Tuesday,
April 13, 2010

Part III

Department of Defense
General Services Administration

National Aeronautics and Space Administration

48 CFR Chapter 1
Federal Acquisition Regulations; Federal Acquisition Circular 2005–41;
Introduction; FAR Case 2009–005, Use of Project Labor Agreements for Federal
Construction Projects; Federal Acquisition Circular 2005–41; Small Entity
Compliance Guide; Final Rules
SUPPLEMENTARY INFORMATION: A summary for the FAR rule follows. For the actual revisions and/or amendments made by this FAR case, refer to FAR Case 2009–005.

FAC 2005–41 amends the FAR as specified below:

Use of Project Labor Agreements for Federal Construction Projects (FAR Case 2009–005)

This final rule amends the FAR to implement Executive Order (E.O.) 13502, Use of Project Labor Agreements for Federal Construction Projects. The E.O. encourages the use of project labor agreements for Federal construction projects where the total cost to the Government is $25 million or more in order to promote economy and efficiency in Federal procurement. The rule provides that an agency may, if appropriate, require that every contractor and subcontractor engaged in construction on a construction project agree, for that project, to negotiate or become a party to a project labor agreement with one or more labor organizations. The rule identifies factors that agencies may consider to help them decide, on a case-by-case basis, whether the use of a project labor agreement is likely to promote economy and efficiency in the performance of a specific construction project, and multiple strategies for timing the Federal Government’s receipt of project labor agreements.


Al Matera,
Director, Acquisition Policy Division.

Federal Acquisition Circular

Federal Acquisition Circular (FAC) 2005–41 is issued under the authority of the Secretary of Defense, the Administrator of General Services, and the Administrator for the National Aeronautics and Space Administration.

Unless otherwise specified, all Federal Acquisition Regulation (FAR) and other directive material contained in FAC 2005–41 is effective May 13, 2010.

Dated: April 1, 2010.

Shay D. Assad,
Director, Defense Procurement and Acquisition Policy.


Rodney P. Lantier,
Acting Senior Procurement Executive, Office of Acquisition Policy, U.S. General Services Administration.

Dated: April 1, 2010.

William P. McNally,
Assistant Administrator for Procurement, National Aeronautics and Space Administration.

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