5.101 Methods of disseminating information.

(a) As required by the Small Business Act (15 U.S.C. 637(e)) and the Office of Federal *Procurement* Policy Act (41 U.S.C. 1708), *contracting officers must* disseminate information on proposed *contract actions* as follows:

(1) For proposed *contract actions* expected to exceed $25,000, by synopsizing in the GPE (see 5.201).

(2) For proposed *contract actions* expected to exceed $20,000, but not expected to exceed $25,000, by displaying in a public place, or by any appropriate electronic means, an unclassified notice of the *solicitation* or a copy of the *solicitation* satisfying the requirements of 5.207(c). The notice *must* include a statement that all responsible sources *may* submit a response which, if timely received, *must* be considered by the agency. The information *must* be posted not later than the date the *solicitation* is issued, and *must* remain posted for at least 10 days or until after quotations have been opened, whichever is later.

(i) If *solicitations* are posted instead of a notice, the *contracting officer may* employ various methods of satisfying the requirements of 5.207(c). For example, the *contracting officer may* meet the requirements of 5.207(c) by stamping the *solicitation*, by a cover sheet to the *solicitation*, or by placing a general statement in the display room.

(ii) The *contracting officer* need not comply with the display requirements of this section when the exemptions at 5.202(a)(1), (a)(4) through (a)(9), or (a)(11) apply, when oral *solicitations* are used, or when providing access to a notice of proposed *contract action* and *solicitation* through the GPE and the notice permits the public to respond to the *solicitation* electronically.

(iii) *Contracting officers may* use electronic posting of requirements in a place accessible by the general public at the Government installation to satisfy the public display requirement. *Contracting offices* using electronic systems for public posting that are not accessible outside the installation *must* periodically publicize the methods for accessing the information.

(b) In addition, one or more of the following methods *may* be used:

(1) Preparing periodic handouts listing proposed contracts, and displaying them as in 5.101(a)(2).

(2) Assisting local trade associations in disseminating information to their members.

(3) Making brief announcements of proposed contracts to newspapers, trade journals, magazines, or other mass communication media for publication without cost to the Government.

(4) Placing paid advertisements in newspapers or other communications media, subject to the following limitations:

(i) *Contracting officers shall* place paid advertisements of proposed contracts only when it is anticipated that effective competition cannot be obtained otherwise (see 5.205(d)).

(ii) *Contracting officers shall* not place advertisements of proposed contracts in a newspaper published and printed in the District of Columbia unless the *supplies* or services will be furnished, or the labor performed, in the District of Columbia or adjoining counties in Maryland or Virginia (44 U.S.C. 3701).

(iii) Advertisements published in newspapers *must* be under proper written authority in accordance with 44 U.S.C.3702 (see 5.502(a)).

Parent topic: Subpart 5.1 - Dissemination of Information