

UNIT 20: SOLICITATION PREPARATION

September 2004

UNIT CERTIFICATION

Statement of Completion

_____ has satisfactorily completed training in the duty of this Unit under the conditions described below and in accordance with the overall standard(s) for this Unit.

Duty	Prepare a written solicitation that includes the appropriate provisions and clauses tailored to the requirement and assembled in a format appropriate to the acquisition method and market for the required supply or service.
Conditions	Given forecast requirements, written or unwritten acquisition plan, market research, Procurement Request, other related documents, relevant presolicitation business decisions, and a decision to use a written solicitation.
Overall Standard	Incorporate all required provisions and clauses in a format appropriate for the acquisition, given prior decisions on whether the requirement is for a commercial item, type of contract, nature of goods or services being acquired, acquisition method, etc.

Evaluator	
_____	Name
_____	Title
_____	Date

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Insert documentation to support completed training.

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Policies

<i>FAR</i>	<i>Agency Suppl.</i>	<i>Subject</i>
1.4		Deviations from the FAR.
2.101		Definitions. "Services" changed.
5.102		Availability of solicitations.
5.203		Publicizing and response time.
5.207		Preparation and transmittal of synopses.
12.204		Solicitation/contract form.
12.205(c)		Allowing less than 30 days response time for commercial items.
12.3		Solicitation provisions and contract clauses for the acquisition of commercial items.
12.603		Streamlined solicitation for commercial items.
13.004		Legal effect of quotations.
13.005		Federal Acquisition Streamlining Act of 1994 of inapplicable laws.
13.006		Inapplicable provisions and clauses.
13.101(b) (2)		Incorporating provisions and clauses by reference.
13.105(b)		Combined synopsis/solicitation for commercial items.
13.106-1(d)		Written solicitations.
13.302-3(a)		Requiring written acceptance of purchase orders.
13.302-5		Clauses for simplified acquisition.
13.307		Forms for simplified acquisition.
14.1		Use of sealed bidding.
14.201		Preparation of invitations for bids.
14.202		General rules for solicitation of bids.
14.203-3		Master solicitation.
14.213		Annual submission of representations and certifications.
15.200		Scope of subpart on solicitation and receipt of proposals.
15.203		Requests for proposals.
15.204		Contract format.
15.205		Issuing solicitations.
15.209		Solicitation provisions and contract clauses.
15.210		Solicitation forms.
15.304(e)		Relative evaluation factor importance.
19.202-4		Small business solicitation policies.
35.007(d)		Research and development solicitations.
36.6		Architect-Engineer Services This subpart prescribes policies and procedures applicable

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<i>FAR</i>	<i>Agency Suppl.</i>	<i>Subject</i>
		to the acquisition of architect-engineer services.
36.7		Standard and Optional Forms for Contracting for Construction, Architect-Engineer Services, and Dismantling, Demolition, or Removal of Improvements This subpart sets forth requirements for the use of standard and optional forms, prescribed in Part 53, for contracting for construction, architect-engineer services, or dismantling, demolition, or removal of improvements. These standard and optional forms are illustrated in Part 53.
52.212-1		Instructions to offerors – commercial items.
52.212-4		Contract terms and conditions – commercial items.
52.214-13		Telegraphic bids.
52.214-15		Period for acceptance of bids.
52.214-16		Minimum bid acceptance period.
52.215-1		Instructions to offerors – competitive acquisition.
52.219-6		Notice of Small Business Set-Aside.
52.252-1		Solicitation provisions incorporated by reference.
52.252-2		Clauses incorporated by reference.
52.252-3		Alterations in solicitation.
52.252-4		Alterations in contract.
52.252-5		Authorized deviations in provisions.
52.252-6		Authorized deviations in clauses.
52.3		Provision and clause matrix.
53.2		Prescription of Forms This subpart prescribes standard forms and references optional forms and agency-prescribed forms for use in acquisition. Consistent with the approach used in Subpart 52.2, this subpart is arranged by subject matter, in the same order as, and keyed to, the parts of the FAR in which the form usage requirements are addressed.

