

GUIDELINES FOR SYNOPSIS WAIVERS  
FOR OVERSEAS PROCUREMENTS

A. POLICY

Overseas procurement, in and of itself, is not sufficient reason to waive synopsis requirements. A primary principle of these guidelines is that synopsis in the Commerce Business Daily (CBD) is a requirement of law and may only be waived in certain limited circumstances. The legal basis for waiving the synopsis requirement is that it is not appropriate or reasonable to publish a notice before issuing a solicitation.

Conditions that may support a not appropriate or reasonable finding include, but are not limited to: (a) impracticality, e.g., only local contractors may obtain the required license in the country, and (b) adverse impact to the Agency's foreign mission. Delay, due to poor acquisition planning, is not a sufficient factor to waive the synopsis requirement.

This policy applies to acquisitions entered into and performed entirely outside the United States if the acquisition complies with these guidelines.

These guidelines shall be effective for five years from the date of issuance.

B. PROCEDURES

The Contracting Officer (CO) at the overseas contracting activity (post, embassy, etc.) shall prepare a written determination and finding (D & F) documenting the basis for waiving the synopsis.

The D & F shall contain: a) Agency identification, b) solicitation identification, c) nature and description of action being approved, d) basis for the waiver, and e) signature of the official authorized to sign.

The determination shall be signed by the contracting officer for the acquisition and approved in accordance with agency procedures.

Agencies shall establish reasonable thresholds for higher level review and approval.

The written D & F shall be placed in the contract file.

**FINDINGS**

1. The [Identification of Agency] proposes to enter into a contract on behalf of [Government agency] in excess of \$25,000 for [Describe requirement].
2. A synopsis for this procurement would not be reasonable or appropriate because:
3. To ensure maximum practicable competition, a market survey was conducted, to the extent feasible, by the [identify who conducted survey] and consisted of [telephonic][written] communications with the following:
  - a. [list]
  - b.
  - c.

Known American small businesses doing business in the country that were contacted:

- a. [list]
  - b.
4. The waiver of synopsis is not based on or caused by poor acquisition planning or lack of planning.

**DETERMINATION**

Based on the above findings it is determined, pursuant to 41 U.S.C. 416(c) and 15 U.S.C. 637(f)(3), that synopsis in the Commerce Business Daily is not appropriate or reasonable.

[Insert signature]

\_\_\_\_\_  
Contracting Officer      Date

[Insert signature]

\_\_\_\_\_  
Approval authority      Date  
(as required)