# EIT Undue Burden Exception
## Determination and Certification

*To be completed by the Requiring Official (Purchase Requestor) and approved by the HOA.*

When acquiring commercial items, this Determination is not required to address Section 508 technical standards of Electronic and Information Technology (EIT) products that are not yet available in the commercial marketplace in time to meet the agency delivery requirements. (Refer to Attachment A if this applies to your requirement.)

For each provision of 36 CFR Part 1194 (refer to the "Section 508 Definitions & Technical Standards" available at http://www.section508.gov/) that an agency finds to be an undue burden, the Requiring Official must explain below why, and to what extent, compliance with each such provision creates an undue burden. A thorough, rational explanation is required. (The format may be expanded for additional space. Relevant attachments are encouraged. Explanations must be adequate to survive protests and litigation challenges.)

The data and findings providing the basis for my decision are the following:

1. Products or services required to meet the agency's needs:

2. Dollar value of the acquisition, including any options:

3. Applicable Section 508 standards (see 36 CFR part 1194) that are unmet:

4. Market research performed to locate commercial items that meet the applicable standards:

5. The undue burden (i.e. the significant difficulty or expense the Government would incur in order to comply with a particular standard). If the monetary expense is deemed prohibitive, explain the costs and how they were estimated.

    a. Significant difficulty of compliance:

    b. Significant expense of compliance:


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c. Agency resources available to the agency's program or component for which the goods or service is being acquired:

6. Alternative means of access that will be provided that will allow the individuals with disabilities to use the information or data. (29 U.S.C. 794d(a)(1)(B)). Include effort, labor, costs and time required in the whole process to implement the alternative means. (This information must be sufficiently detailed since it may be used in the procurement process technical evaluation.)

**I have determined and hereby certify that procurement of the applicable EIT product(s) required by my organization that are subject to Section 508 of the Rehabilitation Act of 1973, as Amended, in accordance with 36 CFR Part 1194 and the Federal Acquisition Regulation Subpart 39.2 (effective June 21, 2001), presents an "undue burden" that would result in significant difficulty or expense as detailed above.**

| Signature | Printed Name | Date | Phone Number |
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**Immediate Supervisor or Manager of the Certifier's Office:**

I hereby concur with and support this Determination & Certification.

| Signature | Printed Name | Date | Phone Number |
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**Attach this document to the "Section 508 Determination and Certification for EIT Purchase Requests" form, and submit to the DOT Undue Burden Advisory Board or to the Secretary for approval pursuant to the procedures in the Departmental Information Resource Management Manual (DIRMM), Chapter 2.**



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