

# **Subpart 5309.5 - ORGANIZATIONAL AND CONSULTANT CONFLICTS OF INTEREST**

**Parent topic:** [Part 5309 - Contractor Qualifications](#)

## **5309.503 Waiver**

See [MP5301.601\(a\)\(i\)](#).

## **5309.504 Contracting Officer Responsibilities**

(c) See [MP5301.601\(a\)\(i\)](#).

## **5309.505 General rules.**

(b)(2) An unfair competitive advantage exists where a contractor competing for award of any Federal contract possesses any information that is relevant to the contract but is not available to all competitors that is acquired as part of official duties by prior government officials, and such information would assist the contractor in obtaining the contract.

## **5309.506 Procedures.**

(d)(3) See [MP5301.601\(a\)\(i\)](#).

## **5309.507-2 Solicitation Provisions and Contract Clause**

(a) In accordance with [FAR 9.507-2](#), insert the clause at [DAFFARS 5352.209-9000, Organizational Conflict of Interest](#), substantially as written, in Section I when the contractor's eligibility for future prime contract or subcontract awards shall be restricted because of services being provided as stated in [FAR 9.505-1 through -4](#).

(1) Insert the basic clause when the contractor will be providing systems engineering and/or technical direction. See [FAR 9.505-1](#).

(2) Insert the clause with its Alternate I when the contractor will be preparing specifications or work statements. See [FAR 9.505-2](#).

(3) Insert the clause with its Alternate II when the contractor will be providing technical evaluation or advisory and assistance services. See [FAR 9.505-3](#).

(4) Insert the clause with its Alternate III when the contractor will be obtaining access to proprietary

information. See [FAR 9.505-4](#).

(5) Insert the clause with its Alternate IV when the contract is a task ordering contract and when more than one system is supported. The contracting officer may modify Alternate IV to include a list of systems for which task orders may be issued and indicate which organizational conflict of interest provision in paragraph (a)(2) shall apply.

(6) Insert the clause with its Alternate V when the contract provides for delivery orders. The contracting officer shall indicate in each delivery order which organizational conflict of interest provision in paragraph (a)(2) shall apply.

(7) Insert Alternate VI when it is necessary to have the restrictions of this clause included in all or some subcontracts, teaming arrangements, and other agencies calling for performance of work related to the contract.

(b) As prescribed in [FAR 9.507-1](#), insert in Section L the provision at [DAFFARS 5352.209-9001, Potential Organizational Conflict of Interest](#), substantially as written.

## **5309.571-7 Systems Engineering and Technical Assistance Contracts**

(c)(1) See [MP5301.601\(a\)\(i\)](#).