

Subchapter C - Contracting Methods and Contract Types

- **Federal Acquisition Regulation**

- Federal Acquisition Regulation

- Part 13 - Simplified Acquisition Procedures

- 13.000 Scope of part.
- 13.001 Definitions.
- 13.002 Purpose.
- 13.003 Policy.
- 13.004 Legal effect of quotations.
- 13.005 List of laws inapplicable to contracts and subcontracts at or below the simplified acquisition threshold.
- 13.006 Inapplicable provisions and clauses.
- Subpart 13.1 - Procedures
 - 13.101 General.
 - 13.102 Source list.
 - 13.103 Use of standing price quotations.
 - 13.104 Promoting competition.
 - 13.105 Synopsis and posting requirements.
 - 13.106 Soliciting competition, evaluation of quotations or offers, award and documentation.
 - 13.106-1 Soliciting competition.
 - 13.106-2 Evaluation of quotations or offers.
 - 13.106-3 Award and documentation.
- Subpart 13.2 - Actions At or Below the Micro-Purchase Threshold
 - 13.201 General.
 - 13.202 Unenforceability of unauthorized obligations in micro-purchases.
 - 13.203 Purchase guidelines.
- Subpart 13.3 - Simplified Acquisition Methods
 - 13.301 Governmentwide commercial purchase card.
 - 13.302 Purchase orders.
 - 13.302-1 General.
 - 13.302-2 Unpriced purchase orders.
 - 13.302-3 Obtaining contractor acceptance and modifying purchase orders.
 - 13.302-4 Termination or cancellation of purchase orders.
 - 13.302-5 Clauses.
 - 13.303 Blanket purchase agreements (BPAs).
 - 13.303-1 General.
 - 13.303-2 Establishment of BPAs.
 - 13.303-3 Preparation of BPAs.
 - 13.303-4 Clauses.
 - 13.303-5 Purchases under BPAs.
 - 13.303-6 Review procedures.
 - 13.303-7 Completion of BPAs.
 - 13.303-8 Optional clause.

- 13.304 [Reserved]
- 13.305 Imprest funds and third party drafts.
 - 13.305-1 General.
 - 13.305-2 Agency responsibilities.
 - 13.305-3 Conditions for use.
 - 13.305-4 Procedures.
- 13.306 SF 44, Purchase Order-Invoice-Voucher.
- 13.307 Forms.
- Subpart 13.4 - Fast Payment Procedure
 - 13.401 General.
 - 13.402 Conditions for use.
 - 13.403 Preparation and execution of orders.
 - 13.404 Contract clause.
- Subpart 13.5 - Simplified Procedures for Certain Commercial Products and Commercial Services
 - 13.500 General.
 - 13.501 Special documentation requirements.
- Part 14 - Sealed Bidding
 - 14.000 Scope of part.
 - Subpart 14.1 - Use of Sealed Bidding
 - 14.101 Elements of sealed bidding.
 - 14.102 [Reserved]
 - 14.103 Policy.
 - 14.103-1 General.
 - 14.103-2 Limitations.
 - 14.104 Types of contracts.
 - 14.105 Solicitations for informational or planning purposes.
 - Subpart 14.2 - Solicitation of Bids
 - 14.201 Preparation of invitations for bids.
 - 14.201-1 Uniform contract format.
 - 14.201-2 Part I—The Schedule.
 - 14.201-3 PartII-Contract clauses.
 - 14.201-4 PartIII-Documents, exhibits, and other attachments.
 - 14.201-5 PartIV-Representations and instructions.
 - 14.201-6 Solicitation provisions.
 - 14.201-7 Contract clauses.
 - 14.201-8 Price related factors.
 - 14.201-9 Simplified contract format.
 - 14.202 General rules for solicitation of bids.
 - 14.202-1 Bidding time.
 - 14.202-2 [Reserved]
 - 14.202-3 Bid envelopes.
 - 14.202-4 Bid samples.
 - 14.202-5 Descriptive literature.
 - 14.202-6 Final review of invitations for bids.
 - 14.202-7 Facsimile bids.
 - 14.202-8 Electronic bids.
 - 14.203 Methods of soliciting bids.
 - 14.203-1 Transmittal to prospective bidders.
 - 14.203-2 Dissemination of information concerning invitations for bids.
 - 14.203-3 Master solicitation.

