categories are approximately equivalent, see <http://www.scrantonrtg.com/secrc/fsc-codes/fsc.html>).

3. Ministry of the Interior: This Chapter does not cover procurement by the National Security Directorate, the Directorate of National Surveillance, or the Auxiliary Forces Inspectorate.

4. Ministry of Agriculture and Rural Development: This Chapter does not cover procurement of agricultural goods under food aid or breeding support programs.

5. Ministry of Energy and Mining: This Chapter does not cover procurement relating to national security for the purpose of safeguarding materials and technologies, or procurement of petroleum, for the strategic petroleum reserve.

SCHEDULE OF THE UNITED STATES

1. Advisory Commission on Intergovernmental Relations
2. African Development Foundation
3. Alaska Natural Gas Transportation System
4. American Battle Monuments Commission
5. Appalachian Regional Commission
6. Commission on Civil Rights
7. Commission of Fine Arts
8. Commodity Futures Trading Commission
9. Consumer Product Safety Commission
10. Broadcasting Board of Governors
11. Corporation for National and Community Service
12. Delaware River Basin Commission
13. Department of Agriculture (1)
14. Department of Commerce (2)
15. Department of Defense (3)
16. Department of Education
17. Department of Energy (4)
18. Department of Health and Human Services
19. Department of Homeland Security (5)
20. Department of Housing and Urban Development
21. Department of the Interior, including the Bureau of Reclamation
22. Department of Justice
23. Department of Labor
24. Department of State
25. Department of Transportation (6)
26. Department of the Treasury
27. Department of Veterans Affairs
28. Environmental Protection Agency
29. Equal Employment Opportunity Commission
30. Executive Office of the President
31. Export-Import Bank of the United States
32. Farm Credit Administration
33. Federal Communications Commission
34. Federal Crop Insurance Corporation
35. Federal Deposit Insurance Corporation
36. Federal Election Commission
37. Federal Home Loan Mortgage Corporation

38. Federal Housing Finance Board
39. Federal Maritime Commission
40. Federal Mediation and Conciliation Service
41. Federal Mine Safety and Health Review Commission
42. Federal Prison Industries, Inc.
43. Federal Reserve System
44. Federal Retirement Thrift Investment Board
45. Federal Trade Commission
46. General Services Administration (7)
47. Government National Mortgage Association
48. Holocaust Memorial Council
49. Inter-American Foundation
50. Merit Systems Protection Board
51. National Aeronautics and Space Administration (NASA)
52. National Archives and Records Administration
53. National Capital Planning Commission
54. National Commission on Libraries and Information Science
55. National Council on Disability
56. National Credit Union Administration
57. National Foundation on the Arts and the Humanities
58. National Labor Relations Board
59. National Mediation Board
60. National Science Foundation
61. National Transportation Safety Board
62. Nuclear Regulatory Commission
63. Occupational Safety and Health Review Commission
64. Office of Government Ethics
65. Office of the Nuclear Waste Negotiator
66. Office of Personnel Management
67. Office of the Special Counsel
68. Office of Thrift Supervision
69. Overseas Private Investment Corporation
70. Pennsylvania Avenue Development Corporation
71. Peace Corps
72. Railroad Retirement Board
73. Securities and Exchange Commission
74. Selective Service System
75. Small Business Administration
76. Smithsonian Institution

- 77. Susquehanna River Basin Commission
- 78. United States Agency for International Development (8)
- 79. United States International Trade Commission

Notes to Schedule of the United States

- 1. Department of Agriculture: This Chapter does not cover the procurement of agricultural goods in furtherance of agricultural support programs or human feeding programs.
- 2. Department of Commerce: This Chapter does not cover shipbuilding activities of the U.S. National Oceanic and Atmospheric Administration (NOAA).
- 3. Department of Defense: This Chapter does not cover the procurement of the goods listed below. (For a complete listing of U.S. Federal Supply Codes, see www.scrantonrtg.com/secrc/fsc-codes/fsc.html):

