

AbilityOne®

# Procurement Guide



AbilityOne®

PROGRAM



[www.AbilityOne.gov](http://www.AbilityOne.gov)

## To Our Customers:

May 21, 2012

According to recent Census data, only about 38 percent of Americans who are blind or have significant disabilities are employed. These citizens are more than individuals with disabilities; they are mothers and daughters, fathers and sons, friends and family; they are people we know and encounter in our everyday lives such as service members, veterans and business people - all who have much to give.

The U.S. AbilityOne Commission™\* administers the AbilityOne® Program which is dedicated to providing employment opportunities in order to eliminate the unacceptably high unemployment for these Americans. Our commitment to these individuals combined with your support of the AbilityOne Program creates opportunities to manufacture and deliver products and services to the Federal Government.

This guide serves as a desk reference for members of the acquisition workforce to include program managers, personnel developing requirements, those conducting market research, and contracting officers and specialists. This guide provides an overview of the AbilityOne Program, information on how to use the AbilityOne Program, as well as other useful resources such as frequently asked questions, acronyms, websites and points of contact.

The AbilityOne Program is both a priority source and a vendor of choice for Federal customers. We deliver time-saving, convenient and fair market priced products and services. As the AbilityOne Program establishes long-term agreements, we help your agencies reduce costs by eliminating the need to

continuously award new contracts. We offer a depth and breadth of products and services to meet a wide variety of needs - from manufacturing office supplies to performing contract management support services, healthcare environmental services and total facilities management services.

In the AbilityOne Program, you have a proven partner with a stable workforce dedicated to quality and customer satisfaction. Equally important, people who face the greatest barriers to employment are given the opportunity to help themselves through the AbilityOne Program. On behalf of the more than 50,000 individuals employed in the AbilityOne Program, through our nationwide network of nonprofit agencies, we extend our sincere appreciation for your strong support.

Thank you for making a difference in the lives of people who are blind or have significant disabilities. We look forward to working with you.

Sincerely,

*Tony Poleo*

J. Anthony (Tony) Poleo  
Chairperson



*Tina Ballard*

E. (Tina) Ballard  
Executive Director and CEO



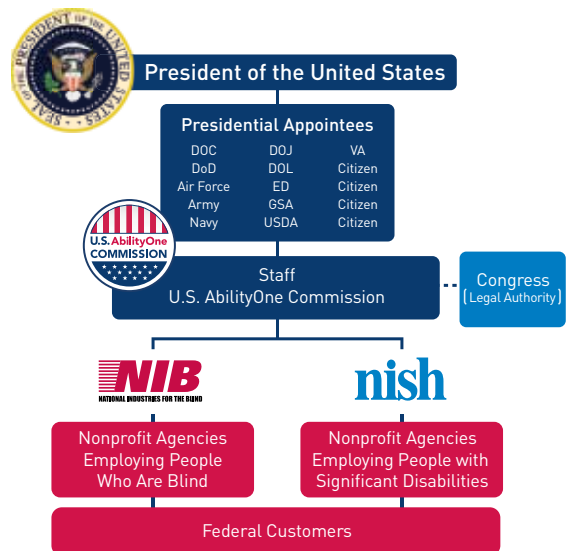
# AbilityOne Program Overview

The AbilityOne® Program provides employment opportunities for Americans who are blind or have significant disabilities by authorizing and directing Federal purchases of products and services provided by nonprofit agencies employing such individuals throughout the country.

In 1938, the Wagner-O'Day Act was passed in order to provide employment opportunities for people who are blind, by allowing them to manufacture products for sale to the Federal Government. In 1971, the statute was amended to become the Javits-Wagner-O'Day Act, to include people with other severe disabilities and to allow the program to provide services as well as products.

The U.S. AbilityOne Commission is the independent Federal agency that oversees the AbilityOne Program. The members of the U.S. AbilityOne Commission are Presidential appointees, eleven of whom represent Federal agencies (Departments of Agriculture, Air Force, Army, Commerce, Defense, Education, Justice, Labor, Navy, Veteran Affairs, and the General Services Administration). The remaining four members are private citizens appointed to advocate for and to represent people who are blind or who have significant disabilities. The U.S. AbilityOne Commission's full-time staff is led by a member of the Senior Executive Service, and conducts the agency's day-to-day operations.

## Organizational Structure of the AbilityOne Program:



The AbilityOne Program is predicated on partnership among Federal Government contracting agencies, AbilityOne Central Nonprofit Agencies (CNAs): National Industries for the Blind (NIB) and NISH\* and participating nonprofit agencies (NPAs). The program leverages the purchasing power of the government to provide employment through the fulfillment of Federal requirements for products and services offered by qualified community-based NPAs.

## The Partners

- U.S. AbilityOne Commission oversees the AbilityOne Program.
- The CNAs, NIB and NISH, assist and support AbilityOne-participating NPAs in contracting with the government through the AbilityOne Program.
- AbilityOne-participating NPAs are community-based organizations dedicated to training and employing people who are blind or who have significant disabilities; they also deliver quality products and services to Federal customers.
- Contracting agencies procure products and services for the Government.

