

## 12.000

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12.505 Applicability of certain laws to contracts for the acquisition of COTS items.

### Subpart 12.6—Streamlined Procedures for Evaluation and Solicitation for Commercial Products and Commercial Services

- 12.601 General.
- 12.602 Streamlined evaluation of offers.
- 12.603 Streamlined solicitation for commercial products or commercial services.

AUTHORITY: 40 U.S.C. 121(c); 10 U.S.C. chapter 4 and 10 U.S.C. chapter 137 legacy provisions (see 10 U.S.C. 3016); and 51 U.S.C. 20113.

SOURCE: 60 FR 48241, Sept. 18, 1995, unless otherwise noted.

### 12.000 Scope of part.

This part prescribes policies and procedures unique to the acquisition of commercial products, including commercial components, and commercial services. It implements the Federal Government's preference for the acquisition of commercial products contained in 41 U.S.C. 1906, 1907, and 3307 and 10 U.S.C. 3451–3453 by establishing acquisition policies more closely resembling those of the commercial marketplace and encouraging the acquisition of commercial products and commercial services.

[60 FR 48241, Sept. 18, 1995, as amended at 79 FR 24199, Apr. 29, 2014; 86 FR 61021, Nov. 4, 2021; 87 FR 73897, Dec. 1, 2022]

### 12.001 Definition.

*Subcontract*, as used in this part, includes, but is not limited to, a transfer of commercial products or commercial services between divisions, subsidiaries, or affiliates of a contractor or subcontractor.

[60 FR 48241, Sept. 18, 1995, as amended at 86 FR 61021, Nov. 4, 2021]

### Subpart 12.1—Acquisition of Commercial Products and Commercial Services

#### 12.101 Policy.

The head of the agency shall—

- (a) Conduct market research to determine whether commercial products, commercial services, or nondevelopmental items are available that could meet the agency's requirements;