52.212-2 Evaluation—Commercial Products and Commercial Services.

As prescribed in 12.301(c), the *Contracting Officer may* insert a provision *substantially as follows*:

Evaluation—*Commercial Products* and *Commercial Services* (Nov 2021)

(a) The Government will award a contract resulting from this *solicitation* to the responsible *offeror* whose *offer* conforming to the *solicitation* will be most advantageous to the Government, price and other factors considered. The following factors *shall* be used to evaluate *offers*:

_____ _____
_____*[Contracting Officer shall insert the significant evaluation factors, such as (i) technical capability of the item offered to meet the Government requirement; (ii) price; (iii) past performance (see FAR 15.304); and include them in the relative order of importance of the evaluation factors, such as in descending order of importance.]*

Technical and *past performance*, when combined, are _____ *[Contracting Officer state, in accordance with FAR 15.304, the relative importance of all other evaluation factors, when combined, when compared to price.]*

(b) *Options*. The Government will evaluate *offers* for award purposes by adding the total price for all *options* to the total price for the basic requirement. The Government *may* determine that an *offer* is unacceptable if the *option* prices are significantly unbalanced. Evaluation of *options shall* not obligate the Government to exercise the *option*(s).

(c) A written notice of award or acceptance of an *offer*, mailed or otherwise furnished to the successful *offeror* within the time for acceptance specified in the *offer*, *shall* result in a binding contract without further action by either party. Before the *offer*'s specified expiration time, the Government *may* accept an *offer* (or part of an *offer*), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

(End of provision)

Parent topic: 52.212 [Reserved]