Other KSAs

1. Knowledge of the purpose and intent of the required, required when applicable, and optional clauses, along with the benefits and disadvantages of each clause and conditions for use.
2. Knowledge of the nature and classes of contracts (e.g., elements; competent parties; formation; intent to make a binding agreement; express and implied; valid and voidable; executed vs. executory; bilateral vs. unilateral), agreements (e.g.,

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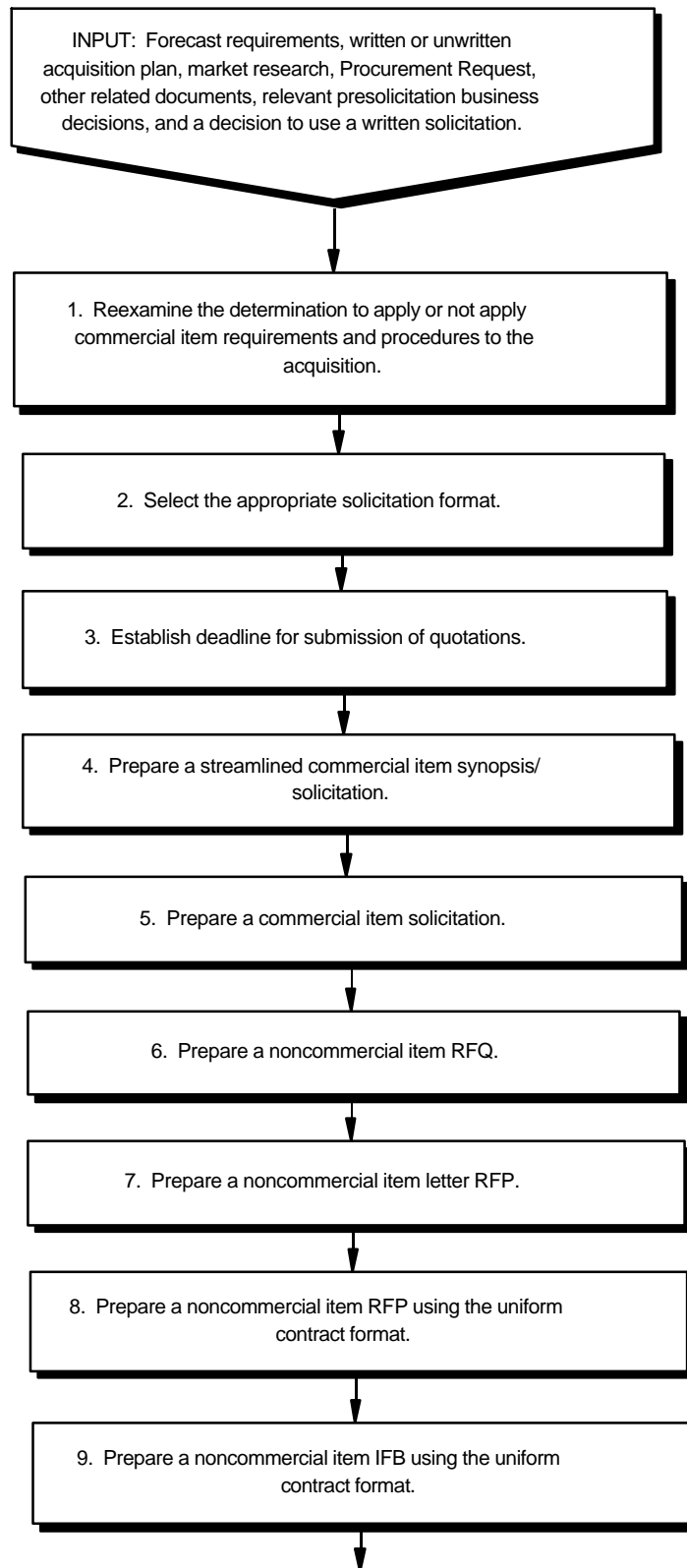
offers – requirements of, actions precedent to, expiration of, revocation of, acceptance of, confirmation of; contractual capacity; terms and conditions; modification of agreements), consideration (e.g., definition; effect of absence; promises as; present vs. past; forbearance; adequacy; exceptions to requirement), legality (e.g., legality of purpose; good faith and fairness; unconscionable and oppressive contracts), and contract interpretation (e.g., parole evidence rule; rules of construction and interpretation; typical problems).

