Proposed Change to HHSAR 307.7101(b) regarding the AP Waiver Request

In order to accommodate the template and instructions for the AP waiver request, the language of the HHSAR should be changed as follows:

(b) In urgent or other justifiable cases, such as an emergency acquisition (see FAR Part 18), the HCA may waive, in writing, the requirement for completion of an AP. A waiver request shall not be approved due to the lack of advance planning.

The waiver request must be signed by the PO, the PO’s immediate supervisor, the head of the sponsoring program office, the CO, and other signatories in accordance with OPDIV policies. In OPDIVs where a CCO(s) has been designated, as defined in 302.101, the cognizant CCO also must sign the waiver request.

HHS has established a standard format for preparing an AP waiver request, available at (specify website address – to be determined)***.*** This format must be used when requesting a waiver.

The OPDIV shall provide the Assistant Secretary for Administration and Management, Office of Acquisition Management and Policy (ASAM/OAMP), a copy of any approved waiver request within 5 business days after HCA approval.