- (a) FSC 11 Nuclear Ordnance
- FSC 18 Space Vehicles
- FSC 19 Ships, Small Craft, Pontoons, and Floating Docks (the part of this classification defined as naval vessels or major components of the hull or superstructure thereof)
- FSC 20 Ship and Marine Equipment (the part of this classification defined as naval vessels or major components of the hull or superstructure thereof)
- FSC 2310 Passenger Motor Vehicles (only Buses)
- FSC 2350 Combat, Assault & Tactical Vehicles, Tracked
- FSC 51 Hand Tools
- FSC 52 Measuring Tools
- FSC 60 Fiber Optics Materials, Component, Assemblies, and Accessories
- FSC 8140 Ammunition & Nuclear Ordnance Boxes, Packages & Special Containers
- FSC 83 Textiles, Leather, Furs, Apparel, Shoes, Tents, and Flags (all elements other than pins, needles, sewing kits, flagstuffs, flagpoles and flagstaff trucks)

- FSC 84 Clothing, Individual Equipment, and Insignia (all elements other than sub-class 8460 – luggage)
- FSC 89 Subsistence (all elements other than sub-class 8975 - tobacco Products)

- (b) “Specialty metals,” defined as steels melted in steel manufacturing facilities located in the United States or its possessions, where the maximum alloy content exceeds one or more of the following limits, must be used in goods purchased by the Department of Defense: (1) manganese, 1.65 percent; silicon, 0.60 percent; or copper, 0.60 percent; or which contains more than 0.25 percent of any of the following elements: aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, or vanadium; (2) metal alloys consisting of nickel, iron-nickel and cobalt base alloys containing a total of other alloying metals (except iron) in excess of 10 per cent; (3) titanium and titanium alloys; or (4) zirconium base alloys; and
- (c) Further to Article 21.1 (Essential Security), this Chapter does not cover the procurement of goods in the following categories:

- FSC 10 Weapons
- FSC 12 Fire Control Equipment
- FSC 13 Ammunitions and Explosives
- FSC 14 Guided Missiles
- FSC 15 Aircraft and Airframe Structural Components
- FSC 16 Aircraft Components and Accessories
- FSC 17 Aircraft Launching, Landing, and Ground Handling Equipment
- FSC 19 Ships, Small Craft, Pontoons, and Floating Docks
- FSC 20 Ship and Marine Equipment
- FSC 28 Engines, Turbines, and Components
- FSC 31 Bearings
- FSC 58 Communications, Detection, and Coherent Radiation
- FSC 59 Electrical and Electronic Equipment Components
- FSC 95 Metal Bars, Sheets, and Shapes

4. Department of Energy: This Chapter does not cover national security procurements in support of safeguarding nuclear materials or technology and entered into under the authority of the Atomic Energy Act, or oil purchases related to the Strategic Petroleum Reserve.

5. Department of Homeland Security:

- (a) This Chapter does not cover procurement by the Transportation Security Administration.
- (b) The national security considerations applicable to the Department of Defense are equally applicable to the U.S. Coast Guard.

6. Department of Transportation: This Chapter does not cover procurement by the Federal Aviation Administration.

7. General Services Administration: This Chapter does not cover the procurement of the goods in the following FSC categories:

FSC 51	Hand Tools
FSC 52	Measuring Tools
FSC 7340	Cutlery and Flatware

8. United States Agency for International Development: This Chapter does not cover procurement for the direct purpose of providing foreign assistance.

ANNEX 9-A-2
SUB-CENTRAL LEVEL GOVERNMENT ENTITIES

This Chapter applies to procurement by the sub-central level government entities listed in each Party's Schedule to this Annex where the value of the procurement is estimated, in accordance with Article 9.1.5, to equal or exceed the following relevant threshold.

Thresholds

(To be adjusted according to the formula in Annex 9-E)

