

## SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

### PART 1813—SIMPLIFIED ACQUISITION PROCEDURES

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AUTHORITY: 42 U.S.C. 2473(c)(1).

SOURCE: 63 FR 40189, July 28, 1998, unless otherwise noted.

#### 1813.000 Scope of part.

FAR Part 13 and 1813 do not apply to NASA Research Announcements (NRA) and Announcements of Opportunity (AO). These acquisitions shall be conducted in accordance with the procedures in 1835.016-71 and 1872, respectively. However, awards resulting from NRAs or AOs that are to be made as procurement instruments, can be made as either a contract or a purchase order. When a purchase order is used, it must not exceed the simplified acquisition threshold and must include the appropriate clauses pertaining to data rights, key personnel requirements, and any other requirements determined necessary by the contracting officer. Contracting officers must determine whether obtaining the contrac-

tor's acceptance of the order is necessary (see FAR 13.302-3(a)).

[65 FR 46628, July 31, 2000]

#### 1813.003 Policy. (NASA supplements paragraph (g))

(g) Acquisitions under these simplified acquisition procedures shall be fixed-price, except as provided under the unpriced purchase order method in FAR 13.302-2.

[63 FR 40189, July 28, 1998, as amended at 64 FR 5620, Feb. 4, 1999]

#### Subpart 1813.1—Procedures

#### 1813.106 Soliciting competition, evaluation of quotations or offers, award and documentation.

#### 1813.106-3 Award and documentation. (NASA supplements paragraph (b))

(b)(3)(ii) For purchases up to \$50,000, documentation shall be limited to a brief notation in the file indicating the rationale for selecting other than the lowest priced offer.

#### Subpart 1813.3—Simplified Acquisition Methods

#### 1813.301 Governmentwide commercial purchase card. (NASA supplements paragraphs (a), (b), and (c))

(a) The procurement officer or deputy procurement officer shall designate individual cardholders in accordance with center procedures, subject to the following limitations:

(i) Personnel other than contracting officers may be designated as cardholders for micro-purchases and for individual orders under BPAs up to \$5,000 (see 1813.303-3(a)(4)), provided they complete training adequate to ensure appropriate use of the purchase card.

(ii) The procurement officer's designation shall be in writing and shall specify the scope of the cardholder's authority.

(iii) The center shall establish and maintain administrative procedures and management controls required by the General Services Administration

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(GSA). Purchases made with the Governmentwide commercial purchase card shall comply with the instructions and procedures issued by GSA as well as applicable parts of the FAR and NFS.

(b) The Governmentwide commercial purchase card may be used to order and pay for purchases under contracts established under FAR Part 8 procedures, up to the simplified acquisition threshold (except see paragraph (a)(i) of this section for dollar limitations for personnel other than contracting officers).

(c) The Governmentwide commercial purchase card may be used to order and pay for purchases in the circumstances described in FAR 13.301(c) up to the simplified acquisition threshold (except see paragraph (a)(i) of this section for limitations for personnel other than contracting officers). Except as authorized in paragraphs (b) and (c) of this section, the Governmentwide commercial purchase card may not be used for purchases in excess of \$25,000. Purchases above the micro-purchase threshold shall comply with all applicable statutory and regulatory requirements, including the following:

(i) Small business set-aside (see FAR 13.003(b)).

(ii) Representations and certifications. The applicable items from the provision at FAR 52.212-3, Offeror Representations and Certifications—Commercial Items, shall be obtained for commercial or noncommercial purchases. This information may be obtained orally from vendors.

(iii) Maximum practicable competition (see FAR 13.106-1).

(iv) Implementation of the applicable contract clauses. This requirement may be satisfied by forwarding a completed SF 1449, appropriately modified to reflect purchase card terms, to the awardee after placing the order via the card, provided that the awardee must be notified of, and agree to, the applicability of the SF 1449 clauses when the order is placed.

[63 FR 40189, July 28, 1998, as amended at 65 FR 12484, Mar. 9, 2000]

### **1813.301-70 Purchase card documentation.**

Documentation of purchases shall be minimized. For transactions below the

micro-purchase threshold, the cardholder shall maintain a brief log of purchases and a file of monthly purchase card statements indicating whether item receipt has occurred. For purchases above the micro-purchase threshold, see 1813.106-3(b)(3)(ii).

