Subchapter C - Contracting Methods and Contract Types

- **Federal Acquisition Regulation**

  - **Federal Acquisition Regulation**
  - **Part 13 - Simplified Acquisition Procedures**
    - 13.000 Scope of part.
    - 13.001 Definitions.
    - 13.002 Purpose.
    - 13.003 Policy.
    - 13.004 Legal effect of quotations.
    - 13.005 List of laws inapplicable to contracts and subcontracts at or below the simplified acquisition threshold.
    - 13.006 Inapplicable provisions and clauses.

  - **Subpart 13.1 - Procedures**
    - 13.102 Source list.
    - 13.103 Use of standing price quotations.
    - 13.104 Promoting competition.
    - 13.105 Synopsis and posting requirements.
    - 13.106 Soliciting competition, evaluation of quotations or offers, award and documentation.
      - 13.106-1 Soliciting competition.
      - 13.106-2 Evaluation of quotations or offers.
      - 13.106-3 Award and documentation.

  - **Subpart 13.2 - Actions At or Below the Micro-Purchase Threshold**
    - 13.201 General.
    - 13.203 Purchase guidelines.

  - **Subpart 13.3 - Simplified Acquisition Methods**
    - 13.301 Governmentwide commercial purchase card.
    - 13.302 Purchase orders.
      - 13.302-3 Obtaining contractor acceptance and modifying purchase orders.
      - 13.302-4 Termination or cancellation of purchase orders.
      - 13.302-5 Clauses.
    - 13.303 Blanket purchase agreements (BPAs).
      - 13.303-1 General.
      - 13.303-2 Establishment of BPAs.
      - 13.303-3 Preparation of BPAs.
      - 13.303-4 Clauses.
      - 13.303-5 Purchases under BPAs.
      - 13.303-7 Completion of BPAs.
      - 13.303-8 Optional clause.
• 13.304 [Reserved]
• 13.305 Imprest funds and third party drafts.
  ◦ 13.305-1 General.
  ◦ 13.305-2 Agency responsibilities.
  ◦ 13.305-3 Conditions for use.
  ◦ 13.305-4 Procedures.
• 13.306 SF 44, Purchase Order-Invoice-Voucher.
• 13.307 Forms.
  • Subpart 13.4 - Fast Payment Procedure
    ◦ 13.401 General.
    ◦ 13.402 Conditions for use.
    ◦ 13.403 Preparation and execution of orders.
    ◦ 13.404 Contract clause.
  • Subpart 13.5 - Simplified Procedures for Certain Commercial Products and Commercial Services
    ◦ 13.500 General.
    ◦ 13.501 Special documentation requirements.
  • Part 14 - Sealed Bidding
    ◦ 14.000 Scope of part.
    • Subpart 14.1 - Use of Sealed Bidding
      ◦ 14.101 Elements of sealed bidding.
      ◦ 14.102 [Reserved]
      ◦ 14.103 Policy.
        ◦ 14.103-1 General.
        ◦ 14.103-2 Limitations.
      ◦ 14.104 Types of contracts.
      ◦ 14.105 Solicitations for informational or planning purposes.
    • Subpart 14.2 - Solicitation of Bids
      ◦ 14.201 Preparation of invitations for bids.
        ◦ 14.201-1 Uniform contract format.
        ◦ 14.201-2 Part I—The Schedule.
        ◦ 14.201-3 PartII-Contract clauses.
        ◦ 14.201-4 PartIII-Documents, exhibits, and other attachments.
        ◦ 14.201-5 PartIV-Representations and instructions.
        ◦ 14.201-6 Solicitation provisions.
        ◦ 14.201-7 Contract clauses.
        ◦ 14.201-8 Price related factors.
        ◦ 14.201-9 Simplified contract format.
        ◦ 14.202-1 Bidding time.
        ◦ 14.202-2 [Reserved]
      ◦ 14.203 Methods of soliciting bids.
        ◦ 14.203-1 Transmittal to prospective bidders.
        ◦ 14.203-2 Dissemination of information concerning invitations for bids.
        ◦ 14.203-3 Master solicitation.
- 14.204 Records of invitations for bids and records of bids.
- 14.205 Presolicitation notices.
- 14.206 [Reserved]
- 14.207 Pre-bid conference.
- 14.208 Amendment of invitation for bids.
- 14.209 Cancellation of invitations before opening.
- 14.210 Qualified products.
- 14.211 Release of acquisition information.
- 14.212 Economic purchase quantities (supplies).

- **Subpart 14.3 - Submission of Bids**
  - 14.301 Responsiveness of bids.
  - 14.302 Bid submission.
  - 14.303 Modification or withdrawal of bids.
  - 14.304 Submission, modification, and withdrawal of bids.

- **Subpart 14.4 - Opening of Bids and Award of Contract**
  - 14.400 Scope of subpart.
  - 14.401 Receipt and safeguarding of bids.
  - 14.402 Opening of bids.
    - 14.402-1 Unclassified bids.
    - 14.402-2 Classified bids.
    - 14.402-3 Postponement of openings.
  - 14.403 Recording of bids.
  - 14.404 Rejection of bids.
    - 14.404-1 Cancellation of invitations after opening.
    - 14.404-2 Rejection of individual bids.
    - 14.404-3 Notice to bidders of rejection of all bids.
    - 14.404-4 Restrictions on disclosure of descriptive literature.
    - 14.404-5 All or none qualifications.
  - 14.405 Minor informalities or irregularities in bids.
  - 14.407 Mistakes in bids.
    - 14.407-1 General.
    - 14.407-2 Apparent clerical mistakes.
    - 14.407-3 Other mistakes disclosed before award.
    - 14.407-4 Mistakes after award.
  - 14.408 Award.
    - 14.408-1 General.
    - 14.408-2 Responsible bidder-reasonableness of price.
    - 14.408-3 Prompt payment discounts.
    - 14.408-4 Economic price adjustment.
    - 14.408-5 [Reserved]
    - 14.408-6 Equal low bids.
    - 14.408-7 Documentation of award.
    - 14.408-8 Protests against award.
  - 14.409 Information to bidders.
    - 14.409-1 Award of unclassified contracts.
    - 14.409-2 Award of classified contracts.

- **Subpart 14.5 - Two-Step Sealed Bidding**
  - 14.503 Procedures.
Part 15 - Contracting by Negotiation

- 15.000 Scope of part.
- 15.001 Definitions.
- 15.002 Types of negotiated acquisition.

Subpart 15.1 - Source Selection Processes and Techniques

- 15.100 Scope of subpart.
- 15.101 Best value continuum.
  - 15.101-1 Tradeoff process.
  - 15.101-2 Lowest price technically acceptable source selection process.
  - 15.101-3 Tiered evaluation of small business offers.
- 15.102 Oral presentations.

Subpart 15.2 - Solicitation and Receipt of Proposals and Information

- 15.200 Scope of subpart.
- 15.201 Exchanges with industry before receipt of proposals.
- 15.203 Requests for proposals.
- 15.204 Contract format.
  - 15.204-1 Uniform contract format.
  - 15.204-2 Part I-The Schedule.
  - 15.204-3 Part II-Contract Clauses.
  - 15.204-4 Part III-List of Documents, Exhibits, and Other Attachments.
  - 15.204-5 Part IV-Representations and Instructions.
- 15.205 Issuing solicitations.
- 15.206 Amending the solicitation.
- 15.207 Handling proposals and information.
- 15.208 Submission, modification, revision, and withdrawal of proposals.
- 15.209 Solicitation provisions and contract clauses.
- 15.210 Forms.

Subpart 15.3 - Source Selection

- 15.300 Scope of subpart.
- 15.301 [Reserved]
- 15.302 Source selection objective.
- 15.303 Responsibilities.
- 15.304 Evaluation factors and significant subfactors.
- 15.305 Proposal evaluation.
- 15.306 Exchanges with offerors after receipt of proposals.
- 15.308 Source selection decision.

Subpart 15.4 - Contract Pricing

- 15.400 Scope of subpart.
- 15.401 Definitions.
- 15.402 Pricing policy.
- 15.403 Obtaining certified cost or pricing data.
  - 15.403-2 Other circumstances where certified cost or pricing data are not required.
  - 15.403-3 Requiring data other than certified cost or pricing data.
  - 15.403-4 Requiring certified cost or pricing data (10 U.S.C. 2306a and
15.403-5 Instructions for submission of certified cost or pricing data and data other than certified cost or pricing data.