## The Procurement List Process

- Federal Agencies identify a requirement for products or services.
- An AbilityOne solution is considered in the acquisition planning process.
- NIB and NISH (CNAs) identify qualified AbilityOne-participating NPAs who have the capability and capacity to provide the products and services.
- The NPA and contracting activity negotiate terms, conditions and a recommended fair market price.
- A request to add the item to the Procurement List (PL) addition is transmitted to the U.S. AbilityOne Commission for review, rulemaking and approval.
- After the effective date of the PL addition, an AbilityOne contract is awarded by the Federal agency and the NPA delivers the product or service in accordance with contract requirements.

\* NIB and NISH are independent nonprofit organizations, not Federal entities.

# AbilityOne Employees

There are over 18 million working-age adults who are blind or have disabilities, and of this group, 10 million have the most significant disabilities.\* The vast majority of these individuals want to work and contribute to our economy as well as their own economic independence.

The AbilityOne® Program provides employment, training and other supports for more than 50,000 people. AbilityOne employees have a proud, 70-plus year history supporting the U.S. military industrial base. More than 3,300 veterans work in the program today, including approximately 1,600 veterans with significant disabilities.

To be eligible for employment under the AbilityOne Program, an individual must (1) meet the legal definition of blindness or (2) have a significant disability other than blindness that has been documented by a trained professional, and have been unable to maintain competitive employment.

“One benefit of having an AbilityOne contract is... the dedication of the employees... they always give a 110 percent.”

**Shannon Calhoun,**  
DLA Customer Outreach Readiness Division Chief

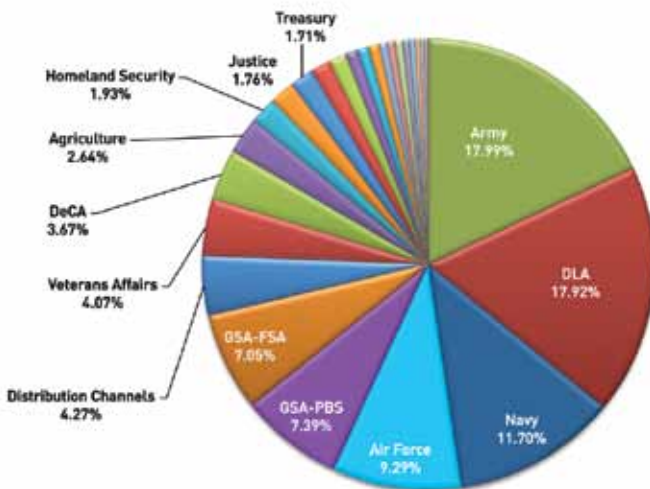
\* U.S. Census Bureau, Survey of Income and Program Participation, June–September 2005 and Social Security Administration, Annual Statistical Report on the SSDI Program, 2009.



AbilityOne employees, including veterans and wounded warriors, have a wide range of products and service capabilities, including:

- Contact center management
- Contract management and closeout services
- Design, prototype and manufacture of uniforms
- Disaster assistance and relief
- Healthcare environmental services
- Office supplies and green cleaning products
- Secure mail services
- Section 508 assurance service
- Tooling aircraft parts
- Total facilities management

## AbilityOne Sales FY 2011



### Acronym Key

- DeCA**  
Defense Commissary Agency
- DLA**  
Defense Logistics Agency
- GSA-FAS**  
General Services Administration  
Federal Acquisition Service
- GSA-PBS**  
General Services Administration  
Public Buildings Service

# Contracting with AbilityOne - Authorities

The authority to contract with AbilityOne® is established by the Javits-Wagner-O'Day Act, the Code of Federal Regulations (CFR), and the Federal Acquisition Regulation (FAR). The Competition in Contracting Act of 1984 (CICA), 41 U.S.C. 253, provides authority for certain exceptions to full and open competition. The implementing guidance is in FAR Subpart 6.3. Specifically, FAR 6.302-5 lists exceptions authorized or required by statute as follows:

(a) *Authority...*

(2) Full and open competition need not be provided for when (i) A statute expressly authorizes or requires that the acquisition be made through another agency or from a specified source;...

(b) *Application.* This authority may be used when statutes, such as the following, expressly authorize or require that acquisition be made from a specified source or through another agency...

(2) Qualified Nonprofit Agencies for the Blind or other Severely Disabled— (see FAR Subpart 8.7).

FAR Subpart 8.7 provides implementing guidance for the Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506). Specifically, FAR 8.704, Purchase priorities, states:

(a) The Javits-Wagner-O'Day Act requires the Government to purchase supplies or services on the Procurement List, at prices established by the Committee,\* from AbilityOne participating nonprofit agencies if they are available within the period required.

