

Part 8 - Required Sources of Supplies and Services

[8.000 Scope.](#)

[8.001 Definitions.](#)

[Subpart 8.1 - Presolicitation](#)

[8.101 Mandatory sources for specific supplies and services.](#)

[8.102 Mandatory source for services.](#)

[8.103 Mandatory sources of supplies.](#)

[8.104 Use of existing contracts.](#)

[8.105 Contractor use of Government supply sources.](#)

[8.105-1 Contractor required use of Government supply sources.](#)

[8.105-2 Contractor permitted use of Government supply sources.](#)

[8.105-3 Contractor use of GSA Fleet.](#)

[Subpart 8.2 - Acquisition From AbilityOne Participating Nonprofit Agencies](#)

[8.202 Presolicitation.](#)

[8.203 Evaluation and award.](#)

[8.204 Postaward.](#)

[Subpart 8.3 - Acquisitions From Federal Prison Industries, Inc](#)

[8.301 General.](#)

[8.302 Exclusion.](#)

[8.303 Presolicitation.](#)

[8.304 Solicitation.](#)

[8.305 Evaluation and award.](#)

[8.306 Postaward.](#)

[Subpart 8.4 - Federal Supply Schedules](#)

[8.401 General.](#)

[Subpart 8.5 - Acquisitions of Government printing and related supplies](#)

[8.501 General.](#)

[8.502 Policy.](#)

8.000 Scope.

This part addresses prioritizing sources of supplies and services for use by the Government.

8.001 Definitions.

As used in this part—

AbilityOne Commission is the operating name for the Committee for Purchase From People Who are Blind or Severely Disabled.

AbilityOne participating nonprofit agencies means a qualified nonprofit agency employing people who are blind or have other severe disabilities approved by the Committee to furnish a commodity or a service to the Government under 41 U.S.C. chapter 85.

Committee means the Committee for Purchase From People Who Are Blind or Severely Disabled.

Central nonprofit agency means National Industries for the Blind, which has been designated to represent AbilityOne participating nonprofit agencies serving people who are blind; or NISH (also known as SourceAmerica), which has been designated to represent AbilityOne participating nonprofit agencies serving people with severe disabilities other than blindness.

Government printing means printing, binding, and blank-book work for the use of an executive department, independent agency, or establishment of the Government.

Procurement List means a list of supplies (including military resale commodities) and services that the Committee has determined are suitable for purchase by the Government under 41 U.S.C. chapter 85.

Related supplies means supplies that are used and equipment that is usable in printing and binding operations.

Subpart 8.1 - Presolicitation

8.101 Mandatory sources for specific supplies and services.

Agencies must acquire the following supplies and services using the procedures listed below:

Requirement	Procedures
Public utility services	Part 41
Government printing and related supplies	Subpart 8.5
Leased motor vehicles	Contact GSA Fleet

8.102 Mandatory source for services.

Unless otherwise required by law or 8.101, agencies must procure services that are on the Procurement List maintained by the Committee, from AbilityOne Participating Nonprofit Agencies in accordance with subpart 8.2. Other sources may be used as prescribed in 41 CFR 101-26.301, and in an unusual and compelling urgency as prescribed in 6.302-2 and in 41 CFR 101-25.101-5.

8.103 Mandatory sources of supplies.

(a) Unless otherwise required by law or subpart 8.101, agencies must procure supplies, in the following order-

- (1) From inventories of the requiring agency, in accordance with agency procedures;
- (2) From excess from other agencies, in accordance with 41 C.F.R. 102-36;
- (3) From Federal Prison Industries (FPI), Inc., in accordance with subpart 8.3; and
- (4) When on the Procurement List maintained by the Committee, from AbilityOne Participating Nonprofit Agencies, in accordance with subpart 8.2.

