1814.201-5 Part IV—Representations and instructions.

Section M—Evaluation factors for award.

(a) The contracting officer shall state if award is to be made in the aggregate (all-or-none basis) or by specified groups of items.

$(b)^{\bar{}} * * *$

1814.201-670 [Amended]

- 39. In section 1814.201-670, paragraph (b), a period is added after '1814.201–5(a)'', and the phrase "and (b) and FAR 52.214-10 and 52.215-16." is removed.
- 40. In section 1814.201-670, paragraph (c), the last sentence is removed
- 41. Paragraph (d) of section 1814.201-670 is revised to read as follows:

1814.201-670 NASA solicitation provisions.

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(d) If a pre-bid conference is planned, the contracting officer shall insert the provision at 1852.215–77, Preproposal/ Prebid Conference. See 1815.407-70(f).

Subpart 1814.4—Opening of Bids and **Award of Contract**

42. Section 1814.404-1 is revised to read as follows:

1814.404-1 Cancellation of invitations after opening.

- (a) The authority to make the determination at FAR 14.404-1(c) is delegated to the contracting officer, except as provided in paragraph (b)(2) of this section.
- (b) A determination under FAR 14.404-1(c)(6) or (7) that includes an authorization to complete the acquisition through negotiation (see FAR 14.404-1(e)(1)) shall be approved by the procurement officer, who shall obtain the advice of the Chief Counsel before making this determination.

1814.404-170 [Removed]

43. Section 1814.404-170 is removed. 44. Paragraph (a) of section 1814.406-3 is revised to read as follows:

1814.406-3 Other mistakes disclosed before award.

(a) The Associate Administrator for Procurement is authorized to permit the correction of bids under FAR 14.406-3(a) and (b) and the award of a contract under FAR 14.406-3(d). Procurement officers are authorized to permit withdrawal of bids when the conditions in FAR 14.406-3(c) are met.

* *

45. In paragraph (b) of section 1814.406-3 the comma after the word "and" is removed and the phrase "as an alternative," is removed.

1814.406-4 [Amended]

46. In the introductory text of section 1814.406–4, the phrase "installation's Office of" is removed and paragraph (c) of section 1814.406-4 is removed.

47. Paragraph (a) of section 1814.407-1 is revised to read as follows:

1814.407-1 General.

(a) A notice of award as a specific document is used when the contracting officer needs to inform a responsible bidder that its offer was determined to be the most advantageous to the Government (considering only price and price-related factors) and that the formal award will be made upon satisfaction of specified pre-performance conditions.

1814.407-1 [Amended]

48. In paragraph (b) of section 1814.407–1, in the first sentence, the phrase "in sealed bidding" is removed.

49. In paragraph (c) of section 1814.407–1, in the first sentence, the phrase "in sealed bidding" is removed, and in the third sentence, the phrase ' for use in sealed bidding" is removed.

- 50. In paragraph (d) of section 1814.407–1, in the first sentence, the phrase "in sealed bidding" is removed.
- 51. In paragraph (e) of section 1814.407–1, in the second sentence, the phrase "a reasonable date certain," is removed.
- 52. In section 1814.407–1, paragraph (f) is revised to read as follows:

1814.407-1 General.

(f) The notice of award can be issued by any formal written means such as a letter, telegram or electronic means. The notice should be substantially the same as the following format.

FORMAT * * *

53. In section 1814.407-1, under NOTES at the end of FORMAT, in paragraph (g), the phrase "a reasonable date certain," is removed.

PART 1815—CONTRACTING BY **NEGOTIATION**

Subpart 1815.1 [Removed]

54. Subpart 1815.1 is removed.

Subpart 1815.4—Solicitation and **Receipt of Proposals and Quotations**

55. Section 1815.405-1 is revised to read as follows:

1815.405-1 General.

- (a) Solicitations for information or planning purposes are particularly useful when a procurement can be properly negotiated only after potential offerors have had an opportunity to become familiar with a large quantity of data, or when it would be desirable to have industry participation in formulating and reviewing complex specifications or requirements.
- (b) Solicitations for information or planning purposes may not be used as a means for prequalifying offerors.
- (c) Requirements for automatic data processing equipment or support services to perform specified operations or achieve certain results may be suitable for advance review and comment by the private sector when diverse approaches to accomplishing mission objectives may be feasible. The material made available in advance may vary from a comprehensive draft of a proposed requirement to a partial draft; e.g., statement of work and/or specifications or reports.

1815.405-70 [Removed]

56. Section 1815.405-70 is removed.

1815.405-71 [Amended]

- 57. In section 1815.405-71, paragraph (b) introductory text, the first sentence is removed.
- 58. In section 1815.406, paragraph (b) is revised to read as follows:

1815.406 Preparing requests for proposals (RFP's) and requests for quotations (RFQ's).

- (b) When advisable, particularly in the case of research and development, proposals shall be requested in two parts:
- (1) An unpriced technical proposal,
- (2) A cost proposal cross-referenced to the technical proposal (see 1815.406– 70).
- 59. In section 1815.406-5, paragraph (b)(1) is removed, the existing paragraphs (b)(2) through (b)(8) are redesignated as paragraphs (b)(1) through (b)(7), and paragraph (b)(8) is added to read as follows:

1815.406-5 Part IV-Representations and instructions.

*

(b) * * *

(8) See 1846.470.

60. The introductory text of section 1815.412 is revised to read as follows: