

9.306 Solicitation requirements.

Solicitations containing a testing and *approval* requirement shall-

(a) Provide, in the circumstance where the contractor is to be responsible for the *first article approval* testing-

- (1) The performance or other characteristics that the *first article* must meet for *approval*;
- (2) The detailed technical requirements for the tests that *must* be performed for *approval*; and
- (3) The necessary data that *must* be submitted to the Government in the *first article approval* test report;

(b) Provide, in the circumstance where the Government is to be responsible for the *first article approval* testing-

- (1) The performance or other characteristics that the *first article* must meet for *approval*; and
- (2) The tests to which the *first article* will be subjected for *approval*;

(c) Inform *offerors* that the requirement *may* be waived when *supplies* identical or similar to those called for have previously been delivered by the *offeror* and accepted by the Government (see [52.209-3\(h\)](#) and [52.209-4\(i\)](#));

(d) Permit the submission of alternative *offers*, one including testing and *approval* and the other excluding testing and *approval* (if eligible under paragraph (c) of this section);

(e) State clearly the *first article's* relationship to the contract quantity (see paragraph (e) of the clause at [52.209-3](#), *First Article Approval-Contractor Testing*, or [52.209-4](#), *First Article Approval-Government Testing*);

(f) Contain a delivery schedule for the production quantity (see [11.403](#)). The delivery schedule *may*-

- (1) Be the same whether or not testing and *approval* is waived; or
- (2) Provide for earlier delivery when testing and *approval* is waived and the Government desires earlier delivery. In the latter case, any resulting difference in delivery schedules *shall* not be a factor in evaluation for award. The clause at [52.209-4](#), *First Article Approval-Government Testing*, *shall* contain the delivery schedule for the *first article*;

(g) Provide for the submission of contract numbers, if any, to document the *offeror's* eligibility under paragraph (c) of this section;

(h) State whether the approved *first article* will serve as a manufacturing standard;

(i) Include, when the Government is responsible for *first article testing*, the Government's estimated testing costs as a factor for use in evaluating *offers* (when appropriate); and

(j) Inform *offerors* that the prices for *first articles* and *first article* tests in relation to production quantities *shall* not be materially unbalanced (see [15.404-1\(g\)](#)) if *first article* test items or tests are to be separately priced.

Parent topic: Subpart 9.3 - First Article Testing and Approval