



FAR FACTS
SEASON 2023, EPISODE SEVEN
FAR PARTS 12 AND 13

1. A contracting officer may use the procurement principles set forth in FAR Parts 13, 14, or 15 for the procurement of commercial products or commercial services, provided they are consistent with the rules of FAR Part 12.
2. Contracting officers should use standard form 1449 in acquisitions for commercial products or commercial services. **FAR 12.204(a)(1)**.
3. Contracting officers should evaluate past performance in a commercial product or commercial service procurement, but it is not mandatory. **FAR 12.206**.
4. Contracts for commercial products or commercial services shall rely upon contractor's existing quality assurance systems as a substitute for Government inspection and testing before tender of acceptance unless customary market practices for the commercial product or commercial service being acquired includes in-process inspection. Government inspection must be consistent with commercial and not government/military standards. **FAR 12.208**.
5. Customary market practice for some commercial products or commercial services may include buyer contract financing (e.g., advanced/accelerated payments). The contracting officer may offer Government financing in accordance with the policies and procedures in **FAR Part 32**. **FAR 12.210**.
6. Firm-fixed price commercial product or commercial service contracts/orders are exempt from CAS. **FAR 12.214**. Labor hour and time & materials commercial products or commercial services contracts are also exempt. CASB 9903.201-1(b)(6).
7. Contracting officers are permitted to tailor some of the standard **FAR Part 12** terms and conditions of a commercial contract set forth at **FAR 52.212-4** to meet standard commercial buying practices. **FAR 12.302**. Note, however, that there are several mandatory terms that cannot be removed or modified (e.g., assignments, disputes, payment, invoice, other compliances, compliance with laws unique to Government contracts, and unauthorized obligations). **FAR 12.302(b)**.
8. Changes to a commercial product or commercial services contract may be made only by written agreement by the Government and the contractor. **FAR 52.212-4(c)**.
9. Except for certain procurements involving "contingency operations" or to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack, the simplified acquisition threshold ("SAT") is \$250,000. **FAR 2.101**.

10. Contracting officers are not permitted to break down a requirement into small procurements valued at less than the SAT for the purpose of utilizing **FAR Part 13** procedures. **FAR 13.003(c)(2)**.
11. Contracting officers should use the System for Award Management (SAM) as their primary source of vendor selection information. **FAR 13.102(a)**.
12. Simplified acquisition procedures are subject to publication and competition requirements. **FAR 13.104(b)**.
13. Contracting officers may not solicit quotations based on personal preference or restrict solicitation distribution to only suppliers of well-known brands or makes. **FAR 13.104(a)**.
14. Contracting officers may use oral solicitations when procuring goods or services under the SAT, under certain circumstances. **FAR 13.106-1(c)**.
15. COs are not required to request individual quotations for each purchase. Instead, the CO can use "standing quotes." **FAR 13.103**.
16. Contracting officers are required to determine whether a proposal price is fair and reasonable. Whenever possible, this should be based on a price reasonableness analysis on all simplified acquisitions. **FAR 13.106-3**.
17. The Government-wide commercial purchase card is the preferred method to purchase and to pay for micro-purchases. **FAR 13.201(b)**.
18. Micro-purchases do not require provisions or clauses, except as provided at **FAR 13.202** and **32.1110**. **FAR 13.201(d)**.
19. Blanket Purchase Agreements are ordering documents should be used only for filling anticipated "repetitive needs" of goods and services. **FAR 13.303-1(a)**.
20. The clauses set forth at **52.213-4** may be used in BPAs established under **FAR Part 13**. **FAR 13.303-8**.
21. Use of an SF 44 is the most common way the Government issues "purchase orders" under **FAR Part 13**. **FAR 13.306**.
22. Documentation requirements to support sole source awards for procurements under the SAT are set forth at **FAR 13.501**.