

Federal Acquisition Regulations (FAR) – The Basics

June 17, 2015



**Providing expert technical
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UPCOMING EVENTS



02/26/2015
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03/03/2015
SMALL BUSINESS GOVERNMENT CONTRACTING
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WAUWATOSA »

03/04/2015
ACQUISITION HOUR: LEARNING ABOUT WAWF - IRAPT
WEBINAR »

03/09/2015
ENTERING THE GOVERNMENT MARKET - A PRIMER
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CURRENT OPPORTUNITIES (7)



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Questions & answers on how to get started.

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SERVICES OFFERED BY WPI

- FREE Bid Matching Services
- Individual Counseling and Assistance
- Locating Local, State and Federal Opportunities
- Government Market Strategy Development
- Training in use of Government websites and tools
- Assistance with System for Award Management (SAM) Registration
- Assisting in Market Research Process
- Development of Market Profile
- Small Business Subcontracting Plans-Development, Outreach and Reporting
- Small Group Training
- Outreach and training with Local, State and Federal agencies
- Assist with Pre and Post Award Functions
- Assistance with Agency Specific Contracting Requirements
- Assistance with Contracting Regulations and Requirements, including FAR, DFAR, CFR
- Assistance with GSA Schedule Preparation and Administration
- Assistance with Local, State and Federal Certifications, including:
 - Service Disabled & Veteran Owned Small Business, HUBZone, Woman Owned Small Business, 8(a) Business Development Program
 - State
 - Local
 - DBE
- Bid Review and Submission Assistance
- Proposal and Assistance, Review and Submission Assistance
- Capabilities Statement and Related Government Marketing Material Development
- Assistance in Locating and Developing Teaming Partners and Subcontractors
- Updated Government Market Information

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What we will Cover Today

- What is the FAR
- Where to Find the FAR
- Why You Need to Know the FAR
- How to Use the FAR



What is the FAR?

- Federal Acquisition Regulations (FAR) is the primary regulation used by all Federal executive agencies in their acquisition of supplies and services with appropriated funds.
- The FAR was established to codify uniform policies for acquisition of supplies and services by Federal executive agencies. Currently using the March 2005 version.

What is the FAR?

- FAR is routinely updated to implement new laws and executive orders. Updates are called Federal Acquisition Circulars (FAC). Latest change is FAC 2005-82, dated June 8, 2015. Changes are published in the Federal Register.

Where is the FAR?

- Officially the FAR is located at the following website:

<https://www.acquisition.gov/?q=browsefar>

Contains HTML Format, PDF Format, Federal Acquisition Circulars (FAC), and Agency Supplemental Regulations

- An alternate site to locate the FAR is:

<http://farsite.hill.af.mil/>

The Air Force military site also contains Agency Supplemental Regulations

Home

Federal Acquisition Regulation (FAR)

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Home » Federal Acquisition Regulation (FAR)

Federal Acquisition Regulation (FAR)

FAC Number/Effective Date: FAC 2005-81/04-10-2015 - Download Entire FAR -



A+ A-

FAR PARTS

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Title & Number

Select the download format

HTML

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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





Regs Tools Status

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FARSite Announcements

... this will allow the larger pages to load correctly.

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FARSite Notices



FARSite Info

Welcome to FARSite (Federal Acquisition Regulation Site)

[FARSite Public Service Announcements.](#)

You are accessing a government computer system.
Please read this [PRIVACY AND SECURITY NOTICE](#)
and the [Accessibility/Section 508 Notice](#).

Need Help Look here for [FAQ's](#)

See [Federal Acquisition Regulation Codification](#) (FAR) for help finding what regulation you need

FARSite has been accessed Number of Visitors here times.

Questions/Comments: [FARSite Webmaster](#)

Phone numbers: Comm 801-777-9011, DSN: 777-9011

Page Updated: 24 Jan 2008

Click here to find out more about the Contracting Laboratory ([AFLCMC/HIBB-Hill](#))

View the old version of [FARSite](#) or the Non-Java version of [FARSite](#).

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Hard Copy FAR



- Can print a copy of the entire FAR from the website
- Wolters Kluwer Law & Business publishes updated soft cover version in January and July. Estimated cost \$105.00. Becomes outdated when next FAC is issued.

<http://www.wklawbusiness.com/store/products/federal-acquisition-regulation-far-january-1-2015-prod-10030148-0006/softcover-book-item-1-10030148-0006>

- Wolters Kluwer Law & Business also offers an FAR eBook.

Why Learn About the FAR?

- Understand what you are agreeing and committing to when you sign a Federal Government contract.
- FAR Clauses are non-negotiable. However, you can become better prepared for negotiations with the Federal Government.
- Understand your responsibilities when responding to a solicitation.
- Understand your rights and responsibilities as a Federal Government Contractor.
- Knowledge is power.

