



A Procurement Technical  
Assistance Center (PTAC)

The background of the slide is a photograph of the Wisconsin State Capitol building at dusk. The building is illuminated with warm lights, and its green dome is a prominent feature. The sky is a deep blue, and trees with autumn foliage are visible in the foreground. A blue banner with white text is overlaid on the bottom half of the image.

# OVERVIEW OF THE FEDERAL ACQUISITION REGULATIONS (FAR) ACQUISITION HOUR WEBINAR

July 25, 2018



# WEBINAR ETIQUETTE

## PLEASE

- Log into the GoToMeeting session with the name that you registered with online
- Place your phone or computer on MUTE
- Use the CHAT option to ask your question(s). We will share the questions with our guest speaker who will respond to the group

## THANK YOU!

# ABOUT WPI SUPPORTING THE MISSION

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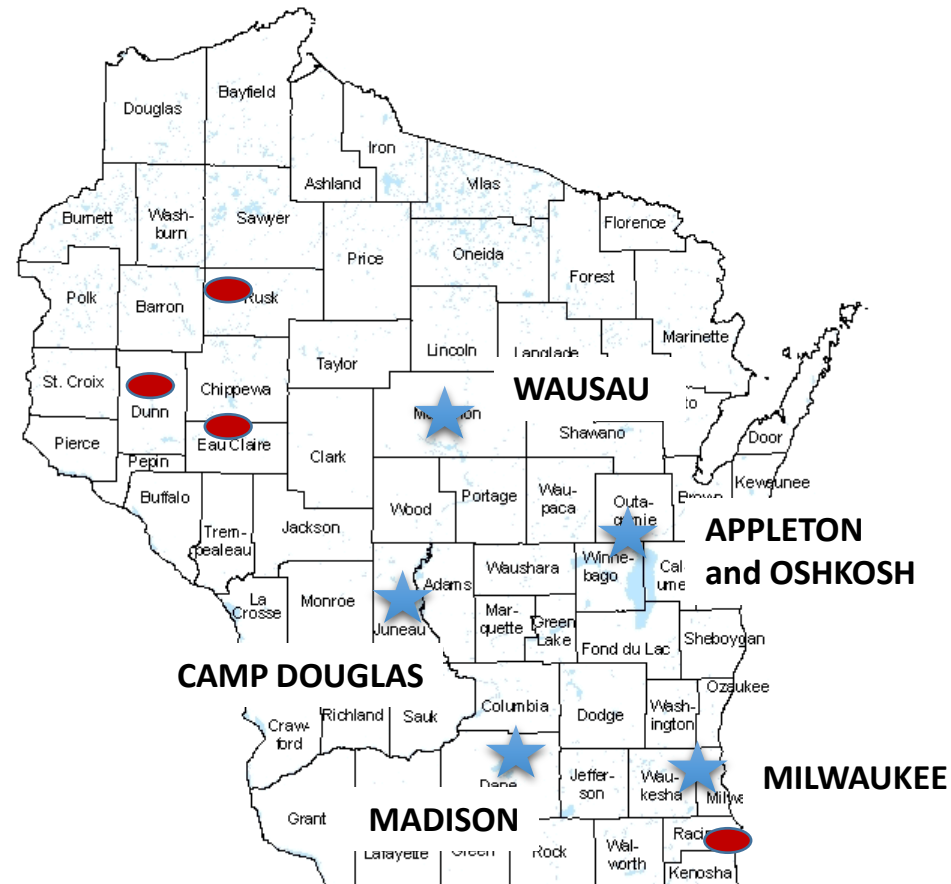
*WPI is a Procurement Technical Assistance Center (PTAC) funded in part by  
the Defense Logistics Agency (DLA), WEDC and other funding sources.*

## WPI OFFICE LOCATIONS

- MILWAUKEE – *Technology Innovation Center*
- MADISON –
  - *Madison Enterprise Center*
  - *FEED Kitchens*
- CAMP DOUGLAS – *Juneau County Economic Development Corporation (JCEDC)*
- WAUSAU – *Wausau Region Chamber of Commerce*
- APPLETON / OSHKOSH – *Fox Valley Technical College*

## WPI partner co-locations

- Eau Claire – *Western Dairyland*
- Ladysmith – *Indianhead Community Action Agency*
- Menomonie – *Dunn County EDC*
- Racine - *Launchbox*



