

EIT Undue Burden Exception Determination and Certification

To be completed by the Requiring Official (Purchase Requestor)

When acquiring commercial items, this Determination is not required to address Sec 508 technical standards of Electronic and Information Technology (EIT) products that are not yet available in the commercial marketplace in time to meet the agency delivery requirements. (Refer to *Attachment A* if this applies to your requirement.)

For each provision of 36 CFR Part 1194 (see Addendum of Attachment A) that an agency finds to be an undue burden, the Requiring Official must explain below why, and to what extent, compliance with each such provision creates an undue burden. A thorough, rational explanation is required. (The format may be expanded for additional space. Relevant attachments are encouraged. Explanations must be adequate to survive protests and litigation challenges.)

The data and findings providing the basis for my decision are the following:

- 1. Products or services required to meet the agency's needs:**

- 2. Dollar value of the acquisition, including any options:**

- 3. Applicable Section 508 standards (see 36 CFR part 1194) that are met and those that are unmet:**

- 4. Market research performed to locate commercial items that meet the applicable standards:**

- 5. The undue burden (i.e. the significant difficulty or expense the Government would incur in order to comply with a particular standard). If the monetary expense is deemed prohibitive, explain the costs and how they were estimated.**
 - a. Significant difficulty of compliance:**

- b. **Significant expense of compliance:**
 - c. **Insufficient agency resources available to the agency’s program or component for which the goods or service is being acquired:**
6. **Steps the agency is taking to reduce use of the undue burden exception in future procurements.**
 7. **Alternative means of access that will be provided that will allow the individuals with disabilities to use the information or data. (29 U.S.C. 794d(a)(1)(B)).**

I have determined and hereby certify that procurement of the applicable EIT product(s) required by my organization that are subject to Section 508 of the Rehabilitation Act of 1973, as Amended, in accordance with 36 CFR Part 1194, presents an “undue burden.”

Signature	Printed Name	Date	Phone Number
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Head of the Requiring Officials Office:

I hereby concur with and support this Determination & Certification.

Signature	Printed Name	Date	Phone Number
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Attach this document to the “Section 508 Determination and Findings for Purchase Requests” form, and affix both to your procurement request.