

Defense Federal Acquisition Regulation Supplement

Part 208—Required Sources of Supplies and Services

SUBPART 208.6--ACQUISITION FROM FEDERAL PRISON INDUSTRIES, INC.

(Revised June 20, 2003)

208.602 Policy.

(a) Before purchasing a product listed in the FPI Schedule, departments and agencies shall conduct market research to determine whether the FPI product is comparable to products available from the private sector that best meet the Government's needs in terms of price, quality, and time of delivery (10 U.S.C. 2410n). This is a unilateral decision made solely at the discretion of the department or agency.

(i) If the FPI product is comparable, follow the policy at FAR 8.602(a).

(ii) If the FPI product is not comparable--

(A) Use competitive procedures to acquire the product; and

(B) Consider a timely offer from FPI for award in accordance with the specifications and evaluation factors in the solicitation.

208.606 Exceptions.

For DoD, FPI clearances also are not required if market research shows that the FPI product is not comparable to products available from the private sector that best meet the Government's needs in terms of price, quality, and time of delivery.