## Statutes/Regulations

- *Javits-Wagner-O'Day Act, 41 U.S.C. 8501-8506*
- *Title 41 CFR Chapter 51*
- *FAR Subpart 6.302-5, Authorized or Required by Statute*
- *FAR Subpart 8.7, Acquisition from Nonprofit Agencies Employing People Who Are Blind or Severely Disabled*
- *DFARS 208.7, Acquisition from Nonprofit Agencies Employing People Who are Blind or Severely Disabled\**
- *DFARS 219.703, Eligibility requirements for participating in the program*
- *DFARS Procedures, Guidance, and Information (PGA) 207.105 Contents of written acquisition plans*
- *OMB A-122 Revised May 10, 2004, Cost Principles for Non-Profit Organizations*
- *Department of Agriculture, USDA Departmental Regulation 5080-001 May 23, 2007*

\* Operates as the U.S. AbilityOne Commission™.



## Other Agency Guidance

- Department of the Air Force, Support of the AbilityOne Program and Compliance with Federal Law, February 27, 2012
- Department of the Air Force, Increasing AbilityOne Contracting Opportunities, October 20, 2011
- Department of Health & Human Services, Increasing Contracting Opportunities with the AbilityOne Program, July 18, 2010
- Department of Homeland Security, Increasing AbilityOne Program Contracting Opportunities, May 13, 2010
- Army Corps of Engineers, Support for the AbilityOne Program, March 24, 2010
- Acting Deputy Under Secretary of Defense (Acquisition and Technology), In-sourcing Contracted Services - Implementation Guidance Regarding AbilityOne Program, November 16, 2009
- Department of Agriculture, AbilityOne Program Awareness and Celebration, October 21, 2009
- Army Materiel Command Headquarters, Support for the AbilityOne Program, March 5, 2009
- Department of the Navy, Increasing Contracting Opportunities with the AbilityOne Program, September 10, 2008
- Defense Procurement, Acquisition Policy, and Strategic Sourcing, Increasing Contracting Opportunities with the AbilityOne Program, August 27, 2008

## Agency Policies and Procedures

- Pricing Memorandum Number 1, Fair Market Pricing Policy, April 1, 2007
- Pricing Memorandum Number 2, Fair Market Price Determination for AbilityOne Product Contracts, January 26, 2007
- Pricing Memorandum Number 3, Fair Market Price Determination for AbilityOne Service Contracts, January 26, 2007
- Pricing Memorandum Number 19, AbilityOne Price and Price-Related Impasse and Dispute Resolution Procedures, March 16, 2007

\* These are a few samples.

## Purchasing products that are on the AbilityOne Program Procurement List:

Many common-use products like office supplies and cleaning products are already on the Procurement List. They are conveniently available through AbilityOne-authorized distributors such as GSA Global Supply, GSA Advantage!™, DOD EMALL, [abilityonecatalog.com](http://abilityonecatalog.com) and AbilityOne-operated Base Supply Centers. A full listing, including hundreds of small business distributors, is found at [www.abilityone.gov](http://www.abilityone.gov). The Procurement List may also be downloaded or searched from [www.abilityone.gov](http://www.abilityone.gov).

# Federal Agencies' Steps in AbilityOne Procurement List Additions

1. Determine the requirement, availability of funds and authority.
2. In accordance with DFARS PGI 207.105 Contents of written acquisition plans, consider an AbilityOne® solution and document the acquisition strategy accordingly.
3. Collaborate with AbilityOne to review and assure understanding of requirement and negotiate price.
4. The U.S. AbilityOne Commission completes analysis and the rulemaking process.
5. The Procurement List (PL) addition decision is made.
6. Contract/award performance can begin upon PL addition effective date.

## Critical Milestones for the PL Addition Decision Process

In accordance with the Administrative Procedures Act, the U.S. AbilityOne Commission notifies the public of its intent to add products and services to the Procurement List. A notice is published in the Federal Register with a 30-day comment period. A final notice is published following the Presidential appointees' decision to approve a PL addition.



Parties	Procurement Steps	Description
<b>Contracting Activity</b>  <b>Central Nonprofit Agency</b>	1 and 2	Requirement, funds and authority determined. Identification of an AbilityOne solution may be initiated by the Contracting Activity, the Commission, a Nonprofit Agency, NIB, or NISH. The AbilityOne solution is documented in the acquisition strategy.
<b>Nonprofit Agency</b>	3	Customer and AbilityOne collaborate in the review and refinement of the requirement. A recommended price is negotiated between the Contracting Activity and the Nonprofit Agency.
<b>U.S. AbilityOne Commission</b>	4	The Commission staff reviews the suitability of the NPA and the project, analyzes impact on the current contractor and evaluates the recommended price. Upon completion, in accordance with the Administrative Procedures Act, the initial 30-day notice and comment rulemaking period begins.
<b>U.S. AbilityOne Commission</b>	5	Consistent with the Javits-Wagner-O'Day Act and its implementing regulations, the Presidential appointees make a decision on addition of the item to the Procurement List.
<b>Contracting Activity</b>  <b>Central Nonprofit Agency</b>  <b>Nonprofit Agency</b>	6	Upon Commission approval of the PL addition and expiration of the 30-day final notice period, the Javits-Wagner-O'Day Act may be used as the authority to award the contract and production or performance may begin.

