

## 3.1104 Mitigation or waiver.

(a) In exceptional circumstances, if the contractor cannot satisfactorily prevent a personal conflict of interest as required by paragraph (b)(2)(i) of the clause at [52.203-16](#), Preventing Personal Conflicts of Interest, the contractor *may* submit a request, through the *contracting officer*, for the *head of the contracting activity* to-

(1) Agree to a plan to mitigate the personal conflict of interest; or

(2) Waive the requirement to prevent personal conflicts of interest.

(b) If the *head of the contracting activity* determines *in writing* that such action is in the best interest of the Government, the *head of the contracting activity* *may* impose conditions that provide mitigation of a personal conflict of interest or grant a waiver.

(c) This authority *shall* not be redelegated.

**Parent topic:** [Subpart 3.11 - Preventing Personal Conflicts of Interest for Contractor Employees Performing Acquisition Functions](#)