

## **FOREWARD**

The Competition in Contracting Act (CICA) of 1984, as implemented in the Federal Acquisition Regulation (FAR) Part 6, sets a standard of competition for Federal contracts. Although there are a number of laws impacting the way the Government buys its goods and services, CICA is one of the more important laws because it establishes competition as the norm for Federal contracts. It sends the clear message to industry and Federal procurement personnel that, in buying goods and services, the Government will obtain them through competition. CICA directly affects every contract award by establishing both policy and procedural requirements that must be followed. Although complying with many of CICA's requirements are the responsibility of the Department of Energy's (DOE) professional contracting staff, program and technical staff play an important role in ensuring that DOE's acquisition of goods and services is accomplished consistent with the competition requirements of CICA. It is truly a team effort.

If you are involved in, or will need to use the acquisition process, I urge you to take a few minutes to review this guide and acquaint yourself with the requirements of CICA and its implementation in DOE.

Edward R. Simpson  
Competition Advocate

## Frequently Asked Questions.....

### Why do we compete Government requirements?

Competition is the law, but it also offers numerous advantages. It can offer cost savings, higher quality, better service, and enhanced solutions. By advertising its needs to a wide audience, the DOE will receive the best solutions industry has to offer at competitive prices. Further, DOE can reap the benefits of the diversity of ideas that exist in the marketplace. More importantly, competition promotes fairness and openness. Openness in Government is the key to earning the public trust, and the wide publication of our contract needs creates that openness. We can maximize the advantages competition offers by instituting effective planning, clearly defining our requirements, and fully testing the market place.

### What are the regulatory and statutory requirements for competition?

Federal government acquisition is not a simple process. It is governed by a myriad of laws and regulations that have evolved over the years. Various laws, including the Federal Property and Administrative Services Act of 1946, confirmed the requirements for openness and competition, and set strict rules for soliciting and evaluating proposals, conduct of personnel, socio-economic requirements, sources of supply, and other procedural issues.

The foundation for the Government's competition requirements are in the Competition In Contracting Act of 1984 (CICA) (40 U.S.C. §471 et seq. and 41 U.S.C. §251 et seq.). CICA established a preference for competition and set process requirements for Federal acquisitions. CICA was enacted to assure that all interested and responsible parties have an equal opportunity for the Government's business.

CICA not only reaffirmed the intent that all procurements be "open", but required "full and open" competition. Full and open competition means that all responsible sources are permitted to submit competitive proposals on a procurement action. CICA requires, with certain limited exceptions, that the Government will promote full and open competition in awarding contracts.

The Federal Acquisition Streamlining Act of 1994 (FASA) and the Federal Acquisition Reform Act of 1995 (FARA) were enacted to streamline the Federal processes and ensure that Federal acquisitions are conducted as efficiently as possible. More recently, the Services Acquisition Reform Act of 2003 (SARA) was enacted to build on previous contract reform initiatives. SARA focuses primarily on more commercial approaches to the purchase of services and technology. The primary implementation of policy and process requirements of CICA, FASA and FARA is in the Federal Acquisition Regulation (FAR). The DOE supplements the FAR and establishes agency policies and process requirements in the DOE Acquisition Regulation (DEAR) and the DOE Acquisition Guide.

Your best guide to this maze of rules, regulations and requirements is the Contracting Officer in the Contracting Activity or Service Center who will eventually process your requirement.

## What are the key requirements of competition?

CICA essentially changed the way the Government purchases. If the goods or services we need can be provided by the private sector, the law requires that we use competition. Competition should be considered not just because there is a law requiring it, but because of the advantages it offers.

- CICA approved only seven exceptions to the requirement for competition. Further, CICA specified the approval levels for authorizing the use of the exceptions.
- Socio-economic considerations are still important under CICA. It still requires that preference be given to small and disadvantaged businesses, woman owned business and labor surplus areas.
- The requirement to publicize procurements was changed by CICA. CICA set minimum time frames after the publication before the procurement could be processed. These minimum time frames assure that prospective offers will have time to respond to the announcement. This helps to increase the level of competition by allowing industry the time to develop better offers.
- The role of the Agency Competition Advocate was established by CICA. CICA required that an individual be assigned to oversee the implementation of CICA in each agency.

The statutory requirements for competition can be found in FAR Part 6 and DEAR Part 906.

