

9.306 Solicitation requirements.

Solicitations containing a testing and approval requirement shall-

(a) Provide, in the circumstance where the contractor is to be responsible for the first article approval testing-

- (1) The performance or other characteristics that the first article must meet for approval;
- (2) The detailed technical requirements for the tests that must be performed for approval; and
- (3) The necessary data that must be submitted to the Government in the first article approval test report;

(b) Provide, in the circumstance where the Government is to be responsible for the first article approval testing-

- (1) The performance or other characteristics that the first article must meet for approval; and
- (2) The tests to which the first article will be subjected for approval;

(c) Inform offerors that the requirement may be waived when supplies identical or similar to those called for have previously been delivered by the offeror and accepted by the Government (see [52.209-3\(h\)](#) and [52.209-4\(i\)](#));

(d) Permit the submission of alternative offers, one including testing and approval and the other excluding testing and approval (if eligible under paragraph (c) of this section);

(e) State clearly the first article's relationship to the contract quantity (see paragraph (e) of the clause at [52.209-3](#), First Article Approval-Contractor Testing, or [52.209-4](#), First Article Approval-Government Testing);

(f) Contain a delivery schedule for the production quantity (see [11.403](#)). The delivery schedule may-

- (1) Be the same whether or not testing and approval is waived; or
- (2) Provide for earlier delivery when testing and approval is waived and the Government desires earlier delivery. In the latter case, any resulting difference in delivery schedules shall not be a factor in evaluation for award. The clause at [52.209-4](#), First Article Approval-Government Testing, shall contain the delivery schedule for the first article;

(g) Provide for the submission of contract numbers, if any, to document the offeror's eligibility under paragraph (c) of this section;

(h) State whether the approved first article will serve as a manufacturing standard;

(i) Include, when the Government is responsible for first article testing, the Government's estimated testing costs as a factor for use in evaluating offers (when appropriate); and

(j) Inform offerors that the prices for first articles and first article tests in relation to production quantities shall not be materially unbalanced (see [15.404-1\(g\)](#)) if first article test items or tests are to be separately priced.

Parent topic: Subpart 9.3 - First Article Testing and Approval