15.404 Proposal analysis.
- 15.404-1 Proposal analysis techniques.
- 15.404-2 Data to support proposal analysis.
- 15.404-3 Subcontract pricing considerations.
- 15.404-4 Profit.

15.405 Price negotiation.

15.406 Documentation.
- 15.406-3 Documenting the negotiation.

15.407 Special cost or pricing areas.
- 15.407-1 Defective certified cost or pricing data.
- 15.407-2 Make-or-buy programs.
- 15.407-3 Forward pricing rate agreements.

15.408 Solicitation provisions and contract clauses.

- Subpart 15.5 - Preaward, Award, and Postaward Notifications, Protests, and Mistakes
  - 15.501 Definition.
  - 15.502 Applicability.
  - 15.503 Notifications to unsuccessful offerors.
  - 15.504 Award to successful offeror.
  - 15.505 Preaward debriefing of offerors.
  - 15.506 Postaward debriefing of offerors.
  - 15.507 Protests against award.
  - 15.508 Discovery of mistakes.
  - 15.509 Forms.

- Subpart 15.6 - Unsolicited Proposals
  - 15.600 Scope of subpart.
  - 15.601 Definitions.
  - 15.602 Policy.
  - 15.603 General.
  - 15.604 Agency points of contact.
  - 15.605 Content of unsolicited proposals.
  - 15.606 Agency procedures.
    - 15.606-1 Receipt and initial review.
  - 15.608 Prohibitions.
  - 15.609 Limited use of data.

- Part 16 - Types of Contracts
  - 16.000 Scope of part.
  - 16.001 Definitions.
  - Subpart 16.1 - Selecting Contract Types
    - 16.101 General.
    - 16.102 Policies.
    - 16.103 Negotiating contract type.
Subpart 16.2 - Fixed-Price Contracts

16.201 General.

   - 16.202-1 Description.

16.203 Fixed-price contracts with economic price adjustment.
   - 16.203-1 Description.
   - 16.203-2 Application.
   - 16.203-3 Limitations.
   - 16.203-4 Contract clauses.

16.204 Fixed-price incentive contracts.

16.205 Fixed-price contracts with prospective price redetermination.
   - 16.205-1 Description.
   - 16.205-2 Application.
   - 16.205-3 Limitations.
   - 16.205-4 Contract clause.

16.206 Fixed-ceiling-price contracts with retroactive price redetermination.
   - 16.206-1 Description.
   - 16.206-2 Application.
   - 16.206-3 Limitations.
   - 16.206-4 Contract clause.

   - 16.207-1 Description.
   - 16.207-2 Application.
   - 16.207-3 Limitations.

Subpart 16.3 - Cost-Reimbursement Contracts

16.301 General.
   - 16.301-1 Description.
   - 16.301-2 Application.
   - 16.301-3 Limitations.

16.302 Cost contracts.

16.303 Cost-sharing contracts.

16.304 Cost-plus-incentive-fee contracts.

16.305 Cost-plus-award-fee contracts.

16.306 Cost-plus-fixed-fee contracts.


Subpart 16.4 - Incentive Contracts

16.401 General.

16.402 Application of predetermined, formula-type incentives.
   - 16.402-1 Cost incentives.
   - 16.402-2 Performance incentives.
   - 16.402-3 Delivery incentives.
   - 16.402-4 Structuring multiple-incentive contracts.

16.403 Fixed-price incentive contracts.
   - 16.403-1 Fixed-price incentive (firm target) contracts.
   - 16.403-2 Fixed-price incentive (successive targets) contracts.

16.404 Fixed-price contracts with award fees.

16.405 Cost-reimbursement incentive contracts.
   - 16.405-1 Cost-plus-incentive-fee contracts.
16.405-2 Cost-plus-award-fee contracts.


Subpart 16.5 - Indefinite-Delivery Contracts

16.500 Scope of subpart.
16.501 [Reserved]
   - 16.501-1 Definitions.
16.502 Definite-quantity contracts.
16.503 Requirements contracts.
16.504 Indefinite-quantity contracts.
16.505 Ordering.
16.506 Solicitation provisions and contract clauses.

