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(e)(1) All items are candidates for automated solicitation, except that acquisitions for services, for non-NSN items, and for requirements bought using delivery orders against indefinite-delivery contracts are excluded. The criteria for exclusion of items for automated evaluation or award are included in the functional specifications and managed through automated procurement system internal controls. The Procurement Process Owner is the approval authority for system changes to the automated procurement exclusion capabilities. The HCA is the approval authority for exclusions

for individual purchase requests or materials from automated solicitation, evaluation, or award for each supply chain. Individual purchase request or material exclusions will be recorded with a reason for exclusion and reported monthly to DLA Acquisition Programs by each procuring organization. The HCA must provide the determination to the DLA Acquisition Procurement Process and Systems Division Chief for entry into the automated system.

(S-90) See 18.270 for thresholds associated with emergency acquisition flexibilities.

SUBPART 13.1 – PROCEDURES

(Revised June 9, 2021 through PROCLTR 2021-11)

13.106 Soliciting competition, evaluation of quotations or offers, award and documentation.

13.106-3 Award and documentation.

(a) *Basis for award*.

(1)(S-90) Contracting officers shall use the PRC codes in 15.406-3 Documenting the negotiation.. Contracting officers at DLA Aviation, DLA Land and Maritime, and DLA Troop Support shall document the PRC in the Simplified Acquisition Award Documentation (SAAD) format at 53.9013 Simplified acquisition procedures.. Contracting officers at DLA Distribution, DLA Disposition Services, DLA Contracting Services Office, DLA Strategic Materials, and DLA Energy shall document the PRC in the Alternate SAAD format at 53.9013 Simplified acquisition procedures..

(S-91) When evaluating the price of an item with a single manufacturing source (also referred to as original equipment manufacturer (OEM)), the contracting officer may determine the price is competitive for awards not exceeding the SAT when—

(A) There are offers from at least two distributors for the same sole source OEM item; and

(B) The sole source OEM did not submit an offer; and

(C) The contracting officer determines—

(1) The offered prices are independent (see 13.106-3 Award and documentation.; and

(2) The otherwise successful offeror's price is not unreasonable (see FAR 15.403-1(c)(1)(i)(C)). To determine whether dealer competition may be adequate to establish the fair and reasonable price objective, the contracting officer shall compare the proposed prices received in response to the solicitation. In addition, except for first time acquisitions, the contracting officer shall document in the contract file any difference between the current low evaluated price and the prior price paid. The contracting officer shall determine the difference between the current low evaluated price and the prior price paid after adjusting the prior price paid in accordance with FAR 15.404-1(b)(2)(ii). If the current low evaluated price is significantly higher than the prior price paid, the contracting

officer shall utilize another price evaluation technique at FAR 13.106-3 or FAR 15.404-1 to establish the fair and reasonable price objective.

(S-92) Contracting officers shall consider the OEM strategy for selling or distributing products when determining whether prices are independent.

(A) The following OEM strategies indicate the pricing is not independent:

(*1*) Selling direct to all customers when the OEM competes directly with a dealer or distributor;

(*2*) Selling through its own financially-affiliated network of dealers or distributors; or

(*3*) Entering an exclusive dealer or distributor relationship.

(B) If the OEM sells to multiple independent dealers or distributors that are not financially affiliated, this may indicate pricing is independent.

(S-93) The contracting officer shall use "B" in the second position of the PRC (see 15.406-3 Documenting the negotiation.) for awards not exceeding the SAT when there is a single manufacturing source and the contracting officer based the determination of price reasonableness on independent price competition.

(b) File documentation and retention. Contracting officers shall document the basis for award for all simplified acquisitions. Contracting officers at DLA Aviation, DLA Land and Maritime, and DLA Troop Support shall use the SAAD format at 53.9013 Simplified acquisition procedures.. Contracting officers at DLA Distribution, DLA Disposition Services, DLA Contracting Services Office, DLA Strategic Materials, and DLA Energy shall use the Alternate SAAD format at 53.9013 Simplified acquisition procedures.. The basis for award includes the best value trade-off determination required when awarding to other than the lowest price/highest SPRS rating (or to other than the lowest price/highest scored when using FAR 13.5 or when other evaluation factors apply); and the price reasonableness determination. Each procuring organization may add standardized supplemental information only by appending it at the end of the SAAD or the Alternate SAAD format, in order to foster uniform presentation across the Agency. Contracting officers shall also confirm the prospective awardee is not debarred, suspended, or proposed for suspension/debarment. Contracting officers shall retain the SAAD or the Alternate SAAD in the contract file.

SUBPART 13.2 – ACTIONS AT OR BELOW THE MICRO-PURCHASE THRESHOLD

(Revised August 14, 2019 through PROCLTR 2019-18)

13.201 General.

(g)(1) For other than purchase card acquisitions, the DLA Acquisition Director has delegated this authority to the contracting officer (see 18.27018.270 Head of contracting activity determinations.). For purchase card acquisitions, the determination authority is the HCA.

