Contract Formation

Activity 15: Simplified Acquisition Procedures

Using simplified acquisition procedures to purchase supplies and services.

Related Flow Charts: Flow Chart 15

Related Courses: CLC 005 (Simplified Acquisition Procedures), CON 237 (Simplified Acquisition Procedures)

Part A: Simplified Acquisition Procedures

Tasks	FAR Reference(s)	Additional Information
Determine if the use of required sources or an existing contract vehicle is appropriate for the acquisition.	FAR 13.003 Policy [simplified acquisition procedures].	Simplified acquisition procedures should be used to the maximum extent practicable for all purchases of supplies or services not exceeding the simplified acquisition threshold. This policy does not apply if an agency can meet its requirement using: • Required sources; • Existing indefinite delivery/indefinite quantity contracts; or • Other established contracts. See Activity 7: Required Sources of Supplies and Services for further discussion.

	Tasks	FAR Reference(s)	Additional Information
2.	If the use of required sources or an existing contract vehicle is not appropriate for the acquisition,	FAR 2.101 Micro-purchase threshold [definitions]. FAR 13.201 General [actions at or	"Micro-purchase" means an acquisition of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold.
	determine whether the acquisition is at or below the micro-purchase	below the micro-purchase threshold].	"Micro-purchase threshold" means \$3,500 except:
	threshold.		 For construction subject to Wage Rate Requirements, it means \$2,000;
			 For service subject to Service Contract Labor Statistics, it means \$2,500;
			 For contingency operations where the contract to be awarded and performed is in the United States, it means \$15,000; and
			 For contingency operations where the contract is to be awarded and performed outside the United States, it means \$30,000.

	Tasks	FAR Reference(s)	Additional Information
2a	commercial purchase card to pay for the micro-purchase. FAR 13.201(h) General [actions at below the micro-purchase threshold below the micro-purchase thres	unauthorized obligations in micro-	Micro-purchases may be awarded without soliciting competitive quotations if the contracting officer or individuals appointed IAW 1.603-3(b) considers the price to be reasonable. Requirements for setting aside acquisitions for small businesses do not apply to micro-purchases. Simplified acquisitions, including micro-purchases, must comply
ı		purchases.	with the priorities for use of government supply sources. Micro-purchases do not require provisions or clauses, except concerning unenforceability of unauthorized obligations and electronic funds transfer (FAR 13.202 and 32.1110). This paragraph takes precedence over any other FAR requirement to the contrary, but does not prohibit the use of any clause. Requirements in Part 8 apply to purchases at or below the micro-purchase threshold. The governmentwide commercial purchase card is the preferred
			method to purchase and pay for micro-purchases. These purchases are exempt from verification in SAM as to whether the contractor has a delinquent debt. Unenforceability of unauthorized obligations apply to any micro-
			purchases including those made with governmentwide purchase cards.
3.	If the acquisition exceeds the micro-purchase threshold, determine if the acquisition is a commercial item.	FAR 2.101 Commercial item [definitions].	FAR Subpart 13.5 provides special authority for acquisitions of commercial items exceeding the simplified acquisition threshold but not exceeding \$7 million (\$13 million for acquisitions as described in FAR 13.500(c)), including options. FAR Part 12 provides for policies applicable to the acquisition of commercial items exceeding the micro-purchase threshold.