# Frequently Asked Questions

## 1. What is the AbilityOne Program?

The AbilityOne® Program is the largest Federal source of employment for people who are blind or have significant disabilities. The program is administered by the U.S. AbilityOne Commission™, the operating name for the Committee for Purchase From People Who Are Blind or Severely Disabled. Through a national network of more than 600 nonprofit agencies, the program provides the Federal Government products and services at fair market prices. The procurement of these products and services results in employment of more than 50,000 individuals.

## 2. Is the AbilityOne Program a priority program?

Yes, pursuant to the Javits-Wagner O'Day Act (41 U.S.C. 8501-8506), the Competition in Contracting Act (41 U.S.C. 253) and implementing guidance in the Federal Acquisition Regulation (FAR), the AbilityOne Program has a priority. FAR 8.002, Priorities for Use of Government Supply Sources, prescribes the descending order of priority for supplies and services to satisfy agency requirements. Contracting officers should consult with their agency acquisition regulation supplements to ensure full compliance.

## 3. Does AbilityOne have priority over all other sources?

No. FAR 8.704 indicates that Federal Prison Industries (FPI) has priority over the AbilityOne Program for supplies (products) purchased if they are on the UNICOR Schedule of Products. Contracting offices must obtain a formal waiver (FAR 8.604) from FPI before making any supply (product) purchases from AbilityOne participating nonprofit agencies.

## 4. What is the authority to contract under the AbilityOne Program?

### **Under the Competition in Contracting Act (CICA):**

AbilityOne procurements are considered "other than competitive" procurements under the Competition in Contracting Act (CICA), which authorizes certain exceptions to full and open competition. The implementing guidance is in FAR 6.302-5, which states that full and open competition need not be provided for when a statute expressly authorizes or requires that the acquisition be made through another agency or from a specified source. Qualified nonprofit agencies employing people who are blind or significantly disabled are explicitly listed as an authorized application of this exception in accordance with the Javits-Wagner-O'Day Act and FAR Subpart 8.7. DoD contracting activities should use 10 U.S.C. 2304 (c)(5) as the exception on award documents.

**Under FAR 8.7:**

FAR Subpart 8.7 provides implementing guidance for the Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506). FAR 8.704, Purchase priorities, states that the Javits-Wagner-O'Day Act requires the Government to purchase supplies or services on the Procurement List, at prices established by the U.S. AbilityOne Commission, from AbilityOne participating nonprofit agencies if they are available within the period required.

**Under the Code of Federal Regulations (CFR):**

Chapter 51 of Title 41 of the CFR provides the regulations specific to the Federal agency that oversees the AbilityOne Program, operating as the U.S. AbilityOne Commission. 41 CFR 51-5.2 states that nonprofit agencies designated by the Commission are mandatory sources of supply for all entities of the Government for commodities and services included on the Procurement List.

**Under the Defense Federal Acquisition Regulation Supplement (DFARS) Procedures, Guidance, and Information (PGI):**

The PGI at 207.105 states that written acquisition plans should include consideration of the AbilityOne Program.

**5. When is it appropriate to award a contract under the AbilityOne Program? At what point in the process is a contract awarded for an AbilityOne project?**

A contract can be awarded (orders can be placed) at any point after the effective date of the Procurement List addition. This date is listed in the final Federal Register notice and is also on the notice of addition that is sent to the Contracting Activity.

**6. What is the Procurement List?**

The U.S. AbilityOne Commission maintains a Procurement List of products and services which have been placed in the AbilityOne Program, as referenced in FAR 8.002 and Subpart 8.7. Federal agencies must purchase supplies or services on the Procurement List, at prices established by the U.S. AbilityOne Commission, from designated nonprofit agencies as long as those supplies and services are available within the period required.

## Frequently Asked Questions (continued)

### **7. Where can Federal customers find the Procurement List and what are some examples of available products and services?**

The complete Procurement List is available to view and download on the website of the U.S. AbilityOne Commission, which is [www.abilityone.gov](http://www.abilityone.gov). Many AbilityOne common-use products included on the Procurement List are also clearly identified in the print and electronic catalogs of AbilityOne-authorized Federal and commercial distributors, such as GSA Advantage!<sup>™</sup> ([www.gsaadvantage.gov](http://www.gsaadvantage.gov)), GSA Global Supply ([www.gsaglobalsupply.gsa.gov](http://www.gsaglobalsupply.gsa.gov)), DOD EMALL (<https://dod-emall.dla.mil>), and [www.abilityonecatalog.com](http://www.abilityonecatalog.com).

