

Federal Acquisition Regulation

15.101

- 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.

TABLE 15-2—INSTRUCTIONS FOR SUBMITTING COST PRICING PROPOSALS WHEN COST OR PRICING DATA ARE REQUIRED

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.

AUTHORITY: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

SOURCE: 62 FR 51230, Sept. 30, 1997, unless otherwise noted.

15.000 Scope of part.

This part prescribes policies and procedures governing competitive and noncompetitive negotiated acquisitions. A contract awarded using other than sealed bidding procedures is a negotiated contract (see 14.101).

15.001 Definitions.

As used in this part—

Deficiency is a material failure of a proposal to meet a Government requirement or a combination of significant weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level.

Proposal modification is a change made to a proposal before the solicitation closing date and time, or made in

response to an amendment, or made to correct a mistake at any time before award.

Proposal revision is a change to a proposal made after the solicitation closing date, at the request of or as allowed by a contracting officer, as the result of negotiations.

Weakness means a flaw in the proposal that increases the risk of unsuccessful contract performance. A “significant weakness” in the proposal is a flaw that appreciably increases the risk of unsuccessful contract performance.

[62 FR 51230, Sept. 30, 1997, as amended at 66 FR 2129, Jan. 10, 2001]

15.002 Types of negotiated acquisition.

(a) *Sole source acquisitions*. When contracting in a sole source environment, the request for proposals (RFP) should be tailored to remove unnecessary information and requirements; e.g., evaluation criteria and voluminous proposal preparation instructions.

(b) *Competitive acquisitions*. When contracting in a competitive environment, the procedures of this part are intended to minimize the complexity of the solicitation, the evaluation, and the source selection decision, while maintaining a process designed to foster an impartial and comprehensive evaluation of offerors’ proposals, leading to selection of the proposal representing the best value to the Government (see 2.101).

Subpart 15.1—Source Selection Processes and Techniques

15.100 Scope of subpart.

This subpart describes some of the acquisition processes and techniques that may be used to design competitive acquisition strategies suitable for the specific circumstances of the acquisition.

15.101 Best value continuum.

An agency can obtain best value in negotiated acquisitions by using any one or a combination of source selection approaches. In different types of acquisitions, the relative importance of cost or price may vary. For example, in acquisitions where the requirement