

FEDERAL ACQUISITION REGULATION

General Structure and Subparts

SUBCHAPTER A—GENERAL

PART 1—FEDERAL ACQUISITION REGULATIONS SYSTEM

- 1.1 Purpose, Authority, Issuance
- 1.2 Administration
- 1.3 Agency Acquisition Regulations
- 1.4 Deviations from the FAR
- 1.5 Agency and Public Participation
- 1.6 Career Development, Contracting Authority, and Responsibilities
- 1.7 Determinations and Findings

PART 2—DEFINITIONS OF WORDS AND TERMS

- 2.1 Definitions
- 2.2 Contract Clause

PART 3—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

- 3.1 Safeguards
- 3.2 Contractor Gratuities to Government Personnel
- 3.3 Reports of Suspected Antitrust Violations
- 3.4 Contingent Fees
- 3.5 Other Improper Business Practices
- 3.6 Contracts with Government Employees or Organizations Owned or Controlled by Them
- 3.7 Voiding and Rescinding Contracts
- 3.8 Limitation on the Payment of Funds to Influence Federal Transactions
- 3.9 Whistleblower Protections for Contractor Employees

PART 4—ADMINISTRATIVE MATTERS

- 4.1 Contract Execution
- 4.2 Contract Distribution
- 4.3 Paper Documents
- 4.4 Safeguarding Classified Information Within Industry
- 4.5 Electronic Commerce in Contracting
- 4.6 Contract Reporting
- 4.7 Contractor Records Retention
- 4.8 Government Contract Files
- 4.9 Information Reporting to the Internal Revenue Service

SUBCHAPTER B—COMPETITION AND ACQUISITION PLANNING

PART 5—PUBLICIZING CONTRACT ACTIONS

- 5.1 Dissemination of Information
- 5.2 Synopses of Proposed Contract Actions
- 5.3 Synopses of Contract Awards
- 5.4 Release of Information
- 5.5 Paid Advertisements

PART 6—COMPETITION REQUIREMENTS

- 6.1 Full and Open Competition
- 6.2 Full and Open Competition after Exclusion of Sources
- 6.3 Other Than Full and Open Competition
- 6.4 Sealed Bidding and Competitive Proposals
- 6.5 Competition Advocates

PART 7—ACQUISITION PLANNING

- 7.1 Acquisition Plans
- 7.2 Planning for the Purchase of Supplies in Economic Quantities
- 7.3 Contractor Versus Government Performance
- 7.4 Equipment Lease or Purchase
- 7.5 Inherently Governmental Functions

PART 8—REQUIRED SOURCES OF SUPPLIES AND SERVICES

- 8.1 Excess Personal Property
- 8.2—8.3 [Reserved]
- 8.4 Federal Supply Schedules
- 8.5 Acquisition of Helium
- 8.6 Acquisition from Federal Prison Industries, Inc.
- 8.7 Acquisition from Nonprofit Agencies Employing People Who Are Blind or Severely Disabled
- 8.8 Acquisition of Printing and Related Supplies
- 8.9 Financial Management Systems Software (FMSS) Mandatory Multiple Award Schedule (MAS) Contracts Program
- 8.10 [Reserved]
- 8.11 Leasing of Motor Vehicles

PART 9—CONTRACTOR QUALIFICATIONS

- 9.1 Responsible Prospective Contractors
- 9.2 Qualifications Requirements
- 9.3 First Article Testing and Approval
- 9.4 Debarment, Suspension, and Ineligibility
- 9.5 Organizational and Consultant Conflicts of Interest
- 9.6 Contractor Team Arrangements
- 9.7 Defense Production Pools and Research and Development Pools

PART 10—MARKET RESEARCH**PART 11—DESCRIBING AGENCY NEEDS**

- 11.1 Selecting and Developing Requirements Documents
- 11.2 Using and Maintaining Requirements Documents
- 11.3 Acquiring Other Than New Material, Former Government Surplus Property, and Residual Inventory
- 11.4 Delivery or Performance Schedules
- 11.5 Liquidated Damages
- 11.6 Priorities and Allocations
- 11.7 Variation in Quantity

