

# PART 709—CONTRACTOR QUALIFICATIONS

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.

## Subpart 709.5—Organizational Conflicts of Interest

### 709.503 Waiver.

### 709.507-2 Contract clause.

**Parent topic:** SUBCHAPTER B—ACQUISITION PLANNING

## **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.

## **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 (48 CFR) 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.

### **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.