

1206.202

Subpart 1206.2—Full and Open Competition After Exclusion of Sources

1206.202 Establishing or maintaining alternative sources.

(a) The head of the contracting activity (HCA) is delegated authority to exclude a particular source from a contract action in order to establish or maintain an alternative source under the conditions listed in FAR 6.202(a).

(b) The HCA is also delegated authority to approve a Determination and Findings (D&F) in support of a contract action awarded under the authority of FAR 6.202(a).

Subpart 1206.3—Other Than Full and Open Competition

1206.302 Circumstances permitting other than full and open competition.

1206.302-1 Only one responsible source and no other supplies or services will satisfy agency requirements.

(b)(4) The HCA is authorized to determine that only specified makes and models of technical equipment and parts will satisfy the agency's needs under FAR 6.302-1(b)(4).

1206.302-7 Public interest.

(a)(2) The authority under FAR 6.302-7 whereby full and open competition need not be provided for when determined that it is not in the public interest in a particular acquisition is reserved by the Secretary and may not be delegated. A written determination made and signed by the Secretary shall be included in the contract file.

(c)(3) The contracting officer shall prepare a justification to support the determination under FAR 6.302-7(c)(3).

Subpart 1206.5—Advocates for Competition

1206.501 Requirement.

The DOT Agency Advocate for Competition is the Deputy Assistant Secretary for Administration.

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PART 1207—ACQUISITION PLANNING

Subpart 1207.3—Contractor Versus Government Performance

Sec.

1207.305 Solicitation provisions and contract clause.

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 1121(c)(3); 41 U.S.C. 1702; and 48 CFR 1.301 through 1.304.

SOURCE: 87 FR 61159, Oct. 7, 2022, unless otherwise noted.

Subpart 1207.3—Contractor Versus Government Performance

1207.305 Solicitation provisions and contract clause.

The contracting officer may insert clause 1252.237-73, Key Personnel, in solicitations and contracts when the acquisition is conducted pursuant to OMB Circular A-76 and meets the clause prescription requirements at 1237.110-70(b).

PART 1209—CONTRACTOR QUALIFICATIONS

Subpart 1209.4—Debarment, Suspension, and Ineligibility

Sec.

1209.400 Scope of subpart.

1209.403 Definitions.

1209.405 Effect of listing.

1209.405-1 Continuation of current contracts.

1209.405-2 Restrictions on subcontracting.

1209.406 Debarment.

1209.406-1 General.

1209.406-3 Procedures.

1209.406-4 Period of debarment.

1209.407 Suspension.

1209.407-1 General.

1209.407-3 Procedures.

1209.470 Fact-finding procedures.

1209.471 Appeals.

Subpart 1209.5—Organizational and Consultant Conflicts of Interest

1209.507 Solicitation provisions and contract clause.

1209.507-270 Contract clauses.

Subpart 1209.6—Contractor Team Arrangements

1209.602 General.