3. Ability to use clear and concise language in preparing the solicitation.
 4. Ability to demonstrate the attention to detail necessary to correctly prepare solicitation documents.
 5. Ability to make appropriate business decisions to facilitate the acquisition process.
 6. Ability to maintain the honesty and integrity of the acquisition process.
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Other Policies and References (Annotate As Necessary):

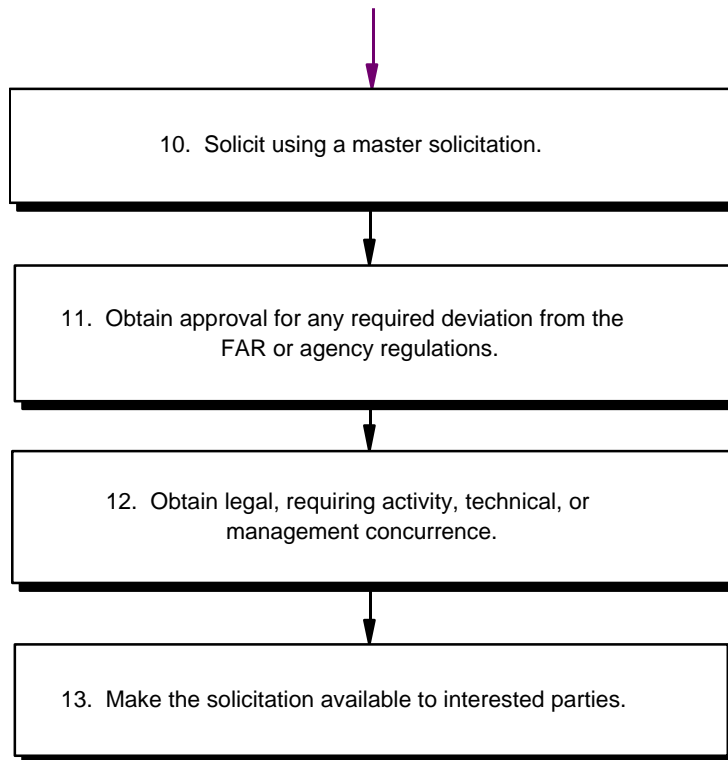
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Tasks	Related Standards
1. Reexamine the determination to apply or not apply commercial item requirements and procedures to the acquisition.	Use commercial item requirements and procedures in FAR Part 12 to acquire commercial items as defined in FAR 2.101.
2. Select the appropriate solicitation format.	Select from the following choices: <ul style="list-style-type: none">• Electronic commerce input screen for commercial or noncommercial items where available and appropriate;• Streamlined synopsis/solicitation for commercial items when the solicitation is relatively simple (i.e., less than 12,000 characters) and no lengthy addenda are necessary;• Commercial item solicitation where streamlined synopsis/solicitation is not appropriate;• Noncommercial item request for quotations (RFQ) for simplified acquisitions;• Noncommercial item letter request for proposals (RFP) when soliciting less than full and open competition for other than simplified acquisition;• Noncommercial item RFP using the Uniform Contract Format (UCF) when soliciting competition and all conditions for sealed bidding in FAR 14.1 have not been met;• Noncommercial item invitation for bids (IFB) using the UCF when all conditions for sealed bidding in FAR 14.1 are met; and• Master solicitation when appropriate for repetitive requirements.

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Tasks	Related Standards
3. Establish deadline for submission of quotations.	<p>Establish a response time that will give prospective offerors/quoters a reasonable opportunity to respond following release of the solicitation. Consider the:</p> <ul style="list-style-type: none"> • Urgency of the requirement; • Complexity of the requirement; • Geographic distribution of quoters; • Synopsis lead-time requirements; and • Normal time required for RFQ receipt and response by prospective contractors.
4. Prepare a streamlined commercial item synopsis/solicitation.	<p>Prepare Items 1 – 16 of the synopsis following the requirements of FAR 5.207.</p> <p>Tailor Item 17 of the synopsis to the acquisition requirement and include the appropriate information identified in FAR 12.603(c)(2).</p> <p>Publish any required amendments to the solicitation in the same manner.</p>
5. Prepare a commercial item solicitation.	<p>Correctly prepare the RFQ using the SF 1449, Solicitation/Contract/Order for Commercial Items, or equivalent electronic commerce form. Identify and incorporate all provisions and clauses required by FAR Part 12.</p> <ul style="list-style-type: none"> • To the maximum extent practicable, follow the format requirements at FAR 12.303. • Complete the solicitation-related portion of the SF 1449. • Insert the provisions and clauses required by FAR and agency guidance appropriately modified for the acquisition. <ul style="list-style-type: none"> - Tailor the FAR 52.212-1, Instructions to Offerors – Commercial Items, and FAR 52.212-4, Contract Terms and Conditions – Commercial Items, to adapt to market conditions. - Never tailor any clause or include any term or condition that is inconsistent with commercial practice for the item unless a waiver to include the