Current product lines include aircraft and vehicular equipment and supplies, clothing, textiles and individual equipment, food processing, packaging and distribution, hardware and equipment, office products (e.g. pens, binder clips, paper products, etc.), environmentally friendly and recycled products (e.g. biodegradable disposable cutlery), military-specific products (such as chemical protective over garments and cold weather infantry kits) and medical supplies (such as catheters and surgical masks). Services include contract management support (close-out), custodial, administrative services, contact centers, document management services, fleet management, food service, full facility management, grounds maintenance, healthcare environmental/hospital services, laundry services, secure mail/digital document services, and supply chain management. A list of AbilityOne Capabilities is provided on page 25.

### **8. How long does the Procurement List addition process take?**

The time it takes to complete the Procurement List addition process can vary depending on several factors that may need to be considered before adding a product or service to the Procurement List. Once a product or service is identified for possible addition, the process can take between six and twelve months to finalize. This includes submission to the Commission, whose process takes 85–120 days, including analysis, decision and public notice and comment via Federal Register notices.

### **9. How do Federal customers order common-use products, such as office supplies, under the AbilityOne Program?**

The AbilityOne Program has partnered with the General Services Administration (GSA) to incorporate AbilityOne products into the Federal Supply Schedules requirements for commercial distributors of office supplies, cleaning products and many other commonly used items. Many AbilityOne products are available electronically through catalogs of AbilityOne-authorized Federal commercial distributors at [www.abilityone.gov](http://www.abilityone.gov), GSA Advantage!<sup>™</sup> ([www.gsaadvantage.gov](http://www.gsaadvantage.gov)), GSA Global Supply ([www.gsaglobalsupply.gsa.gov](http://www.gsaglobalsupply.gsa.gov)), DOD EMALL (<https://dod-emall.dla.mil>), and [www.abilityonecatalog.com](http://www.abilityonecatalog.com).

## **10. What are the benefits of contracting under the AbilityOne Program?**

Contracts under the AbilityOne Program offer Federal customers high quality products available through a variety of distributors at reasonable prices and delivered when needed. AbilityOne service contracts offer a stable workforce dedicated to quality and customer satisfaction. The provisions of the program enable a long-term supplier relationship, eliminating the need to re-compete the contract. Finally, contracting with the AbilityOne Program allows people who are blind or have significant disabilities an opportunity to gain meaningful employment, lead more independent lives, reduce dependence on government assistance programs and become taxpayers.

## **11. Does AbilityOne support Small Business?**

Yes. AbilityOne nonprofit agencies subcontract and partner with small businesses. The program has initiatives underway to increase collaborative opportunities with small business. A recent survey of 83 of our 600 nonprofit agencies — representing 48% of the Program's largest agencies — found that among that group, 25% of subcontract dollars or \$217M was awarded to small businesses. Additionally, approximately 500 small businesses are part of the AbilityOne Program's commercial distribution network.

## **12. Where do NIB and NISH derive their responsibilities under the AbilityOne Program?**

The Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506) authorizes the U.S. AbilityOne Commission to designate one or more "central nonprofit agencies" (CNAs) to assist community-based nonprofit agencies serving people who are blind or have other severe disabilities participating in the AbilityOne Program. The Commission has designated National Industries for the Blind (NIB) and NISH to fulfill CNA responsibilities as listed in 41 CFR Part 51-3. These responsibilities include evaluating nonprofit agency capabilities, providing nonprofit agencies with technical assistance and allocating government orders among them. NIB and NISH also provide their producing agencies with many other services, including: assistance in complying with the Javits-Wagner-O'Day Act and Federal contract provisions. The CNAs also provide training and regulatory assistance; communications and public relations materials; information technology support; engineering, financial and technical assistance.

## **13. Are Federal Government purchase card holders exempt from the mandatory source requirements of the AbilityOne Program for products? What if the purchase is at or below the micro-purchase threshold?**

No. The statutory requirement to buy AbilityOne products is universal and applies to any dollar amount. Government purchase card holders are — like all other Federal employees — required to buy AbilityOne products provided by designated nonprofit agencies through one of the many distribution channels. Federal personnel should not use their purchase cards to buy items that are essentially the same as AbilityOne

## Frequently Asked Questions (continued)

products at local commercial businesses unless the products required are not available through the AbilityOne Program. Purchase card holders can obtain AbilityOne products from Base Supply Centers and AbilityOne Retail Stores located on military installations and in Federal buildings, as well as through various Internet and catalog distribution channels. For more information, visit [www.abilityone.gov](http://www.abilityone.gov).

### **14. Is there a conflict between utilizing the Federal Strategic Sourcing Initiative (FSSI) Blanket Purchasing Agreements (BPAs) and purchasing from AbilityOne Base Supply Centers or AbilityOne Retail Stores?**

No. All of these sources are required to provide office and general supplies in accordance with statute and the Procurement List. Thus, when you purchase office supplies from any of these channels, you are able to fulfill your requirements and to comply with the Javits-Wagner-O'Day Act. AbilityOne Base Supply Centers and Retail Stores are on installations or in Federal buildings to expediently provide products to Federal customers. Items are stocked and immediately available for pick-up or delivery.