- 14.204 Records of invitations for bids and records of bids.
- 14.205 Presolicitation notices.
- 14.206 [Reserved]
- 14.207 Pre-bid conference.
- 14.208 Amendment of invitation for bids.
- 14.209 Cancellation of invitations before opening.
- 14.210 Qualified products.
- 14.211 Release of acquisition information.
- 14.212 Economic purchase quantities (supplies).
- Subpart 14.3 - Submission of Bids
 - 14.301 Responsiveness of bids.
 - 14.302 Bid submission.
 - 14.303 Modification or withdrawal of bids.
 - 14.304 Submission, modification, and withdrawal of bids.
- Subpart 14.4 - Opening of Bids and Award of Contract
 - 14.400 Scope of subpart.
 - 14.401 Receipt and safeguarding of bids.
 - 14.402 Opening of bids.
 - 14.402-1 Unclassified bids.
 - 14.402-2 Classified bids.
 - 14.402-3 Postponement of openings.
 - 14.403 Recording of bids.
 - 14.404 Rejection of bids.
 - 14.404-1 Cancellation of invitations after opening.
 - 14.404-2 Rejection of individual bids.
 - 14.404-3 Notice to bidders of rejection of all bids.
 - 14.404-4 Restrictions on disclosure of descriptive literature.
 - 14.404-5 All or none qualifications.
 - 14.405 Minor informalities or irregularities in bids.
 - 14.406 Receipt of an unreadable electronic bid.
 - 14.407 Mistakes in bids.
 - 14.407-1 General.
 - 14.407-2 Apparent clerical mistakes.
 - 14.407-3 Other mistakes disclosed before award.
 - 14.407-4 Mistakes after award.
 - 14.408 Award.
 - 14.408-1 General.
 - 14.408-2 Responsible bidder-reasonableness of price.
 - 14.408-3 Prompt payment discounts.
 - 14.408-4 Economic price adjustment.
 - 14.408-5 [Reserved]
 - 14.408-6 Equal low bids.
 - 14.408-7 Documentation of award.
 - 14.408-8 Protests against award.
 - 14.409 Information to bidders.
 - 14.409-1 Award of unclassified contracts.
 - 14.409-2 Award of classified contracts.
- Subpart 14.5 - Two-Step Sealed Bidding
 - 14.501 General.
 - 14.502 Conditions for use.
 - 14.503 Procedures.