FAR Structure

- FAR contains 53 Parts, the Matrix, and Appendix
- Parts 1 – 51 – Actual Regulations divided into subchapters

General

Competition and Acquisition Planning

Contracting Methods and Contract Types

Socioeconomic Programs

General Contracting Requirements

Special Categories of Contracting

Contract Management

FAR Structure

- Part 52 contains Solicitation Provisions and Contract Clauses
 - Solicitations include both Contract Clauses and Provisions.
 - At time of award most contracting officers remove the provision section of the solicitation.
 - Final Contract includes the clauses but no provisions.
- Part 53 contains Forms
- Matrix – Provides guidance to contracting officers when writing documents
- Appendix – Cost Accounting Standards

How to Use the FAR

- You do not need to read the entire FAR.
- Read the sections that apply to you as outlined in the solicitation/contract.
- Use the Table of Contents or on-line search features to locate what you are looking for.
- FAR parts are “Reserved” when the regulations change and that portion is no longer applicable.

How to Use the FAR

- Each FAR clause or provision starts with 52.2__-__, followed by the name, and effective date. Such as **52.219-6 Notice of Total Small Business Set-Aside (Nov 2011)**.

The first __ provides which FAR Part is being used.

This can be used to quickly go to the Part of the FAR covered by the clause or provision.

The second __ numbers provisions/clauses within the Part.

How to Use the FAR

- Provisions/clauses can be in full text or referenced. Referenced provisions/clauses have same impact as full text ones. FAR Matrix indicates if provision/clause can be referenced. Final decision is with the Contracting Officer.
- Each provision/clause provides where in the FAR it is prescribed to use the provision/clause. The FAR states when the contracting officer shall use each provision/clause.
- Electronic version of the FAR contains hyperlinks to go between the provision/clause and when to use it.

How to Use the FAR

52.214-22 Evaluation of Bids for Multiple Awards.

As prescribed in 14.201-6(q), insert the following provision:

Evaluation of Bids for Multiple Awards (Mar 1990)

In addition to other factors, bids will be evaluated on the basis of advantages and disadvantages to the Government that might result from making more than one award (multiple awards). It is assumed, for the purpose of evaluating bids, that \$500 would be the administrative cost to the Government for issuing and administering each contract awarded under this solicitation, and individual awards will be for the items or combinations of items that result in the lowest aggregate cost to the Government, including the assumed administrative costs.

(End of provision)

Agency Supplements

- Agency Acquisition Regulations implement or supplement the FAR.
- Each Agency Supplement adds an additional number to the front of the reference number. There are 30 Agency Supplements. Agency Supplements follow the FAR basic format.

DFAR – 252.219-7003 Defense Federal Acquisition Regulations

GSAM – 552.219-70 General Services Acquisition Regulations

VAAR– 852.219-9 Department of Veterans Affairs Acquisition Regulations

Agency Supplements

- Agency regulations follow the structure and numbering system of the original FAR when supplementing the FAR.
 - FAR 52.211-6 Brand Name or Equal
 - VAAR 852.211-73 Brand Name or Equal
- Agency regulations add additional parts when adding information not found in the FAR.
- VAAR 852.271-70 Nondiscrimination in Services Provided to Beneficiaries

What is the most important part of the FAR?

- All of it.
- The most important part to you is the part that currently applies to the solicitation or contract you are looking at.
- Small Businesses should review and understand the Small Business Programs located in Part 19.
- Federal Supply Schedule Holders (GSA or VA) should review and understand Federal Supply Schedules located in Part 8.4.

Some Useful Parts of the FAR

- Part 2 – Definitions
- Part 22 – Labor Laws
- Part 28 – Bonds and Insurance
- Part 29 – Taxes
- Part 33 – Protests
- Part 36 – Construction and Architect-Engineer Contracts
- Part 44 – Subcontracting Policies and Procedures
- Part 49 - Terminations

Fill in the Blanks

- Some clauses/provisions have blanks to fill in.
- Blanks should be filled in by the Contracting Officer or the offeror/bidder depending on the clause/provision.
- Language within clause/provision may indicate who should complete the fill in either the Contracting Officer or the offeror/bidder.