For procurement of goods and services:	\$ 477,000
	DH 4,962,000

For procurement of construction services:	\$ 6,725,000
	DH 69,881,000

SCHEDULE OF MOROCCO

1. Casablanca (Casablanca Prefecture)
2. Fes (Fes Prefecture)
3. Marrakech (Marrakech Prefecture)
4. Rabat (Rabat Prefecture)
5. Sale (Sale Prefecture)
6. Tanger (Tanger-Asilah Prefecture)
7. Agadir (Agadir Ida Ou Tanane Prefecture)
8. Al Hoceima (Al Hoceima Province)
9. Imzouren (Al Hoceima Province)
10. Beni Mellal (Beni Mellal Province)
11. Fquih Ben Salah (Beni Mellal Province)
12. Kasba Tadla (Beni Mellal Province)
13. Souk Sebt Ouled Nemma (Beni Mellal Province)
14. Benslimane (Benslimane Province)
15. Berkane (Berkane Province)
16. Chefchaouen (Chefchaouen Province)
17. Azemmour (El Jadida Province)
18. El Jadida (El Jadida Province)
19. Sidi Bennour (El Jadida Province)
20. Ben Guerir (El Kelaa Des Sraghna Province)
21. Kelaat Sraghna (El Kelaa Des Sraghna Province)
22. Errachidia (Errachidia Province)
23. Essaouira (Essaquira Province)
24. Es -Smara (Es-Smara Province)
25. Mechouar -Fes-El Jadid (Fes Prefecture)
26. Guelmim (Guelmim Province)
27. Azrou (Ifrane Province)
28. Ait Melloul (Inezgane-Ait Melloul Province)
29. Dcheira El Jihadia (Inezgane-Ait Melloul Province)
30. Inezgane (Inezgane -Ait Melloul Province)
31. Jerada (Jerada Province)
32. Kenitra (Kenitra Province)
33. Sidi Slimane (Kenitra Province)
34. Sidi Yahia El Gharb (Kenitra Province)
35. Souk El Arbaa Du Gharb (Kenitra Province)
36. Khemisset (Khemisset Province)
37. Tiflet (Khemisset Province)

38. Khenifra (Khenifra Province)
39. Midelt (Khenifra Province)
40. M'irt (Khenifra Province)
41. Bejaad (Khouribga Province)
42. Khouribga (Khouribga Province)
43. Oued Zem (Khouribga Province)
44. Laayoune (Laayoune Province)
45. Ksar El Kebir (Larache Province)
46. Larache (Larache Province)
47. Meknes (Meknes Province)
48. Ouislane (Meknes Province)
49. Ain Harrouda (Mohammadia Prefecture)
50. Mohammadia (Mohammadia Prefecture)
51. Al Aaroui (Nador Province)
52. Nador (Nador Province)
53. Zaio (Nador Province)
54. Ouarzazate (Ouarzazate Province)
55. Tinghir (Ouarzazate Province)
56. Dakhla (Ouededdahab Province)
57. Oujda (Oujda-Angad Province)
58. Safi (Safi Province)
59. Youssoufia (Safi Province)
60. Sefrou (Sefrou Province)
61. Berrechid (Settat Province)
62. Settat (Settat Province)
63. Ouezzane (Sidi Kacem Province)
64. Sidi Kacem (Sidi Kacem Province)
65. Skhirate (Skhirate- Temara Prefecture)
66. Temara (Skhirate-Temara Prefecture)
67. Tantan (Tan –Tan Province)
68. El Aioun Sidi Mellouk (Taourirt Province)
69. Taourirt (Taourirt Province)
70. Oulad Teima (Taroudant Province)
71. Taroudant (Taroudant Province)
72. Guercif (Taza Province)
73. Taza (Taza Province)

74. Fnideq (Tetouan Province)
75. Tetouan (Tetouan Province)
76. Tiznit (Tiznit Province)
77. Zagora (Zagora Province)

SCHEDULE OF THE UNITED STATES

Arkansas

Executive branch agencies, including universities

This Chapter does not cover procurement by the Office of Fish and Game or procurement by executive branch agencies of construction services.

Colorado

Executive branch agencies

Connecticut

Department of Administrative Services

Department of Transportation

Department of Public Works

Constituent Units of Higher Education

Delaware*

Administrative Services (Central Procurement Agency)

State universities

State colleges

Florida*

Executive branch agencies

Hawaii

Department of Accounting and General Services

This Chapter does not cover procurement by the Department of Accounting and General Services of software or construction services.

Idaho

Central Procurement Agency (including all colleges and universities subject to central purchasing oversight)

Kansas

Executive branch agencies

This Chapter does not cover procurement by executive branch agencies of construction services, automobiles, or aircraft.

Kentucky

Division of Purchases, Finance and Administration Cabinet

This Chapter does not cover procurement by the Division of Purchases, Finance and Administration Cabinet for construction projects.

