that have been received shall be re-

turned unopened to the bidders and no-

tice of cancellation shall be sent to all

prospective bidders to whom invita-

tions were issued. When an invitation

issued electronically is cancelled, a

general notice of cancellation shall be

posted electronically, the bids received

shall not be viewed, and the bids shall

be purged from primary and backup
data storage systems.

(c) The notice of cancellation shall

(1) identify the invitation for bids by

number and short title or subject mat-

ter, (2) briefly explain the reason the

invitation is being cancelled, and (3)

where appropriate, assure prospective

bidders that they will be given an op-

portunity to bid on any resolicitation

of bids or any future requirements for

the type of supplies or services in-

volved. Cancellations shall be recorded

in accordance with 14.403(d).

[48 FR 42171, Sept. 19, 1983, as amended at 60
FR 34737, July 3, 1995; 62 FR 12692, Mar. 17,
1997

14.210 Qualified products.

See subpart 9.2.

14.211 Release of acquisition informa-

tion.

(a) Before solicitation. Information

concerning proposed acquisitions shall

not be released outside the Government

before solicitation except for presolicitation notices in accordance with 14.203 or 36.213–2, or long-range ac-
quisation estimates in accordance with 5.404, or synopses in accordance with 5.201. Within the Government, such

information shall be restricted to those

having a legitimate interest. Releases

of information shall be made (1) to all

prospective bidders, and (2) as nearly as

possible at the same time, so that one

prospective bidder shall not be given

unfair advantage over another. See 3.104 regarding requirements for propri-

etary and source selection information

including access to and disclosure

thereof.

(b) After solicitation. Discussions with

prospective bidders regarding a solicita-
tion shall be conducted and technical

or other information shall be trans-

mitted only by the contracting officer

or superiors having contractual au-
thorized. Such personnel shall not fur-

nish any information to a prospective

bidder that alone or together with

other information may afford an ad-

vantage over others. However, general

information that would not be prejudi-
cial to other prospective bidders may

be furnished upon request: e.g., expla-
nation of a particular contract clause

or a particular condition of the sched-

dule in the invitation for bids, and more

specific information or clarifications

may be furnished by amending the so-
llicitation (see 14.208).

[48 FR 42171, Sept. 19, 1983, as amended at 50
FR 1738, Jan. 11, 1985; 50 FR 52429, Dec. 23,
2, 1997; 68 FR 43856, July 24, 2003

14.212 Economic purchase quantities

(supplies).

Contracting officers shall comply

with the economic purchase quantity

planning requirements for supplies in

subpart 7.2. See 7.203 for instructions

regarding use of the provision at 52.207-

4, Economic Purchase Quantity—Sup-

plies, and 7.204 for guidance on han-
dling responses to that provision.

[50 FR 35479, Aug. 30, 1985

14.213–14.214 [Reserved]

Subpart 14.3—Submission of Bids

14.301 Responsiveness of bids.

(a) To be considered for award, a bid

must comply in all material respects

with the invitation for bids. Such com-
pliance enables bidders to stand on an

equal footing and maintain the integ-

rity of the sealed bidding system.

(b) Facsimile bids shall not be con-
sidered unless permitted by the solici-
tation (see 14.202–7).

(c) Bids should be filled out, exe-
cuted, and submitted in accordance

with the instructions in the invitation.

If a bidder uses its own bid form or a

to submit a bid, the bid may be

considered only if (1) the bidder accepts

all the terms and conditions of the in-
vitation and (2) award on the bid would

result in a binding contract with terms

and conditions that do not vary from

the terms and conditions of the invita-
tion.

(d) Bids submitted by electronic com-
merce shall be considered only if the