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## CURRENT EDITION OF THE WPI NEWSLETTER

[www.wispro.org](http://www.wispro.org)

### UPCOMING EVENTS [→](#)

**JULY 24 2018**  
ACQUISITION HOUR: THE LIFECYCLE OF FEDERAL DISASTER RESPONSE AND SUPPORT

**JULY 25 2018**  
ACQUISITION HOUR: OVERVIEW OF THE FEDERAL ACQUISITION REGULATIONS (FAR)

**AUGUST 7 2018**  
DOING BUSINESS WITH THE U.S. DEPARTMENT OF VETERANS AFFAIRS  
IRON MOUNTAIN, MI »

**AUGUST 8 2018**  
ACQUISITION HOUR: MARKET RESEARCH - USING THE FEDERAL PROCUREMENT DATA SYSTEMS (FPDS)

**AUGUST 8 2018**  
DOING BUSINESS WITH THE U.S. DEPARTMENT OF VETERANS AFFAIRS  
APPLETON, WI »

### CURRENT OPPORTUNITIES (3) [→](#)



## 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 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

# 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

# WHAT IS THE FAR?

- Federal Acquisition Regulation (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 2005-99, dated June 15, 2018.
- Changes are published in the Federal Register.

# WHERE TO LOCATE THE FAR

# ON-LINE LOCATIONS

- Officially the FAR is located at the Acquisition.Gov 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

# Federal Acquisition Regulation (FAR)

FAC Number/Effective Date: 2005-99 / 06-15-2018 - [Download Entire FAR - PDF](#) [HTML](#)

Full Screen

## FAR PARTS

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1.4 Deviations from the FAR	
1.5 Agency and Public Participation	
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-  FAR
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-  AFARS
-  AFFARS
-  AFMC MP/IG 
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-  GSAM
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-  HUDAR
-  IAAR
-  JAR
-  LIFAR
-  NFS
-  NRCAR
-  TAR
-  VAAR

**FARSite Announcements**

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**Welcome to FARSite**  
**(Federal Acquisition Regulation Site)**

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[Look here for general help and FAQ's.](#)

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

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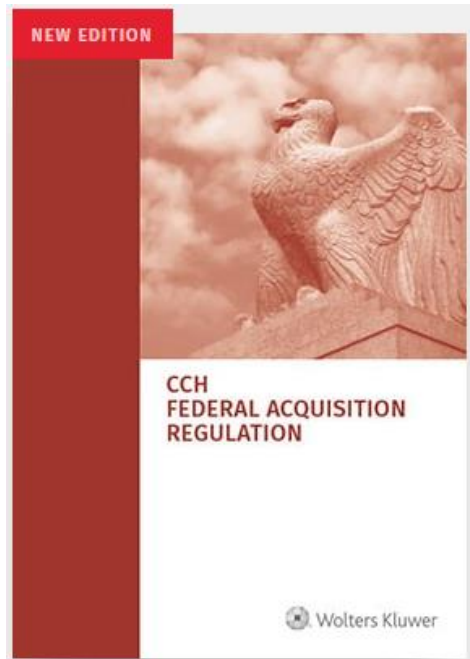
[No FEAR Act](#)

FARSite has been accessed **2299650904** times.

Questions/Comments: [FARSite Webmaster](#)

Page Updated: 2 Jul 2018

# HARD COPY OF THE 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. Current cost \$119.00. Becomes outdated when next FAC is issued.

<https://irus.wolterskluwer.com/store/product/federal-acquisition-regulation-far-as-of-july-1-2018/>

# OTHER OPTIONS

- General Services Administration (GSA) has an iBook version of the FAR that can be used on any device via Amazon Kindle Store and Apple iBooks – indicates it is a live version so it should be a current version

<https://www.acquisition.gov/mobileaccess>

- Other Apps are available

# WHY LEARN ABOUT THE FAR

# 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

# 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 supplements the FAR or implements regulations specific to that agency
- All are located within the U.S. Code of Federal Regulations - Title 48
- Each Agency Supplement adds an additional number to the front of the reference number. There are approximately 30 Agency Supplements. Agency Supplements follow the FAR basic format.  
Defense Federal Acquisition Regulations – DFAR – 2 is put in front  
General Services Acquisition Regulations – GSAM – 5 is put in front  
Department of Veterans Affairs Acquisition Regulations – VAAR – 8 is put in front  
Department of Homeland Security Acquisition Regulations – HSAR – 30 is put in front

