

**Major Functional Series 300: Acquisition and Assistance
ADS 330 - Source Rules for Administrative Procurement**

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Major Functional Series 300: Acquisition and Assistance
ADS Chapter 330 - Source Rules for Administrative Procurement

330.1 Authority

1. Foreign Assistance Act (FAA) of 1961, as amended, Section 621(a) and Sec.636(i).
2. Trade Agreements Act of 1979 (Public Law 96-39, 19 U.S.C. 2501-2582)
3. Executive Order 12260 (as published January 6, 1981 in The Federal Register, Volume 46, page 1658).

330.2 Objective

To provide source rules for the procurement of goods and services with Operating Expense Appropriation monies for the administrative support of USAID offices in the United States and abroad. This chapter does not apply to any program assistance procurement for the benefit of third parties, nor to motor vehicles governed by the FAA, Section 636(i), (**See [ADS Chapter 312 for policy regarding procurement of motor vehicles](#)**).

330.3 Responsibility

1. Procurement Executive: The Procurement Executive is responsible for:
 - a. Ensuring implementation of the policies stated in this chapter, as part of the overall procurement responsibilities cited in ADS Chapter 302, USAID Direct Contracting (**See [ADS 302](#)**).
 - b. Making determinations for USAID/W procurements provided for in Federal Acquisition Regulations (FAR) 25.302(b)(2), 25.302(b)(3), 25.302(c), and 25.304(c). The Procurement Executive may redelegate this authority.
2. Mission Directors: As the overseas Heads of Contracting Activities (defined in Chapter 302.3, and AIDAR 701.601) (**See [ADS 302](#), and [Mandatory Reference, AIDAR 701.601](#)**), Mission Directors or principal USAID officials at post are responsible for making determinations provided for in FAR 25.302(b)(2), 25.302(b)(3), 25.302(c), and 25.304(c) for procurements in USAID Missions overseas, except for the administrative procurement of airplanes, boats, or furniture manufactured in other than the host country or any country included in USAID

Geographic Code 941 ([See 22 CFR 228.3](#)), which are the responsibility of the Procurement Executive. ([See Mandatory References, FAR 25.300](#)) The Heads of Contracting Activities may redelegate this authority.

3. The Bureau for Management, Office of Procurement (M/OP): M/OP is responsible for developing, issuing, and maintaining the Agency's regulations and procedures for administrative procurements as part of the responsibilities cited in ADS Chapter 302 ([See ADS 302](#)).

4. Contracting Officers ([See ADS 302](#)): Within the limits of their delegated authority, contracting officers are responsible for ensuring that USAID-direct contracts are in accordance with the policy and guidelines in this chapter.

330.4 Definitions ([See ADS GLOSSARY](#))

FEDERAL ACQUISITION REGULATION (FAR)
USAID ACQUISITION REGULATION (AIDAR)
HEAD OF THE CONTRACTING ACTIVITY (HCA)

330.5 POLICY

The statements contained within the .5 section of this ADS chapter are the official Agency policies and corresponding essential procedures.

330.5.1 SOURCE OF PROCUREMENT

The Agency's procurement of goods and services for the administrative support of USAID offices in the United States and abroad shall be in accordance with FAR Part 25 and AIDAR Part 725. ([See Mandatory References, FAR Part 25 and AIDAR Part 725.](#)) In summary, such procurements are subject to the Buy America Act and/or to trade agreement provisions.

E330.5.1 Source of Procurement - N/A

330.5.2 APPROVAL REQUIREMENTS

Administrative procurement of planes, boats, and furniture manufactured in other than the host country or any country included in USAID Geographic Code 941 ([See Mandatory Reference, 22 CFR 228.3](#)) shall be referred to the Procurement Executive for approval.

E330.5.2 Approval Requirements - N/A

330.5.3 WAIVER REQUIREMENTS

For USAID procurements subject to the Trade Agreements Act of 1979, only the U.S. Trade Representative has authority to grant waivers as provided for in FAR 25.403(c)(3) (**See Mandatory Reference, [FAR 25.403\(c\)\(3\)](#)**). This authority is delegated to the Trade Representative in Section 1-201 of E.O. 12260 (**See Mandatory Reference, [EO 12260](#)**).

- E330.5.3** **Waiver Requirements - N/A**
- 330.6** **Supplementary References - N/A**
- 330.7** **Mandatory Reference**

- [22 CFR 228.3](#)
- [ADS 302](#)
- [ADS 312](#)
- [AIDAR 701.601](#)
- [AIDAR Part 725](#)
- [EO 12260](#)
- [FAR Part 25](#)
- [FAR 25.302\(b\)\(2\)](#)
- [FAR 25.302\(b\)\(3\)](#)
- [FAR 25.302\(c\)](#)
- [FAR 25.304\(c\)](#)
- [FAR 25.403\(c\)\(3\)](#)