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Part 571 - Pilot Program For Innovative Commercial Products and Commercial Services

Subpart 571.1 - General

571.101 Scope.

571.102 Purpose.

571.103 Definitions.

Subpart 571.2 - Pilot Program

571.201 Approval Process.

571.202 Restrictions.

Parent topic: General Services Administration Acquisition Manual

Subpart 571.1 - General

571.101 Scope.

(a) This part establishes a pilot program to competitively procure innovative commercial products and commercial services to include innovative technologies and solutions using the commercial solutions opening (CSO) procedure authorized by section 880 of the National Defense Authorization Act for Fiscal Year 2017 (Pub. L. 114-328), as amended by section 7227 of the National Defense Authorization Act for Fiscal Year 2023 (Pub. L. 117-263).

(b) The competitive selection from a general solicitation and the peer review of such solution briefs by scientific, technological, or other subject matter experts within the U.S. Government is considered to be a competitive procedure.

(c) Procurements under the CSO Pilot Program must be compliant with the requirements in this part and the requirements in the GSA Procurement Innovation Resource Center (PIRC) CSO Guide available at <https://www.gsa.gov/pirc>.

571.102 Purpose.

GSA has developed this pilot program to be implemented outside the normal Federal Acquisition Regulations requirements to engage traditional and non-traditional Government contractors, including start-up companies. This program is intended to promote competition with a streamlined

approach to address specific needs for innovative commercial products and commercial services. This program offers a range of advantages to start-up companies and others who may not have significant work experience with the U.S. Government, including—

- (a) Streamlined solicitation requiring only minimal corporate and technical information;
- (b) Fast track vendor selection timelines;
- (c) Simplified contract administration procedures and requirements; and
- (d) Preference for the vendor retaining core intellectual property, as appropriate.

571.103 Definitions.

As used in this part—

“Agency Acquisition Innovation Advocates” are the GSA Acquisition Officials nominated by the Senior Procurement Executive and serving on the Office of Management and Budget Acquisition Innovation Council.

“Commercial solutions opening (CSO)” is a competitive procedure for acquiring innovative commercial products and commercial services, including products, technologies, and services through a competitive selection of solution briefs resulting from a general solicitation and peer review of such solution briefs.

“Innovative” means any item that is —

- (a) A new technology, process, or method, including research and development as of the date of submission of a solution brief;
- (b) A new application or adaptation of an existing technology, process, or method as of the date of submission of a solution brief;
- (c) An existing product or service within the production/commercialization phase (i.e. after design or development, and before widespread government or commercial adoption); or
- (d) A new adaptation of existing commercial products or commercial services. (See also the definition of “commercial product” and “commercial service” in FAR 2.101.)

“Peer Review” means a process where scientific, technological, or other subject matter experts within the U.S. Government evaluate solution briefs submitted against specified selection criteria.

“Solution Brief” means a solution proposed by an offeror in response to a solicitation issued using the CSO procedure.

Subpart 571.2 - Pilot Program

571.201 Approval Process.

GSA contracting officers must receive approval in accordance with the procedures provided within the GSA PIRC CSO Guide to utilize the CSO procedure under this part to enter into contracts to fulfill requirements, capability gaps, or procure potential technological advancements. Only those acquisitions approved by an Agency Acquisition Innovation Advocate may be conducted under the CSO procedure.

571.202 Restrictions.

(a)The CSO procedure shall only be used when procuring commercially available innovative technologies or solutions, including products, and services.

(b)Any contract using this authority must not exceed \$25,000,000, inclusive of all options.

(c)No contracting officer or employee of the government may create or authorize an obligation in excess of the funds available, or in advance of appropriations 31 U.S.C. 1341, unless otherwise authorized by law.

(d)GSA employees must be appointed as a contracting officer, consistent with GSAM 501.603, and must have a Federal Acquisition Certification in Contracting (FAC-C) Professional and Senior Level IV Unlimited Warrant to award a contract using the CSO procedure in accordance with this part.