PART 12—ACQUISITION OF COMMERCIAL ITEMS

- 12.1 Acquisition of Commercial Items—General
- 12.2 Special Requirements for the Acquisition of Commercial Items
- 12.3 Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items
- 12.4 Unique Requirements Regarding Terms and Conditions for Commercial Items

- 12.5 Applicability of Certain Laws to the Acquisition of Commercial Items
- 12.6 Streamlined Procedures for Evaluation and Solicitation for Commercial Items

SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

PART 13—SIMPLIFIED ACQUISITION PROCEDURES

- 13.1 General
- 13.2 Blanket Purchase Agreements
- 13.3 Fast Payment Procedure
- 13.4 Imprest Fund
- 13.5 Purchase Orders
- 13.6 Test Program for Certain Commercial Items

PART 14—SEALED BIDDING

- 14.1 Use of Sealed Bidding
- 14.2 Solicitation of Bids
- 14.3 Submission of Bids
- 14.4 Opening of Bids and Award of Contract
- 14.5 Two-Step Sealed Bidding

PART 15—CONTRACTING BY NEGOTIATION

- 15.1 General Requirements for Negotiation
- 15.2—15.3 [Reserved]
- 15.4 Solicitation and Receipt of Proposals and Quotations
- 15.5 Unsolicited Proposals
- 15.6 Source Selection
- 15.7 Make-or-Buy Programs
- 15.8 Price Negotiation
- 15.9 Profit
- 15.10 Preaward, Award, and Postaward Notifications, Protests, and Mistakes

PART 16—TYPES OF CONTRACTS

- 16.1 Selecting Contract Types
- 16.2 Fixed-Price Contracts
- 16.3 Cost-Reimbursement Contracts
- 16.4 Incentive Contracts
- 16.5 Indefinite-Delivery Contracts
- 16.6 Time-and-Materials, Labor-Hour, and Letter Contracts
- 16.7 Agreements

PART 17—SPECIAL CONTRACTING METHODS

- 17.1 Multiyear Contracting
- 17.2 Options
- 17.3 [Reserved]
- 17.4 Leader Company Contracting
- 17.5 Interagency Acquisitions Under the Economy Act
- 17.6 Management and Operating Contracts

PART 18 [RESERVED]

SUBCHAPTER D—SOCIOECONOMIC PROGRAMS**PART 19—SMALL BUSINESS PROGRAMS**

- 19.1 Size Standards
- 19.2 Policies
- 19.3 Determination of Status as a Small Business Concern
- 19.4 Cooperation with the Small Business Administration
- 19.5 Set-Asides for Small Business
- 19.6 Certificates of Competency
- 19.7 Subcontracting with Small Business, Small Disadvantaged Business and Women-Owned Small Business Concerns
- 19.8 Contracting with the Small Business Administration (The 8(a) Program)
- 19.9 [Reserved]
- 19.10 Small Business Competitiveness Demonstration Program

PARTS 20—21 [RESERVED]**PART 22—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS**

- 22.1 Basic Labor Policies
- 22.2 Convict Labor
- 22.3 Contract Work Hours and Safety Standards Act
- 22.4 Labor Standards for Contracts Involving Construction
- 22.5 [Reserved]
- 22.6 Walsh-Healey Public Contracts Act
- 22.7 [Reserved]
- 22.8 Equal Employment Opportunity
- 22.9 Nondiscrimination Because of Age
- 22.10 Service Contract Act of 1965, as Amended
- 22.11 Professional Employee Compensation
- 22.12 [Reserved]
- 22.13 Special Disabled and Vietnam Era Veterans
- 22.14 Employment of the Handicapped

PART 23—ENVIRONMENT, CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

- 23.1 Pollution Control and Clean Air and Water
- 23.2 Energy Conservation
- 23.3 Hazardous Material Identification and Material Safety Data
- 23.4 Use of Recovered Materials
- 23.5 Drug-Free Workplace
- 23.6 Notice of Radioactive Material
- 23.7 Contracting for Environmentally Preferable and Energy-Efficient Products and Services
- 23.8 Ozone-Depleting Substances
- 23.9 Toxic Chemical Release Reporting
- 23.10 Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements

