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AUTHORITY: 40 U.S.C. 121(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

SOURCE: 48 FR 42129, Sept. 19, 1983, unless otherwise noted.

8.000 Scope of part.

This part deals with the acquisition of supplies and services from or through Government supply sources.

8.001 General.

Regardless of the source of supplies or services to be acquired, information technology acquisitions shall comply with capital planning and investment control requirements in 40 U.S.C. 1422 and OMB Circular A-130.

[67 FR 56119, Aug. 30, 2002]

8.002 Priorities for use of Government supply sources.

(a) Except as required by 8.003, or as otherwise provided by law, agencies shall satisfy requirements for supplies and services from or through the sources and publications listed below in descending order of priority—

- (1) *Supplies.* (i) Agency inventories;
- (ii) Excess from other agencies (see subpart 8.1);
- (iii) Federal Prison Industries, Inc. (see subpart 8.6);
- (iv) Products available from the Committee for Purchase from People Who Are Blind or Severely Disabled (see subpart 8.7);
- (v) Wholesale supply sources, such as stock programs of the General Services Administration (GSA) (see 41 CFR 101-26.3), the Defense Logistics Agency (see 41 CFR 101-26.6), the Department of Veterans Affairs (see 41 CFR 101-26.704), and military inventory control points;
- (vi) Mandatory Federal Supply Schedules (see subpart 8.4);
- (vii) Optional use Federal Supply Schedules (see subpart 8.4); and
- (viii) Commercial sources (including educational and nonprofit institutions).

(2) *Services.* (i) Services available from the Committee for Purchase from People Who Are Blind or Severely Disabled (see subpart 8.7);

- (ii) Mandatory Federal Supply Schedules (see subpart 8.4);
- (iii) Optional use Federal Supply Schedules (see subpart 8.4); and
- (iv) Federal Prison Industries, Inc. (see subpart 8.6), or commercial sources (including educational and nonprofit institutions).

(b) Sources other than those listed in paragraph (a) may be used as prescribed in 41 CFR 101-26.301 and in an unusual and compelling urgency as prescribed in 6.302-2 and in 41 CFR 101-25.101-5.

(c) The statutory obligation for Government agencies to satisfy their requirements for supplies available from the Committee for Purchase From People Who Are Blind or Severely Disabled also applies when contractors purchase the supply items for Government use.

[48 FR 42129, Sept. 19, 1983, as amended at 50 FR 1735, Jan. 11, 1985; 50 FR 52429, Dec. 23, 1985; 54 FR 29280, July 11, 1989; 56 FR 15148, Apr. 15, 1991; 59 FR 53716, Oct. 25, 1994; 59 FR 67027, Dec. 28, 1994; 61 FR 2630, Jan. 26, 1996; 66 FR 65367, Dec. 1, 2001. Redesignated and amended at 67 FR 56119, Aug. 30, 2002]

8.003 Use of other Government supply sources.

Agencies shall satisfy requirements for the following supplies or services from or through specified sources, as applicable:

- (a) Public utility services (see part 41);
- (b) Printing and related supplies (see subpart 8.8);
- (c) Leased motor vehicles (see subpart 8.11);
- (d) Strategic and critical materials (e.g., metals and ores) from inventories exceeding National Defense Stockpile requirements (detailed information is available from the Defense National Stockpile Center, 8725 John J. Kingman Rd., Suite 4528, Fort Belvoir, VA 22060-6223; and
- (e) Helium (see subpart 8.5—Acquisition of Helium).

[48 FR 42129, Sept. 19, 1983, as amended at 57 FR 60576, Dec. 21, 1992; 59 FR 67018, Dec. 28, 1994; 59 FR 67030, Dec. 28, 1994; 61 FR 41468, Aug. 8, 1996; 62 FR 235, Jan. 2, 1997. Redesignated at 67 FR 56119, Aug. 30, 2002]

8.004 Contract clause.

Insert the clause at 52.208-9, Contractor Use of Mandatory Sources of Supply and Services, in solicitations and contracts that require a contractor to provide supplies or services for Government use that are available from the Committee for Purchase from People Who Are Blind or Severely Disabled. The contracting officer shall identify in the contract schedule the supplies or services that must be purchased from a mandatory source and the specific source.

[66 FR 65368, Dec. 18, 2001.. Redesignated and amended at 67 FR 56119, Aug. 30, 2002]

Subpart 8.1—Excess Personal Property

8.101 Definition.

Excess personal property means any personal property (see 45.601) under the control of a Federal agency that the agency head or a designee determines is not required for its needs and for the discharge of its responsibilities.

8.102 Policy.

When practicable, agencies must use excess personal property as the first source of supply for agency and cost-reimbursement contractor requirements. Agency personnel must make positive efforts to satisfy agency requirements by obtaining and using excess personal property (including that suitable for adaptation or substitution) before initiating a contract action.

[67 FR 13053, Mar. 20, 2002]

8.103 Information on available excess personal property.

Information regarding the availability of excess personal property can be obtained through—

- (a) Review of excess personal property catalogs and bulletins issued by the General Services Administration (GSA);
- (b) Personal contact with GSA or the activity holding the property;
- (c) Submission of supply requirements to the regional offices of GSA (GSA Form 1539, Request for Excess Personal Property, is available for this purpose); and
- (d) Examination and inspection of reports and samples of excess personal property in GSA regional offices.

8.104 Obtaining nonreportable property.

GSA will assist agencies in meeting their requirements for supplies of the types excepted from reporting as excess by the Federal Property Management Regulations (41 CFR 101-43.312). Federal agencies requiring such supplies should contact the appropriate GSA regional office.

Subparts 8.2–8.3 [Reserved]