Tasks	FAR Reference(s)	Additional Information
3a. If the acquisition is a commercial item determine if the acquisition is expected to exceed \$7 million.	FAR Subpart 13.5 Simplified procedures for certain commercial items.	Made permanent by the National Defense Authorization Act for Fiscal Year 2015 (Pub. L. 113-291), FAR Subpart 13 authorizes the use simplified procedures in FAR Part 13 for the acquisition of supplies and services in amounts greater than the simplified acquisition threshold (SAT) but not exceeding \$7 million, including options, if the contracting officer reasonably expects that offers will include only commercial items. Contracting officers may use the simplified procedures authorized by FAR Subpart 13—subject to any specific dollar limitation applicable to the particular procedure—to the maximum extent practicable.
		When acquiring commercial items under FAR Part 13, the requirements in FAR Part 12 apply.
		The simplified acquisition procedures authorized by this test program may be used for acquisitions that do not exceed \$13 million when the acquisition is:
		 For commercial items that, as determined by the head of the agency, are to be used in support of a contingency operation or to facilitate the defense against or recovery from nuclear, biological, chemical, or radiological attack; or For any supplies or services that, as determined by the head of the agency, are to be used to facilitate defense against or recovery from nuclear biological, chemical, or radiological attack in accordance with 12.102(f)(1).
3(a)(i). If the acquisition of the commercial item is expected to exceed \$7 million, use FAR Part 15 procedures.	FAR Subpart 13.5 Simplified procedures for certain commercial items.	See Activity 18: Contracting by Negotiation for further discussion.

Tasks	FAR Reference(s)	Additional Information
3(a)(ii). If the acquisition of the commercial item is expected not to exceed \$7 million, either prepare a solicitation or issue a combined synopsis and solicitation.	FAR 13.105 Synopsis and posting requirements [procedures].	When a written solicitation will be issued, the streamlined solicitation for commercial may be used to reduce the time required to solicit and award contracts for the acquisition of commercial items. This procedure combines the synopsis required by FAR 5.203 and the issuance of the solicitation into a single document. When using the combined synopsis/solicitation procedure, the SF 1449 is not used for issuing the solicitation, and it is not required to publicize a separate synopsis 15 days before the issuance of the solicitation.
3b. Determine if the acquisition of the non-commercial item is expected to exceed the SAT.	FAR 2.101 Simplified acquisition threshold [definitions].	 "Simplified acquisition threshold" (SAT) means \$150,000, except for: (1) Acquisitions of supplies or services that, as determined by the head of the agency, are to be used to support a contingency operation or to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack, the term means: \$300,000 for any contract to be awarded and performed, or purchase to be made, inside the United States; and \$1 million for any contract to be awarded and performed, or purchase to be made, outside the United States.
		(2) Acquisitions of supplies or services that, as determined by the head of the agency, are to be used to support a humanitarian or peacekeeping operation (10 U.S.C. 2302), the term means \$300,000 for any contract to be awarded and performed, or purchase to be made, outside the United States. Do not break down requirements aggregating more than the simplified acquisition threshold merely to permit use of simplified acquisition procedures. These acquisitions are reserved exclusively for small business concerns and must be set aside.

Tasks	FAR Reference(s)	Additional Information
3(b)(i). If the acquisition of the non- commercial item is expected to exceed the SAT, use FAR Part 15 procedures.	FAR 13.000 Scope of part [simplified acquisition procedures].	FAR Part 13 prescribes policies and procedures for the acquisition of supplies and service, including construction, research and development, and commercial items, the aggregate amount of which does not exceed the simplified acquisition threshold.
		See Activity 18: Contracting by Negotiation for further discussion.
3(b)(ii). If the acquisition of the non- commercial item is expected to not	FAR 5.101 Methods of disseminating information.	The contracting officer must comply with the public display and synopsis requirements.
exceed the SAT, post a synopsis.	FAR 5.203 Publicizing and response times [synopses of proposed contract actions].	
	FAR 13.105 Synopsis and posting requirements [simplified acquisition procedures].	