### **15. When are prices for AbilityOne Program products and services changed?**

Prices for AbilityOne products and services are usually changed in conjunction with the contract period. The preferred method for establishing base prices is by negotiation between the producing nonprofit agency and the contracting activity with the assistance of NIB or NISH. The method of determining future prices will be a part of those negotiations.

### **16. What cost principles apply when reviewing AbilityOne prices?**

AbilityOne product producers and service providers are nonprofit agencies. OMB A-122 identifies cost principles that should be used in determining the costs of work performed by non-profit organizations in which costs are used in pricing AbilityOne project contracts.

### **17. How are protests, disputes and appeals handled under the Javits-Wagner-O'Day Act?**

Issues related to daily contract performance should be resolved at the contracting activity and nonprofit working levels wherever possible. NIB and NISH are available and recommended as sources to facilitate the resolution. Any contractual protest before or after award, or any contractual dispute or appeal is the responsibility of the Contracting Officer as guided by the Contracts Disputes Act, unless the provisions are in conflict with the Javits-Wagner-O'Day Act or regulations. Any AbilityOne price or price-related dispute must be resolved through the Commission's Impasse Resolution Process, and should be brought to the attention of the Commission staff.



**18. Can Federal employees recommend products and/or services for addition to the Procurement List?**

Yes. The Code of Federal Regulations (41 CFR Part 51- 5.1(a)) encourages acquisition and procurement professionals to recommend products and services for procurement by the government from nonprofit agencies under the AbilityOne Program. Recommendations should be sent to the U.S. AbilityOne Commission, NIB or NISH.

**19. Are AbilityOne Program participating nonprofit agencies registered in the Central Contractor Registration (CCR)?**

Yes, all AbilityOne-participating nonprofit agencies are registered in the CCR, a central repository of all companies and agencies currently performing, or seeking to perform, business with the Federal Government.

**20. How do Department of Defense prime contractors get credit for subcontracting with AbilityOne Program nonprofit agencies?**

Department of Defense (DoD) prime contractors are allowed to receive credit toward their small business subcontracting goals if they subcontract with qualified nonprofit agencies participating in the AbilityOne Program. This authority can be found at 10 US Code 2410(d).

**21. Can solicitations include clauses that encourage subcontracting with AbilityOne?**

Yes. Organizations can develop their own unique clauses. Some examples are provided on page 22 and 23 of this guide.



# Acronyms and Terms

Acronym/Term	Description
<b>AbilityOne</b>	AbilityOne® is a registered trademark of the U.S. AbilityOne Commission™. The AbilityOne Program was created by the Javits-Wagner-O'Day Act to provide employment opportunities for Americans who are blind or have significant disabilities through the sale of goods or services to the Federal Government.
<b>Base Year Price</b>	Each time the U.S. AbilityOne Commission makes a Fair Market Price determination for a project, a base price is established. Normally, contracts are awarded with a base price/base year and four follow-on years.
<b>Blind</b>	An individual or class of individuals whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity, if better than 20/200, is accompanied by a limit to the field of vision in the better eye to such a degree that its widest diameter subtends an angle no greater than 20 degrees.
<b>CFR</b>	Code of Federal Regulations
<b>CNA (Central Nonprofit Agency)</b>	NIB and NISH are the two U.S. AbilityOne Central Nonprofit Agencies.
<b>Committee for Purchase From People Who Are Blind or Severely Disabled</b>	The statutory name of the agency that administers the AbilityOne Program, doing business as the U.S. AbilityOne Commission.
<b>Contracting Activity (CA)</b>	The office within a Federal agency authorized to procure products or services for the government.
<b>Direct Labor</b>	All work required for preparation, processing, and packing of a commodity or work directly related to the performance of a service, but not supervision, administration, inspection or shipping.

Acronym/Term	Description
<b>Fair Market Price (FMP)</b>	<p>The fair market price is the price of goods or services agreed upon by a buyer and a seller; neither under any compulsion to buy or sell and both having reasonable knowledge of relevant facts. In most cases, the AbilityOne fair market price is negotiated by the buyer and the seller.</p> <p>The U.S. AbilityOne Commission is ultimately responsible for determining the fair market price for an AbilityOne project, which is set at the time the product or service is added to the Procurement List (PL).</p>
<b>FR (Federal Register)</b>	Daily publication of general and permanent proposed rules and notices by Federal agencies.
<b>FTE</b>	Full-time Equivalent
<b>Impact</b>	Among the suitability criteria considered when placing a service or product on the Procurement List, the U.S. AbilityOne Commission determines whether the current or most recent competitive contractor would experience severe adverse financial impact.
<b>Indirect Labor</b>	Any labor hours not falling in the category of Direct Labor; generally supervision, administration, inspection, and shipping.
<b>Javits-Wagner-O'Day Act</b>	Legislation that established an employment program designed to provide job opportunities for people who are blind or who have other severe disabilities through the sale of quality products and services to the Federal Government.
<b>NIB (National Industries for the Blind)</b>	An AbilityOne-authorized Central Nonprofit Agency, serving people who are blind.
<b>NISH</b>	An AbilityOne-authorized Central Nonprofit Agency serving people with a range of significant disabilities.

