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small business (WOSB) concerns eligible under the WOSB Program.

6.208 Set-asides for local firms during a major disaster or emergency.

Subpart 6.3—Other Than Full and Open Competition

6.300 Scope of subpart.

6.301 Policy.

6.302 Circumstances permitting other than full and open competition.

6.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements.

6.302-2 Unusual and compelling urgency.

6.302-3 Industrial mobilization; engineering, developmental, or research capability; or expert services.

6.302-4 International agreement.

6.302-5 Authorized or required by statute.

6.302-6 National security.

6.302-7 Public interest.

6.303 Justifications.

6.303-1 Requirements.

6.303-2 Content.

6.304 Approval of the justification.

6.305 Availability of the justification.

Subpart 6.4—Sealed Bidding and Competitive Proposals

6.401 Sealed bidding and competitive proposals.

Subpart 6.5—Advocates for Competition

6.501 Requirement.

6.502 Duties and responsibilities.

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: 50 FR 1729, Jan. 11, 1985; 50 FR 52429, Dec. 23, 1985, unless otherwise noted.

6.000 Scope of part.

This part prescribes policies and procedures to promote full and open competition in the acquisition process and to provide for full and open competition, full and open competition after exclusion of sources, other than full and open competition, and advocates for competition. This part does not deal with the results of competition (*e.g.*, adequate price competition), that are addressed in other parts (*e.g.*, part 15).

[66 FR 2127, Jan. 10, 2001, as amended at 79 FR 24198, Apr. 29, 2014]

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6.001 Applicability.

This part applies to all acquisitions except—

(a) Contracts awarded using the simplified acquisition procedures of part 13 (but see 13.501 for requirements pertaining to sole source acquisitions of commercial products or commercial services under subpart 13.5).

(b) Contracts awarded using contracting procedures (other than those addressed in this part) that are expressly authorized by statute;

(c) Contract modifications, that are within the scope of the contract, including the exercise of priced options that were evaluated as part of the original competition (see 17.207(f));

(d) Orders placed under requirements contracts or definite-quantity contracts;

(e) Orders placed under indefinite-quantity contracts that were entered into pursuant to this part when—

(1) The contract was awarded under subpart 6.1 or 6.2 and all responsible sources were realistically permitted to compete for the requirements contained in the order; or

(2) The contract was awarded under subpart 6.3 and the required justification and approval adequately covers the requirements contained in the order; or

(f) Orders placed against task order and delivery order contracts entered into pursuant to subpart 16.5.

[50 FR 52431, Dec. 23, 1985, as amended at 55 FR 52790, Dec. 21, 1990; 60 FR 34747, July 3, 1995; 60 FR 49725, Sept. 26, 1995; 62 FR 263, Jan. 2, 1997; 62 FR 64917, Dec. 9, 1997; 84 FR 19842, May 6, 2019; 86 FR 61020, Nov. 4, 2021]

6.002 Limitations.

No agency shall contract for supplies or services from another agency for the purpose of avoiding the requirements of this part.

6.003 [Reserved]

Subpart 6.1—Full and Open Competition

6.100 Scope of subpart.

This subpart prescribes the policy and procedures that are to be used to promote and provide for full and open competition.