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Tasks	Related Standards
	<p>requirement is obtained following agency procedures.</p> <ul style="list-style-type: none"> - Never tailor the paragraphs of FAR 52.212-4 that implement statutory requirements (e.g., payment and invoicing requirements).
<p>6. Prepare a noncommercial item RFQ.</p>	<p>Correctly prepare an RFQ for a noncommercial item.</p> <ul style="list-style-type: none"> • Complete the solicitation using either the: <ul style="list-style-type: none"> - SF 1449, Solicitation/Contract/Order for Commercial Items; - SF 18, Request for Quotations; - Agency form; or - Equivalent electronic commerce form. • Include any required provisions or clauses. For example, an acquisition with an estimated price exceeding \$2,500, but not exceeding \$100,000 must be set-aside for small business using FAR 52.219-6, Notice of Total Small Business Set-Aside. • When soliciting competitive quotations, include the criteria that will be used to evaluate quotes.
<p>7. Prepare a noncommercial item letter RFP.</p>	<p>Use of a letter RFP does not relieve the contracting officer from complying with other FAR requirements. The letter RFPs should be as complete as possible and, at a minimum, should contain the following:</p> <ul style="list-style-type: none"> • RFP number and date; • Name, address (including electronic address and facsimile address, if appropriate), and telephone number of the contracting officer; • Type of contract contemplated; • Quantity, description, and required delivery dates for the item; • Applicable certifications and representations; • Anticipated contract terms and conditions; • Instructions to offerors and evaluation criteria for other than sole source actions;

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Tasks	Related Standards
	<ul style="list-style-type: none"> • Proposal due date and time; and • Other relevant information (e.g., incentives, variations in delivery schedule, cost proposal support, and data requirements).
<p>8. Prepare a noncommercial item RFP using the uniform contract format.</p>	<p>Use information gathered during acquisition planning to complete each section. Use the FAR Provision and Clause Matrix to select the appropriate provisions/clauses for the solicitation and include each one selected in the appropriate solicitation section.</p> <p>A. Solicitation/contract form. Use the OF 308, Solicitation and Offer – Negotiated Acquisition, SF 33, Solicitation, Offer and Award, agency equivalent, or plain paper format.</p> <p>B. Supplies or services and prices/costs. Normally use the OF 336, Continuation Sheet, or agency equivalent. Include a brief description of each line item (e.g., item number; national stock or part number, if applicable); name or short title; and quantity.</p> <p>C. Description/specifications. Include any description or specification in addition to the information in Section B needed to describe the Government requirements.</p> <p>D. Packaging and marking. Provide packaging, packing, preservation, and marking requirements (if any).</p> <p>E. Inspection and acceptance. Include inspection, acceptance, quality assurance, and reliability requirements.</p> <p>F. Deliveries or performance. Specify requirements for time, place, and method of delivery or performance.</p> <p>G. Contract administration data. Include any required accounting and appropriation data; any required contract administration information or instructions other than those on the solicitation form.</p>

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Tasks	Related Standards
	<p>H. Special contract requirements. State any special contract requirement not included elsewhere. Be careful that these requirements do not conflict with other requirements.</p> <p>I. Contract clauses. Include clauses required by law, the FAR, agency regulations, or other requirements that are not included elsewhere.</p> <p>J. List of attachments. List the title, date, and number of pages for each attached document, exhibit, and other attachment.</p> <p>K. Representations, certifications, and other statements of offerors. Include provisions that require representations, certifications, or submission of other offeror information.</p> <p>L. Instructions, conditions, and notices to offerors or respondents. Insert solicitation provisions and other information and instructions not required elsewhere to guide offerors or respondents in preparing proposals. Prospective offerors or respondents may be instructed to submit proposals or information in a specific format or severable parts to facilitate evaluation. The instructions may specify further organization of proposal or response parts, such as:</p> <ul style="list-style-type: none">- Administrative;- Management;- Technical;- Past performance; and- Cost or pricing data or information other than cost or pricing data. <p>M. Evaluation factors for award. Identify all significant factors and any significant subfactors that will be considered in awarding the contract and their relative importance. Describe the relative importance of cost or price and other factors by inserting one of the phrases in FAR 15.304(e).</p>

