

<?xml encoding="UTF-8">

## **Subpart 5115.2 - Solicitation and Receipt of Proposals and Information**

**Parent topic:** [Part 5115 - Contracting by Negotiation](#)

### **5115.201 Exchanges with industry before receipt of proposals.**

(c) Early involvement is essential for maximizing industry's contribution to the planning, requirements definition, and acquisition processes. Communications with industry should start prior to drafting any solicitation. Measures will be taken to protect any intellectual property (IP) discussed during the planning/pre-solicitation phase, to include non-disclosure agreements as applicable ([see Appendices of the Implementation Guidance for Army Directive 2018-26](#)).

(6) When a written acquisition plan is required per DFARS 207.103(d) and a draft request for proposal is not used, Contracting officers must include the rationale for not using a draft request for proposal in the plan.

(f) All non-public contractor-owned IP discussed will be considered proprietary information and will not be disclosed publicly. This includes IP the Government is privy to as a result of discussions, documentation, or demonstrations.

### **5115.204 Contract format.**

(e) The Assistant Secretary of the Army (Acquisition, Logistics and Technology) may exempt individual contracts from the use of the uniform contract format. See [Appendix GG](#) for further delegation. The Deputy Assistant Secretary of the Army (Procurement), without power to further delegate, may exempt classes of contracts. The exempting authority will consult with affected contract administration and payment offices prior to granting the exemption.