## How do I begin the acquisition planning process?

Acquisition planning begins with identifying a need that must be fulfilled by a contract and defining the requirement. It's never too early to begin planning your strategy for the acquisition. Time invested in this phase will expedite the schedule in the long run. Solid planning can help develop a realistic assessment of the "acquisition lead time" and the steps needed to award a contract. *Delays and frustration in dealing with the acquisition process are often caused by unrealistic schedules and a lack of understanding of the process.*

One of the first steps in acquisition planning is to identify an acquisition team. The acquisition team should include knowledgeable technical and program personnel, a contracting officer and other contracting personnel assigned to the acquisition by the cognizant contracting office. Depending on the nature of the acquisition, the acquisition team might also include individuals with expertise in such specialized areas as law, budget, safety and health, and project management, or individuals with knowledge in environmental or other issues.

The strategy the acquisition team selects can impact the acquisition lead time required, the funds required, and even the way the work is described and the type of contract. Program officials

should consider consulting their contracting office as soon as possible when a requirement becomes known. Not only will the contracting office become aware of your requirement and include it in their planning, but they can help in formulating a business strategy and a plan for the acquisition.

In developing an acquisition plan, the acquisition team is required to conduct market research and should consider whether commercial items (defined in FAR 2.101) are available in the marketplace that can meet the Government's needs. If commercial items are available, then the streamlined processes introduced by FASA can be used.

Acquisitions must be designed to maximize opportunities for small and disadvantaged businesses, and other socioeconomic programs. The FAR requires contracting officers to review each acquisition to determine if it can be set aside for small businesses. In addition, DOE policy requires contracting officers to submit all proposed acquisitions in excess of \$3 million that have not been set-aside for small businesses to the OSDBU for review. OSDBU will review the acquisition to determine if it is justified to not set it aside, and will look at the acquisition for ways to maximize subcontracting opportunities for small and disadvantaged businesses.

The Office of Small and Disadvantaged Business Utilization (OSDBU) maintains a database for the DOE called the "*Forecast of Prime/Subcontracting Opportunities Database.*" Program officials should submit each acquisition that will be set-aside for small or disadvantaged businesses to the OSDBU for inclusion in the database. The database notifies the small business community of forecasted acquisitions.

Competition is not always possible or in DOE's best interest. The reasons an agency may procure goods or services without competition are discussed in FAR Part 6. Keep in mind that lack of planning is not an exception to competition. The documentation supporting a non-competitive acquisition must be clearly supported by the facts. Merely citing the exception to competition isn't sufficient. Each of the exceptions to competition is discussed further below.

### **Planning suggestions:**

- Start early by developing a working relationship with your contracting office.
- Form an acquisition team for your procurement.
- Describe your needs as clearly as possible. Structure the acquisition around the purpose of the work. State the requirements in specific, objective, performance or functional terms. To the extent possible, include measurable outcomes as opposed to dictating the manner for performing the work.
- Where possible, use terms that would permit many different approaches and solicit industry comments on your requirements.
- Avoid the use of any description or specification that may restrict potential offerors.

Whenever possible, avoid basing requirements on particular products (for example, brand name or equal specifications), proprietary processes, or narrowly focused solutions.

- Be sure that all requirements are free of unnecessary or nice to have features that will increase the cost.
- Include time for soliciting industry comments or performing market research through draft solicitations, notices of proposed requirements, “one on one” industry meetings, and expressions of interest.
- Be cognizant of the Procurement Integrity Act and the prohibitions on the disclosure of certain types of information. Under the Procurement Integrity Act, the furnishing of information that gives a competitive advantage is criminally punishable. The types of information that are prohibited from disclosure include source selection information and contractor bid and proposal information. Source selection information is defined in FAR 2.101, and it includes information such as technical evaluation and source selection plans, the offeror’s proposed technical approach and costs, the Government’s evaluation of the contractors technical and price proposals, the rankings of bids, and reports and evaluations of source selection panels.

## **How do we get information on industry interest and capabilities?**

A market survey is an excellent tool for determining what capabilities exist in the private sector and gauging industry’s interest in meeting our need. It’s the first step in determining if competition is possible. The information gained from a market survey can help the acquisition team formulate its program and acquisition strategies by answering questions it may have about the marketplace, such as:

- Is the service or supply is available from the private sector?
- Does the acquisition strategy promote competition?
- What’s the level of industry interest?
- Are there small businesses with the capability to perform the service or provide the supply?
- Should additional sources be developed?
- Are there commercial items available in the marketplace that can meet the agency’s need?

## **When should the market survey be completed?**

The market survey can be done at any time, but the best time is during the concept development and needs definition phase. To facilitate an effective acquisition strategy, it should definitely be completed before the formal procurement request is prepared.