PART 24—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

- 24.1 Protection of Individual Privacy
- 24.2 Freedom of Information Act

PART 25—FOREIGN ACQUISITION

- 25.1 Buy American Act—Supplies
- 25.2 Buy American Act—Construction Materials

-
- 25.3 Balance of Payments Program
 - 25.4 Trade Agreements
 - 25.5 Use of Foreign Currency
 - 25.6 Customs and Duties
 - 25.7 Restrictions on Certain Foreign Purchases
 - 25.8 International Agreements and Coordination
 - 25.9 Additional Foreign Acquisition Clauses
 - 25.10 Implementation of Sanctions Against Countries that Discriminate Against United States Products or Services in Government Procurement

PART 26—OTHER SOCIOECONOMIC PROGRAMS

- 26.1 Indian Incentive Program
- 26.2 Disaster or Emergency Assistance Activities
- 26.3 Historically Black Colleges and Universities and Minority Institutions

SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

PART 27—PATENTS, DATA, AND COPYRIGHTS

- 27.1 General
- 27.2 Patents
- 27.3 Patent Rights Under Government Contracts
- 27.4 Rights In Data and Copyrights
- 27.5 [Reserved]
- 27.6 Foreign License and Technical Assistance Agreements

PART 28—BONDS AND INSURANCE

- 28.1 Bonds
- 28.2 Sureties
- 28.3 Insurance

PART 29—TAXES

- 29.1 General
- 29.2 Federal Excise Taxes
- 29.3 State and Local Taxes
- 29.4 Contract Clauses

PART 30—COST ACCOUNTING STANDARDS ADMINISTRATION

- 30.1 General
- 30.2 CAS Program Requirements
- 30.3 CAS Rules and Regulations [Reserved]
- 30.4 Cost Accounting Standards [Reserved]
- 30.5 Cost Accounting Standards for Educational Institutions [Reserved]
- 30.6 CAS Administration

PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

- 31.1 Applicability
- 31.2 Contracts with Commercial Organizations
- 31.3 Contracts with Educational Institutions
- 31.4 —31.5 [Reserved]
- 31.6 Contracts with State, Local, and Federally Recognized Indian Tribal Governments
- 31.7 Contracts with Nonprofit Organizations

PART 32—CONTRACT FINANCING

- 32.1 Non-Commercial Item Purchase Financing
- 32.2 Commercial Item Purchase Financing
- 32.3 Loan Guarantees for Defense Production
- 32.4 Advance Payments for Non-Commercial Items
- 32.5 Progress Payments Based on Costs
- 32.6 Contract Debts
- 32.7 Contract Funding
- 32.8 Assignment of Claims
- 32.9 Prompt Payment
- 32.10 Performance-Based Payments
- 32.11 Electronic Funds Transfer

PART 33—PROTESTS, DISPUTES, AND APPEALS

- 33.1 Protests
- 33.2 Disputes and Appeals

SUBCHAPTER F—SPECIAL CATEGORIES OF CONTRACTING**PART 34—MAJOR SYSTEM ACQUISITION**

- 34.0 General
- 34.1 Testing, Qualification, and Use of Industrial Resources Developed Under Title III, Defense Production Act

PART 35—RESEARCH AND DEVELOPMENT CONTRACTING**PART 36—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS**

- 36.1 General
- 36.2 Special Aspects of Contracting for Construction
- 36.3 Two-Phase Design-Build Selection Procedures
- 36.4 [Reserved]
- 36.5 Contract Clauses
- 36.6 Architect-Engineer Services
- 36.7 Standard and Optional Forms for Contracting for Construction, Architect-Engineer Services, and Dismantling, Demolition, or Removal of Improvements

PART 37—SERVICE CONTRACTING

- 37.1 Service Contracts—General
- 37.2 Advisory and Assistance Services
- 37.3 Dismantling, Demolition, or Removal of Improvements
- 37.4 Nonpersonal Health Care Services
- 37.5 Management Oversight of Service Contracts

PART 38—FEDERAL SUPPLY SCHEDULE CONTRACTING

- 38.1 Federal Supply Schedule Program
- 38.2 Establishing and Administering Federal Supply Schedules

PART 39—ACQUISITION OF INFORMATION TECHNOLOGY

- 39.1 General

PART 40 [RESERVED]

