

## 14.502 Conditions for use.

(a) Unless other factors require the use of sealed bidding, two-step sealed bidding may be used in preference to negotiation when all of the following conditions are present:

(1) Available specifications or purchase descriptions are not definite or complete or may be too restrictive without technical evaluation, and any necessary discussion, of the technical aspects of the requirement to ensure mutual understanding between each source and the Government.

(2) Definite criteria exist for evaluating technical proposals

(3) More than one technically qualified source is expected to be available.

(4) Sufficient time will be available for use of the two-step method.

(5) A firm-fixed-price contract or a fixed-price contract with economic price adjustment will be used.

(b) None of the following precludes the use of two-step sealed bidding:

(1) Multi-year contracting.

(2) Government property to be made available to the successful bidder.

(3) A total small business set-aside (see [19.502-2](#)).

(4) The use of a set-aside or price evaluation preference for HUBZone small business concerns (see [subpart 19.13](#)).

(5) The use of a set-aside for service-disabled veteran-owned small business concerns (see [subpart 19.14](#)).

(6) The use of a set-aside for economically disadvantaged women-owned small business concerns and women-owned small business concerns eligible under the Women-Owned Small Business Program (see [subpart 19.15](#)).

(7) A first or subsequent production quantity is being acquired under a performance specification.

**Parent topic:** [Subpart 14.5 - Two-Step Sealed Bidding](#)