Tasks	FAR Reference(s)	Additional Information
3(b)(iii). Solicit quotations for the non- compercial item valued at or below	FAR 13.106-1 Soliciting competition [simplified acquisition procedures].	In soliciting competition, the contracting officer must promote competition to the maximum extent practicable.
the SAT.		When soliciting quotations or offers, the contracting officer shall notify potential quoters or offerors of the basis on which award will be made (price alone or price and other factors, e.g., past performance and quality). Contracting officers are encouraged to use best value. Solicitations are not required to state the relative importance assigned to each evaluation factor and subfactor, nor are they required to include subfactors.
		The contracting officer must solicit quotations orally to the maximum extent practicable, if:
		 The acquisition does not exceed the simplified acquisition threshold; (ii) Oral solicitation is more efficient than soliciting through available electronic commerce alternatives; and (iii) Notice is not required under FAR 5.101.
		 However, an oral solicitation may not be practicable for contract actions exceeding \$30,000 unless covered by an exception in FAR 5.202.
		If obtaining electronic or oral quotations is uneconomical or impracticable, the contracting officer should issue paper solicitations for contract actions likely to exceed \$30,000. The contracting officer shall issue a written solicitation for construction requirements exceeding \$2,000.
		Options may be included in solicitations, provided the requirements of Subpart 17.2 are met and the aggregate value of the acquisition and all options does not exceed the dollar threshold for use of simplified acquisition procedures.
4. Evaluate the quotations or offers.	FAR 13.106-2 Evaluation of quotations	The contracting officer must evaluate quotations or offers:
	or offers [simplified acquisition procedures].	 In an impartial manner; and (ii) Inclusive of transportation charges from the shipping point of the supplier to the delivery destination.
		Quotations or offers shall be evaluated on the basis

established in the solicitation.

All quotations or offers shall be considered.

The contracting officer has broad discretion in fashioning suitable evaluation procedures. The procedures prescribed in parts 14 and 15 are not mandatory. At the contracting officer's discretion, one or more, but not necessarily all, of the evaluation procedures in FAR Part 14 or FAR art 15 may be used.

If using price and other factors, ensure that quotations or offers can be evaluated in an efficient and minimally burdensome fashion. Formal evaluation plans and establishing a competitive range, conducting discussions, and scoring quotations or offers are not required. Contracting offices may conduct comparative evaluations of offers. Evaluation of other factors, such as past performance:

- Does not require the creation or existence of a formal data base; and
- May be based on one or more of the following:
 - The contracting officer's knowledge of and previous experience with the supply or service being acquired;
 - Customer surveys, and past performance questionnaire replies;
 - The Governmentwide Past Performance Information Retrieval System (PPIRS) at; or
 - Any other reasonable basis.

For acquisitions conducted using a method that permits electronic response to the solicitation, the contracting officer may:

 After preliminary consideration of all quotations or offers, identify from all quotations or offers received one that is suitable to the user, such as the lowest priced brand name product, and quickly screen all lower priced quotations or offers based on readily discernible value

Tasks	FAR Reference(s)	Additional Information
		indicators, such as past performance, warranty conditions, and maintenance availability; or
		 Where an evaluation is based only on price and past performance, make an award based on whether the lowest priced of the quotations or offers having the highest past performance rating possible represents the best value when compared to any lower priced quotation or offer.

	Tasks	FAR Reference(s)	Additional Information
5.	Determine that the proposed price is fair and reasonable.	FAR 13.106-3 Award and documentation [simplified acquisition	Whenever possible, base price reasonableness on competitive quotations or offers.
		procedures].	If only one response is received, include a statement of price reasonableness in the contract file. The contracting officer may base the statement on:
			Market research;
			 Comparison of the proposed price with prices found reasonable on previous purchases;
			 Current price lists, catalogs, or advertisements. However, inclusion of a price in a price list, catalog, or advertisement does not, in and of itself, establish fairness and reasonableness of the price;
			A comparison with similar items in a related industry;
			 The contracting officer's personal knowledge of the item being purchased;
			Comparison to an independent Government estimate; or
			Any other reasonable basis.
			Occasionally an item can be obtained only from a supplier that quotes a minimum order price or quantity that either unreasonably exceeds stated quantity requirements or results in an unreasonable price for the quantity required. In these instances, the contracting officer should inform the requiring activity of all facts regarding the quotation or offer and ask it to confirm or alter its requirement. The file shall be documented to support the final action taken.

