



April 11, 2013

United States
Department of
Agriculture

MAP 13-002

Farm and
Foreign
Agricultural
Services

SUBJECT: Contracting Guidelines for Program Year 2013

Foreign
Agricultural
Service

TO: All Market Access Program (MAP) Participants

1400
Independence
Ave, SW
Stop 1042
Washington, DC
20250-1042

Background

The revised MAP regulations were published on May 17, 2012, and are effective beginning with program year 2013. Regulations regarding contracting procedures are found at 7 CFR Section 1485.29.

MAP Participants are now required to submit to FAS, for approval, written contracting guidelines that outline the procedures the Participant will follow when awarding contracts with an annual value of \$35,000 or more that are funded, in whole or in part, with MAP funds.



Contracting guidelines should be developed so that they are useful to the MAP Participant. Guidelines should be concise and straight-forward. During their reviews, the Compliance Review Staff will determine if the contracting guidelines have been implemented as approved.

Procedures for Submitting Contracting Guidelines:

1. At a minimum, the guidelines submitted for approval must address the elements identified in 7 CFR Section 1485.29(d).
2. Individual MAP contracts do not need to be identified in such guidelines. Instead, MAP Participants may establish universal contracting guidelines for a variety of different contracting situations.
3. A MAP Participant's written contracting guidelines may detail special situations where the requirements found in 7 CFR Section 1485.29(d)(3) do not apply, such as situations involving highly specialized technical services or where specific services are not commonly offered in a particular market.
4. Contracts for in-country representation are not required to be re-competed after the initial award. If a Participant prefers not to re-compete such a contract, the performance of in-country representation must be evaluated and documented by the MAP Participant annually to ensure that the terms of the contract are being met in a satisfactory manner.
5. For Participants whose program year began January 1, 2013, the contracting guidelines should be provided to FAS by May 15, 2013. For those Participants whose program year begins July 1, 2013, the contracting

guidelines should be provided to FAS by June 14, 2013. Exceptions to the deadlines will be considered on a case by case basis.

6. The contracting guidelines should be emailed to podadmin@fas.usda.gov. FAS will endeavor to assess the guidelines and notify Participants of approval or disapproval within 30 days.
7. Once approved by FAS, the contracting guidelines will remain in place until FAS retracts its approval in writing or FAS approves new guidelines submitted by the Participant.
8. The MAP Participant may modify or resubmit their contracting guidelines for re-approval at any time.

/s/

Christian J. Foster
Deputy Administrator
Office of Trade Programs