



Suitability

Committee for Purchase From
People Who Are Blind or
Severely Disabled
An Independent Federal Agency



Suitability

The Committee for Purchase From People Who Are Blind or Severely Disabled is the independent federal agency that administers the Javits-Wagner-O'Day Act. Under this public law, employment is created and sustained for people who are blind or have other severe disabilities in the manufacture and delivery of products and services to the federal government.

Suitability Criteria

41 CFR 51-2.4 Determination of suitability

Suitability is determined by considering four criteria:

- *Employment potential* for people with severe disabilities
- *Nonprofit agency qualification*
- *Capability of Nonprofit Agency (NPA) to meet quality and delivery standards*
- *Impact on current or most recent contractor*

Employment Potential

The proposed addition must demonstrate a potential to generate employment and that an appropriate level of direct labor hours is to be performed by people who are blind or have other severe disabilities.

Nonprofit Agency Qualifications

The nonprofit agency (or agencies) proposing to furnish the item must qualify as a nonprofit agency serving persons who are blind or have other severe disabilities, as set forth in the program's regulations (41 CFR Part 51-4)



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41 U.S.C. 46-48C

This pamphlet is not a substitute for the JWOD Act or the Committee's regulations. It is intended to summarize and plainly state important points related to Suitability.

Capability

The nonprofit agency (or agencies) desiring to furnish a commodity or service under the AbilityOne Program must satisfy the Committee that it will have the capability to meet Government quality standards and delivery schedules by the time it assumes responsibility for supplying the Government.

Level of Impact on Current Contractor

The Committee will not find a project as suitable whose addition would have a severe, adverse impact on the current contractor. In deciding whether or not a proposed addition to the Procurement List is likely to have a severe adverse impact on the current contractor for the specific commodity or service, the Committee gives particular attention to:

- The possible impact on the contractor's total sales, including the sales of affiliated companies and parent corporations. In addition, the Committee considers the effects of previous Committee actions.
- Whether that contractor has been a continuous supplier to the Government of the specific commodity or service proposed for addition and is, therefore, more dependent on the income from such sales to the Government.
- If there is not a current contract for the commodity or service being proposed for addition to the Procurement List, the Committee may consider the most recent contractor to furnish the item to the Government as the current contractor for the purpose of determining the level of impact.



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Additional Considerations

41 CFR 51-2.4 Determination of suitability

In determining the suitability of a commodity or service for addition to the Procurement List, the Committee also considers other information it deems pertinent, including comments on a proposal published in the Federal Register to add the commodity or service to the Procurement List and information submitted by Government personnel and interested persons. Because the Committee's authority to establish fair market prices is separate from its authority to determine the suitability of a commodity or service for addition to the Procurement List, the Committee does not consider comments on proposed fair market prices for commodities and services proposed for addition to the Procurement List to be pertinent to a suitability determination.

Find more information at:

- Committee for Purchase From People Who Are Blind or Severely Disabled
www.AbilityOne.gov
- Regulations located on AbilityOne Web page under Library
- 41 CFR § 51-2.4 Determination of suitability.
www.abilityone.gov/jwod/library/JWOD_Regulations_51_2.htm#suitability
- AbilityOne Information
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