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Tasks	Related Standards
9. Prepare a noncommercial item IFB using the uniform contract format.	<p>Use information gathered during acquisition planning to complete each section. Use the FAR Provision and Clause Matrix to select the appropriate provisions/clauses and include each one selected in the appropriate solicitation section.</p> <ul style="list-style-type: none">A. Solicitation/contract form. Use the SF 33, Solicitation, Offer and Award, unless otherwise permitted by the FAR.B. Supplies or services and prices/costs. Normally use the OF 336, Continuation Sheet, or agency equivalent. Include a brief description of each line item (e.g., item number; national stock or part number, if applicable); name or short title; and quantity.C. Description/specifications. Include any description or specification in addition to the information in Section B needed to describe the Government requirements.D. Packaging and marking. Provide packaging, packing, preservation, and marking requirements (if any).E. Inspection and acceptance. Include inspection, acceptance, quality assurance, and reliability requirements.F. Deliveries or performance. Specify requirements for time, place, and method of delivery or performance.G. Contract administration data. Include any required accounting and appropriation data; any required contract administration information or instructions other than those on the solicitation form.H. Special contract requirements. State any special contract requirement not included elsewhere. Be careful that these requirements do not conflict with other requirements.I. Contract clauses. Include clauses required by law, the FAR, agency regulations, or

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Tasks	Related Standards
	<p>other requirements that are not included elsewhere.</p> <p>J. List of attachments. List the title, date, and number of pages for each attached document, exhibit, and other attachment. Cross-references to the attachments may be used in other sections.</p> <p>K. Representations, certifications, and other statements of offerors. Include provisions that require representations, certifications, or submission of other offeror information.</p> <p>L. Instructions, conditions, and notices to bidders. Insert solicitation provisions and other information and instructions not provided elsewhere to guide bidders. Include the time and place for bid openings, and advise bidders that bids will be evaluated without discussions.</p> <p>M. Evaluation factors for award. Identify the price-related factors other than the bid price that will be considered in evaluating bids and awarding the contract.</p>
<p>10. Solicit using a master solicitation.</p>	<p>A master solicitation can be used for either an RFP or IFB. It is a document containing special clauses and provisions that have been identified as essential for the repetitive acquisition of a specific type of supply or service.</p> <p>When using a master solicitation:</p> <ul style="list-style-type: none"> • Provide a copy to potential sources and request that they retain it for continued and repetitive use. • Assure that individual solicitations reference the date of the current master solicitation and any changes thereto. • Make copies of the master solicitation available on request. • Provide cognizant contract administration activities with a current copy of the master solicitation.

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11. Obtain approval for any required deviation from the FAR or agency regulations.	<p>Unless precluded by law, executive order, or regulation, a deviation may be granted to meet the needs and requirements of each agency.</p> <p>An agency head or designee may grant an individual deviation that affects only one contracting action. The justification and approval must be documented in the contract file.</p> <p>When a class deviation affecting more than one contracting action will be required on a permanent basis, an agency should request a FAR revision to cover the matter. Before authorizing a class deviation a civilian agency head or designee must consult with the Civilian Agency Acquisition Council. For DoD, a class deviation must be processed in accordance with the DFARS. For NASA, a class deviation must be approved and controlled by the Associate Administrator for Procurement Deviations.</p>
12. Obtain legal, requiring activity, technical, or management concurrence.	Obtain any required concurrence in a timely manner. For example, the requiring activity and/or appropriate technical personnel should concur in any proposed changes to the Government requirement before the solicitation is issued.

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13. Make the solicitation available to interested parties.	<p>Methods include:</p> <ul style="list-style-type: none">• Distributing the solicitation electronically. If the solicitation is distributed using electronic commerce, availability may be limited to the electronic medium.• Issuing the solicitation to sources identified during market research.• Upon request, mailing to other interested sources.• Providing copies on a “first-come first-served” basis for pickup at the contracting office to publishers, trade associations, and other interested parties.• Retaining a copy for review and duplication upon the request of an interested party. <p>If requested by a small business, furnish:</p> <ul style="list-style-type: none">• A copy of the specifications;• The name and telephone number to call with questions about the solicitation; and• Adequate citations to each applicable Federal law or agency rule with which small business concerns must comply in performing the contract. <p>The contracting office may require payment of a fee for a copy of solicitation documents that does not exceed the cost of duplication.</p>