PART 1809—CONTRACTOR QUALIFICATIONS

Authority: 51 U.S.C. 20113(a) and 48 CFR chapter 1.

Source: 61 FR 47075, Sept. 6, 1996, unless otherwise noted.

Subpart 1809.1—Responsible Prospective Contractors

1809.104-4 Subcontractor responsibility.

1809.105-2 Determinations and documentation.

Subpart 1809.2—Qualification requirements

1809.206 Acquisitions subject to qualification requirements.

1809.206-1 General. (NASA supplements paragraph (b) and (c))

Subpart 1809.4—Debarment, Suspension, and Ineligibility

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1809.507 Solicitation provisions and contract clause.

1809.507-2 Contract clause.

Parent topic: SUBCHAPTER B—COMPETITION AND ACQUISITION PLANNING

Subpart 1809.1—Responsible Prospective Contractors

1809.104-4 Subcontractor responsibility.

Generally, the Canadian Commercial Corporation's (CCC) proposal of a firm as its subcontractor is sufficient basis for an affirmative determination of responsibility. However, when the CCC determination of responsibility is not consistent with other information available to the contracting office, the contracting officer shall request from the CCC and any other sources whatever information is necessary to make the responsibility determination.

Upon request, CCC shall be furnished the rationale for any subsequent determination of nonresponsibility.

1809.105-2 Determinations and documentation.

(a) The contracting officer shall provide written notification to a prospective contractor determined not responsible, which includes the basis for the determination. Notification provides the prospective contractor with the opportunity to take corrective action prior to future solicitations.

Subpart 1809.2—Qualification requirements

1809.206 Acquisitions subject to qualification requirements.

1809.206-1 General. (NASA supplements paragraph (b) and (c))

(c) If an offeror seeks to demonstrate its capability, both the product and the producer must meet the established standards.

Subpart 1809.4—Debarment, Suspension, and Ineligibility

1809.403 Definitions.

For purposes of FAR subpart 9.4 and this subpart, the Deputy General Counsel is the “debarring official,” the “suspending official,” and the agency head's “designee.”

Subpart 1809.5—Organizational and Consultant Conflicts of Interest

1809.505-4 Obtaining access to sensitive information.

(b) In accordance with FAR 9.503, the Assistant Administrator for Procurement has determined that it would not be in the Government's interests for NASA to comply strictly with FAR 9.505-4(b) when acquiring services to support management activities and administrative functions. The Assistant Administrator for Procurement has, therefore, waived the requirement that before gaining access to other companies' proprietary or sensitive (see 1837.203-70) information contractors must enter specific agreements with each of those other companies to protect their information from unauthorized use or disclosure. Accordingly, NASA will not require contractors and subcontractors and their employees in procurements that support management activities and administrative functions to enter into separate, interrelated third party agreements to protect sensitive information from unauthorized use or disclosure. As an alternative to numerous, separate third party agreements, 1837.203-70 prescribes detailed policy and procedures to protect contractors from unauthorized use or disclosure of their sensitive information. Nothing in this section waives the requirements of FAR 37.204 and 1837.204.

1809.507 Solicitation provisions and contract clause.

1809.507-2 Contract clause.

The contracting officer may insert a clause substantially the same as the clause at 1852.209-71, Limitation of Future Contracting, in solicitations and contracts.