	Tasks	FAR Reference(s)	Additional Information
6.	Document the contract file.	FAR 13.106-3 Award and documentation [simplified acquisition procedures].	Keep documentation to a minimum.
			Oral solicitations:
			 The contracting office should establish and maintain records of oral price quotations in order to reflect clearly the propriety of placing the order at the price paid with the supplier concerned. In most cases, this will consist merely of showing the names of the suppliers contacted and the prices and other terms and conditions quoted by each.
			Written solicitations:
			 For acquisitions not exceeding the simplified acquisition threshold, limit written records of solicitations or offers to notes or abstracts to show prices, delivery, references to printed price lists used, the supplier or suppliers contacted, and other pertinent data.
			Special situations:
			Include additional statements:
			 Explaining the absence of competition (see FAR 13.106-1 for brand name purchases) if only one source is solicited and the acquisition does not exceed the simplified acquisition threshold (does not apply to the acquisition of utility services available from only one source); or
			 Supporting the award decision if other than price-related factors were considered in selecting the supplier.
7.	Issue notice of award, if applicable.	FAR 5.301 General [synopses of contract awards].	Contracting officers must synopsize through the GPE contract awards exceeding \$25,000.
8.	Make the award.	FAR 13.306 SF 44, Purchase Order—Invoice—Voucher [simplified acquisition procedures]. FAR 13.307 Forms [simplified	For commercial items. For use of the SF 1449, Solicitation/Contract/Order for Commercial Items. For other than commercial items.

Tasks	FAR Reference(s)	Additional Information
	acquisition procedures]. FAR 53.213 Simplified acquisition procedures.	 Except when quotations are solicited electronically or orally, the SF 1449; SF 18, Request for Quotations; or an agency form/automated format may be used. Each agency request for quotations form/automated format should conform with the SF 18 or SF 1449 to the maximum extent practicable.
		 Both SF 1449 and OF 347, Order for Supplies or Services, are multipurpose forms used for negotiated purchases of supplies or services, delivery or task orders, inspection and receiving reports, and invoices. An agency form/automated format also may be used.
		Forms used for both commercial and other than commercial items.
		 OF 336, Continuation Sheet, or an agency form/automated format may be used when additional space is needed. —
		 OF 348, Order for Supplies or Services Schedule— Continuation, or an agency form/automated format may be used for negotiated purchases when additional space is needed. Agencies may print on these forms the clauses considered to be generally suitable for purchases.
		 SF 30, Amendment of Solicitation/Modification of Contract, or a purchase order form may be used to modify a purchase order, unless an agency form/automated format is prescribed in agency regulations.
		 SF 44, Purchase Order—Invoice—Voucher, is a multipurpose pocket-size purchase order form that may be used as outlined in 13.306.
		SF 1165, Receipt for Cash—Subvoucher, or an agency purchase order form may be used for purchases using imprest funds or

third party drafts.

Tasks	FAR Reference(s)	Additional Information
9. Report the award to the Federal Procurement Data System-Next Generation (FPDS-NG).	FAR 4.603 Policy [contract reporting].	Contracts whose estimated value is \$3,500 or more or that may be \$3,500 or more must be reported in FPDS-NG. Every modification to that contract, regardless of dollar value must be reported to FPDS-NG.
 Notify unsuccessful suppliers, if required. 	FAR 13.106-3(c) Notification [award and documentation].	For acquisitions that do not exceed the simplified acquisition threshold and for which automatic notification is not provided through an electronic commerce method that employs widespread electronic public notice, notification to unsuccessful suppliers must be given only if requested or required by FAR 5.301.
11. Provide a brief explanation of the award decision, if requested from a supplier.	FAR 13.106-3(d) Request for information [award and documentation].	If the award was based on factors other than price alone, provide a brief explanation of the award decision.
12. Determine the method of payment.	FAR 12.301(b)(3) Solicitation provisions and contract clauses for the acquisition of commercial items. FAR 13.001 Definitions [simplified acquisition procedures]. FAR 13.301 Governmentwide commercial purchase card [simplified acquisition methods]. FAR 13.302-1(e) General [purchase orders]. FAR 13.305-3 Conditions for use [imprest funds and third party drafts]. FAR 13.4 Fast payment procedure [simplified acquisition procedures]. FAR 32.11 Electronic funds transfer [contract financing].	 Provide all contract payments through electronic funds transfer (EFT) including governmentwide purchase card unless: The office making payment under a contract that requires payment by EFT loses the ability to release payment by EFT; The payment is to be received by or on behalf of the contractor outside the United States and Puerto Rico (but see FAR 32.1106(b)); A contract is paid in other than United States currency (but see FAR 32.1106(b)); Payment by EFT under a classified contract could compromise classified information or national security, or would be impractical due to security considerations; A contract is awarded by a deployed Contracting Officer or in the conduct of emergency operations if EFT: Is not known to be possible; or Payment would not support the objectives of the operation;

