

Procurement Advisory No. 113

Discontinuance of a Provision and a Clause from the AGAR

1. SUMMARY

This advisory discontinues the use of one provision and one clause from the Department of Agriculture Supplement (AGAR) to the Federal Acquisition Regulation (FAR).

2. BACKGROUND

This advisory removes an AGAR provision and clause which unnecessarily require information collection from the public and which duplicate requirements in a FAR provision and clause.

3. REFERENCES

- a. Provision at AGAR 452.211-70, *Brand Name or Equal*, and the prescription at AGAR 411.171.
- b. Clause at AGAR 452.236-75, *Maximum Workweek – Construction Schedule*, and the prescription at AGAR 436.575.

4. ACTIONS

a. Contracting officers shall immediately discontinue use of the following AGAR provision and clause in all contracts:

- (1) the provision at AGAR 452.211-70, *Brand Name or Equal*, and its prescription at AGAR 411.171.
- (2) the clause at AGAR 452.236-75, *Maximum Workweek – Construction Schedule*, and its prescription at AGAR 436.575.

b. Contracting officers shall continue to use, as appropriate, the FAR provision at 52.211-6, *Brand Name or Equal*, as prescribed in FAR 11.107(a), and the clause at 52.236-15, *Schedules for Construction Contracts*, as prescribed in FAR 36.515.

5. CONTACTS

If you have questions or comments regarding this advisory please contact the OPPM Procurement Policy Division at procurement.policy@dm.usda.gov.

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EXPIRATION DATE: Effective upon issue date until canceled.

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