Louisiana

Executive branch agencies

Maryland*

Office of the Treasury

Department of the Environment

Department of General Services

Department of Housing and Community Development

Department of Human Resources

Department of Licensing and Regulation

Department of Natural Resources

Department of Personnel

Department of Public Safety and Correctional Services

Department of Transportation

Mississippi

Department of Finance and Administration

This Chapter does not cover procurement of services by the Department of Finance and Administration.

Nebraska

Central Procurement Agency

New Hampshire*

Central Procurement Agency

New York*

State agencies

State university system

This Chapter covers public authorities and public benefit corporations, with the exception of those entities with multi-state mandates.

This Chapter does not cover the procurement of transit cars, buses, and related equipment.

Oregon

Department of Administrative Services

Rhode Island

Executive branch agencies

This Chapter does not cover the procurement by executive branch agencies of boats, automobiles, buses, or related equipment.

South Dakota

Central Procuring Agency (including universities and penal institutions)

This Chapter does not cover procurement by the Central Procuring Agency of beef.

Texas

Texas Building and Procurement Commission

Utah

Executive branch agencies

Vermont

Executive branch agencies

Washington

Executive branch agencies, including:

- General Administration
- Department of Transportation

State Universities

This Chapter does not cover procurement by executive branch agencies of fuel, paper products, boats, ships, or vessels.

Wyoming*

Procurement Services Division
Department of Transportation
University of Wyoming

Notes to Schedule of the United States

In addition to the conditions specified in the General Notes in Annex 9-F, the following conditions apply:

1. For the states marked by an asterisk (*), the Chapter does not cover the procurement of construction-grade steel (including requirements on subcontracts), motor vehicles, or coal.
2. With respect to procurement by entities listed in this Schedule, this Chapter does not apply to preferences or restrictions associated with programs promoting the development of distressed areas, or businesses owned by minorities, disabled veterans, or women.
3. Nothing in this Annex shall be construed to prevent any state entity from applying restrictions that promote the general environmental quality in that state, as long as such restrictions are not disguised barriers to international trade.
4. This Chapter does not cover procurement by an entity listed in this Schedule on behalf of non-covered entities at a different level of government.

5. With respect to procurement by entities listed in this Schedule, this Chapter does not apply to restrictions attached to Federal funds for mass transit and highway projects.

6. This Chapter does not cover the procurement of printing services by the entities listed in this Schedule.

ANNEX 9-A-3
OTHER COVERED ENTITIES

This Chapter applies to procurement by the other covered entities listed in a Party's Schedule to this Annex where the value of the procurement is estimated, in accordance with Article 9.1.5, to equal or exceed the following relevant threshold.

Thresholds

(To be adjusted according to the formula in Annex 9-E)

For procurement of goods and services by entities in List A:	\$250,000
	DH 8,639,000

For procurement of goods and services by entities in List B:	\$ 538,000
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For procurement of construction services by entities in List A and List B:	\$6,725,000
	DH 69,881,000

SCHEDULE OF MOROCCO

List A:

1. Bouregreg-Chaouia Basin Agency
2. Loukous Basin Agency
3. Moulouya-Nekkour Agency
4. Oum Errabia Basin Agency
5. Sebou Basin Agency
6. Souss Massa Basin Agency
7. Tensift Basin Agency
8. Social Development Agency
9. Agency for the Promotion and Social and Economic Development of the Northern Prefectures and Provinces
10. Agency for the Promotion and Social and Economic Development of the Southern Prefectures and Provinces
11. Agadir Regional Academy for Education and Training
12. Beni Mellal Regional Academy for Education and Training
13. Casablanca Regional Academy for Education and Training
14. El Jadida Regional Academy for Education and Training
15. Settat Regional Academy for Education and Training
16. Dakhla Regional Academy for Education and Training
17. Fes Regional Academy for Education and Training
18. Guelmim Regional Education and Training Academy
19. El-Hoceima Regional Academy for Education and Training
20. Kenitra Regional Academy for Education and Training
21. Laayoune Regional Academy for Education and Training
22. Meknes Regional Academy for Education and Training
23. Marrakech Regional Academy for Education and Training
24. Oujda Regional Academy for Education and Training
25. Rabat Regional Academy for Education and Training
26. Tetouan Regional Academy for Education and Training
27. Agadir Urban Agency
28. Laayoune Urban Agency
29. Beni-Mellal Urban Agency
30. Casablanca Urban Agency
31. Fes Urban and Protection Agency
32. Kenitra Urban Agency
33. Marrakech Urban Agency