### **1813.301-72 Approving official.**

The approving official is the individual who reviews and approves a cardholder's monthly statement of purchases. The approving official shall be the cardholder's immediate or higher level supervisor; in no case shall cardholders approve their own statement of purchases. Unless center procedures otherwise provide for their designation, the procurement officer shall designate approving officials.

### **1813.301-73 Program officials.**

(a) The Langley Research Center, Office of Procurement (Code AG), is the agency program coordinator.

(b) The procurement officer shall identify the center program coordinator and the center billing office point of contact, and provide their names to the agency program coordinator.

[63 FR 40189, July 28, 1998, as amended at 64 FR 51079, Sept. 21, 1999]

### **1813.302 Purchase orders.**

#### **1813.302-1 General. (NASA supplements paragraph (a))**

(a) See 1813.003(h).

#### **1813.302-70 Purchase orders under section 8(a) of the Small Business Act.**

Purchase orders made using simplified acquisition procedures are authorized for 8(a) acquisitions under the simplified acquisition threshold.

#### **1813.303 Blanket Purchase Agreements (BPAs).**

#### **1813.303-3 Preparation of BPAs. (NASA supplements paragraph (a))**

(a)(4) Non-GS-1102 or -1105 personnel shall not be authorized to place individual orders under a BPA in an amount greater than \$5,000. For sole

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source orders above \$2,500, a contracting officer's determination is required in accordance with FAR 13.106-1(b)(1).

**1813.307 Forms. (NASA supplements paragraphs (b), (c), and (d))**

(b) Installations may use locally prescribed forms.

(c) Installations may use locally prescribed forms.

(d) The SF 44 may be used for purchases of aviation fuel and oil of \$10,000 or less.

**PART 1814—SEALED BIDDING**

**Subpart 1814.2—Solicitation of Bids**

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1814.201 Preparation of invitations for bids.  
1814.201-5 Part IV—Representations and instructions.

1814.201-6 Solicitation provisions.

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**Subpart 1814.3—Submission of Bids**

1814.302 Bid submission.

**Subpart 1814.4—Opening of Bids and Award of Contract**

1814.404 Rejection of bids.

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1814.407 Mistakes in bids.

1814.407-3 Other mistakes disclosed before award.

1814.407-4 Mistakes after award.

1814.408 Award.

1814.408-1 General.

AUTHORITY: 42 U.S.C. 2473(c)(1).

SOURCE: 61 FR 47079, Sept. 6, 1996, unless otherwise noted.

**Subpart 1814.2—Solicitation of Bids**

**1814.201 Preparation of invitations for bids.**

**1814.201-5 Part IV—Representations and instructions. (NASA supplements paragraph (c))**

(c) Section M, Evaluation factors for award.

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(i) The contracting officer shall state if award is to be made in the aggregate (all-or-non basis) or by specified groups of items.

(ii) if bidders are required to have special technical qualifications because of the complexity of the equipment being purchased or for some other reason, the contracting officer shall state those qualifications.

**1814.201-6 Solicitation provisions.**

**1814.201-670 NASA solicitation provisions.**

(a) The contracting officer shall insert the provision at 1852.214-70, Caution to Offerors Furnishing Descriptive Literature, in invitations for bids. See FAR 52.214-21, Descriptive Literature.

(b) The contracting officer shall insert the provision at 1852.214-71, Grouping for Aggregate Award, in invitations for bids, except for construction, when it is in the Government's best interest not to make award for less than specified quantities solicited for certain items or groupings of certain items. Insert the item numbers and/or descriptions applicable for the particular procurement.

(c) The contracting officer shall insert the provision at 1852.214-72, Full Quantities, in invitations for bids, except for construction, when it is in the Government's best interest not to make award for less than the full quantities solicited.

(d) If a pre-bid conference is planned, the contracting officer shall insert the provision at 1852.215-77, Preproposal/Pre-bid Conference. See 1815.209-70(a).

[61 FR 47079, Sept. 6, 1996, as amended at 63 FR 9966, Feb. 27, 1998]

**Subpart 1814.3—Submission of Bids**

**1814.302 Bid submission. (NASA supplements paragraph (b))**

(b) NASA contracting officers shall not consider telegraphic bids communicated by the telephone.