8.104 Use of existing contracts.

(a) When supplies or services are unavailable from the mandatory sources listed above, agencies should procure commercial products and commercial services, including those that can be modified to fill agencies' needs, to the maximum extent possible, in accordance with the policy of Executive Order 14271, Ensuring Commercial, Cost-Effective Solutions in Federal Contracts. When a commercial product or commercial service meets an agency's

needs and is available on an existing contract or Blanket Purchase Agreement awarded for Governmentwide use (such as the Federal Supply Schedule, Governmentwide Acquisition Contract, or other Indefinite-Delivery, Indefinite-Quantity contracts), the agency -

(1) must use the existing government-wide contract or blanket purchase agreement to buy the supply or service if the contract has been designated by the Office of Federal Procurement Policy a “required use” contract, unless the head of the contracting activity provides an exception (e.g., because the contract’s terms and conditions, scope, or performance period do not meet the agency’s needs); and

(2) should consider use of other existing government-wide contracts or blanket purchase agreements if there is not a suitable “required use” contract to meet the agency’s needs.

(b) Agencies should also consider the use of shared services to fulfill requirements. A shared service is a business or mission function provided by one agency for consumption by multiple other agencies, either within or between federal agencies.

8.105 Contractor use of Government supply sources.

When authorizing contractors to use Government supply sources, agencies must follow the requirements of this subpart.

8.105-1 Contractor use of Government supply sources.

(a) Policy. Agencies must authorize contractors purchasing supply items for Government use that are on the Procurement List maintained by the Committee to purchase such items from DLA, GSA, and VA, if they are available from these agencies through their distribution facilities. When these items are not available from DLA, GSA, or VA, contractors must order them through the appropriate central nonprofit agency which will determine how to fulfill the order.

(b) Contract clause. Insert the clause at 52.208-9, Contractor Use of Mandatory Sources of Supply and Services, in solicitations and contracts that require a contractor to provide supplies or services for Government use that are on the Procurement List maintained by the Committee.

8.105-2 Contractor permitted use of Government supply sources.

(a) General.

(1) Agencies may authorize contractors to use Government supply sources to obtain supplies or services required to perform a Government contract, when it is in the Government’s interest and the supplies or services are available from Government supply sources. In this section, the terms “contractors” and “contracts” include “subcontractors” and “subcontracts.”

- (2) Agencies may authorize the contractors to use these sources in performing—
- (i) A contract awarded using other than sealed bidding procedures; or
 - (ii) A contract awarded to an AbilityOne Participating Nonprofit Agency for supplies or services on Procurement List maintained by the Committee, if-
 - (A) The nonprofit agency requesting use of the supplies and services is providing a commodity or service to the Government; and
 - (B) The supplies or services received are directly used in making or providing a commodity or service on the Procurement List.
- (3) Contractors with fixed-price Government contracts that require protection of security classified information may acquire security equipment through GSA sources in accordance with 41 CFR 101-26.507.
- (b) Exclusion. Agencies must not require a contractor, or subcontractor at any tier, to use FPI as a subcontractor to perform a contract by any means, including means such as—
- (1) A solicitation provision requiring a potential contractor to offer to use FPI supplies or services;
 - (2) A contract specification requiring the contractor to use specific supplies or services (or classes of supplies or services) offered by FPI; or
 - (3) Any contract modification directing the use of FPI supplies or services.
- (c) Contract Clause. The contracting officer shall insert the clause at 52.208-10, Government Supply Sources, in solicitations and contracts when the contracting officer authorizes the contractor to acquire supplies or services from a Government supply source.

8.105-3 Contractor use of GSA Fleet.

- (a) Agencies may authorize contractors performing under cost-reimbursement contracts to obtain vehicles and related services through the GSA Fleet in accordance with 41 C.F.R. 101-39.202, 41 C.F.R. 102-34. In this section, the terms "contractors" and "contracts" include "subcontractors" and "subcontracts."
- (b) When providing the authorization in paragraph (a), agencies must ensure that contractors establish and enforce suitable penalties against employees who use, or authorize the use of, Government motor vehicles for unofficial purposes or for other than in the performance of the contract.
- (c) Contract Clause. The contracting officer shall insert the clause at 52.208-11, GSA Fleet Vehicles and Related Services, in solicitations and contracts when a cost-reimbursement

contract is contemplated and the contracting officer may authorize the contractor to use GSA Fleet vehicles and related services.

Subpart 8.2 - Acquisition From AbilityOne Participating Nonprofit Agencies

When buying supplies or services from AbilityOne Nonprofit Agencies, agencies must follow the requirements of this subpart and 41 CFR chapter 51.

8.201 General.

The AbilityOne Commission has sole authority to set the price and to authorize or deauthorize sources of supply. Agencies may propose price development through the Commission, or propose additions to the Procurement List at any time through the AbilityOne Commission.