Contractor/Offeror Fill in the Blank

52.215-6 Place of Performance (Oct 1997)

- (a) The offeror or respondent, in the performance of any contract resulting from this solicitation, ☐ intends, ☐ does not intend [*check applicable block*] to use one or more plants or facilities located at a different address from the address of the offeror or respondent as indicated in this proposal or response to request for information.
- (b) If the offeror or respondent checks “intends” in paragraph (a) of this provision, it shall insert in the following spaces the required information:

(End of provision)

Contracting Officer Fill in the Blank

52.217-8 Option to Extend Services (Nov 1999)

The Government may require continued performance of any services within the limits and at the rates specified in the contract. These rates may be adjusted only as a result of revisions to prevailing labor rates provided by the Secretary of Labor. The option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed 6 months. The Contracting Officer may exercise the option by written notice to the Contractor within _____ [*insert the period of time within which the Contracting Officer may exercise the option*].

(End of clause)

Alternates

- Provisions and clauses may have alternate paragraphs that changes the language and meaning of the provision or clause.
- Contracting Officer determines which version of the provision or clause to use.
- **52.219-1 Small Business Program Representations (APR 2012)**
- **52.219-1 Small Business Program Representations (APR 2012)**

Alternate I (APR 2014)

Clause Dates

- Dates on clauses are very important.
- Generally the clause revision in effect at date of Contract Award is the applicable clause. When dealing with subcontracts, the Prime generally must flow down the clause revision in effect at date of the Prime Contract, not the award of the subcontract.

Is the FAR just Boiler Plate Language?

- There are approximately 580 various provisions/clauses in the FAR.
- Contracting Officers select which ones are applicable to the type of contract they are writing.
- Which ones they select can impact your contract and the cost to you to provide the supplies and services under the contract.

FAR includes

- How the Government will order
- How the Government will inspect and accept
- How and when the Government will make payment
- Required warranties
- Required bonding and insurance
- Subcontracting rules for both large and small businesses
- Reporting requirements
- Contract options

FAR Language

- Amendment – change made to solicitation before contract award.
- Modification – written change to the terms of a contract.
- Shall and Must – indicate an obligation to act. Most solicitations indicate Contractor “shall”.
- Should – indicates an expected course of action to be followed unless inappropriate for a particular circumstance.
- Will – indicates an anticipated future action or result.
- May – indicates a discretionary action. Most solicitations indicate Government “may”.

Additional Resource

- Acquisition.gov contains additional information for both government sellers and buyers.
- Set up as a one-stop government website for acquisition information.
- Acquisition.gov Website is: <https://www.acquisition.gov/>



On-Line FAR Searches

Resources:

- FAR: <https://www.acquisition.gov/?q=browsefar>
- Air Force FAR: <http://farsite.hill.af.mil/>
- FAR Hard Copy: <http://www.wklawbusiness.com/store/products/federal-acquisition-regulation-far-january-1-2015-prod-10030148-0006/softcover-book-item-1-10030148-0006>
- Acquisition.gov is: <https://www.acquisition.gov/>
- Federal Business Opportunities (FedBizOpps) website - <https://www.fbo.gov/>
- Wisconsin Procurement Institute

Phone: 414-270-3600 www.wispro.org



Upcoming WPI Events

- ***Acquisition Hour (Weekly Webinar) through July, 2015***
- ***Federal Acquisition Regulations (FAR) – The Basics – June 17, 2015 – Appleton, WI***
- ***Doing Business with the National Park Service – June 23, 2015 – Ashland, WI***
- ***Women in Business – Growing through Opportunities – June 24, 2015 – Milwaukee, WI and June 25, 2015 – Madison, WI***
- ***Government Contracting Opportunities for Small Business – June 25, 2015 – Rhinelander, WI***
- ***How to Do Business with the Department of Veterans Affairs – July 21, 2015 – Green Bay, WI and July 22, 2015 – Iron Mountain, MI***
- ***9th Annual Volk Field Small Business Conference – July 29 – 30, 2015 – Camp Douglas, WI***
- ***Marketplace 2015 – October 29-30, 2015 – Milwaukee, WI***

9TH ANNUAL VOLK FIELD SMALL BUSINESS CONFERENCE –

CONTRACTING IN TIMES OF EMERGENCY, DISASTERS AND CRISIS

July 29 – 30, 2015 – Camp Douglas, WI



Sponsored and Hosted by:

- Volk Field Air National Guard Base
- Juneau County Economic Development Corporation
- US Small Business Administration
- Western Dairyland
- Wisconsin Procurement Institute
- Monroe County Economic Development
- SBDC – UW La Crosse
- Northwest Michigan PTAC

PROGRAM HIGHLIGHTS:

Current Issues in Government Contracting
Contracting Opportunities in Emergency
Preparedness and Disaster Relief
Networking and Individual Meetings
Capabilities Statement Exhibit
Capabilities Presentation Competition
Financing and Bonding for your Small
Businesses
Social Media

UPDATED information will be posted to

<http://tinyurl.com/Volk2015> or contact David Olson at 608-427-2455 or davido@wispro.org

For Assistance or Additional Information - Contact

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