

Technology Investment Plan (TIP) No.: _____

AD700 or AD672 No.: _____

Acquisition Title: _____

Attachment 2

UNDUE BURDEN DETERMINATION

(Modified from Attachment Two of AGAR Advisory No. 49)

The Requiring Official must provide a written determination to the Contracting Officer for inclusion in the file. When acquiring commercial items, an undue burden determination is not required to address individual standards that cannot be met with supplies or services available in the commercial marketplace in time to meet the Agency delivery requirements. All undue burden determinations will be made in connection with Departmental level oversight of OCIO and OGC.

The determination should describe:

1. The commercial items, products or services required to meet the Agency's needs;
2. The dollar value of the acquisition, including any options;
3. The applicable Section 508 Standards (36 CFR, Part 1194);
4. The market research performed to locate commercial items that meet the applicable standards;
5. Indicate which standards can be met and which cannot;
6. In determining whether compliance with all or part of the applicable accessibility standards would be an undue burden, the Agency must consider the difficulty, expense, impact and resources available to its programs if the product is acquired. If the monetary expense is deemed prohibitive, explain the costs and how they were estimated.
7. The steps the Agency is taking to reduce the use of the undue burden exception in future procurements; and
8. The alternative means of access the Agency will provide to allow individuals with disabilities to use information or data.

Approval of Determination

In order for an undue burden determination to be considered, supporting documentation must be included that addresses all eight factors that are listed above and signed per the defined signature blocks. The determination must be approved in writing prior to the Contracting Officer awarding a task or delivery order, purchase order or contract.

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Signed _____
Program Requiring Official Date _____

Signed _____
Program Section 508 Representative Date _____

Signed _____
AMS Section 508 Coordinator (Designee) Date _____

Signed _____
AMS Chief Information Officer Date _____

Signed _____
USDA, Office of the Chief Information Officer Date _____

Signed _____
USDA, Office of the General Counsel Date _____