



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 2022

**Acquisition
Bulletin (AB)**

No. 02-06
June 14, 2002

MEMORANDUM FOR BUREAU CHIEF PROCUREMENT OFFICERS

FROM: Corey M. Rindner, Director *Corey M. Rindner*
Office of the Procurement Executive

SUBJECT: Class Deviation from FAR 36.201, 36.604, 53.236-1(b), and
53.236-2(d) When Using the NIH Contractor Performance System
(CPS)

Purpose: This AB implements a class deviation from the requirements of Federal Acquisition Regulation (FAR) 36.201, Evaluation of contractor performance, 36.604, Performance evaluation, 53.236-1(b), SF 1420 (10/83), and 53.236-2(d), SF 1421 (10/83), when you use the National Institute of Health's (NIH) Contractor Performance System (CPS) for evaluation purposes.

Effective Date: February 19, 2002

Background: Attached is a class deviation regarding the use of SF 1420 and SF 1421 for construction and architect-engineer (A&E) contracts. If you are using the CPS evaluation forms for both construction and A&E contracts, it is no longer necessary to complete the SF 1420 and SF 1421.

Expiration Date: This class deviation will remain in effect until issuance of an appropriate FAR change.

Cancellation: This AB cancels PIM 02-04.

Attachment

***Class Deviation from Federal Acquisition Regulation (FAR)
36.201, Evaluation of contractor performance, 36.604,
Performance evaluation, 53.236-1(b), SF 1420 (10/83), and
53.236-2(d), SF 1421 (10/83), When Using the National
Institute of Health's (NIH) Contractor Performance System (CPS)***

Determination and Findings

Under the authority granted by Civilian Agency Acquisition Council (CAAC) Letter 2001-03, the Department of the Treasury is authorized a class deviation from the requirements of Federal Acquisition Regulation (FAR) 36.201, Evaluation of contractor performance, 36.604, Performance evaluation, 53.236-1(b), SF 1420 (10/83), and 53.236-2(d), SF 1421 (10/83), when using the National Institute of Health (NIH) Contractor Performance System (CPS).

Findings

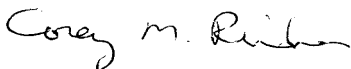
FAR 36.201 requires the use of SF 1420, Performance Evaluation (Construction) when evaluating a contractor's performance under a construction contract. FAR 36.604 requires the use of SF 1421, Performance Evaluation (Architect-Engineer), when evaluating a contractor's performance under an architect-engineer contract.

NIH's CPS system provides a Contractor Performance Insert Form (evaluation form) for both construction and architect-engineer contracts. Therefore, for those bureaus using this system, it is not necessary to complete the SF 1420 and SF 1421. These CPS Contractor Performance Insert Forms include all of the data elements required by the SF 1420 and SF 1421 and offer several additional advantages.

Determination

In accordance with FAR 1.404, I have issued this class deviation. I have consulted and obtained approval for this deviation from the Chairman of the Civilian Agency Acquisition Council CAAC. Authority has been granted under CAAC Letter 2001-03.

This class deviation will remain in effect until issuance of an appropriate FAR change.



Corey M. Rindner
Director
Office of Procurement

2/19/02

Date