

(July 1, 1944, ch. 358, §25, 58 Stat. 670; Ex. Ord. No. 9809, §8, eff. Dec. 12, 1946, 11 F.R. 14281; 1947 Reorg. Plan No. 1, §201, eff. July 1, 1947, 12 F.R. 4534, 61 Stat. 951; June 30, 1949, ch. 288, title I, §102(b), 63 Stat. 380.)

TRANSFER OF FUNCTIONS

Functions of Secretary of the Treasury transferred to Administrator of General Services by section 102(b) of act June 30, 1949, ch. 288, 63 Stat. 380, which was classified to section 752(b) of former Title 40, Public Buildings, Property, and Works, and was repealed by Pub. L. 107-217, §6(b), Aug. 21, 2002, 116 Stat. 1304.

“Secretary” substituted for “Director” by section 8 of Ex. Ord. No. 9809 and section 201 of Reorg. Plan No. 1 of 1947, set out in the Appendix to Title 5, Government Organization and Employees.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, effective July 1, 1949, see section 605, formerly section 505, of act June 30, 1949, ch. 288, 63 Stat. 403; renumbered by act Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583.

CHAPTER 3—PROCUREMENT OF SUPPLIES AND SERVICES BY ARMED SERVICES

§§ 151 to 162. Repealed. Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641

Section 151, act Feb. 19, 1948, ch. 65, §2, 62 Stat. 21, related to purchases and contracts for supplies and services for the Armed Services, stated the Congressional declaration of policy, provided for advertising requirements, excepted certain purchases and contracts, authorized reference to Attorney General where there is any evidence of violation of antitrust laws, excluded certain authorizations and contracts. See sections 2303 to 2305 of Title 10, Armed Forces.

Section 152, acts Feb. 19, 1948, ch. 65, §3, 62 Stat. 22; Aug. 9, 1955, ch. 628, §15, 69 Stat. 551, related to advertisements for bids, opening of bids and award or rejection of bids. See section 2305 of Title 10. Act Aug. 9, 1955, ch. 628, §15, 69 Stat. 551, which amended section 152 of this title, was repealed by Pub. L. 85-861, §36A, Sept. 2, 1958, 72 Stat. 1569.

Section 153, acts Feb. 19, 1948, ch. 65, §4, 62 Stat. 23; Oct. 31, 1951, ch. 652, 65 Stat. 700, provided for types of contracts and examination of books, records, etc., of contractors. See sections 2306 and 2313 of Title 10.

Section 154, act Feb. 19, 1948, ch. 65, §5, 62 Stat. 24, authorized advance payments under negotiated contracts. See section 2307 of Title 10.

Section 155, act Feb. 19, 1948, ch. 65, §6, 62 Stat. 24, provided for remission of liquidated damages. See section 2312 of Title 10.

Section 156, act Feb. 19, 1948, ch. 65, §7, 62 Stat. 24, provided for determinations and decisions, powers of agency head, finality of decisions, delegations of powers, non-delegable powers, written decisions, preservation of data. See sections 2304, 2310, and 2311 of Title 10.

Section 157, act Feb. 19, 1948, ch. 65, §8, 62 Stat. 24, related to exemption of purchases or contracts from certain other provisions of law. See section 2304 of Title 10.

Section 158, act Feb. 19, 1948, ch. 65, §9, 62 Stat. 24, defined “agency head” and “supplies”. See sections 2302 and 2303 of Title 10.

Section 159, act Feb. 19, 1948, ch. 65, §10, 62 Stat. 25, related to assignment and delegation of joint procurement responsibilities by agency head, and allocation of appropriations. See section 2309 of Title 10.

Section 160, act Feb. 19, 1948, ch. 65, §11(b), 62 Stat. 25, provided that sections 5, 6, 6a, and 13 of this title should be inapplicable to procurement of supplies and services. See section 2314 of Title 10.

Section 161, act Feb. 19, 1948, ch. 65, §12, 62 Stat. 26, related to concurrent authority of Secretaries of Army, Navy and Air Force. See section 2381 of Title 10.

Section 162, act July 10, 1952, ch. 630, title VI, §638, 66 Stat. 537, related to obligation of funds by Department

of Defense for procurement and distribution of supplies or equipment. See section 2202 of Title 10.

CHAPTER 4—PROCUREMENT PROCEDURES

SUBCHAPTER I—GENERAL PROVISIONS

Sec.
201 to 205. Transferred.

SUBCHAPTER II—GENERAL SERVICES ADMINISTRATION

211 to 219. Transferred.

SUBCHAPTER III—PROPERTY MANAGEMENT

231 to 240. Transferred.

SUBCHAPTER IV—PROCUREMENT PROVISIONS

- 251. Declaration of purpose of this subchapter.
- 252. Purchases and contracts for property.
 - (a) Applicability of subchapter; delegation of authority.
 - (b) Small business concerns; share of business.
 - (c) Authorization of erection, repair, or furnishing of public buildings or improvements; contracts for construction or repair of buildings, roads, sidewalks, sewers, mains, etc.; Federal Highway Lands Program.
- 252a. Simplified acquisition threshold.
 - (a) Simplified acquisition threshold.
 - (b) Inapplicable laws.
- 252b. Implementation of simplified acquisition procedures.
- 252c. Implementation of electronic commerce capability.
 - (a) Implementation of electronic commerce capability.
 - (b) Designation of agency official.
- 253. Competition requirements.
 - (a) Procurement through full and open competition; competitive procedures.
 - (b) Exclusion of particular source; restriction of solicitation to small business concerns.
 - (c) Use of noncompetitive procedures.
 - (d) Property or services deemed available from only one source; nondelegable authority.
 - (e) Offer requests to potential sources.
 - (f) Justification for use of noncompetitive procedures.
 - (g) Simplified procedures for small purchases.
 - (h) Efficient implementation of requirement.
 - (i) Merit-based award of contracts.
- 253a. Planning and solicitation requirements.
 - (a) Preparation; planning; specifications in solicitation.
 - (b) Contents of solicitation.
 - (c) Evaluation factors.
 - (d) Additional information in solicitation.
 - (e) Evaluation of purchase options.
- 253b. Evaluation and award.
 - (a) Basis.
 - (b) Rejection of bids or proposals.
 - (c) Opening of bids; promptness of award; written notice.
 - (d) Discussions with offerors; written notification.
 - (e) Post-award debriefings.
 - (f) Preaward debriefings.
 - (g) Summary of debriefing.
 - (h) Alternative dispute resolution.
 - (i) Antitrust violations.
 - (j) Planning for future competition.
 - (k) Protest file.