8.202 Presolicitation.

(a) Policy. In accordance with 41 U.S.C. chapter 85 and as required by 8.102 and 8.103, agencies must buy supplies or services that are on the Procurement List maintained by the Committee unless a purchase exception applies.

(b) Purchase exception. Agencies may submit a request to the AbilityOne Commission, or the appropriate central non-profit agency, for a waiver to the Procurement List requirement. If the waiver is approved, agencies may fulfill their requirement with a commercial item. No other provision of the FAR shall be construed as permitting an exception to the mandatory purchase of items on the Procurement List.

8.203 Evaluation and award.

When buying supplies and services on the Procurement List, agencies must obtain them from the designated central nonprofit agency, designated AbilityOne participating nonprofit agencies, or the DLA, GSA, or VA.

8.204 Postaward.

If the ordering office cannot resolve performance issues with the nonprofit agency, the ordering office must refer the matter to the applicable central nonprofit agency and, if necessary, to the AbilityOne Commission for appropriate resolution.

Subpart 8.3 - Acquisitions From Federal Prison Industries, Inc

8.301 General.

When buying supplies or services from FPI (also known as UNICOR), agencies must follow the requirements of this subpart and UNICOR's ordering procedures.

8.302 Exclusion.

Agencies must not enter into any contract with FPI that allows an inmate worker access to any—

(a) Classified data;

(b) Geographic data regarding the location of—

(1) Surface and subsurface infrastructure providing communications or water or electrical power distribution;

(2) Pipelines that distribute natural gas, bulk petroleum products, or other commodities; or

(3) Other utilities; or

(c) Personal or financial information about any individual private citizen, including information relating to such person's real property however described, without the prior consent of the individual.

8.303 Presolicitation.

In accordance with 10 U.S.C. 3905 and Section 637 of Division H of the Consolidated Appropriations Act, 2005 (Pub. L. 108-447) (18 U.S.C. 4124 note), agencies must—

(a) Before purchasing an item of supply listed in the FPI Schedule, conduct market research to determine whether the FPI item is comparable to supplies available from the private sector that best meet the Government's needs in terms of price, quality, and time of delivery. This is a unilateral determination made at the discretion of the contracting officer. The arbitration provisions of 18 U.S.C. 4124(b) do not apply;

(b) Prepare a written determination that includes supporting rationale explaining the assessment of price, quality, and time of delivery, based on the results of market research comparing the FPI item to supplies available from the private sector.

8.304 Solicitation.

After making the determination in 8.303—

(a) If the FPI item is comparable, agencies must purchase the item from FPI, unless a waiver is obtained; and

(b) If the FPI item is not comparable in one or more of the areas of price, quality, and time of delivery, agencies must—

(1) Acquire the item using—

(i) Competitive procedures; or

(ii) The fair opportunity procedures in part 16, if placing an order under a multiple award delivery-order contract; and

(2) Include FPI in the solicitation process and consider a timely offer from FPI for award in accordance with the item description or specifications, and evaluation factors in the solicitation.

(i) If the solicitation is available through the Governmentwide point of entry (Contract Opportunities at SAM.gov), agencies do not need to provide a separate copy of the solicitation to FPI;

(ii) If the solicitation is not available through Contract Opportunities at SAM.gov, agencies must provide a copy of the solicitation to FPI

(iii) When using a multiple award schedule issued under the procedures in subpart 8.4 or when using the fair opportunity procedures in part 16—

(A) Establish and communicate to FPI the item description or specifications, and evaluation factors that will be used as the basis for selecting a source, so an offer from FPI can be evaluated on the same basis as the contract or schedule holder; and

(B) Consider a timely offer from FPI.

8.305 Evaluation and award.

Agencies must make award to the source offering the item determined by the agency to provide the best value to the Government. If the agency determines that the FPI item provides the best value to the Government as a result of FPI's response to a competitive solicitation, follow UNICOR's ordering procedures.

8.306 Postaward.

Disputes regarding price, quality, character, or suitability of supplies produced by FPI, except for determinations under 8.303 of this section, are subject to arbitration as specified in 18 U.S.C. 4124.