## **How is a market survey done?**

The requirement's office has the primary responsibility for completing the market survey. However, the contracting office can help formulate and execute the survey. The market survey should be a cooperative effort between the requiring office and the contracting office.

If the market survey doesn't yield any satisfactory sources or interest, it can provide the hard evidence needed to support a non-competitive determination.

The following are examples of market survey techniques:

- Sources sought synopsis.
- Notices or advertisements published in widely distributed scientific or technical journals.
- Draft solicitations published for comment.
- Open houses, "supplier days" and site visits for potential contractors.
- Information gained through attendance at symposia and association meetings.
- Search of the small business PRO-Net system.
- Examination of available catalogs, marketing and capability brochures from industry.
- Conferences and seminars including pre-solicitation conferences.
- Written or telephone contacts with experts in the in the area of the need.
- One-on-one meetings with industry.

## **Suggestions for the market survey:**

- Requirements and guidance for market surveys can be found in FAR 3.104 (41 U.S.C. §423).
- Be sure not to provide advance information or knowledge to any contractors, unless that information is readily available to all contractors. Otherwise, you might give an unfair competitive advantage to those contractors and violate the Procurement Integrity Act. There are constraints on the types of information that can be disclosed to the public;

make sure that you know what information that you are prohibited from releasing.

- Conduct market surveys well in advance of initiating a procurement action. Perform the surveys as early as possible.
- If competition isn't possible, then document the market survey and use it to substantiate a justification for other than full and open competition.
- Consider developing sources if an inadequate number exist.

## **What procedures are considered competitive?**

“Full and open competition” is the Government standard for competition. It establishes the Government’s policy for competition and is characterized by process requirements. The following contracting methods meet the requirements of full and open competition:

- Sealed Bids in accordance with FAR Part 14.
- Competitive Proposals in accordance with FAR Part 15.
- Competitive selection of basic and applied research and that part of development not related to the development of a specific system or hardware procurement is a competitive procedure if award results from a broad agency announcement as described in FAR 6.102(d)(2).
- GSA award schedules if orders are placed following the procedures in FAR 8.405.
- Architect-engineer contracts using procedures in FAR Subpart 36.6.

## **What is the difference between sealed bids and competitive proposals?**

The FAR describes the two basic methods of procurement, sealed bids and competitive proposals. The competitive proposal method is also commonly referred to as a negotiated procurement.

The sealed bid method involves competitive bids that are opened in public. The sealed bid method is used primarily for supply items in which offers are received in sealed envelopes and result in the award of a firm fixed price contract to the lowest responsible and responsive bidder. Bids may be received via telegram, mailgram, facsimile, or electronic commerce system only if expressly allowed in the solicitation. The majority of DOE's work does not lend itself to this process.

Competitive proposals or negotiated contracts allow the Government more flexibility and are often used for DOE requirements. The features of the contract should be tailored to the tasks to

be performed. Some of the factors to consider are the amount of contractor risk, incentives for performance of the most important parts of the task, cost efficiency, importance of the completion date, and funds that are available. The type of contract and its features can materially affect the outcome of the work and should be discussed with contracting personnel as early as possible.

## **How do I use GSA schedules?**

The Federal Supply Schedule program is managed by the General Services Administration (GSA) and it provides a simplified process for obtaining commonly used commercial supplies and services. GSA awards indefinite-delivery contracts, including requirements contracts, with commercial firms to provide supplies and services at stated prices for given periods of time.

The Federal Supply Schedules contain the information necessary for placing delivery orders with schedule contractors. Ordering offices issue delivery orders directly to the schedule contractors for the required supplies and services. GSA provides extensive guidance on the use of the GSA Federal Supply Schedules on its website, and internal DOE guidance on their can be found in the DOE Acquisition Guide, Chapter 38.

## **What can I do to get a better understanding of competitive procedures?**

- Discuss the work required, the time frame for completion, concerns and objectives with your contracting office.
- Review the applicable procurement regulations and DOE policies.
- Ask questions about procedures, and the advantages and disadvantages of different approaches.
- Take Contracting Officer Representative and other acquisition courses.

## **Why do I publicize contracting actions to industry?**

One of the first steps in communicating the Government's requirements to industry is to publish a summary or synopsis of the planned contracting opportunity. Publication of planned contractual actions is required by regulation, and we obtain the benefits of enhanced competition when we alert industry to our requirements. Public dissemination of information can broaden industry participation, improve small business access to acquisition information and increase competition by informing industry of contracting and subcontracting opportunities.

