PART 2815—CONTRACTING BY NEGOTIATION

Authority: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 28 CFR 0.76(j).

Source: 87 FR 47118, Aug. 2, 2022, unless otherwise noted.

Subpart 2815.2—Solicitation and Receipt of Proposals and Information

2815.204 Contract format.

Subpart 2815.3—Source Selection

2815.303 Responsibilities.

Subpart 2815.4—Contract Pricing

2815.404 Proposal analysis.

2815.404-2 Data to support proposal analysis.

Subpart 2815.6—Unsolicited Proposals

2815.604 Agency points of contact.

2815.605 Content of unsolicited proposals.

2815.606 Agency procedures.

Parent topic: SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

Subpart 2815.2—Solicitation and Receipt of Proposals and Information

2815.204 Contract format.

The HCA or designee is the agency head for the purposes of FAR 15.204(e).

Subpart 2815.3—Source Selection

2815.303 Responsibilities.

The HCA or designee is the agency head for the purposes of FAR 15.303(a).

Subpart 2815.4—Contract Pricing

2815.404 Proposal analysis.

2815.404-2 Data to support proposal analysis.

All requests for field pricing support shall be made by the contracting officer directly to the cognizant audit agency. In accordance with Attorney General Order 1931-94, a copy of the request for such services shall be sent to the OIG at the time it is mailed to the cognizant audit agency. A copy of each report received shall also be sent to the OIG. Requests for other audit assistance may be made to the Assistant Inspector General for Audits.

Subpart 2815.6—Unsolicited Proposals

2815.604 Agency points of contact.

Each contracting activity shall designate a point of contact for the receipt and handling of unsolicited proposals. Generally, the official designated shall be the BPC or immediate subordinate.

2815.605 Content of unsolicited proposals.

To ensure against contracts between DOJ and prospective offers that would exceed the limits of advance guidance set forth in FAR 15.604 and potentially result in an unfair advantage to an offeror, the offeror of an unsolicited proposal must include the following warranty in any unsolicited proposal. Contracting officers receiving an unsolicited proposal without this warranty shall not process the proposal until the offeror is notified and given an opportunity to submit a proper warranty. If no warranty is provided in a reasonable time, the contracting officer shall reject the unsolicited proposal and notify the offeror of the rejection and the reason therefore. The warranty must be signed by a responsible management official of the proposing organization authorized to contractually obligate the organization.

UNSOLICITED PROPOSAL

WARRANTY BY OFFEROR

This is to warrant that—

(a) This proposal has not been prepared under Government supervision;

(b) The methods and approaches stated in the proposal were developed by this offeror;

(c) Any contact with DOJ personnel has been with the limits of appropriate advance guidance set forth in FAR 15.604; and,

(d) No prior commitments were received from DOJ personnel regarding acceptance of this proposal.

Date:

Organization:

Name:

Title:

2815.606 Agency procedures.

The designated point of contact for each contracting activity shall provide for and coordinate receipt, review, evaluation, safeguarding, and final disposition of unsolicited proposals in accordance with FAR subpart 15.6.