# 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 (Aug 1999)**
  - **VAAR 852.211-73 Brand Name or Equal (Jan 2008)**
- Agency regulations add additional parts when adding information not located within the FAR.
  - **VAAR 852.271-70 Nondiscrimination in Services Provided to Beneficiaries (Jan 2008)**

# AGENCY SUPPLEMENTS

**FAR – 52.219-9 Small Business Subcontracting Plan (Jan 2017) – Federal Acquisition Regulations**

**DFAR – 252.219-7003 Small Business Subcontracting Plan (DOD Contracts) (Apr 2007) - Defense Federal Acquisition Regulations**

**GSAM – 552.219-71 Notice to Offerors of Subcontracting Plan Requirements (Oct 2016) - General Services Acquisition Regulations**

**VAAR– 852.219-9 – VA Small Business Subcontracting Plan Minimum Requirements (Dec 2009) - Department of Veterans Affairs Acquisition Regulations**

# 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 OTHER USEFUL PARTS OF THE FAR

- Part 2 – Definitions
- Part 12 – Acquisition of Commercial Items
- Part 13 – Simplified Acquisition Procedures
- Part 14 – Sealed Bidding
- Part 15 – Contracting by Negotiation
- 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 the blank, 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 (Oct 2014)**
  - **52.219-1 Small Business Program Representations (Oct 2014)  
Alternate I (Sept 2015)**

# 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 currently just short of 600 various provisions/clauses in the FAR.
- There are 67 provisions/clauses addressing transportation.
- 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”.

# RESOURCES

# RESOURCES:

- FAR: <https://www.acquisition.gov/?q=browsefar>
- Air Force FAR: <http://farsite.hill.af.mil/>
- FAR Hard Copy:  
<https://lrus.wolterskluwer.com/store/product/federal-acquisition-regulation-far-as-of-july-1-2017/>
- Federal Business Opportunities (FedBizOpps) website -  
<https://www.fbo.gov/>
- Wisconsin Procurement Institute - Phone: 414-270-3600  
[www.wispro.org](http://www.wispro.org)

# 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/>

# UPCOMING TRAINING - EVENTS

## WHAT IS WPI'S CURRENT WEBINAR SCHEDULE?

August 8, 2018 – **Market Research – Using the Federal Procurement Data Systems (FPDS)** – [CLICK HERE](#) for additional information – presented by Marc Violante, Wisconsin Procurement Institute (WPI)

August 21, 2018 – **The End of the Fiscal Year is Here – What is Hot and What is Not** – [CLICK HERE](#) for additional information – presented by Marc Violante, Wisconsin Procurement Institute (WPI)

August 22, 2018 – **Maximizing FBO in Your Market Strategies** – [CLICK HERE](#) for additional information – presented by Carol Murphy, Wisconsin Procurement Institute (WPI)

September 25, 2018 – **Introduction to Certifications Available to Woman Owned Businesses** – [CLICK HERE](#) for additional information – presented by Shane Mahaffy, U.S. Small Business Administration (SBA) and Kim Garber, Wisconsin Procurement Institute (WPI)

<https://www.wispro.org/faqs/what-is-wpis-webinar-schedule/>

# **DOING BUSINESS WITH THE U.S. DEPARTMENT OF VETERANS AFFAIRS**

## **WHEN AND WHERE:**

**August 7, 2018 in Iron Mountain, MI** – Outpatient Clinic, second floor, rooms 2376 & 2378 at Oscar G. Johnson VA Medical Center, 325 East H Street, Iron Mountain, MI 49801 – 1:00pm to 5:00pm central time

**August 8, 2018 in Appleton, WI** –D.J. Bordini Center Room BC188 at Fox Valley Technical College, 5 N Systems Dr., Appleton, WI - 1:00pm to 5:00pm central time



WISCONSIN ECONOMIC  
DEVELOPMENT CORPORATION

Governor's Conference on Minority Business Development  
Welcoming minority, woman and veteran-owned businesses

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SAVE THE DATES  
**2018 MARKETPLACE**  
December 12-13, 2018

LOCATION:  
Potawatomi Conference Center  
Milwaukee, Wisconsin

**THANK YOU**

**2017**



# QUESTIONS?

# SURVEY



# CONTINUING PROFESSIONAL EDUCATION

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CPE Certificate available, please contact:

**Benjamin Blanc**

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