- 14.503-1 Step one.
 - 14.503-2 Step two.
- Part 15 - Contracting by Negotiation
 - 15.000 Scope of part.
 - 15.001 Definitions.
 - 15.002 Types of negotiated acquisition.
 - Subpart 15.1 - Source Selection Processes and Techniques
 - 15.100 Scope of subpart.
 - 15.101 Best value continuum.
 - 15.101-1 Tradeoff process.
 - 15.101-2 Lowest price technically acceptable source selection process.
 - 15.101-3 Tiered evaluation of small business offers.
 - 15.102 Oral presentations.
 - Subpart 15.2 - Solicitation and Receipt of Proposals and Information
 - 15.200 Scope of subpart.
 - 15.201 Exchanges with industry before receipt of proposals.
 - 15.202 Advisory multi-step process.
 - 15.203 Requests for proposals.
 - 15.204 Contract format.
 - 15.204-1 Uniform contract format.
 - 15.204-2 Part I-The Schedule.
 - 15.204-3 Part II-Contract Clauses.
 - 15.204-4 Part III-List of Documents, Exhibits, and Other Attachments.
 - 15.204-5 Part IV-Representations and Instructions.
 - 15.205 Issuing solicitations.
 - 15.206 Amending the solicitation.
 - 15.207 Handling proposals and information.
 - 15.208 Submission, modification, revision, and withdrawal of proposals.
 - 15.209 Solicitation provisions and contract clauses.
 - 15.210 Forms.
 - Subpart 15.3 - Source Selection
 - 15.300 Scope of subpart.
 - 15.301 [Reserved]
 - 15.302 Source selection objective.
 - 15.303 Responsibilities.
 - 15.304 Evaluation factors and significant subfactors.
 - 15.305 Proposal evaluation.
 - 15.306 Exchanges with offerors after receipt of proposals.
 - 15.307 Proposal revisions.
 - 15.308 Source selection decision.
 - Subpart 15.4 - Contract Pricing
 - 15.400 Scope of subpart.
 - 15.401 Definitions.
 - 15.402 Pricing policy.
 - 15.403 Obtaining certified cost or pricing data.
 - 15.403-1 Prohibition on obtaining certified cost or pricing data (10 U.S.C. chapter 271 and 41 U.S.C. CHAPTER 35).
 - 15.403-2 Other circumstances where certified cost or pricing data are not required.
 - 15.403-3 Requiring data other than certified cost or pricing data.
 - 15.403-4 Requiring certified cost or pricing data (10 U.S.C. chapter

- 271 and 41 U.S.C. chapter 35).
 - 15.403-5 Instructions for submission of certified cost or pricing data and data other than certified cost or pricing data.
 - 15.404 Proposal analysis.
 - 15.404-1 Proposal analysis techniques.
 - 15.404-2 Data to support proposal analysis.
 - 15.404-3 Subcontract pricing considerations.
 - 15.404-4 Profit.
 - 15.405 Price negotiation.
 - 15.406 Documentation.
 - 15.406-1 Prenegotiation objectives.
 - 15.406-2 Certificate of Current Cost or Pricing Data.
 - 15.406-3 Documenting the negotiation.
 - 15.407 Special cost or pricing areas.
 - 15.407-1 Defective certified cost or pricing data.
 - 15.407-2 Make-or-buy programs.
 - 15.407-3 Forward pricing rate agreements.
 - 15.407-4 Should-cost review.
 - 15.407-5 Estimating systems.
 - 15.408 Solicitation provisions and contract clauses.
 - Subpart 15.5 - Preaward, Award, and Postaward Notifications, Protests, and Mistakes
 - 15.501 Definition.
 - 15.502 Applicability.
 - 15.503 Notifications to unsuccessful offerors.
 - 15.504 Award to successful offeror.
 - 15.505 Preaward debriefing of offerors.
 - 15.506 Postaward debriefing of offerors.
 - 15.507 Protests against award.
 - 15.508 Discovery of mistakes.
 - 15.509 Forms.
 - Subpart 15.6 - Unsolicited Proposals
 - 15.600 Scope of subpart.
 - 15.601 Definitions.
 - 15.602 Policy.
 - 15.603 General.
 - 15.604 Agency points of contact.
 - 15.605 Content of unsolicited proposals.
 - 15.606 Agency procedures.
 - 15.606-1 Receipt and initial review.
 - 15.606-2 Evaluation.
 - 15.607 Criteria for acceptance and negotiation of an unsolicited proposal.
 - 15.608 Prohibitions.
 - 15.609 Limited use of data.
- Part 16 - Types of Contracts
 - 16.000 Scope of part.
 - 16.001 Definitions.
 - Subpart 16.1 - Selecting Contract Types
 - 16.101 General.
 - 16.102 Policies.
 - 16.103 Negotiating contract type.

