

**PADDS REGULATION REFERENCE TEXT
SEQUENCE: REGREF CLAUSE TEXT**

PCN: P10C9154R
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PAGE: 1

REGULATION
CODE: IS7012

REGULATION
REFERENCE: 52.209-4005

DATE: 10/01/2000

TITLE: SOURCES ELIGIBLE FOR AWARD CONSIDERATION (USAAMCOM)

TEXT

(a) Competition under this solicitation is restricted to the following sources:

(1) Approved Sources listed in Section B -- sources that have been approved by the prime manufacturer or the Government for supply of item(s) listed in this solicitation, to assure the requisite safe, dependable, effective operation and support of military equipment;

(2) Sources that have been approved prior to award -- other than approved sources listed in Section B;

(3) Nonmanufacturers--offers from nonmanufacturers will only be considered for award if the required item(s) is new material and has been or will be obtained from a source of supply which has been approved prior to award. The source and part number of the item the offeror intends to supply must be stated in the offer.

(4) Surplus Dealers--offerors of Government surplus in accordance with Section I clause entitled "Material Requirements," FAR 52.211-5, will only be considered for award if the former Government surplus or residual inventory resulting from terminated contracts was originally manufactured by an approved source of supply.

(b) Only offers submitted by the above sources will be considered for award under this solicitation.

(c) Offerors who wish to become an approved source of supply for an item listed in this solicitation should proceed per the instructions set forth in paragraphs (d) and (e) below. It is noted that contractor requests for source approval in conjunction with this procurement will not be a cause for delay in this solicitation action. However, if it is determined that additional sources will clearly benefit the Government and that any delay incident to their approval would not impact readiness, a reasonable delay may be entertained. Whether or not such delay will occur will be solely at the discretion of the Government, and the time set for opening of the Invitation for Bids or the closing date of the Request for Proposals may or may not be extended. An extension will be witnessed by issuance of an amendment to this solicitation.

(d) Offerors wishing to become approved for an item on this solicitation may choose to:

(1) Request approval outside of this solicitation action, in which case the contractor should follow the instructions under paragraph (e) below and send a Source Approval Request (SAR) package to Commander, U.S. Army Aviation and Missile Command, ATTN: AMSAM-RD-AE-I, Redstone Arsenal, AL 35898-5000; or,

(2) Request approval in conjunction with this procurement, in which case the contractor should prepare a response to this solicitation and forward it in accordance with the instructions contained on page 1 of this solicitation. A separate SAR package prepared in accordance with paragraph (e) below shall also be submitted, under a cover letter to the Contracting Officer, to the address shown in the "ISSUED BY" block on page 1 of this solicitation. The cover letter should reference the solicitation number, but must be devoid of any reference to price, delivery, or other terms or conditions of the proposal. To be considered for award on this solicitation, a separate complete proposal must be submitted to the Contracting Officer in accordance with the solicitation.

(e) Regardless of the choice under (d) above, the SAR submitted to AMCOM must comply with the requirements of the Competition Advocate's Shopping List (CASL), or it will be rejected without consideration and returned to the contractor. Copies of the CASL can be obtained from the Competition Management Office, (256) 876-2485. Contractors seeking to become approved sources should submit a SAR in the appropriate format, identifying it to one of the categories found in the CASL.

(f) AMCOM may require additional data, testing, or plant visits before it is able to completely evaluate a request. This may require the requestor (at no expense to the Government) to supply parts for testing, engine run up, or flight tests. In that event, the requestor will be so advised. AMCOM reserves the right to approve a contractor for award prior to completion of physical testing of the offered item. In such cases, the contractor shall perform any outstanding tests and provide all required documentation at no cost to the Government prior to entering upon full production. Lack of successful performance within the specified timeframe shall be grounds for a no cost termination.

(g) When a SAR is received, it will be processed for evaluation. If the evaluation and approval (including preparation or update of the requisite technical data package (TDP)) occurs before award, the requestor will be considered for award if a proposal was submitted per (d)(2) above. If the evaluation/TDP preparation has not been completed prior to award, AMCOM will continue the process until complete. If the requestor becomes approved and is added to the TDP, the requestor will be eligible for consideration on all future solicitations for the item.

(h) All approval or disapproval notices shall be officially provided the contractor by the appropriate technical official.

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(i) Nonmanufacturers seeking to supply an item from a non-approved source must first ensure that the source becomes approved in accordance with the requirements for manufacturers seeking to become an approved source prior to contract award.

(End of Clause)