34. Meknes Urban Agency
35. Oujda Urban Agency
36. Rabat-Sale Urban Agency
37. Settat Urban Agency
38. Safi and El Jadida Urban Agency
39. Tangier Urban Agency
40. Taza Urban Agency
41. Tetouan Urban Agency
42. Work Centers
43. Hassania School of Public Works
44. Mohammadia School of Engineering
45. National School of Agriculture
46. National School of Business and Management of Agadir
47. National School of Business and Management of Settat
48. National School of Business and Management of Tangier
49. National School of Mining
50. Higher Institute of Industrial Arts and Design
51. National School of Applied Sciences of Tangier
52. National College of Electricity and Mechanical Engineering
53. National School of Computer Science and Systems Analysis
54. National Technological Institute of Agadir
55. National Technological Institute of Casablanca
56. National Technological Institute of Fes
57. National Technological Institute of Meknes
58. National Technological Institute of Oujda
59. National Technological Institute of Safi
60. National Technological Institute of Sale
61. Hassan Ii Institute of Agronomics and Veterinary Medicine
62. National Institute of Agronomical Research
63. National Fisheries Research Institute
64. Higher Institute of Administration
65. Higher Institute of Business Administration
66. Higher Institute of The Magistracy
67. Prince Sidi Mohammed Technical Institute of Agribusiness Management
68. University Institute of Scientific Research
69. Office of Vocational Training and Promotion of Labor
70. Moroccan National Office of Tourism
71. Doukkala Regional Office of Agricultural Development

72. Gharb Regional Office of Agricultural Development
73. Haouz Regional Office of Agricultural Development
74. Loukkos Regional Office of Agricultural Development
75. La Moulouya Regional Office of Agricultural Development
76. Ouarzazate Regional Office of Agricultural Development
77. Souss Massa Regional Office of Agricultural Development
78. Tadla Regional Office of Agricultural Development
79. Tafilalet Regional Office of Agricultural Development
80. Abdelmalek Essaadi University
81. Al Quaraouiyine University
82. Cadi Ayad Marrakech University
83. Chouaib Doukkali University
84. Hassan I Settat University
85. Hassan Ii/Ain Chock University
86. Hassan Ii/Mohammedia University
87. Ibn Tofail University
88. Ubnou Zohr Agadir University
89. Mohamed V/Agdal University
90. Mohamed The First Oujda University
91. Moulay Smail University
92. Mohamed V/Souissi University
93. Sidi Mohamed Ben Abdallah University
94. Ibn Sina University Hospital
95. Ibn Rochd University Hospital
96. Hassan Ii University Hospital
97. Mohamed Vi University Hospital
98. National Agency for Land Preservation, Land Registry and Cartography
99. Barid Al Maghrib
100. Regional Office for Planning and Construction of the Central Region
101. Regional Office for Planning and Construction of the Center-North Region
102. Regional Office for Planning and Construction of the Center-South Region
103. Regional Office for Planning and Construction of the Northwestern Region
104. Regional Office for Planning and Construction of the Eastern Region

105. Regional Office for Planning and Construction of the Southern Region
106. Regional Office for Planning and Construction of the Tensift Region
107. Pasteur Institute of Morocco
108. Office of Ports Utilization
109. National Railroad Office
110. National Office of Electricity
111. National Office of Potable Water
112. National Fisheries Service
113. National Transportation Office
114. Moroccan Cinematographic Center
115. Center for Development of Renewable Energy Sources
116. Chaouia Water and Electricity Distribution Authority
117. Fes Water and Electricity Distribution Authority
118. El Jadida Water and Electricity Distribution Authority
119. Larache Intercommunal Water and Electricity Distribution Authority
120. Meknes Water and Electricity Distribution Authority
121. Marrakech Water and Electricity Distribution Authority
122. Nador Water and Electricity Distribution Authority
123. Oujda Water and Electricity Distribution Authority
124. Safi Water and Electricity Distribution Authority
125. Tadla Water and Electricity Distribution Authority
126. Taza Water and Electricity Distribution Authority
127. Casablanca Refrigeration Authority
128. Kenitra Water and Electricity Distribution Authority
129. Agadir Multi-Services Authority
130. Agadir Urban Transportation Authority
131. Casablanca Transportation Authority
132. Fes Urban Transportation Authority
133. Meknes Urban Transportation Authority
134. Rabat-Sale Urban Transportation Authority
135. Safi Urban Transportation Authority
136. National Office of Airports (1)
137. Bank Al Maghrib