- [16.104 Factors in selecting contract types.](#)
- [16.105 Solicitation provision.](#)
- [Subpart 16.2 - Fixed-Price Contracts](#)
 - [16.201 General.](#)
 - [16.202 Firm-fixed-price contracts.](#)
 - [16.202-1 Description.](#)
 - [16.202-2 Application.](#)
 - [16.203 Fixed-price contracts with economic price adjustment.](#)
 - [16.203-1 Description.](#)
 - [16.203-2 Application.](#)
 - [16.203-3 Limitations.](#)
 - [16.203-4 Contract clauses.](#)
 - [16.204 Fixed-price incentive contracts.](#)
 - [16.205 Fixed-price contracts with prospective price redetermination.](#)
 - [16.205-1 Description.](#)
 - [16.205-2 Application.](#)
 - [16.205-3 Limitations.](#)
 - [16.205-4 Contract clause.](#)
 - [16.206 Fixed-ceiling-price contracts with retroactive price redetermination.](#)
 - [16.206-1 Description.](#)
 - [16.206-2 Application.](#)
 - [16.206-3 Limitations.](#)
 - [16.206-4 Contract clause.](#)
 - [16.207 Firm-fixed-price, level-of-effort term contracts.](#)
 - [16.207-1 Description.](#)
 - [16.207-2 Application.](#)
 - [16.207-3 Limitations.](#)
- [Subpart 16.3 - Cost-Reimbursement Contracts](#)
 - [16.301 General.](#)
 - [16.301-1 Description.](#)
 - [16.301-2 Application.](#)
 - [16.301-3 Limitations.](#)
 - [16.302 Cost contracts.](#)
 - [16.303 Cost-sharing contracts.](#)
 - [16.304 Cost-plus-incentive-fee contracts.](#)
 - [16.305 Cost-plus-award-fee contracts.](#)
 - [16.306 Cost-plus-fixed-fee contracts.](#)
 - [16.307 Contract clauses.](#)
- [Subpart 16.4 - Incentive Contracts](#)
 - [16.401 General.](#)
 - [16.402 Application of predetermined, formula-type incentives.](#)
 - [16.402-1 Cost incentives.](#)
 - [16.402-2 Performance incentives.](#)
 - [16.402-3 Delivery incentives.](#)
 - [16.402-4 Structuring multiple-incentive contracts.](#)
 - [16.403 Fixed-price incentive contracts.](#)
 - [16.403-1 Fixed-price incentive \(firm target\) contracts.](#)
 - [16.403-2 Fixed-price incentive \(successive targets\) contracts.](#)
 - [16.404 Fixed-price contracts with award fees.](#)
 - [16.405 Cost-reimbursement incentive contracts.](#)
 - [16.405-1 Cost-plus-incentive-fee contracts.](#)

- 16.405-2 Cost-plus-award-fee contracts.
 - 16.406 Contract clauses.
- Subpart 16.5 - Indefinite-Delivery Contracts
 - 16.500 Scope of subpart.
 - 16.501 [Reserved]
 - 16.501-1 Definitions.
 - 16.501-2 General.
 - 16.502 Definite-quantity contracts.
 - 16.503 Requirements contracts.
 - 16.504 Indefinite-quantity contracts.
 - 16.505 Ordering.
 - 16.506 Solicitation provisions and contract clauses.
- Subpart 16.6 - Time-and-Materials, Labor-Hour, and Letter Contracts
 - 16.600 Scope.
 - 16.601 Time-and-materials contracts.
 - 16.602 Labor-hour contracts.
 - 16.603 Letter contracts.
 - 16.603-1 Description.
 - 16.603-2 Application.
 - 16.603-3 Limitations.
 - 16.603-4 Contract clauses.
- Subpart 16.7 - Agreements
 - 16.701 Scope.
 - 16.702 Basic agreements.
 - 16.703 Basic ordering agreements.
- Part 17 - Special Contracting Methods
 - 17.000 Scope of part.
 - Subpart 17.1 - Multi-year Contracting
 - 17.101 Authority.
 - 17.102 Applicability.
 - 17.103 Definitions.
 - 17.104 General.
 - 17.105 Policy.
 - 17.105-1 Uses.
 - 17.105-2 Objectives.
 - 17.106 Procedures.
 - 17.106-1 General.
 - 17.106-2 Solicitations.
 - 17.106-3 Special procedures applicable to DoD, NASA, and the Coast Guard.
 - 17.107 Options.
 - 17.108 Congressional notification.
 - 17.109 Contract clauses.
 - Subpart 17.2 - Options
 - 17.200 Scope of subpart.
 - 17.201 [Reserved]
 - 17.202 Use of options.
 - 17.203 Solicitations.
 - 17.204 Contracts.
 - 17.205 Documentation.
 - 17.206 Evaluation.