PART 41—ACQUISITION OF UTILITY SERVICES

- 41.1 General
- 41.2 Acquiring Utility Services
- 41.3 Requests for Assistance
- 41.4 Administration
- 41.5 Solicitation Provision and Contract Clauses
- 41.6 Forms
- 41.7 Formats

SUBCHAPTER G—CONTRACT MANAGEMENT**PART 42—CONTRACT ADMINISTRATION**

- 42.1 Interagency Contract Administration and Audit Services
- 42.2 Assignment of Contract Administration
- 42.3 Contract Administration Office Functions
- 42.4 Correspondence and Visits
- 42.5 Postaward Orientation
- 42.6 Corporate Administrative Contracting Officer
- 42.7 Indirect Cost Rates
- 42.8 Disallowance of Costs
- 42.9 Bankruptcy
- 42.10 Negotiating Advance Agreements for Independent Research and Development/Bid and Proposal Costs
- 42.11 Production Surveillance and Reporting
- 42.12 Novation and Change-of-Name Agreements
- 42.13 Suspension of Work, Stop-Work Orders, and Government Delay of Work
- 42.14 Traffic and Transportation Management
- 42.15 Contractor Performance Information
- 42.16 Small Business Contract Administration

PART 43—CONTRACT MODIFICATIONS

- 43.1 General
- 43.2 Change Orders
- 43.3 Forms

PART 44—SUBCONTRACTING POLICIES AND PROCEDURES

- 44.1 General
- 44.2 Consent to Subcontracts
- 44.3 Contractors' Purchasing Systems Reviews
- 44.4 Subcontracts for Commercial Items and Commercial Components

PART 45—GOVERNMENT PROPERTY

- 45.1 General
- 45.2 Competitive Advantage
- 45.3 Providing Government Property to Contractors
- 45.4 Contractor Use and Rental of Government Property
- 45.5 Management of Government Property in the Possession of Contractors
- 45.6 Reporting, Redistribution, and Disposal of Contractor Inventory

PART 46—QUALITY ASSURANCE

- 46.1 General
- 46.2 Contract Quality Requirements
- 46.3 Contract Clauses

- 46.4 Government Contract Quality Assurance
- 46.5 Acceptance
- 46.6 Material Inspection and Receiving Reports
- 46.7 Warranties
- 46.8 Contractor Liability for Loss of or Damage to Property of the Government

PART 47—TRANSPORTATION

- 47.1 General
- 47.2 Contracts for Transportation or for Transportation-Related Services
- 47.3 Transportation in Supply Contracts
- 47.4 Air Transportation by U.S.—Flag Carriers
- 47.5 Ocean Transportation by U.S.—Flag Vessels

PART 48—VALUE ENGINEERING

- 48.1 Policies and Procedures
- 48.2 Contract Clauses

PART 49—TERMINATION OF CONTRACTS

- 49.1 General Principles
- 49.2 Additional Principles for Fixed-Price Contracts Terminated for Convenience
- 49.3 Additional Principles for Cost-Reimbursement Contracts Terminated for Convenience
- 49.4 Termination for Default
- 49.5 Contract Termination Clauses
- 49.6 Contract Termination Forms and Formats

PART 50—EXTRAORDINARY CONTRACTUAL ACTIONS

- 50.1 General
- 50.2 Delegation of and Limitations on Exercise of Authority
- 50.3 Contract Adjustments
- 50.4 Residual Powers

PART 51—USE OF GOVERNMENT SOURCES BY CONTRACTORS

- 51.1 Contractor Use of Government Supply Sources
- 51.2 Contractor Use of Interagency Fleet Management System (IFMS) Vehicles

SUBCHAPTER H—CLAUSES AND FORMS***PART 52—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

- 52.1 Instructions for Using Provisions and Clauses
- 52.2 Text of Provisions and Clauses
- 52.3 Provision and Clause Matrix

PART 53—FORMS

- 53.1 General
- 53.2 Prescription of Forms
- 53.3 Illustrations of Forms

APPENDIX TO THE FAR

- Appendix Cost Accounting Standards Preambles and Regulations

INDEX

*Subchapter H is available in Volume II of the FAR
