



U.S. Agency for International Development  
Contracting Office  
Iraq Mission  
CPA (USAID)  
APO AE 09335

## USAID/IRAQ A&A Notice 04-001

**DATE:** January 14, 2004

**TO:** Contractors and Recipients

**FROM:** Alvera Reichert, Supervisory Contracting Officer

**SUBJECT:** VEHICLES

**PURPOSE:** The purpose of this notice is to provide guidelines for purchasing and use of Vehicles and Armored Vehicles.

1) **Authorized Source, Origin and Nationality:**

Automated Directive System (ADS) 312.5.3b(2) (<http://www.usaid.gov/policy/ads/300/312.doc>) requires that motor vehicles must be manufactured in the United States to be eligible for USAID financing unless a waiver is authorized. Also, any vehicle to be financed by USAID under a longterm lease must be manufactured in the U.S. When a waiver is necessary preference must be given to procurement of vehicles which are assembled in the cooperating country or a Code 941 country using a substantial number of parts and subassemblies manufactured in the United States.

On January 16, 2003 the USAID Administrator approved a waiver authorizing the use of Geographic Code 935 (all countries, excluding only the foreign policy restricted countries) for the procurement of goods and services in support to Iraq **with preference for procurement of U.S. source, origin and nationality, to the extent practicable.**

Motor vehicles are included in the waiver. **However motor vehicles from non-U.S. sources will be held to a minimum and carried out only when necessitated by required specifications, spare parts, and maintenance capabilities.**

When proposing the purchase of non-U.S. vehicles, contractors and recipients must seek the approval of the Contracting Officer. The approval should be routed through the CTO to the Contracting Officer. The request for approval must include a justification based on required specifications, spare parts and maintenance capabilities.

2) **Title to and Care of Motor Vehicles:**

Title is reserved to the U.S. Government unless specified otherwise in the contract or agreement. All vehicles shall be under the custody and control of the Contractor or Recipient until the owner of title directs otherwise, or completion of work under the contract or agreement. (further guidance regarding title, care and custody is contained in the implementing instruments' clauses or provisions.)

3) **Used Vehicles:**

It is USAID policy to finance only unused vehicles. However, when the purchase of vehicles in other than unused condition can be justified, USAID/Iraq may consider requests for authority to procure such vehicles.

A request to approve a purchase of used, rebuilt, or reconditioned vehicles should be routed through the CTO to the Contracting Officer and shall include the following:

- i) The buyer's assurance that the requirements of the program will be satisfied if the vehicle purchased is used, rebuilt, or reconditioned; that economic considerations justify procurement of used, rebuilt or reconditioned vehicle; that the price is reasonable; and if the vehicle is used, the justification shall explain why it is not to be rebuilt or reconditioned.
- ii) The buyer's agreement to arrange for inspection and appraisal of vehicle by an inspector approved by USAID. If the vehicle is purchased in Iraq a self certification from the buyer of an inspection and appraisal of the vehicle. [On 01/14/2004, the Mission Director of USAID/Iraq approved waiving the requirement for inspection and appraisal of vehicles procured in **Iraq** by an inspector approved by USAID as mandated in ADS E312.5.3f. and substitute this requirement with self certification of an inspection and appraisal by the buyer. The waiver will expire 12 months from date of its approval or as soon as the buyer, in consultation with USAID, determines the availability of independent, qualified, and certified inspectors in Iraq for the inspection and appraisal of used vehicles, whichever is sooner.]
- iii) Vehicles that are rebuilt or reconditioned shall be permanently marked indicating this is so, and the supplier must convey a warranty to the buyer similar to that extended by manufacturers of similar new equipment. An additional certificate shall be required for rebuilt engines and parts or assemblies for engines and vehicles.

4) **Armored Vehicles:**

- a) ADS-563 (<http://www.usaid.gov/policy/ads/500/563.doc>) details USAID policies governing armored vehicles. Armored vehicles must be procured and assigned based on threat and in accordance with 12 FAM 380 (<http://foia.state.gov/REGS/Search.asp>) and the policies and procedures in ADS 563. It has been determined that the threat level for Iraq is 1; Terrorism, War, and Civil Disturbance. The current prevailing circumstances in Iraq, where implementing partners

working in Iraq are exposed to dangers and possible hostile actions, necessitate the maximum available security. **Accordingly, USAID implementing partners operating in Iraq are authorized to purchase armored vehicles.** Armored vehicles procured by Implementing Partners in Iraq **remain the property of the U.S. Government** and must be returned to the Mission at the end of the contract/agreement or when there is no longer a threat justifying their use. All requests for the purchase of armored vehicles must be routed through the CTO to the CO. The requests must show compliance with this directive.

- b) Implementing Partners are authorized to procure Diplomatic Security (DS) approved level D armored vehicles only. The following are the DS approved vendors:

Scaletta Moloney Armoring Corporation 6755 South Belt  
Circle Drive Bedford Park, IL 60638 Tel: 708-924-0099  
Fax: 708-924-1199 POC: Joseph Scaletta  
Contract No. FAV-S-LMAQM-03-C-0042

O'Gara Hess Eisenhardt Armoring Co. 9113 Le Saint  
Drive Fairfield, Ohio 45011 Tel: 513-881-5454  
Fax: 513-874-2558 POC: Darren Flynn  
Contract No. FAV-S-LMAQM-03-C-0041

Square One Armoring Services  
1435 NW 82<sup>nd</sup> Avenue  
Miami, FL 33126 Tel: 305-477-1109 Fax:  
305-477-1139 POC: Martin Cardenal  
Contract No. FAV-S-L-MAQM-03-C-0040

DiamlerChrysler  
D-70546  
Stuttgart, Germany  
Tel: 49-711-17 83327 Fax: 49-711-17  
49840 POC: Peter Scheil  
(G-wagon; off road; with a waiver)

- c) Armored vehicles are to be used for official purposes only. Drivers have to be trained on the unique handling and special characteristics of armored vehicles. Armored vehicles must not be left unattended when

they are outside a controlled motorpool. Maintenance must be performed in accordance with ADS 536.3.12.3 (<http://www.usaid.gov/policy/ads/500/536.doc>).

- d) Used Armored Vehicles are also subject to ADS 312.5.3f which restricts the purchase of used vehicles without prior authorization. **Currently no used armored *vehicles* are authorized.**