## Acronyms and Terms (continued)

Acronym/Term	Description
<b>NPA (Nonprofit Agency)</b>	Nonprofit organizations, also known as community rehabilitation agencies, which employ people who are blind or who have significant disabilities and are authorized to supply products or perform services under the AbilityOne Program.
<b>Procurement List (PL)</b>	The official list of products and services that have been determined suitable for procurement by Federal agencies and suitable for provision by people who are blind or who have significant disabilities. The Procurement List is maintained by the U.S. AbilityOne Commission.
<b>Severe Disability (also referred to as Significant Disability)</b>	For purposes of executing the Javits-Wagner-O'Day Act, the Agency interprets "severe" and "significant" disability to be synonymous to the extent that severe disability is defined in the Act. A severe or significant disability is a severe physical, mental and/or emotional impairment that limits an individual's functional capabilities such that the individual is currently unable to engage in normal competitive employment.
<b>SKILCRAFT</b>	SKILCRAFT® is the trade name managed by National Industries for the Blind, licensed to selected AbilityOne products.
<b>U.S. AbilityOne Commission</b>	The U.S. AbilityOne Commission™ is a trademark of and business name for the Committee for Purchase From People Who Are Blind or Severely Disabled, the independent Federal agency that administers the Javits-Wagner-O'Day Act and the AbilityOne Program.



# Websites

Topic	Websites
<b>U.S. AbilityOne Commission</b>	<a href="http://www.abilityone.gov">www.abilityone.gov</a>
<b>AbilityOne Catalog</b>	<a href="http://www.abilityonecatalog.com">www.abilityonecatalog.com</a>
<b>AbilityOne Program</b>	<a href="http://www.abilityone.org">www.abilityone.org</a>
<b>National Industries for the Blind (NIB)</b>	<a href="http://www.nib.org">www.nib.org</a>
<b>NISH</b>	<a href="http://www.nish.org">www.nish.org</a>



# AbilityOne Program Pricing Memoranda

## Pricing Memorandum Number 1:

### Fair Market Pricing Policy for AbilityOne Products and Services

This memorandum summarizes the policies and practices established by the Committee for Purchase From People Who Are Blind or Severely Disabled for determining Fair Market Prices (FMP) for products and services provided under the Javits-Wagner-O'Day Act [41 U.S.C. 8501-8506].

## Pricing Memorandum Number 2:

### Fair Market Price Determination for AbilityOne Product Contracts

The purpose of Pricing Memorandum Number 2 is to prescribe policies and requirements for Fair Market Prices (FMP) recommendations for products or commodities supplied to the Federal Government in accordance with the terms of the Javits-Wagner-O'Day Act (41 USC 8501-8506).

## Pricing Memorandum Number 3:

### Fair Market Price Determination for AbilityOne Service Contracts

The purpose of Pricing Memorandum Number 3 is to prescribe policies and requirements for recommending the Fair Market Price (FMP) for an AbilityOne® service contract.

## Pricing Memorandum Number 19:

### AbilityOne Price and Price-Related Impasse and Dispute Resolution Procedures

Pricing Memorandum Number 19 (Impasse Memo) prescribes procedures for resolving price and price-related disputes between parties in the exercise and administration of the AbilityOne Program.

Full text and PDF versions of memoranda are available online at:  
[www.abilityone.gov](http://www.abilityone.gov)

# Solicitation Provisions and Contract Clauses

Federal agencies looking for innovative ways to work with the AbilityOne® Program, and to provide AbilityOne qualified nonprofit agencies a maximum practicable opportunity to participate as subcontractors, may consider inserting a clause in their solicitations/ contracts that provides this opportunity to partner with AbilityOne. Participating nonprofit agencies provide a wide range of products and services that may be used in fulfilling prime contracts. Agencies may also encourage their contractors to hire individuals who are blind or have significant disabilities.

**Some examples follow:**

## **Example #1:**

*At least x% of the dollar value of all subcontracts will be spent on products and services manufactured and provided by Nonprofit Agencies that employ people who are blind or have significant disabilities and are producing with the National Industries for the Blind (NIB) or NISH under the AbilityOne Program. NIB (insert contact person, email) and NISH (insert contact person, email) are available to assist offerors with meeting this requirement. (See H.11 for further penalty information)*

*The contractor understands and acknowledges that this requirement is a material part of the contract, and that failure to meet this requirement is a breach of the contract. Annually, on the anniversary date of contract signing, the contractor will provide a report to the contracting officer showing how this requirement was met during the preceding 12 months.*

