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revising offers, or submitting an alternative offer. The Government may consider initial offers unless revised or withdrawn, revised offers, and alternative offers in making the award. Revising an offer does not guarantee an offeror an award.

(End of provision)

[86 FR 54118, Sept. 30, 2021]

852.273–72 Alternative evaluation.

As prescribed in 873.110(c), insert the following provision:

ALTERNATIVE EVALUATION (NOV 2021)

(a) The Government will award a contract resulting from this solicitation to the responsible Offeror submitting the lowest priced offer that conforms to the solicitation. During the specified period for receipt of offers, the amount of the lowest offer will be posted and may be viewed by [*Contracting Officer insert description of how the information may be viewed electronically or otherwise*]. Offerors may revise offers anytime during the specified period. At the end of the specified time period for receipt of offers, the responsible Offeror submitting the lowest priced offer will be in line for award.

(b) Except when it is determined not to be in the Government's best interest, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are materially unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(End of provision)

[86 FR 54118, Sept. 30, 2021]

852.273–73 Evaluation—Health-Care Resources.

As prescribed in 873.110(d), in lieu of FAR provision 52.212–2, the Contracting Officer may insert a provision substantially as follows:

EVALUATION—HEALTH–CARE RESOURCES (NOV 2021)

(a) The Government will award a contract resulting from this solicitation to the responsible Offeror whose proposal, conforming to the solicitation, will be most advantageous to the Government, price and other factors considered. The following information or factors shall be used to evaluate offers: [*Contracting Officer insert evaluation information or factors, such as technical capability to meet the Government's requirements, past performance, or such other evaluation information or factors as the Contracting Officer deems necessary to evaluate offers. Price must be evaluated in every acquisition. The Contracting Officer may include the evaluation information or factors in their relative order of importance, such as in descending order of importance. The relative importance of any evaluation information must be stated in the solicitation.*]

(b) Except when it is determined not to be in the Government's best interest, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are materially unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s). The Government may reject any or all proposals if such action is in the Government's interest. Additionally, the Government may waive informalities and minor irregularities in proposals received.

(c) If this solicitation is a request for proposals (RFP), a written notice of award or acceptance of a proposal, mailed or otherwise furnished to the successful Offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received by the Contracting Officer before award.

(End of provision)

[86 FR 54118, Sept. 30, 2021]

852.273–74 Award without exchanges.

As prescribed in 873.110(e), insert the following provision:

AWARD WITHOUT EXCHANGES (NOV 2021)

The Government intends to evaluate proposals and award a contract without exchanges with Offerors. Therefore, each initial proposal should contain the Offeror's best terms from a cost or price and technical standpoint. However, the Government reserves the right to conduct exchanges if later determined by the Contracting Officer to be necessary.

PART 853—FORMS

Sec.
853.000 Scope of part.

Subpart 853.1—General

853.107 Obtaining forms.

Subpart 853.2—Prescription of Forms

853.219 Small business forms.
853.236 Construction and architect-engineer contracts.
853.236–70 VA Form 6298, Architect-Engineer Fee Proposal.
853.236–71 VA Form 2138, Order for Supplies or Services (Including Task Orders for Construction or A–E Services).
853.236–72 VA Form 10101, Contractor Production Report

Subpart 853.3—Illustration of Forms

853.300 Scope of subpart.

AUTHORITY: 40 U.S.C. 121(c); 41 U.S.C. 1702; and 48 CFR 1.301 through 1.304.

SOURCE: 73 FR 2717, Jan. 15, 2008, unless otherwise noted.

853.000 Scope of part.

This part prescribes VA forms for use in the acquisition of goods and services. It only identifies forms that are used between VA and its contractors or the general public. It does not identify forms for uses internal to VA or between VA and another Federal agency.

Subpart 853.1—General

853.107 Obtaining forms.

VA forms may be obtained online at *https://www.va.gov/vaforms/* or upon request from any VA contracting office.

[84 FR 9976, Mar. 19, 2019]

Subpart 853.2—Prescription of Forms

SOURCE: 86 FR 54405, Oct. 1, 2021, unless otherwise noted.

853.219 Small business forms.

(a) *VA Form 2268, Small Business Program and Contract Bundling Review.* VA Form 2268 is prescribed for use to document actions and recommendations related to small business, as specified in 819.202.

(b) *VA Form 0896A, Report of Subcontracts to Small and Veteran-Owned Businesses.* VA Form 0896A is prescribed for use to submit subcontracting information, as specified in 819.704–70.

(c) *Availability.* Forms are available at *https://www.va.gov/vaforms.*

[87 FR 63015, Oct. 18, 2022]

853.236 Construction and architect-engineer contracts.

853.236–70 VA Form 6298, Architect-Engineer Fee Proposal.

VA Form 6298 is prescribed for use by contractors to submit proposals, as specified in 836.7001(a).

853.236–71 VA Form 2138, Order for Supplies or Services (Including Task Orders for Construction or A–E Services).

VA Form 2138 is prescribed for use to order supplies or services, including task orders for construction or A–E services, as specified in 836.7001(b).

853.236–72 VA Form 10101, Contractor Production Report.

VA Form 10101 is prescribed for use by contractors to submit required information to the resident engineer, as specified in 836.7001(c).

Subpart 853.3—Illustration of Forms

853.300 Scope of subpart.

VA Forms will not be illustrated in this VAAR. Persons wishing to obtain copies of VA forms prescribed in the VAAR may do so in accordance with 853.107. VA forms may also be available on the Web at *http://www.va.gov/vaforms/.*