There are a number of types of notices and synopses. The Government can publish sources sought synopses, pre-solicitation notices, announcements of upcoming pre-proposal conferences



and business fairs, notices of sales of surplus property, special notices, draft RFPs, and notices of contract award.

## **How do I publicize my requirement to industry?**

There are a number of ways that we can communicate contracting opportunities to industry, but with the move towards increased use of electronic media, the Government has developed a standardized electronic approach for publicizing contracting actions. The Government designated Federal Business Opportunities (FedBizOpps) as the single, Government-wide electronic point of entry (GPE) for required actions. GPE means the single electronic web-site where Government business opportunities can be accessed electronically by the public.

A notice of a proposed contract action is required to be published and transmitted to the FedBizOpps for all actions exceeding \$25,000. Limited exceptions exist, and they are listed in FAR 5.202. The DOE has a system in place to post your synopsis to FedBizOpps. Your contracting office will publish the notice of the proposed contract action for you. If you have a need to use the DOE system, your contracting office can assist you in using this tool.

The mandatory format and content for notices is found at FAR 5.207. The FedBizOpps website includes a user's guide for Federal Government buyers at <http://www2.eps.gov/EPsBuyersManual/BG4-PresolNotice.html>.

## **When do I publicize my synopsis?**

The regulations define time requirements for synopses that must be observed, particularly for unusual or noncompetitive procurements. The acquisition team needs to be aware of these requirements in planning the schedule. Otherwise, the procurement can be unexpectedly and seriously delayed. The required notice must be published at least 15 days before the solicitation is issued. Then the Government must allow a minimum of an additional 30 days for the receipt of bids or proposals, except in the case of commercial items or simplified acquisitions.

## **Do the same synopsis requirements apply to all acquisitions?**

FAR Part 5 includes special requirements for unusual situations such as a Federally Funded Research and Development Centers, architect and engineering services, section 8(a) competitive acquisitions, and non-competitive research or development contracts. They are discussed in FAR 5.205.

## **Suggestions for the synopsis:**

- Contact your contracting office to find out the exact requirements and the lead-times

required for the synopsis.

- Try to strike a balance in your description of your requirement. Avoid over or understating the requirement, and describe only your minimum needs to obtain the widest number of responses. However, try to be specific and accurate so contractors can determine if they are genuinely qualified to fulfill your requirement.
- Avoid including information regarding the current or previous supplier unless it will materially add to the quality of the competition and not discourage potential offerors.
- Reduce the procurement lead-time by synopsisizing prior to initiating the procurement request. Consult your contracting office first to make sure the synopsis meets the GPE and contracting requirements.

## What if “full an open” competition isn’t possible?

CICA provides for seven statutory exceptions to the requirement for full and open competition. A discussion of these exceptions, and the documentation required to support them, can be found in FAR Parts 6.302 and 6.303. In some cases, you will need to provide proof that competition has been sought, is not available, or is not necessary. If the requirement is a continuing need, you will need to document the actions being taken to assure any future requirements will be competitive. The FAR, DEAR, and DOE Acquisition Guide establish approval requirements for Justifications for Other Than Full and Open Competition. Examples are provided for each exemption; however, they don’t represent the totality of possibilities.

### 1. Only One Responsible Source (FAR 6.302-1)

This exception applies when the supplies or services required by the agency are available from only one responsible source, and no other type of supplies or services will satisfy agency requirements.

#### **EXAMPLES:**

- Unsolicited research proposal that demonstrates a unique and innovative concept (see definition at 2.101) and meets other regulatory criteria for acceptance of an unsolicited proposal.
- Follow-on procurement or highly specialized equipment if award to another source would result in substantial duplication of costs that aren’t expected to be recovered through competition or unacceptable delays in fulfilling the agency’s requirement.
- Limited rights in data, patent rights, copyrights, or secret processes (however, the mere existence of these rights doesn’t in itself justify this exception).
- Utility services or construction of part of a utility system (see FAR 41.101), circumstances may dictate that only one supplier can furnish the service (see FAR

41.202) and the utility company itself is the only source available to work on the system.

- Agency head has determined in accordance with the agency's standardization program that only specified makes and models of technical equipment and parts will satisfy the agency's needs for additional units or replacement items, and only one source is available.