Tasks	FAR Reference(s)	Additional Information

- The agency does not expect to make more than one payment to the same recipient within a one-year period;
 The Government would be seriously injured unless payment is made by a method other than EFT; or
- Otherwise authorized by Department of the Treasury Regulations.

Imprest funds or third party drafts may be used for purchases when:

- The imprest fund transaction does not exceed \$500 or such other limits as have been approved by the agency head;
- The third party draft transaction does not exceed \$2,500, unless authorized at a higher level in accordance with Treasury restrictions;
- The use of imprest funds or third party drafts is considered to be advantageous to the Government; and
- The use of imprest funds or third party drafts for the transaction otherwise complies with any additional conditions established by agencies and with the policies and regulations referenced in FAR 13.305-1.

The conditions that allow for fast payment procedure are as follows:

- The individual purchasing instrument must not exceed \$30,000, except that executive agencies may permit higher dollar limitations for specified activities or items on a case-by-case basis.
- Deliveries must occur at locations where there is both a geographical separation and a lack of adequate communications facilities between Government receiving and disbursing activities that will make it impractical to make timely payment based on evidence of Government acceptance.

Tasks	FAR Reference(s)	Additional Information
		 Title to the supplies must pass to the Government upon:
		 Delivery to a post office or common carrier for mailing or shipment to destination; or
		 Receipt by the Government if the shipment is by means other than Postal Service or common carrier.
		 The supplier must agree to replace, repair, or correct supplies not received at destination, damaged in transit, or not conforming to purchase requirements.
		 The purchasing instrument is a firm-fixed-price contract, a purchase order, or a delivery order for supplies.
		 A system must be in place to ensure:
		 Documentation of evidence of contractor performance under fast payment purchases;
		 Timely feedback to the contracting officer in case of contractor deficiencies; and
		 Identification of suppliers that have a current history of abusing the fast payment procedure.

Part B: Simplified Acquisition Procedures—Blanket Purchase Agreements

	Tasks	FAR Reference(s)	Additional Information
1.	Determine if there is an anticipated repetitive need for supplies or services.	FAR 13.303-1 General [blanket purchase agreements (BPAs)]. FAR 13.303-7 Completion of BPAs.	A blanket purchase agreement (BPA) is a simplified method of filling anticipated repetitive needs for supplies or services by establishing "charge accounts" with qualified sources of supply (see FAR Subpart 16.7 for additional coverage of agreements).
			A BPA is not a contract. The actual contract is not formed until an order is issued.
			BPAs may be issued without a commitment of funds; however, a commitment and an obligation of funds must separately support each order under a BPA.
			An individual BPA is considered complete when the purchases under it equal its total dollar limitation, if any, or when its stated time period expires.

