

## **PART 13 - SIMPLIFIED ACQUISITION PROCEDURES**

*(Revised August 14, 2019 through PROCLTR 2019-18)*

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#### **13.003 Policy.**

(e)(1) All items are candidates for automated solicitation, except that acquisitions for services, for non-NSN items, and for requirements bought using delivery orders against indefinite-delivery contracts are excluded. The criteria for exclusion of items for automated evaluation or award are included in the functional specifications and managed through automated procurement system internal controls. The Procurement Process Owner is the approval authority for system changes to the automated procurement exclusion capabilities. The HCA is the approval authority for exclusions for individual purchase requests or materials from automated solicitation, evaluation, or award for each supply chain. Individual purchase request or material exclusions will be recorded with a reason for exclusion and reported monthly to DLA Acquisition Programs by each procuring organization. The HCA must provide the determination to the DLA Acquisition Procurement Process and Systems Division Chief for entry into the automated system.

(S-90) See [18.271](#) for thresholds associated with emergency acquisition flexibilities.

## SUBPART 13.1 – PROCEDURES

*(Revised August 14, 2019 through PROCLTR 2019-18)*

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

#### **13.106-3 Award and documentation.**

(a) Basis for award.

(1)(S-90) The contracting officer shall use the PRC codes in [15.406-3\(a\)\(11\)](#) and document the PRC in the Simplified Acquisition Award Documentation (SAAD) format (see [53.9013\(a\)](#)).

(S-91) When evaluating the price of an item with a single manufacturing source (also referred to as original equipment manufacturer (OEM)), the contracting officer may determine the price is competitive for awards not exceeding the SAT when—

(A) There are offers from at least two distributors for the same sole source OEM item; and

(B) The contracting officer determines—

(1) The offered prices are independent (see [13.106-3\(a\)\(1\)\(S-92\)](#)); and

(2) The otherwise successful offeror's price is not unreasonable.

(S-92) Contracting officers shall consider the OEM strategy for selling or distributing products when determining whether prices are independent.

(A) The following OEM strategies indicate the pricing is not independent:

(1) Selling direct to all customers when the OEM competes directly with a dealer or distributor;

(2) Selling through its own financially-affiliated network of dealers or distributors; or

(3) Entering an exclusive dealer or distributor relationship.

(B) If the OEM sells to multiple independent dealers or distributors that are not financially affiliated, this may indicate pricing is independent.

(S-93) The contracting officer shall use "B" in the second position of the PRC (see [15.406-3\(a\)\(11\)](#)) for awards not exceeding the SAT when there is a single manufacturing source and the contracting officer based the determination of price reasonableness on independent price competition.

(b) File documentation and retention. The contracting officer shall use the (SAAD) format at [53.9013\(a\)](#) to document the basis for award for all simplified acquisitions. This includes the best value trade-off determination required when awarding to other than the lowest price/highest SPRS rating (or to other than the lowest price/highest scored when using FAR 13.5 or when other evaluation factors apply); and the price reasonableness determination. Each procuring organization may add

standardized supplemental information only by appending it at the end of the SAAD format, in order to foster uniform presentation across the Agency. The contracting officer shall also confirm the prospective awardee is not debarred, suspended, or proposed for suspension/debarment. The contracting officer shall retain the SAAD in the contract file.

## SUBPART 13.2 – ACTIONS AT OR BELOW THE MICRO-PURCHASE THRESHOLD

*(Revised August 14, 2019 through PROCLTR 2019-18)*

### **13.201 General.**

(g)(1) DFARS 218.271 (DEVIATION 2018-O0018) replaces “head of the agency” with “head of the contracting activity,” as defined in FAR 2.101, at FAR 13.201(g) (see [18.271](#)). For other than purchase card acquisitions, the DLA Acquisition Director has delegated this authority to the contracting officer. For purchase card acquisitions, the determination authority is the HCA.

## SUBPART 13.3 – SIMPLIFIED ACQUISITION METHODS

*(Revised August 14, 2019 through PROCLTR 2019-18)*

### **13.301 Governmentwide commercial purchase card.**

(a) The DLA Director delegated Level 4 agency/organization program coordinator appointment authority to the HCAs. HCAs may delegate this authority no lower than the CCO.

(b) Governmentwide commercial purchase cardholders shall follow DLAM 5025.07 at <https://hqc.dla.mil/issuances/Pages/Manuals.aspx>.

(c) The requirement to purchase AbilityOne items for all products on the AbilityOne procurement list may not be waived but can be satisfied by ordering from On-Base AbilityOne stores, AbilityOne.com, AbilityOne participating nonprofit agencies, or DoD FedMall.

(d) The requirement to use DoD FedMall may be waived when the use of DoD FedMall will not meet the delivery requirements or will result in unreasonable or excessive cost to the requiring activity.

(e) Use the following order of precedence to satisfy AbilityOne purchase requirements:

(1) On-Base AbilityOne stores, AbilityOne.com, or AbilityOne participating nonprofit agencies.

(2) DoD FedMall.

(3) Commercial sources.

### **13.303 Blanket purchase agreements (BPAs).**

#### **13.303-2 Establishment of BPAs.**

(c)(3)(S-90) BPAs with federal supply schedule (FSS) contractors for non-FSS items shall state the BPA excludes all items on FSSs.

### **13.303-3 Preparation of BPAs.**

(a)(1) HCAs shall establish the maximum aggregate amount, if any, of all calls to be issued against one BPA.