- 17.207 Exercise of options.
 - 17.208 Solicitation provisions and contract clauses.
- Subpart 17.3 - [Reserved]
- Subpart 17.4 - Leader Company Contracting
 - 17.401 General.
 - 17.402 Limitations.
 - 17.403 Procedures.
- Subpart 17.5 - Interagency Acquisitions
 - 17.500 Scope of subpart.
 - 17.501 General.
 - 17.502 Procedures.
 - 17.502-1 General.
 - 17.502-2 The Economy Act.
 - 17.503 Ordering procedures.
 - 17.504 Reporting requirements.
- Subpart 17.6 - Management and Operating Contracts
 - 17.600 Scope of subpart.
 - 17.601 Definition.
 - 17.602 Policy.
 - 17.603 Limitations.
 - 17.604 Identifying management and operating contracts.
 - 17.605 Award, renewal, and extension.
- Subpart 17.7 - Interagency Acquisitions: Acquisitions by Nondefense Agencies on Behalf of the Department of Defense
 - 17.700 Scope of subpart.
 - 17.701 Definitions.
 - 17.702 Applicability.
 - 17.703 Policy.
- Subpart 17.8 - Reverse Auctions
 - 17.800 Scope of subpart.
 - 17.801 Definitions.
 - 17.802 Policy.
 - 17.803 Applicability.
 - 17.804 Procedures.
 - 17.805 Solicitation provision and contract clauses.
- Part 18 - Emergency Acquisitions
 - 18.000 Scope of part.
 - 18.001 Definition.
 - Subpart 18.1 - Available Acquisition Flexibilities
 - 18.101 General.
 - 18.102 System for Award Management.
 - 18.103 Synopses of proposed contract actions.
 - 18.104 Unusual and compelling urgency.
 - 18.105 Federal Supply Schedules (FSSs), multi-agency blanket purchase agreements (BPAs), and multi-agency indefinite delivery contracts.
 - 18.106 Acquisitions from Federal Prison Industries, Inc. (FPI).
 - 18.107 AbilityOne specification changes.
 - 18.108 Qualifications requirements.
 - 18.109 Priorities and allocations.
 - 18.110 Soliciting from a single source.
 - 18.111 Oral requests for proposals.

- 18.112 Letter contracts.
- 18.113 Interagency acquisitions.
- 18.114 Contracting with the Small Business Administration (The 8(a) Program).
- 18.115 HUBZone sole source awards.
- 18.116 Service-disabled Veteran-owned Small Business (SDVOSB) sole source awards.
- 18.117 Awards to economically disadvantaged women-owned small business concerns and women-owned small business concerns eligible under the Women-Owned Small Business Program.
- 18.118 Overtime approvals.
- 18.119 Trade agreements.
- 18.120 [Reserved]
- 18.121 Bid guarantees.
- 18.122 Advance payments.
- 18.123 Assignment of claims.
- 18.124 Electronic funds transfer.
- 18.125 Protest to GAO.
- 18.126 Contractor rent-free use of Government property.
- 18.127 Extraordinary contractual actions.
- Subpart 18.2 - Emergency Acquisition Flexibilities
 - 18.201 Contingency operation.
 - 18.202 Defense or recovery from certain events.
 - 18.203 Emergency declaration or major disaster declaration.
 - 18.204 Humanitarian or peacekeeping operation.
 - 18.205 Resources.