Subpart 16.6 - Time-and-Materials, Labor-Hour, and Letter Contracts

16.600 Scope.
16.602 Labor-hour contracts.
16.603 Letter contracts.
   - 16.603-1 Description.
   - 16.603-2 Application.
   - 16.603-3 Limitations.
   - 16.603-4 Contract clauses.

Subpart 16.7 - Agreements

16.701 Scope.
16.702 Basic agreements.
16.703 Basic ordering agreements.

Part 17 - Special Contracting Methods

17.000 Scope of part.

Subpart 17.1 - Multi-year Contracting

17.101 Authority.
17.102 Applicability.
17.103 Definitions.
17.104 General.
17.105 Policy.
   - 17.105-1 Uses.
   - 17.105-2 Objectives.
17.106 Procedures.
   - 17.106-1 General.
   - 17.106-2 Solicitations.
   - 17.106-3 Special procedures applicable to DoD, NASA, and the Coast Guard.
17.107 Options.
17.108 Congressional notification.
17.109 Contract clauses.

Subpart 17.2 - Options

17.200 Scope of subpart.
17.201 [Reserved]
17.202 Use of options.
17.203 Solicitations.
17.204 Contracts.
17.205 Documentation.
17.206 Evaluation.
17.207 Exercise of options.
17.208 Solicitation provisions and contract clauses.

**Subpart 17.3 - [Reserved]**

**Subpart 17.4 - Leader Company Contracting**
- 17.401 General.
- 17.402 Limitations.
- 17.403 Procedures.

**Subpart 17.5 - Interagency Acquisitions**
- 17.500 Scope of subpart.
- 17.501 General.
- 17.502 Procedures.
  - 17.502-1 General.
  - 17.502-2 The Economy Act.
- 17.503 Ordering procedures.
- 17.504 Reporting requirements.

**Subpart 17.6 - Management and Operating Contracts**
- 17.600 Scope of subpart.
- 17.601 Definition.
- 17.602 Policy.
- 17.603 Limitations.
- 17.604 Identifying management and operating contracts.
- 17.605 Award, renewal, and extension.

**Subpart 17.7 - Interagency Acquisitions: Acquisitions by Nondefense Agencies on Behalf of the Department of Defense**
- 17.700 Scope of subpart.
- 17.701 Definitions.
- 17.702 Applicability.
- 17.703 Policy.

**Part 18 - Emergency Acquisitions**
- 18.000 Scope of part.
- 18.001 Definition.

**Subpart 18.1 - Available Acquisition Flexibilities**
- 18.101 General.
- 18.102 System for Award Management.
- 18.103 Synopses of proposed contract actions.
- 18.104 Unusual and compelling urgency.
- 18.105 Federal Supply Schedules (FSSs), multi-agency blanket purchase agreements (BPAs), and multi-agency indefinite delivery contracts.
- 18.107 AbilityOne specification changes.
- 18.108 Qualifications requirements.
- 18.109 Priorities and allocations.
- 18.110 Soliciting from a single source.
- 18.111 Oral requests for proposals.
- 18.112 Letter contracts.
- 18.113 Interagency acquisitions.
- 18.114 Contracting with the Small Business Administration (The 8(a) Program).
- 18.115 HUBZone sole source awards.
• 18.117 Awards to economically disadvantaged women-owned small business concerns and women-owned small business concerns eligible under the Women-Owned Small Business Program.
• 18.118 Overtime approvals.
• 18.119 Trade agreements.
• 18.120 Use of patented technology under the North American Free Trade Agreement.
• 18.121 Bid guarantees.
• 18.122 Advance payments.
• 18.123 Assignment of claims.
• 18.124 Electronic funds transfer.
• 18.125 Protest to GAO.
• 18.126 Contractor rent-free use of Government property.
• 18.127 Extraordinary contractual actions.

**Subpart 18.2 - Emergency Acquisition Flexibilities**

• 18.201 Contingency operation.
• 18.202 Defense or recovery from certain events.
• 18.203 Emergency declaration or major disaster declaration.
• 18.204 Humanitarian or peacekeeping operation.
• 18.205 Resources.