

## §51-2.7

facts believed by the interested person to justify a decision by the Committee to modify or reverse its earlier action.

(b) In reconsidering its decision, the Committee will balance the harm to the party requesting reconsideration if the item remains on the Procurement List against the harm which the nonprofit agency or its employees who are blind or have other severe disabilities would suffer if the item were deleted from the Procurement List. The Committee may also consider information bringing into question its conclusions on the suitability criteria on which it based its original decision as factors weighing toward a decision to delete the item, and information concerning possible harm to the Government and the JWOD Program as factors weighing toward confirmation of the original decision.

[56 FR 48977, Sept. 26, 1991, as amended at 59 FR 59342, Nov. 16, 1994]

### §51-2.7 Fair market price.

The Committee is responsible for determining the fair market prices, and changes thereto, for commodities and services on the Procurement List. The Committee establishes the initial fair market price at the time a commodity or service is added to the Procurement List. In cases where initial prices are not based on competitive bids, the Committee considers recommendations from contracting activities and the central nonprofit agency concerned. Prices are revised in accordance with changing market conditions as reflected primarily by economic indices and changes in nonprofit agency costs, as provided in Committee pricing procedures. Recommendations for fair market prices or changes thereto shall be submitted by the nonprofit agencies to the appropriate central nonprofit agency. The central nonprofit agency shall analyze the data and submit a recommended fair market price to the Committee accompanied by the information required by the Committee's pricing procedures to support the recommended price.

[59 FR 59342, Nov. 16, 1994]

## 41 CFR Ch. 51 (7-1-99 Edition)

### §51-2.8 Procurement list.

(a) The Committee maintains a Procurement List which includes the commodities and services which shall be procured by Government departments and agencies under the JWOD Act from the nonprofit agency(ies) designated by the Committee. Copies of the Procurement List, together with information on procurement requirements and procedures, are available to contracting activities upon request.

(b) For commodities, including military resale commodities, the Procurement List identifies the name and national stock number or item designation for each commodity, and where appropriate, any limitation on the portion of the commodity which must be procured under the JWOD Act.

(c) For services, the Procurement List identifies the type of service to be furnished, the Government department or agency responsible for procuring the service, and, where appropriate, the activity or item to be serviced.

(d) Additions to and deletions from the Procurement List are published in the FEDERAL REGISTER as they are approved by the Committee.

### §51-2.9 Oral presentations by interested persons at Committee meetings.

(a) Upon written request from an interested person, that person may, at the discretion of the Committee Chair, be permitted to appear before the Committee to present views orally. Generally, only those persons who have raised significant issues which, if valid, could influence the Committee's decision in the matter under consideration will be permitted to appear.

(b) When the Chair has approved the appearance before the Committee of an interested person who has made a written request:

(1) The name of the spokesperson and the names of any other persons planning to appear shall be provided to the Committee staff by telephone at least three working days before the meeting.

(2) In the absence of prior authorization by the Chair, only one person representing a particular agency or organization will be permitted to speak.