PART 812—ACQUISITION OF COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES

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 Products and Commercial Services

812.301 Solicitation provisions and contract clauses for the acquisition of commercial products and commercial services.

Parent topic: SUBCHAPTER B—ACQUISITION PLANNING

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 Products and Commercial Services

Source: 88 FR 4746, Jan. 25, 2023, unless otherwise noted.

812.301 Solicitation provisions and contract clauses for the acquisition of commercial products and commercial services.

(f)

(1) Contracting officers shall insert the clause at 852.212-71, Gray Market and Counterfeit Items, in

solicitations and contracts for new medical supplies, new medical equipment, new information technology equipment, and maintenance of medical or information technology equipment that includes replacement parts if used, refurbished, or remanufactured parts are unacceptable, when the associated solicitation includes FAR 52.212-1, Instruction to Offerors—Commercial Products and Commercial Services, and 52.212-2, Evaluation—Commercial Products and Commercial Services.

(2) Contracting officers shall insert the clause at 852.212-72, Gray Market and Counterfeit Items—Information Technology Maintenance Allowing Other-than-New Parts, in solicitations and contracts for the maintenance of information technology equipment that includes replacement parts, if used, refurbished, or remanufactured parts are acceptable, when the associated solicitation includes FAR 52.212-1, Instruction to Offerors—Commercial Products and Commercial Services, and 52.212-2, Evaluation—Commercial Products and Commercial Services.