Notes to Schedule of Morocco

1. National Office of Airports: This Chapter does not cover procurement by bodies responsible for air traffic control and security.

SCHEDULE OF THE UNITED STATES

List A:

1. Tennessee Valley Authority
2. Bonneville Power Administration
3. Western Area Power Administration
4. Southeastern Power Administration
5. Southwestern Power Administration
6. St. Lawrence Seaway Development Corporation

List B:

1. Rural Utilities Service(1)

Note to Schedule of the United States

1. The Rural Utilities Service shall:
 - (a) waive federal buy national requirements imposed as conditions of funding by the Rural Utilities Service for all power generation projects; and.
 - (b) apply procurement procedures equivalent to the procedures in the WTO Agreement on Government Procurement and national treatment to funded projects exceeding the thresholds specified in this Schedule.

For greater certainty, this Chapter does not apply to any other aspect of procurement by the Rural Utilities Service, including any restrictions the Rural Utilities Service places on financing for telecommunications projects.

2. With respect to procurement by entities listed in this Schedule, this Chapter does not apply to restrictions attached to Federal funds for airport projects.

ANNEX 9-B GOODS

This Chapter applies to all goods procured by the entities listed in Annexes 9-A-1, 9-A-2, and 9-A-3, subject to the Notes to the respective Annexes, the General Notes, and the Note to this Annex, except for the goods excluded in a Party's Schedule.

Note of Morocco

1. This Chapter does not cover procurement directly relating to drought relief and natural disaster relief programs.

ANNEX 9-C
SERVICES

This Chapter applies to all services procured by the entities listed in Annexes 9-A-1, 9-A-2, and 9-A-3, subject to the Notes to the respective Annexes, the General Notes, and the Notes to this Annex, except for the services excluded in a Party's Schedule.

SCHEDULE OF MOROCCO

This Chapter does not cover the procurement of the following services, when those services are incidental to or form a part of a procurement contract for the construction services listed in Morocco's Schedule to Annex 9-D. The scope of the following services shall be determined in accordance with the U.N. Provisional Central Product Classification.

CPC 8676	Testing and analytical technique services, including quality control and inspection services
CPC 86751	Geological, geophysical, and other scientific prospecting services
CPC 887 and 940	Delegated utilities management: procurements for water and electricity supply and sanitation only

SCHEDULE OF THE UNITED STATES

This Chapter does not cover the procurement of the following services, as elaborated in the Common Classification System and the WTO system of classification – MTN.GNS/W/120. (*For complete listing of Common Classification System, see: <http://www.tcc.mac.doc.gov/cgi-bin/doi.cgi?204:66:601961876:49#An1001.1b-2-B>*.)

1. This Chapter does not cover the procurement of basic telecommunications networks and services listed in paragraph 2C(a) to (g) of WTO document MTN.GNS/W/120, such as public voice and data services. However, this Chapter covers information services, as defined in 47 U.S.C. 153 (20).

2. The Chapter does not cover the procurement of the following services. The scope of such services shall be determined in accordance with the Common Classification System.
 - A. Research and Development: All Classes

 - J. Maintenance, Repair, Modification, Rebuilding, and Installation of Goods/Equipment

J019 Maintenance, Repair, Modification, Rebuilding and
Installation of Equipment Related to Ships

J998 Non-nuclear Ship Repair

- M. Operation of Government-Owned Facilities: All facilities operated by the Department of Defense, Department of Energy, and the National Aeronautics and Space Administration; and, for all entities: M180 Research and Development facilities
- S. Utilities: All Classes
- V. Transportation, Travel, and Relocation Services: All Classes except V503 Travel Agent Services

Note to Schedule of the United States

1. This Chapter does not cover the procurement of services in support of military forces outside the United States.

ANNEX 9-D
CONSTRUCTION SERVICES

This Chapter applies to all construction services procured by the entities listed in Annexes 9-A-1, 9-A-2, and 9-A-3, subject to the Notes to the respective Annexes, the General Notes, and the Notes to this Annex, except for the construction services excluded in a Party's Schedule.

