Subpart 516.5 - Indefinite-Delivery Contracts

Parent topic: Part 516 - Types of Contracts

516.500 Scope of section.

COs shall follow the INFORM procedures in section 515.370 for all applicable orders.

516.500-1 General.

Solicitations under indefinite delivery contracts that are not set-aside should consider inclusion of a small business participation evaluation factor as described in 515.304.

516.505 Ordering.

(a) *Use of Lowest Price Technically Acceptable*. Lowest price technically acceptable may be a useful evaluation process when placing task or delivery orders. FAR 16.505(b)(1)(ii)(F) prescribes when this process is appropriate to use. For assisted acquisitions for DoD, DFARS 216.505(b)(1)(A) prescribes the required LPTA considerations. A contracting officer should not use this process without doing the following:

(1) *Documentation requirements*. If the contract's ordering instructions allow for the use of the lowest price technically acceptable, the rationale for why this method of evaluation is being utilized should be clearly described in the acquisition plan (see FAR 7.105(b)(4)). The rationale should include a description as to why utilizing this methodology will not harm the Government.

(b) *Task-order and delivery-order ombudsman*. C

(1) *Contract Level*. For solicitations and contracts when GSA multiple-award indefinite-delivery indefinite-quantity (IDIQ) contracts are contemplated, contracting officers shall reference http://www.gsa.gov/ombudsman when completing paragraph (a) of FAR clause 52.216-32, Task-Order and Delivery-Order Ombudsman.

(2) *Order Level* .

(i) *GSA orders*. For task and delivery orders placed by GSA under multiple-award, multiple-agency IDIQ contracts, contracting officers shall reference http://www.gsa.gov/ombudsman when completing paragraph (d) of Alternate I FAR Clause 52.216-32.

(ii) *Non-GSA orders*. For task and delivery orders placed by agencies other than GSA under GSA multiple-award, multiple-agency IDIQ contracts, ordering activity contracting officers shall reference the contact information of that ordering agency's task-order and delivery-order ombudsman when completing paragraph (d) of Alternate I FAR Clause 52.216-32.

516.506 Solicitation provisions and contract clauses.

(a) In solicitations and contracts for Special Order Program items, when the contract authorizes the Federal Acquisition Service (FAS) and other activities to issue delivery or task orders, insert the clause at 552.216-72, Placement of Orders. If only FAS will issue delivery or task orders, insert the clause with its Alternate I.

(b) If the clause at 552.216-72 is prescribed, insert the provision at 552.216-73, Ordering Information, in solicitations for Special Order Program items and in other FAS Program solicitations. Use 552.216-73 Alternate I when 552.216-72 Alternate I is prescribed.

(c) The Contracting Officer may insert clause 552.216-75 in solicitations and GSA-awarded IDIQ contracts, not including Federal Supply Schedule (FSS) contracts. This clause should be included in all GSA-awarded Governmentwide acquisition contracts and multi-agency contracts. See 538.273 for clauses applicable to FSS contracts.