### **13.390 Indefinite delivery contracts (IDCs) below the simplified acquisition threshold (SAT).**

(a) IDCs below the SAT use simplified procedures to acquire an indefinite quantity of supplies in amounts not to exceed the simplified acquisition threshold for the total contract period. The basic contract will establish the terms and conditions of the IDC below the SAT. IDCs below the SAT are useful when repetitive low dollar value purchases are made for the same item, the price of the item is expected to be stable, and expected yearly or other long-term demands are not sufficient to establish an indefinite delivery contract using FAR Part 15 procedures. A guaranteed minimum (GM) must be established for the base period and is optional for any option periods. To satisfy the GM, the first delivery order shall be issued with the basic contract or a GM account shall be established.

(b) Contracting officers shall coordinate expected duration and frequency with the materiel planner before deciding to use an IDC below the SAT.

(c) Only one IDC below the SAT shall be established per item; except that multiple IDCs below the SAT for the same item may be awarded if the awardee's performance under each IDC below the SAT is limited to a separate and distinct region or physical location.

(d) IDCs below the SAT may be unilateral or bilateral depending on the risk associated with the item and contractor.

(e) Contracting officers shall include procurement notes H05 or H06 in IDCs below the SAT RFQs.

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#### **H05 Bilateral Indefinite-Delivery Contract (IDC) Below the Simplified Acquisition Threshold (SAT) (SEP 2017)**

(1) The Government will award a bilateral IDC below the SAT resulting from this request for quote to the responsible offeror whose offer conforming to the terms and conditions in the request for quote will be most advantageous to the Government, price and other factors considered. The offeror receiving the award is required to sign the basic contract and return the signed contract to the contracting officer.

(2) Price evaluation will be based on the price quoted for the estimated annual demand in the schedule.

(3) Once the guaranteed minimum quantity for the IDC is met, the Government is under no obligation to place additional orders. The Government may place additional orders for the period of performance stated in the basic contract, effective from the date of the basic award. All additional orders will reference the basic contract, which documents the terms and conditions of the IDC. The maximum aggregate value of orders under the IDC below the SAT is stated in the basic contract; the aggregate value of all orders will not exceed the simplified acquisition threshold or, for IDCs below the SAT using FAR Subpart 13.5, the thresholds in 13.500(a).

(4) Pricing of orders. The unit price for orders is based on the price for the quantity range that will

cover the total quantity on the order, regardless of destination, if applicable.

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#### H06 Unilateral Indefinite-Delivery Contract (IDC) Below the Simplified Acquisition Threshold (SAT) (SEP 2017)

(1) The Government will award an IDC below the SAT resulting from this request for quote to the responsible offeror whose offer conforming to the terms and conditions in the request for quote will be most advantageous to the Government, price and other factors considered.

(2) Price evaluation will be based on the price quoted for the estimated annual demand in the schedule.

(3) Acceptable contractor performance on the initial delivery order creates the IDC below the SAT, and is agreement by the contractor to accept additional orders under the same terms and conditions specified in the basic award.

(4) Once the guaranteed minimum quantity for the IDC is met, the Government is under no obligation to place additional orders. The Government may place additional orders for the period of performance stated in the basic award, effective from the award date. All additional orders will reference the basic award, which documents the terms and conditions of the IDC. The maximum aggregate value of orders under the IDC below the SAT is stated in the basic award; the aggregate value of all orders will not exceed the simplified acquisition threshold or, for IDCs below the SAT using FAR Subpart 13.5, the thresholds in 13.500(a).

(5) Pricing of orders. The unit price for orders is based on the price for the quantity range that will cover the total quantity on the order, regardless of destination, if applicable.

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#### SUBPART 13.4 - FAST PAYMENT PROCEDURE

*(Revised September 1, 2017 through PROCLTR 2017-14)*

##### **13.402 Conditions for use.**

(a) DLA Troop Support Construction and Equipment Prime Vendor programs and DLA Aviation Chemicals and Packaged Petroleum, Oils, and Lubricants requirements for OCONUS are authorized to use fast payment procedures on individual orders up to \$150,000. (Refer to PROCLTR 16-03.)

(f) Internal controls to monitor contract actions using fast payment procedures are:

(1) Clause compliance. DLA Acquisition Compliance, Policy and Pricing Division shall review monthly awards for compliance.

(2) Receipt validation. DLA Operations Order Management shall identify and obtain missing material receipt acknowledgements (MRAs).

(3) Shipment discrepancies. DLA Operations Order Management shall identify and take action on discrepant orders.

Quarterly reporting to the SPE is required to include metrics, deficiencies and corrective action plans.

(S-90) Fast payment procedures may be used for—

(1) OCONUS DLA Direct supporting Forward Stock Locations (FSL) initiatives when inspection and acceptance are at destination.

(2) OCONUS Customer Direct when inspection and acceptance are at destination.

(3) Customer Direct shipments to Consolidated Containerization Points (CCPs) when inspection and acceptance are at destination.

#### **13.404 Contract clause.**

(S-90) DEVIATION 17-03 waives the requirements in FAR 52.213(c)(2) for the FDT Program.

### SUBPART 13.5 – TEST PROGRAM FOR CERTAIN COMMERCIAL ITEMS

*(Revised August 14, 2019 through PROCLTR 2019-18)*

#### **13.501 Special documentation requirements.**

(b) Contract file documentation.

(3) Contracting officers shall use the Market Research for Commercial Items and Commerciality Determination Memorandum (MRCICDM) format at [53.9013\(b\)](#) to document the market research the procuring organization conducted to determine whether the item is commercial. Each procuring organization may add standardized supplemental information only by appending it at the end of the MRCICDM format, in order to foster uniform presentation across the Agency. Contracting officers shall use the SAAD format at [53.9013\(a\)](#) to document the basis for award.