

## Subpart 13.2 - Actions At or Below the Micro-Purchase Threshold

**Parent topic:** [Part 13 - Simplified Acquisition Procedures](#)

### 13.201 General.

- (a) *Agency heads* are encouraged to delegate *micro-purchase* authority (see [1.603-3](#)).
- (b) The *Governmentwide commercial purchase card* shall be the preferred method to purchase and to pay for *micro-purchases* (see [2.101](#)).
- (c) Purchases at or below the *micro-purchase threshold* may be conducted using any of the methods described in subpart [13.3](#), provided the purchaser is authorized and trained, pursuant to agency procedures, to use those methods.
- (d) *Micro-purchases* do not require provisions or clauses, except as provided at [13.202](#) and [32.1110](#). This paragraph takes precedence over any other FAR requirement to the contrary, but does not prohibit the use of any clause.
- (e) The requirements in part 8 apply to purchases at or below the *micro-purchase threshold*.
- (f) The *procurement* requirements in [23.1](#) apply to purchases at or below the *micro-purchase threshold*.
- (g)
  - (1) For *acquisitions* of *supplies* or services that, as determined by the *head of the agency*, are to be used to support a *contingency operation*; to facilitate defense against or recovery from cyber, nuclear, biological, chemical, or radiological attack; to support a request from the Secretary of State or the Administrator of the *United States* Agency for International Development to facilitate provision of international disaster assistance pursuant to [22 U.S.C. 2292](#) et seq; or to support response to an *emergency* or *major disaster* ([42 U.S.C. 5122](#)), the *micro-purchase threshold* is—
    - (i) \$20,000 in the case of any contract to be awarded and performed, or purchase to be made, inside the *United States*; and
    - (ii) \$35,000 in the case of any contract to be awarded and performed, or purchase to be made, outside the *United States*.
  - (2) Purchases using this authority *must* have a clear and direct relationship to the support of a *contingency operation*; or the defense against or recovery from cyber, nuclear, biological, chemical, or radiological attack; international disaster assistance; or an *emergency* or *major disaster*.
- (h) When using the *Governmentwide commercial purchase card* as a method of payment, purchases at or below the *micro-purchase threshold* are exempt from verification in the *System for Award Management* as to whether the contractor has a delinquent debt subject to collection under the

Treasury Offset Program (TOP).

(i) Do not purchase any hardware, software, or services developed or provided by Kaspersky Lab that the Government will use on or after October 1, 2018. (See [4.2002](#)).

(j)

(1) On or after August 13, 2019, do not procure or obtain, or extend or renew a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential *component* of any system, or as critical technology as part of any system, unless an exception applies or a waiver is granted. (See subpart [4.21](#).)

(2) On or after August 13, 2020, agencies are prohibited from entering into a contract, or extending or renewing a contract, with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential *component* of any system, or as critical technology as part of any system, unless an exception applies or a waiver is granted (see subpart [4.21](#)). This prohibition applies to the use of covered telecommunications equipment or services, regardless of whether that use is in performance of work under a Federal contract.

(k) The prohibition in [subpart 4.22](#) on use of a covered application (“TikTok”) applies to purchases at or below the *micro-purchase threshold* where the performance of the contract *may* require the presence or use of a covered application, (e.g., where social media advertising services might be part of the *procurement*), unless an exception is granted in accordance with Office of Management and Budget Memorandum M-23-13 (see [4.2202](#)).

(l) Do not procure or obtain, or extend or renew a contract to procure or obtain, any covered article, or any *products* or services produced or provided by a source, including contractor use of covered articles or sources, if prohibited from doing so by an applicable Federal *Acquisition* Supply Chain Security Act (FASCSA) order issued by the Director of National Intelligence, Secretary of Defense, or Secretary of Homeland Security (see [4.2303](#)).

(m) The prohibitions on unmanned aircraft systems (e.g., drones) in [40.202](#) apply to purchases at or below the *micro-purchase threshold*.

## **13.202 Unenforceability of unauthorized obligations in micro-purchases.**

Many *supplies* or services are acquired subject to supplier license agreements. These are particularly common in *information technology acquisitions*, but they *may* apply to any supply or service. For example, *computer software* and services delivered through the internet (web services) are often subject to license agreements, referred to as End User License Agreements (EULA), Terms of Service (TOS), or other similar legal instruments or agreements. Many of these agreements contain indemnification clauses that are inconsistent with Federal law and unenforceable, but which could create a violation of the Anti-Deficiency Act ([31 U.S.C. 1341](#)) if agreed to by the Government. The clause at [52.232-39](#), Unenforceability of Unauthorized Obligations, automatically applies to any *micro-purchase*, including those made with the Governmentwide purchase card. This clause prevents such violations of the Anti-Deficiency Act ([31 U.S.C. 1341](#)).

## 13.203 Purchase guidelines.

(a) *Solicitation*, evaluation of quotations, and award.

(1) To the extent practicable, *micro-purchases shall* be distributed equitably among qualified suppliers.

(2) *Micro-purchases may* be awarded without soliciting competitive quotations if the *contracting officer* or individual appointed in accordance with 1.603-3(b) considers the price to be reasonable.

(3) The administrative cost of verifying the reasonableness of the price for purchases *may* more than offset potential savings from detecting instances of overpricing. Therefore, action to verify price reasonableness need only be taken if-

(i) The *contracting officer* or individual appointed in accordance with 1.603-3(b) suspects or has information to indicate that the price *may* not be reasonable (*e.g.*, comparison to the previous price paid or personal knowledge of the supply or service); or

(ii) Purchasing a supply or service for which no comparable *pricing* information is readily available (*e.g.*, a supply or service that is not the same as, or is not similar to, other *supplies* or services that have recently been purchased on a competitive basis).

(b) *Documentation*. If competitive quotations were solicited and award was made to other than the low quoter, documentation to support the purchase *may* be limited to identification of the solicited concerns and an explanation for the award decision.