Subpart 937.70—Protective Services Contracting

937.7040 Contract clauses.


Subpart 937.2—Advisory and Assistance Services

937.204 Guidelines for determining availability of personnel.

(a) The determination, that there is sufficient DOE personnel with the requisite training and capabilities for each evaluation or analysis of proposals, shall be determined in accordance with 915.207–70(f)(2)(i).

(b) If it is determined that there is no such DOE personnel available, then other Federal agencies may have the required personnel with the requisite training and capabilities for the evaluation or the analysis of proposals. The determination, to use employees of other Federal agencies for the evaluation or analysis of proposals, shall be in accordance with 915.207–70(f)(2)(ii).

(d) The determination, to employ non-Federal evaluators or advisors, shall be determined in accordance with 915.207–70(f)(3).

(e) The determination that covered personnel are unavailable for a class of proposals, necessitating employment of non-Federal evaluators or advisors, shall be determined in accordance with 915.207–70(f)(3).

[75 FR 29458, May 26, 2010]

Subpart 937.70—Protective Services Contracting

937.7040 Contract clauses.

The contracting officer shall insert the clause at 952.237–70 entitled “Collective bargaining agreements—protective services” in all protective services solicitations and contracts involving DOE-owned facilities requiring continuity of services for public safety and national defense reasons. See also, 922.103–5, Contract clauses, which prescribes use of the clause at 48 CFR 52.223–1, Notice to the Government of Labor Disputes.

(c) **Consolidated contractor acquisitions.** When common information technology requirements in support of DOE programs have been identified and it is anticipated that the consolidation of such requirements will promote cost or other efficiencies, the Designated Senior Official for Information Management may authorize an M&O contractor to acquire information technology for use by the following—

(1) One or more other contractor(s) performing on-site at the same DOE-owned or -leased facility as the M&O contractor; or

(2) Other M&O contractors.


**PART 941—ACQUISITION OF UTILITY SERVICES**

**Subpart 941.2—Acquiring Utility Services**

Sec.

941.201–70 **DOE Directives.**

941.201–71 **Use of subcontracts.**

**AUTHORITY:** 42 U.S.C. 7101 et seq. and 50 U.S.C. 2401 et seq.

**SOURCE:** 61 FR 41710, Aug. 9, 1996, unless otherwise noted.

**Subpart 941.2—Acquiring Utility Services**

941.201–70 **DOE Directives.**

Utility services (defined at 48 CFR 41.101) shall be acquired in accordance with 48 CFR part 41 and the Department of Energy (DOE) Order 430.2B, Departmental Energy, Renewable Energy and Transportation Management, or its successor.

[75 FR 29458, May 26, 2010]

941.201–71 **Use of subcontracts.**

Utility services for the furnishing of electricity, gas (natural or manufactured), steam, water and/or sewerage at facilities owned or leased by DOE shall not be acquired under a subcontract arrangement, except as provided for at 970.4102–1 or if the prime contract is with a utility company.