SUBPART 13.3 – SIMPLIFIED ACQUISITION METHODS

(Revised August 14, 2019 through PROCLTR 2019-18)

13.301 Governmentwide commercial purchase card.

(a) The DLA Director delegated Level 4 agency/organization program coordinator appointment authority to the HCAs. HCAs may delegate this authority no lower than the CCO.

(b) Governmentwide commercial purchase cardholders shall follow DLAM 5025.07, Government Purchase Card (GPC) Program (https://issuances.dla.mil/Published_Issuances/Government%20Purchase%20Card%20Program%20(GPC).pdf#search=5025%2E07).

(c) The requirement to purchase AbilityOne items for all products on the AbilityOne procurement list may not be waived but can be satisfied by ordering from On-Base AbilityOne stores, AbilityOne.com, AbilityOne participating nonprofit agencies, or DoD FedMall.

(d) The requirement to use DoD FedMall may be waived when the use of DoD FedMall will not meet the delivery requirements or will result in unreasonable or excessive cost to the requiring activity.

(e) Use the following order of precedence to satisfy AbilityOne purchase requirements:

(1) On-Base AbilityOne stores, AbilityOne.com, or AbilityOne participating nonprofit agencies.

(2) DoD FedMall.

(3) Commercial sources.

13.303 Blanket purchase agreements (BPAs).

13.303-2 Establishment of BPAs.

(c)(3)(S-90) BPAs with federal supply schedule (FSS) contractors for non-FSS items shall state the BPA excludes all items on FSSs.

13.303-3 Preparation of BPAs.

(a)(1) HCAs shall establish the maximum aggregate amount, if any, of all calls to be issued against one BPA.

13.390 Indefinite delivery contracts (IDCs) below the simplified acquisition

threshold (SAT).

(a)(1) Application. SIDCs use simplified acquisition procedures to acquire an indefinite quantity of supplies or services for the total period of performance of the SIDC in amounts not to exceed the SAT; or, for SIDCs using FAR subpart 13.5, the thresholds in FAR 13.500(a). There are two types of SIDCs, bilateral and unilateral. Procurement notes H05 and H06 establish when award occurs for each type. Following award, contracting officers may issue task orders for services or delivery orders for supplies against the SIDC, as applicable. SIDCs are useful when DLA makes repetitive low dollar value purchases for the same item or service, the price is expected to be stable, and the expected yearly or other long–term demands are not sufficient to establish an indefinite-delivery contract using FAR part 15 procedures.

(2) Guaranteed minimum (GM) purchase requirements and obligations.

(i) Contracting officers shall establish a GM quantity or GM dollar value of supplies or services for the SIDC and record an obligation in the amount of the GM at the time of award of the SIDC. Contracting officers shall follow the job aids referenced at 16.504(a)(1)(S-90)(A).

(ii) Failures to include a GM quantity or GM dollar value and/or record an obligation in the amount of the guaranteed minimum purchase requirement when awarding an SIDC are reflected in warrant proficiency scores and require creation of a contracting officer corrective action plan (see 16.504(a)(1)(S-90)(B) and Monthly Review and Reporting Requirements at mandatory PGI 16.504(a)(1)(S-90)(B)).

(iii) See 17.207(S-90) regarding GMs for option periods.

(iv) Contracting officers shall only issue a task or delivery order at the time of award of the basic SIDC if there is a requirement at that time.

(b) Contracting officers shall coordinate expected duration and frequency with the materiel planner for supplies or the originator of the requirement for services before deciding to use an SIDC.

(c) Contracting officers shall establish only one SIDC per item; except that contracting officers may award multiple SIDCs for the same item if each SIDC limits the awardee’s performance to a separate and distinct region or physical location.

(d) If during contract performance, the contracting officer does not expect demand during the remaining performance period to fulfill the GM, see 16.504(a)(1)(S-90)(D).

(e) Contracting officers may award unilateral or bilateral SIDCs, depending on the risk associated with the item and contractor.

(f) Contracting officers shall include procurement notes H05 or procurement note H06, as applicable, in RFQs for SIDCs.

***** H05 Bilateral Simplified Indefinite-Delivery Contract (SIDC) (SEP 2021)

(1) The Government will award a bilateral SIDC resulting from this request for quote (RFQ) to the responsible offeror whose quote conforms to the terms and conditions in the RFQ and will be most advantageous to the Government, after considering price and other factors. The awardee shall sign the SIDC, which creates a binding contract. The contractor shall return the signed SIDC to the contracting officer.

(2) Pricing of orders. The unit price for orders is based on the price for the quantity range that will cover the total quantity on the order, regardless of destination.