Subpart 8.4 - Ordering under the Federal Supply Schedule

8.401 General.

(a) The Federal Supply Schedule (FSS) program is directed and managed by GSA and provides Federal agencies with a simplified process to obtain commercial supplies and commercial services at prices associated with volume buying. Agencies must use the FSS, in accordance with 8.104.

(b) When placing an order under the FSS, agencies must follow the ordering procedures established by GSA and found at subpart [538.71](#). GSA ordering procedures follow all statutory requirements, including the requirements of section 863 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, and have been coordinated with the Office of Federal Procurement Policy for consistency with governmentwide acquisition policy.

Subpart 8.5 - Acquisitions of Government printing and related supplies

8.501 General.

When acquiring Government printing and related supplies, agencies must follow the requirements of this subpart and Government Publishing Office's (GPO) ordering procedures.

8.502 Policy.

Government printing must be done by or through the GPO (44 U.S.C. 501), unless—

- (a) The GPO cannot provide the printing service (44 U.S.C. 504);
- (b) The printing is done in field printing plants operated by an executive agency (44 U.S.C. 501(2));
- (c) The printing is acquired by an executive agency from allotments for contract field printing (44 U.S.C. 501(2)); or
- (d) The printing is specifically authorized by statute to be done other than by the GPO.

Part 52 – Solicitation Provisions and Contract Clauses

52.208 [Reserved]

52.208-1 [Reserved]

52.208-2 [Reserved]

52.208-3 [Reserved]

52.208-4 [Reserved]

52.208-5 [Reserved]

52.208-6 [Reserved]

52.208-7 [Reserved]

52.208-8 [Reserved]

52.208-9 Contractor Use of Mandatory Sources of Supply or Services.

As prescribed in 8.105-1(b), insert the following clause:

Contractor Use of Mandatory Sources of Supply or Services (May 2014)

Certain supplies or services to be provided under this contract for use by the Government are required by law to be obtained from nonprofit agencies participating in the program operated by the Committee for Purchase From People Who Are Blind or Severely Disabled (the Committee) under 41 U.S.C. 8504. The Committee operates under the name AbilityOne Commission. Additionally, some of these supplies are available from the Defense Logistics Agency (DLA), the General Services Administration (GSA), or the Department of Veterans Affairs (VA). The Contractor shall obtain mandatory supplies or services to be provided for Government use under this contract from the specific sources indicated in the contract schedule.

The Contractor shall immediately notify the Contracting Officer if a mandatory source is unable to provide the supplies or services by the time required, or if the quality of supplies or services provided by the mandatory source is unsatisfactory. The Contractor shall not purchase the supplies or services from other sources until the Contracting Officer has notified the Contractor that the Committee or an AbilityOne central nonprofit agency has authorized purchase from other sources.

Price and delivery information for the mandatory supplies is available from the Contracting Officer for the supplies obtained through the DLA/GSA/VA distribution facilities. For mandatory supplies or services that are not available from DLA/GSA/VA, price and delivery information is available from the appropriate central nonprofit agency. Payments shall be made directly to the source making delivery. Points of contact for AbilityOne central nonprofit agencies are:

National Industries for the Blind (www.NIB.org), 1310 Braddock Place, Alexandria, VA 22314-1691, (703) 310-0500; and NISH/SourceAmerica (www.SourceAmerica.org), 8401 Old Courthouse Road, Vienna, VA 22182, (571) 226-4660.

(End of clause)

52.208-90 Government Supply Sources.

As prescribed in 8.105-2(c), insert the following clause:

Government Supply Sources (DEVIATION NOV 2025)

The Contracting Officer may issue the Contractor an authorization to use Government supply sources in the performance of this contract. Title to all property acquired by the Contractor under such an authorization shall vest in the Government unless otherwise specified in the contract. The provisions of the clause at FAR 52.245-1, Government Property, apply to all property acquired under such authorization.

(End of clause)

52.208-91 GSA Fleet Vehicles and Related Services.

As prescribed in 8.105-3(c), insert the following clause:

GSA Fleet Vehicles and Related Services (DEVIATION NOV 2025)

The Contracting Officer may issue the Contractor an authorization to obtain GSA Fleet vehicles and related services for use in the performance of this contract. The use, service, and maintenance of GSA Fleet vehicles and the use of related services by the Contractor shall be in accordance with 41 CFR 101-39 and 41 CFR 102-34.

(End of clause)