

8.605 Exceptions.

Purchase from FPI is not mandatory and a waiver is not required if-

- (a)
 - (1) The contracting officer makes a determination that the FPI item of supply is not comparable to supplies available from the private sector that best meet the Government's needs in terms of price, quality, and time of delivery; and
 - (2) The item is acquired in accordance with [8.602\(a\)\(4\)](#);
- (b) Public exigency requires immediate delivery or performance;
- (c) Suitable used or excess supplies are available;
- (d) The supplies are acquired and used outside the United States;
- (e) Acquiring listed items totaling \$3,500 or less;
- (f) Acquiring items that FPI offers exclusively on a competitive (non-mandatory) basis, as identified in the FPI Schedule; or
- (g) Acquiring services.

Parent topic: [Subpart 8.6 - Acquisition from Federal Prison Industries, Inc.](#)