

# **PART 812 - ACQUISITION OF COMMERCIAL ITEMS**

Authority: 38 U.S.C. 8127-8128; 40 U.S.C. 121(c); 41 U.S.C. 1702 and 48 CFR 1.301 through 1.304.

Source: 73 FR 2717, Jan. 15, 2008, unless otherwise noted.

## Subpart 812.1 - Acquisition of Commercial Items - General

### 812.102 Applicability.

#### 812.102-70 Applicability of Veterans preferences.

## Subpart 812.3 - Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items

### 812.301 Solicitation provisions and contract clauses for the acquisition of commercial items.

## **Subpart 812.1 - Acquisition of Commercial Items - General**

### **812.102 Applicability.**

#### **812.102-70 Applicability of Veterans preferences.**

Based on the authority under 38 U.S.C. 8127 and 8128, the Veterans First Contracting Program in subpart 819.70 applies to VA contracts under this part. The provisions and clauses prescribed reflect agency unique statutes applicable to the acquisition of commercial items.

## **Subpart 812.3 - Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items**

### **812.301 Solicitation provisions and contract clauses for the acquisition of commercial items.**

(f)

(1) Contracting officers shall insert the clause 852.212-70, Provisions and Clauses Applicable to VA Acquisition of Commercial Items, in all solicitations and contracts for commercial acquisitions and check only those provisions and clauses that apply to the individual acquisition.

(2) Contracting officers shall insert the clause 852.212-71, Gray Market Items, in solicitations and contracts for new medical equipment for VA Medical Centers and that include FAR provisions 52.212-1, Instruction to Offerors - Commercial Items, and 52.212-2, Evaluation - Commercial Items.