## **Example #2:**

*The Government is committed to using the services provided by individuals who are blind or have significant disabilities through organizations affiliated with the Commission, National Industries for the Blind (NIB) and NISH (serving people with significant disabilities) to fulfill part of the staffing requirements for this contract. Contractor-provided personnel shall consist of a minimum of x percent of individuals employed through organizations affiliated with NIB and/or NISH. The Contractor is responsible for working with and compensating NIB and/or NISH affiliated agencies to recruit, hire, and train these individuals to ensure that performance objectives are not compromised.*



### Example #3:




1. *At least x% of the contractor's workforce will be disabled (as defined by the American with Disabilities Act (ADA)) or visually impaired*
  - a) *The ADA definition of disability is: an individual must meet one of the following three tests: (a) have a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (b) have a record of such impairment; or (c) be regarded as having an impairment.*
  - b) *Visually impaired is defined as: central visual acuity which does not exceed 20/200 in the better eye with correcting lenses or ... visual acuity if better than 20/200 ... accompanied by a limit to the field of vision in the better eye to such a degree that its widest diameter subtends an angle no greater than 20 degrees.*

*OR*

2. *At least x% of the dollar value of all subcontracts will be spent on products and services manufactured and provided by Nonprofit Agencies that employ people who are blind or have significant disabilities and are producing with the National Industries for the Blind (NIB) or NISH under the AbilityOne Program. NIB (insert contact person, email) and NISH (insert contact person, email) are available to assist offerors with meeting this requirement.*

*The contractor understands and acknowledges that this requirement is a material part of the contract, and that failure to meet this requirement is a breach of the contract, which can subject the contractor to a termination for cause action.*

# AbilityOne Program Points of Contact

Organization	Contact
 <p>The logo for the U.S. AbilityOne Commission is circular. The top half features a stylized American flag with red and white stripes. Below the stripes, the text "U.S. AbilityOne" is written in red, and "COMMISSION" is written in blue. The bottom half of the circle contains a blue field with white stars.</p>	<p><b>U.S. AbilityOne Commission™</b>            1421 Jefferson Davis Highway            JP2, Suite 10800            Arlington, VA 22202</p> <p><b>Eric Beale</b>            AbilityOne Program Liaison            703.603.2119  <a href="mailto:info@abilityone.gov">info@abilityone.gov</a>  <a href="http://www.abilityone.gov">www.abilityone.gov</a></p>
 <p>The logo for National Industries for the Blind (NIB) consists of the letters "NIB" in a bold, red, italicized sans-serif font. To the left of the letters are several horizontal red lines of varying lengths, creating a stylized graphic element.</p>	<p><b>National Industries for the Blind</b>            1310 Braddock Place            Alexandria, VA 22314</p> <p>703.310.0500  <a href="mailto:customer_service@nib.org">customer_service@nib.org</a>  <a href="http://www.nib.org">www.nib.org</a></p>
 <p>The logo for NISH features the word "nish" in a blue, lowercase, sans-serif font. Below it, the tagline "Creating Employment Opportunities For People With Significant Disabilities" is written in a smaller, black, sans-serif font.</p>	<p><b>NISH</b>            8401 Old Courthouse Road            Vienna, VA 22182</p> <p>571.226.4660  <a href="mailto:info@nish.org">info@nish.org</a>  <a href="http://www.nish.org">www.nish.org</a></p>

# Product and Service Capabilities

As a Federal Government contracting official, acquisition officer, project or program manager or agency administrator, you operate in a highly competitive marketplace. For over 70 years, the national AbilityOne® Program has provided a wide array of high quality solutions at a fair market price for our Federal customers. We understand your unique needs and can meet your complex contract and program requirements. AbilityOne's dependable and cost effective solution capabilities:

## Product Manufacturing and Development

- Aircraft, Vehicular and Electrical Equipment and Supplies
- Clothing, Textiles and Individual Equipment
- Food Processing, Packaging and Distribution
- Medical and Dental Supplies
- Office Supplies and Furnishings



## Products

- Cleaning and Janitorial
- Food Service and Operating Supplies
- Greening Products
- Mattress and Bedding
- Medical Supplies and Equipment
- Office Products and Equipment
- Paints and Tools
- Personal Care and Safety
- Writing Instruments

## Services

- Administrative Services
- Commissary Services
- Contact Center Services
- Contract Management Support Services
- Custodial Services
- Fleet Management Services
- Food Services
- Grounds Maintenance Services
- Healthcare Environmental Services
- Hospitality Services
- Laundry Services
- Recycling Services
- Secure Document Destruction Services
- Secure Mail and Digital Document Services
- Section 508 Assurance Service
- Supply Chain Management Services
- Total Facilities Management Services

***Much has been  
accomplished, but much  
more progress needs to  
be made to better serve  
individuals with disabilities.***

J. Anthony (Tony) Poleo,  
Chairperson, U.S. AbilityOne Commission



The Committee for Purchase From People Who Are Blind or Severely Disabled began operating as the U.S. AbilityOne Commission on October 1, 2011.

5-2012-1000



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