

5.205 Special situations.

(a) *Research and development (R&D) advance notices.* Contracting officers may transmit to the GPE advance notices of their interest in potential R&D programs whenever *market research* does not produce a sufficient number of concerns to obtain adequate competition. Advance notices *must* not be used where security considerations prohibit such publication. Advance notices will enable potential sources to learn of R&D programs and provide these sources with an opportunity to submit information which will permit evaluation of their capabilities. *Contracting officers must* consider potential sources which respond to advance notices for a subsequent *solicitation*. Advanced notices *must* be entitled "Research and Development Sources Sought" and include the name and telephone number of the *contracting officer* or other *contracting activity* official from whom technical details of the project can be obtained. This will enable sources to submit information for evaluation of their R&D capabilities. *Contracting officers must* synopsise (see [5.201](#)) all subsequent *solicitations* for R&D contracts, including those resulting from a previously synopsized advance notice, unless one of the exceptions in [5.202](#) applies.

(b) *Federally Funded Research and Development Centers.* Before establishing a Federally Funded Research and Development Center (FFRDC) (see [part 35](#)) or before changing its basic purpose and mission, the sponsor *must* transmit at least three notices over a 90-day period to the GPE and the *Federal Register*, indicating the agency's intention to sponsor an FFRDC or change the basic purpose and mission of an FFRDC. The notice *must* indicate the scope and nature of the effort to be performed and request comments. Notice is not required where the action is required by law.

(c) *Special notices.* Contracting officers may transmit to the GPE special notices of *procurement* matters such as business fairs, long-range *procurement* estimates, prebid or preproposal conferences, meetings, and the availability of draft *solicitations* or draft specifications for review.

(d) *Architect-engineering services.* Contracting officers *must* publish notices of intent to contract for architect-engineering services as follows:

(1) Except when exempted by [5.202](#), *contracting officers must* transmit to the GPE a synopsis of each proposed *contract action* for which the total fee (including phases and *options*) is expected to exceed \$25,000.

(2) When the total fee is expected to exceed \$15,000 but not exceed \$25,000, the *contracting officer must* comply with [5.101\(a\)\(2\)](#). When the proposed *contract action* is not required to be synopsized under paragraph (d)(1) of this section, the *contracting officer must* display a notice of the *solicitation* or a copy of the *solicitation* in a public place at the *contracting office*. Other optional publicizing methods are authorized in accordance with [5.101\(b\)](#).

(e) Public-private competitions under OMB Circular A-76.

(1) The *contracting officer shall* make a formal public announcement for each streamlined or standard competition. The public announcement *shall* include, at a minimum, the agency, agency *component*, location, type of competition (streamlined or standard), activity being competed, incumbent service providers, number of Government personnel performing the activity, name of the Competitive Sourcing Official, name of the *contracting officer*, name of the Agency Tender Official,

and projected end date of the competition.

(2) The *contracting officer shall* announce the end of the streamlined or standard competition by making a formal public announcement of the performance decision. (See OMB Circular A-76.)

(f) *Section 8(a) competitive acquisition*. When a requirement is being considered for competitive acquisition limited to eligible 8(a) participants under subpart 19.8, the *contracting officer must* transmit a synopsis of the proposed *contract action* to the GPE. The synopsis *may* be transmitted to the GPE concurrent with submission of the agency offering (see 19.804-2) to the Small Business Administration (SBA). The synopsis *should* also include information-

(1) Advising that the *acquisition* is being offered for competition limited to eligible 8(a) participants;

(2) Specifying the North American Industry Classification System (NAICS) code;

(3) Advising that eligibility to participate *may* be restricted to 8(a) participants in either the developmental stage or the developmental and transitional stages; and

(4) Encouraging interested 8(a) participants to request a copy of the *solicitation* as expeditiously as possible since the *solicitation* will be issued without further notice upon SBA acceptance of the requirement for the section 8(a) program.

(g) *Notifications to the public regarding consolidation, bundling, or substantial bundling*.

(1) For the requirement to publish a notification of consolidation or substantial *bundling* of contract requirements, see 7.107-5(c) and (d).

(2) The agency is encouraged to provide notification of the rationale for any bundled requirement to the GPE before issuing the *solicitation* of any bundled requirement (see 7.107-5(b)).

(h) *Notice regarding timely definitization of equitable adjustments for change orders under construction contracts*. When the *contracting officer* anticipates award of a contract to a small business pursuant to a *solicitation* for *construction*, the *contracting officer must* transmit in the *solicitation* notice on the GPE information regarding definitization of equitable adjustments for *change orders* under *construction* contracts (see 36.211).

Parent topic: Subpart 5.2 - Synopses of Proposed Contract Actions