	Tasks	FAR Reference(s)	Additional Information
2.	Determine if the circumstances warrant establishing a BPA.	FAR 13.303-2 Establishment of BPAs.	The following are circumstances under which contracting officers may establish BPAs:
			 There is a wide variety of items in a broad class of supplies or services that are generally purchased, but the exact items, quantities, and delivery requirements are not known in advance and may vary considerably.
			 There is a need to provide commercial sources of supply for one or more offices or projects in a given area that do not have or need authority to purchase otherwise.
			 The use of this procedure would avoid the writing of numerous purchase orders.
			 There is no existing requirements contract for the same supply or service that the contracting activity is required to use.
			After determining a BPA would be advantageous, contracting officers must:
			 Establish the parameters to limit purchases to individual items or commodity groups or classes, or permit the supplier to furnish unlimited supplies or services; and
			 Consider suppliers whose past performance has shown them to be dependable, who offer quality supplies or services at consistently lower prices, and who have provided numerous purchases at or below the simplified acquisition threshold.
			BPAs may be established with:
			 More than one supplier for supplies or services of the same type to provide maximum practicable competition;
			 A single firm from which numerous individual purchases at or below the simplified acquisition threshold will likely be made in a given period; or
			 Federal Supply Schedule contractors, if not inconsistent with the terms of the applicable schedule contract.

	Tasks	FAR Reference(s)	Additional Information
3.	Prepare the BPA.	FAR 13.303-3 Preparation of BPAs.	Prepare BPAs on the forms specified in FAR 13.307. The following terms and conditions are mandatory:
4.	Make purchase under the BPA.	FAR 13.303-5 Purchases under BPAs.	Use a BPA only for purchases that are otherwise authorized by law or regulation.
5.	Ensure that purchase limits are within authorized law.	FAR 13.303-5 Purchases under BPAs.	 Individual purchases shall not exceed the simplified acquisition threshold. However, agency regulations may establish a higher threshold consistent with the following: The simplified acquisition threshold and the \$7 million limitation for individual purchases (\$13 million for purchases entered into under the authority of FAR 12.102(f)(1)) do not apply to BPAs established in accordance with FAR 13.303-2(c)(3). The limitation for individual purchases for commercial item acquisitions conducted under Subpart 13.5 is \$7 million (\$13 million for acquisitions as described in FAR 13.500(c)).

	Tasks	FAR Reference(s)	Additional Information
6.	Seek maximum practicable competition.	FAR 13.303-5 Purchases under BPAs.	The existence of a BPA does not justify purchasing from only one source or avoiding small business set-asides. The requirements of FAR 13.003(b) and FAR Subpart 19.5 also apply to each order.
			If, for a particular purchase greater than the micro-purchase threshold, there is an insufficient number of BPAs to ensure maximum practicable competition, the contracting officer shall:
			 Solicit quotations from other sources (see FAR 13.105) and make the purchase as appropriate; and
			 Establish additional BPAs to facilitate future purchases if:
			 Recurring requirements for the same or similar supplies or services seem likely;
			 Qualified sources are willing to accept BPAs; and
			 It is otherwise practical to do so.
7.	Make the purchase requisition.	FAR 13.303-5(e) Purchases under BPAs.	Purchases generally should be made electronically, or orally when it is not considered economical or practical to use electronic methods.
			A paper purchase document may be issued if necessary to ensure that the supplier and the purchaser agree concerning the transaction.
			Unless a paper document is issued, record essential elements (e.g., date, supplier, supplies or services, price, delivery date) on the purchase requisition, in an informal memorandum, or on a form developed locally for the purpose.
8.	Record essential elements in an informal memorandum.	FAR 13.303-5(e) Purchases under BPAs.	Unless a paper document is issued, record essential elements (e.g., date, supplier, supplies or services, price, delivery date) on the purchase requisition, in an informal memorandum, or on a form developed locally for the purpose.
			Cite the pertinent purchase requisitions and the accounting and appropriation data.

	Tasks	FAR Reference(s)	Additional Information
Ç	O. Record the receipt and acceptance of the goods or services purchased under the BPA.	FAR 13.303-5(e)(5) Purchases under BPAs.	When delivery is made or the services are performed, the supplier's sales document, delivery document, or invoice may (if it reflects the essential elements) be used for the purpose of recording receipt and acceptance of the supplies or services. However, if the purchase is assigned to another activity for administration, the authorized Government representative must document receipt and acceptance of supplies or services by signing and dating the agency specified form after verification and after notation of any exceptions.