SCHEDULE OF MOROCCO

This Chapter does not cover the procurement of the following construction services:

- CPC 522 Civil Engineering Works (Only procurements for port and river dredging are subject to this exclusion).

- CPC 54129 General Construction Services of Other Non-Residential Buildings (Only procurements for construction of official and national landmark buildings or those intended for religious purposes are subject to this exclusion).

SCHEDULE OF THE UNITED STATES

This Chapter does not cover the procurement of dredging services.

NOTE TO SCHEDULE OF UNITED STATES

1. In accordance with this Chapter, buy national requirements shall not be applied to articles, supplies and materials of the other Party purchased for use in construction services contracts covered by this Chapter

ANNEX 9-E
THRESHOLD ADJUSTMENT FORMULA

1. The Parties shall adjust the thresholds provided in Annexes 9-A-1, 9-A-2, and 9-A-3 (except for procurements of goods and services by entities in List A) at two-year intervals, with the first adjustment taking effect on January 1, 2006.

- 2.. All thresholds listed in Annexes 9-A-1, 9-A-2, and 9-A-3 (except for procurements of goods and services by entities in List A) are conversions into U.S. dollars and Moroccan Dirhams of the thresholds listed in the U.S. Appendix 1 to the WTO Agreement on Government Procurement, which are set out in Special Drawing Rights (“SDRs”) and listed below. The United States and Morocco shall calculate adjustments of these thresholds based on the average of daily conversion rates of the U.S. dollar and the Moroccan Dirham, respectively, in terms of SDRs, published by the International Monetary Fund in its monthly *International Financial Statistics*, for the two-year period preceding October 1 or November 1 of the year before the adjusted thresholds are to take effect:
 - (a) 130,000 SDRs for goods and services for entities listed in Annex 9-A-1;
 - (b) 5,000,000 SDRs for construction services for entities listed in Annexes 9-A-1, 9-A-2, and 9-A-3;
 - (c) 355,000 SDRs for goods and services for entities listed in Annex 9-A-2; and
 - (d) in the case of the United States, 400,000 SDRs for goods and services for entities in List B of Annex 9-A-3.

3. Each Party shall notify the other of its adjusted threshold values in December of the year before the adjusted thresholds take effect.

4. The Parties shall consult if a major change in a Party’s currency vis-à-vis the other Party’s currency creates a significant problem with regard to the application of this Chapter.

ANNEX 9-F
GENERAL NOTES

SCHEDULE OF MOROCCO

1. Where a contract is to be awarded by an entity that is not listed in Annex 9-A-1, 9-A-2, or 9-A-3, this Chapter shall not be construed to cover any good or service component of that contract.

2. This Chapter does not apply to the procurement of transportation services that form a part of, or are incidental to, a procurement contract.

SCHEDULE OF THE UNITED STATES

1. This Chapter does not apply to set-asides on behalf of small or minority-owned businesses. Set-asides include any form of preference, such as the exclusive right to provide a good or service and price preferences.
2. Where a contract is to be awarded by an entity that is not listed in Annex 9-A-1, 9-A-2, or 9-A-3, this Chapter shall not be construed to cover any good or service component of that contract.
3. This Chapter does not apply to the procurement of transportation services that form a part of, or are incidental to, a procurement contract.

ANNEX 9-G
TRANSITION FOR IMPLEMENTATION OF ARTICLE 9.12.3

Notwithstanding any other provision of this Chapter, no later than one year after the date this Agreement enters into force Morocco shall empower the authority it establishes or designates under Article 9.12.2 to suspend a contract award and the performance of a contract pending the resolution of a challenge, in accordance with Article 9.12.3, Morocco shall otherwise comply fully with Article 9.12.3 beginning on the date this Agreement enters into force.