(3) Price evaluation will be based on the price quoted for the estimated annual demand in the schedule.

(4) Once the guaranteed minimum quantity stated in the SIDC is met, the Government is under no obligation to place additional orders. The Government may place additional orders for the period of performance stated in the SIDC, effective from the award date of the SIDC. All additional orders will reference the SIDC, which documents the terms and conditions applicable to each order. The SIDC states the maximum value of each task or delivery orders under the SIDC. The maximum value of the SIDC will not exceed the SAT; or, for SIDCs using FAR Subpart 13.5, the thresholds in 13.500(a).

***** H06 Unilateral Simplified Indefinite-Delivery Contract (SIDC) (SEP 2021)

(1) The Government will award a unilateral SIDC resulting from this request for quote (RFQ) to the responsible offeror whose quote conforms to the terms and conditions in the (RFQ) and will be most advantageous to the Government, after considering price and other factors. This initial unilateral SIDC is referred to hereafter as the “basic SIDC”.

(2) Pricing of orders. The unit price for orders is based on the price for the quantity range that will cover the total quantity on the order, regardless of destination.

(3) Price evaluation will be based on the price quoted for the estimated annual demand in the schedule.

(4) Acceptable contractor performance on the initial task or delivery order creates the SIDC and constitutes agreement by the contractor to accept additional orders under the same terms and conditions specified in the basic SIDC. The guaranteed minimum quantity stated in the basic SIDC becomes applicable at this point.

(5) Once the guaranteed minimum quantity stated in the basic SIDC is met, the Government is under no obligation to place additional orders. The Government may place additional orders for the period of performance stated in the basic SIDC, effective from the award date of the basic SIDC. All additional orders will reference the basic SIDC, which documents the terms and conditions of the SIDC. The basic SIDC states the maximum value of each task or delivery orders under the SIDC. The maximum value of the SIDC will not exceed the SAT; or, for SIDCs using FAR subpart 13.5, the thresholds in 13.500(a).

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SUBPART 13.4 – FAST PAYMENT PROCEDURE

(Revised April 2, 2021 through PROCLTR 20 21-07)

13.402 Conditions for use.

(a) DLA Troop Support Construction and Equipment Prime Vendor programs and DLA Aviation Chemicals and Packaged Petroleum, Oils, and Lubricants requirements for OCONUS are authorized

to use fast payment procedures on individual orders up to $150,000. (Refer to PROCLTR 16-03**.)** DLA Troop Support Construction and Equipment is authorized to use fast payment procedures for its tailored logistics support of FSG 80 requirements on individual orders with a maximum threshold of $35,000 for CONUS and $150,000 for OCONUS. Tailored logistics support contracting initiatives (see 17.9500 Scope of subpart.) are prime vendor programs for purposes of these authorities.

(f) Procuring organizations shall follow internal control procedures at PGI 13.402 Conditions for use.(f) to monitor contract actions using fast payment procedures. Contracting officers, contract compliance offices, and procurement policy offices shall ensure compliance with these controls.

(S-90) Contracting officers shall only use fast payment procedures for—

(1) OCONUS DLA Direct shipments supporting Forward Stock Locations (FSL) initiatives if the Government will conduct inspection and acceptance at destination.

(2) OCONUS Customer Direct shipments if the Government will conduct inspection and acceptance at destination.

(3) Customer Direct shipments to Consolidated Containerization Points (CCPs) if the Government will conduct inspection and acceptance at destination.

13.404 Contract clause.

(S-90) DEVIATION 20-05 waives the requirements in FAR 52.213-1(c)(2) for the FDT Program.

SUBPART 13.5 – Simplified Procedures for Certain Commercial Products and Commercial Services

(Revised January 11, 2022 through PROCLTR 2021-16)

13.500 General.

(c)(1) The DLA Acquisition Director has delegated authority to the contracting officer to make the determination at FAR 13.500(c)(1).

13.501 Special documentation requirements.

(b) Contract file documentation.

(3) Contracting officers shall use the Market Research for Commerciality Determination Memorandum (MRCDM) format at 53.9013 Simplified acquisition procedures.(b) to document the market research the procuring organization conducted to determine whether the product or service is commercial. Each procuring organization may add standardized supplemental information only by appending it at the end of the MRCDM format, in order to foster uniform presentation across the Agency. Contracting officers are encouraged, but are not required, to use the SAAD format at

53.9013 Simplified acquisition procedures.(a) or Alternate SAAD format at 53.9013 Simplified acquisition procedures.(c), as prescribed in 13.106-3 Award and documentation.(b) and 15.406-1 Prenegotiation objectives.(b)(1), in place of a PNM, to document the basis for award of actions valued within the thresholds at FAR 13.500(a).

13.590 Simplified indefinite-delivery contracts (SIDCs).

For SIDCs using FAR subpart 13.5, contracting officers shall comply with 13.390.