

## SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

### PART 1513—SIMPLIFIED ACQUISITION PROCEDURES

Sec.

1513.000 Scope of part.

#### Subpart 1513.1—General

1513.170 Competition exceptions and justification for sole source simplified acquisition procedures.

1513.170-1 Contents of sole source justifications.

#### Subpart 1513.4—Imprest Fund [Reserved]

#### Subpart 1513.5—Purchase Orders

1513.505 Purchase order and related forms.

1513.507 Contract clauses.

AUTHORITY: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

SOURCE: 61 FR 57338, Nov. 6, 1996, unless otherwise noted.

#### 1513.000 Scope of part.

This part prescribes EPA policies and procedures for the acquisition of supplies, nonpersonal services, and construction from commercial sources, the aggregate amount of which does not exceed the simplified acquisition threshold.

#### Subpart 1513.1—General

**1513.170 Competition exceptions and justification for sole source simplified acquisition procedures.**

**1513.170-1 Contents of sole source justifications.**

The program office submitting the procurement request must submit, as a separate attachment, a brief written statement in support of sole source acquisitions exceeding the micro-purchase threshold. The statement must cite one or more of the circumstances in FAR 6.302 and the necessary facts to support each circumstance. Although program offices may not cite the authority in FAR 6.302-7, the public interest may be used as a basis to support a sole source acquisition. If the acquisition has been synopsisized as a notice of

proposed sole source acquisition, the statement must include the results of the evaluation of responses to the synopsis.

#### Subpart 1513.4—Imprest Fund [Reserved]

#### Subpart 1513.5—Purchase Orders

**1513.505 Purchase order and related forms.**

Contracting Officers may use the EPA Form 1900-8, Procurement Request/Order, in lieu of Optional Forms 347 and 348 for individual purchases prepared in accordance with the instructions printed on the reverse thereof (see 1553.213-70).

[61 FR 57338, Nov. 6, 1996. Redesignated at 62 FR 33572, June 20, 1997]

#### 1513.507 Contract clauses.

(a)(i) It is the general policy of the Environmental Protection Agency that contractor or vendor prescribed leases or maintenance agreements for equipment shall not be executed.

(ii) The contracting officer shall, where appropriate, insert the clause at 1552.213-70, *Notice to Suppliers of Equipment*, in orders for purchases or leases of automatic data processing equipment, word processing, and similar types of commercially available equipment for which vendors, as a matter of routine commercial practice, have developed their own leases and/or customer service maintenance agreements.

(b) Where the supplies or services are offered under a Commercial Supplier Agreement (as defined in 1502.100), the purchase order or modification shall incorporate clause 1552.332-39, *Unenforceability of Unauthorized Obligations* (FAR DEVIATION), in lieu of non-deviated clause 52.232-39, and clause 1552.232-75, *Commercial Supplier Agreements-Unenforceable Clauses*.

[86 FR 55713, Oct. 7, 2021]

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**Subpart 1513.6—Actions at or Below the Micro-Purchase Threshold**

EDITORIAL NOTE: At 86 FR 55713, Oct. 7, 2021, Subpart 1513.6 was added with undesignated text. This text could not be added due to incorrect amendatory instruction.

**PART 1514—SEALED BIDDING**

**Subpart 1514.2—Solicitation of Bids**

Sec.

1514.201 Preparation of invitations for bids.  
1514.201–6 Solicitation provisions.  
1514.201–7 Contract clauses.  
1514.205 Solicitation mailing lists.

**Subpart 1514.4—Opening of Bids and Award of Contract**

1514.404 Rejection of bids.  
1514.406 Mistakes in bids.

AUTHORITY: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

SOURCE: 49 FR 8843, Mar. 8, 1984, unless otherwise noted.

**Subpart 1514.2—Solicitation of Bids**

**1514.201 Preparation of invitations for bids.**

**1514.201–6 Solicitation provisions.**

The Contracting Officer shall insert the solicitation provision at 1552.214–71, Contract Award–Other Factors–Sealed Bidding, in invitations for bids when it is appropriate to describe other factors that will be used in evaluating bids for award.

[50 FR 14359, Apr. 11, 1985, as amended at 61 FR 55118, Oct. 24, 1996]

**1514.201–7 Contract clauses.**

The CCO is authorized to waive the inclusion of the clauses at FAR 52.214–27 and 52.214–28, in accordance with FAR 14.201–7.

[55 FR 24579, June 18, 1990, as amended at 58 FR 18976, Apr. 21, 1994]

**1514.205 Solicitation mailing lists.**

When a solicitation and all amendments are posted on the Internet with a synopsis providing information as to how to access the solicitation and all

amendments, the CO will need to maintain a mailing list of only those individuals requesting paper copies from the contract service center/branch. When possible, the CO should also build an electronic “mailing list” of companies downloading the solicitation from the Internet.

[49 FR 8843, Mar. 8, 1984, as amended at 62 FR 37148, July 11, 1997]

**Subpart 1514.4—Opening of Bids and Award of Contract**

**1514.404 Rejection of bids.**

**1514.406 Mistakes in bids.**

**PART 1515—CONTRACTING BY NEGOTIATION**

Sec.

1515.000 Scope of part.

**Subpart 1515.2—Solicitation and Receipt of Proposals and Information**

1515.209 Solicitation provisions and contract clauses.

**Subpart 1515.4—Contract Pricing**

1515.404–4 Profit.  
1515.404–470 Policy.  
1515.404–471 EPA structured approach for developing profit or fee objectives.  
1515.404–472 Other methods.  
1515.404–473 Limitations.  
1515.404–474 Waivers.  
1515.404–475 Cost realism.  
1515.408 Solicitation provisions and contract clauses.

**Subpart 1515.6—Unsolicited Proposals**

1515.604 Agency points of contact.  
1515.606–70 Contracting methods.

AUTHORITY: 5 U.S.C. 301; Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); and 41 U.S.C. 418b.

SOURCE: 64 FR 47410, Aug. 31, 1999, unless otherwise noted.

**1515.000 Scope of part.**

This part implements and supplements FAR part 15. It prescribes the Environmental Protection Agency policies and procedures for contracting for supplies and services by negotiation.