**NOTE:** *The basis must be well documented and consist of fact, not opinion. If this exception is used, questions such as the following must be answered. Was there a "market survey"? What was the result of the "sources sought" announcement? Can another source be developed? What is the history? Caution! Experience gained as an incumbent support service contractor does not qualify for a follow-on award as the only responsible source.*

## 2. Unusual and Compelling Urgency (FAR 6.302.2)

When the agency's need for the supplies or services is of such an unusual and compelling urgency that the Government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

### EXAMPLES:

- Supplies or services needed to avert explosion or other disaster, or prevent imminent danger.
- Urgent supply requirement caused by Operation Desert Shield and Operation Desert Storm.
- Urgent need to provide security forces at a Government facility.

**NOTE:** *This exception shall not be used when there was a lack of advance planning or funding concerns. This exception requires that as many sources as is practicable be solicited. **This exception is probably one of the hardest to justify.** The Government Accountability Office (GAO) has narrowly interpreted the use of urgency as an exception to competition, and GAO continually challenges the use of this exception if there is a lack of advanced planning. If proper planning isn't done, CICA requires that the procurement be returned to the agency and executed in accordance with CICA requirements.*

## 3. Industrial Mobilization, Engineering Development or Research Capability (FAR 6.302-3)

### EXAMPLES:

- Keep vital facilities open in the event of a national emergency or to achieve industrial mobilization.
- Establish or maintain an essential engineering, research, or development capability to be

provided by an educational or other nonprofit institution or a federally funded research and development center (FFRDC).

**NOTE:** Industrial Mobilization generally pertains to the Department of Defense and its mobilization designation plants. It also pertains to DOE Defense Facilities.

#### **4. International Agreement (FAR 6.302-4)**

This exception applies when competition is precluded by the terms of an international agreement or a treaty between the United States and a foreign government or international organization, or when the acquisition is directed in writing and reimbursed by a foreign country.

**EXAMPLES:**

- A memorandum of Understanding entered into by several NATO countries dealing with a weapons system.

#### **5. Authorized or Required by Statute (FAR 6.302-5)**

Statute expressly authorizes or requires that the acquisition be made from a specified source, or the agency's need is for a brand name commercial item for authorized resale.

**EXAMPLES:**

- Federal Prison Industries;
- Qualified Nonprofit Agencies for the Blind or other Severely Disabled (see FAR Subpart 8.7);
- Government Printing and Binding (see FAR Subpart 8.8);
- Sole source awards under the 8(a) Program;
- Robert T. Stafford Disaster Relief and Emergency Assistance Act (see Subpart 26.2);
- Sole source awards under the HUBZone Act of 1997 (see 19.1306).

#### **6. National Security (FAR 6.302-6)**

Exception applies when disclosure of the agency's needs would compromise National security.

**EXAMPLES:**

- Computer system whose purpose it is to integrate other computer systems that improve

the reliability, safety, and productivity of nuclear weapons.

**NOTE:** *This authority shall not be used merely because the acquisition is classified, or because access to classified matter is required to submit a proposal or to perform the contract. Effort should be made to publicize the requirement in sufficient time for companies to obtain the necessary clearances. Consideration should be given to pre-clearing a sufficient number of sources. This authority requires that offers be requested from as many sources as is practicable under the circumstances.*

## **7. Public Interest (FAR 6.302-7)**

Agency Head determines that the public interest precludes full and open competition. This authority can be used when none of the other statutory authorities apply.

### **EXAMPLES:**

- Award to an investment banking firm to facilitate the sale of a large piece of Government property.
- A decision to limit sources to only U.S. firms or to require manufacturing in the U.S. may fall into this category.

**NOTE:** *Use of this authority requires Congressional notification prior to award. This authority cannot be used for a class of items. Each procurement must be individually documented and notification given to Congress. This authority is rarely used.*

## **How do I document a non-competitive procurement?**

*Formats and content for Justifications for Other Than Full and Open Competition (JOFOC) is contained in FAR 6.303-2 and varies by the authority used.*

*The FAR describes the minimum information and rationale that must be included in the JOFOC to comply with the law. The documentation must clearly and convincingly explain why full and open competition is not possible. The Government must explain its rationale for not competing the requirement in a manner that can be understood by anyone, including those not versed in government procurement.*

*The following suggestions for preparing the JOFOC are presented for your information and use in planning.*

- Contact your contracting office to assist you in the preparation of the JOFOC to ensure that the format and content of the document comply with DOE regulations and policies.
- Ensure that the JOFOC includes all of the information required by FAR 6.303 for the particular authority cited. Pay special attention to the following areas:

