

## 1.2 Applicability and Waivers

This MP must be used in conjunction with [FAR Part 15](#), as supplemented, to include the [DFARS Part 215](#) and its companion resource entitled Procedures, Guidance and Information (PGI), DoD Source Selection Procedures, and related laws, regulation, and policy. As guidance, this MP also provides hyperlinks to non-mandatory best practices, TTPs, sample RFP and contract language, tailorable templates and training materials.

1.2.3 Waivers. Waivers for solicitations valued at \$1B or more for approval by the Director, Defense Pricing, Contracting, and Acquisition Policy (DPCAP), must be forwarded through the SCO to the [cognizant HCA Workflow](#) for review and processing. See [MP 5301.601\(a\)\(i\)](#) for the waiver approval authority when the solicitation value is above \$10M but less than \$1B. For waivers pertaining to SSAC establishment, SCOs should consider input from the SSA.

1.2.4.1. Waiver procedures apply only to the DoD Source Selection Procedures (CAUTION: read paragraph 1.2 of the [DOD Source Selection Procedures](#)) and this MP. The requirements of [FAR15.3](#), as supplemented, cannot be waived as these requirements are subject to the FAR deviation process (see [DAFFARS 5301.402\(2\)](#), [DAFFARS 5301.403\(1\)\(i\)](#), [\(ii\)](#), and [DAFFARS 5301.404\(b\)\(i\)](#) and [\(ii\)](#)).

1.2.6 Acquisitions with an estimated dollar value less than or equal to \$50M may use price as the only evaluation factor and, therefore, be exempt from the [DoD Source Selection Procedures](#), dated 20 August 2022, and from this MP, if all of the following conditions are met:

- (1) The requirement is non-complex and well-defined, such that consideration of non-cost/price evaluation factors (e.g., technical, past performance, etc.) would not provide any meaningful differentiation amongst proposals and would add no value to the selection of a successful offeror;
- (2) Past performance record and history will be assessed as one of the multiple standards required for a successful offeror to be determined responsible as described in [FAR 9.104](#);
- (3) Use of price as the only evaluation factor is the most advantageous approach to the government; and
- (4) The acquisition strategy approving official has determined that use of price as the only evaluation factor is the most appropriate source selection methodology for the requirement and the justification for this determination is included in the approved acquisition strategy/plan.

1.2.6.1 See [MP5301.601\(a\)\(1\)](#) for acquisitions with an estimated dollar value over \$50M that meet the conditions at 1.2.6 (1)-(4).