

**2304. Contracts: competition requirements**

**(a)(1)** Except as provided in subsections (b), (c), and (g) and except in the case of procurement procedures otherwise expressly authorized by statute, the head of an agency in conducting procurement for property or services—

**(A)** shall obtain full and open competition through the use of competitive procedures in accordance with the requirements of this chapter and the Federal Acquisition Regulation; and

**(B)** shall use the competitive procedure or combination of competitive procedures that is best suited under the circumstances of the procurement.

**(2)** In determining the competitive procedure appropriate under the circumstances, the head of an agency—

**(A)** shall solicit sealed bids if—

**(i)** time permits the solicitation, submission, and evaluation of sealed bids;

**(ii)** the award will be made on the basis of price and other price-related factors;

**(iii)** it is not necessary to conduct discussions with the responding sources about their bids; and

**(iv)** there is a reasonable expectation of receiving more than one sealed bid; and

**(B)** shall request competitive proposals if sealed bids are not appropriate under clause (A).