- ✓ The JOFOC should clearly document the results of a market survey and the disposition of the responses received. This is especially important in using the authority of FAR 6.302-1 and finding that only one source is available. If a market survey was not performed, the rationale for not performing one must be clear and demonstrate sufficient reason.
- ✓ If an estimate of costs to develop other sources is included in the justification, there should be an explanation as to how the estimate was developed.
- When the authority at FAR 6.302-1 is used, a discussion must be included in the file for the following:
  - ✓ The disposition of the responses of interest received and an explanation as to why offers will not be solicited from those firms.
  - ✓ Actions being taken to overcome barriers to competition.
  - ✓ Whether or not future requirements of a similar nature are expected.
- When the authority at FAR 6.302-2 (unusual and compelling urgency) is used, the nature and extent of harm to the government should be clearly set out, as well as why the requirement could not have been foreseen. This authority cannot be used if there was a lack of adequate planning.

## **Who approves the non-competitive justification?**

FAR 6.304 established who is required to be the approving official based on the dollar value of the acquisition.

- The contracting officer approves the JOFOC for a contract not exceeding \$500,000 unless a higher approving level is established in local procedures.
- Competition Advocate for the Contracting Activity for a contract over \$500,000 but not exceeding \$10,000,000. This authority is not delegable.
- Head of Contracting Activity, or a designee who is serving in a position in grade GS 16 or above under the General Schedule (or in a comparable or higher position under another schedule) for a contract over \$10,000,000 but not exceeding \$50,000,000.
- Procurement Executive for a contract exceeding \$50,000,000.

## **Are there any exclusions to CICA?**

CICA does not apply to the following:

- Financial Assistance Transactions;
- Contracts awarded using the simplified acquisition procedures of Part 13 (but see 13.501 for requirements pertaining to sole source acquisitions of commercial items under Subpart 13.5);
- Contracts using procedures that are expressly authorized by statute;
- Contract modifications that are within the scope and terms of an existing contract, including the exercise of priced options that were evaluated as part of the initial competition;
- Interagency agreements;
- Orders placed under requirements contracts or definite-quantity contracts;
- Orders placed under task order and delivery order contracts entered into pursuant to Subpart 16.5;
- Orders placed under indefinite-quantity contracts that were awarded using competitive procedures, or the contract was awarded on a sole source basis and the required justification and approval covered the order requirements;
- Awards made pursuant to Section 8(a) of the Small Business Act

### **Where can I find the applicable regulations?**

FAR regulations can be found at the following web address:

<http://www.arnet.gov/far/>

Department of Energy Acquisition Regulations (DEAR) can be found at the following web address:

<http://professionals.pr.doe.gov/ma5/MA-5web.nsf/Procurement/Acquisition+Regulation?OpenDocument>

A guide to source selection procedures developed by the Office of Contract Management can be found at:

[http://professtionals.pr.doe.gov/ma5/MA-5web.nsf/Procurement/AG-Chapter15.4TableofContents/\\$file/AG-Chapter15.4TableofContents?opendocument](http://professtionals.pr.doe.gov/ma5/MA-5web.nsf/Procurement/AG-Chapter15.4TableofContents/$file/AG-Chapter15.4TableofContents?opendocument)





## References:

Competition in Contracting Act 1984, 41 U.S.C. §251 et seq.

Federal Acquisition Regulation (FAR), Title 48 of the Code of Federal Regulations

Part 3, IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

Part 5, PUBLICIZING CONTRACT ACTIONS

PART 6, COMPETITION REQUIREMENTS

Part 7, ACQUISITION PLANNING

PART 8, REQUIRED SOURCES OF SUPPLIES AND SERVICES

PART 10, MARKET RESEARCH

PART 12, ACQUISITION OF COMMERCIAL ITEMS

PART 13, SIMPLIFIED ACQUISITION PROCEDURES

PART 14, SEALED BIDDING

PART 15, CONTRACTING BY NEGOTIATION

PART 16, TYPES OF CONTRACTS

PART 17, SPECIAL CONTRACTING METHODS

PART 19, SMALL BUSINESS PROGRAMS

PART 34, MAJOR SYSTEM ACQUISITION

PART 35, RESEARCH AND DEVELOPMENT CONTRACTING

PART 36, CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

PART 37, SERVICE CONTRACTING

PART 39, ACQUISITION OF INFORMATION TECHNOLOGY

## DEPARTMENT OF ENERGY ACQUISITION REGULATIONS

Subchapter A - General

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Subchapter B - Acquisition Planning

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