

AIDAR PART 709—CONTRACTOR QUALIFICATIONS

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Authority: Sec. 621, Pub. L. 87-195, 75 Stat. 445, (22 U.S.C. 2381) as amended; E.O. 12163, Sept. 29, 1979, 44 FR 56673; 3 CFR, 1979 Comp., p. 435.

Subpart 709.4—Debarment, Suspension and Ineligibility

709.403 Definitions.

Debarring official in USAID is the Assistant Administrator, Bureau for Management, or designee as delegated in Agency policy found in ADS 103—Delegations of Authority.

Suspending official in USAID is the Assistant Administrator, Bureau for Management, or designee as delegated in Agency policy found in ADS 103—Delegations of Authority.

[79 FR 74992, Dec. 16, 2014; 80 FR 12935, Mar. 12, 2015]

Subpart 709.5—Organizational Conflicts of Interest

709.503 Waiver.

For purposes of approving waivers or further delegating the authority to approve waivers pursuant to (48 CFR) [FAR 9.503](#), the M/OAA Director is the agency head (see AIDAR [701.601](#)(a)(1)). The M/OAA Director hereby delegates the authority to approve waivers pursuant to (48 CFR) [FAR 9.503](#) to the heads of USAID contracting activities, as defined in (48 CFR) AIDAR [702.170](#).

[64 FR 42042, Aug. 3, 1999, as amended at 72 FR 19670, Apr. 19, 2007; 79 FR 74988, 74992, Dec. 16, 2014]

709.507-2 Contract clause.

(a)-(b) [Reserved]

(c) In order to avoid problems from organizational conflicts of interest that may be discovered after award of a contract, the clause found at [752.209-71](#) shall be inserted in all contracts whenever the solicitation or resulting contract or both include a provision in accordance with (48 CFR) [FAR 9.507-1](#), or a clause in accordance with (48 CFR) [FAR 9.507-2](#), establishing a restraint on the contractor's eligibility for future contracts.

[58 FR 42255, Aug. 9, 1993, as amended at 64 FR 5006, Feb. 2, 1999]