

**PART 1509—CONTRACTOR
QUALIFICATIONS**

**Subpart 1509.1—Responsible
Prospective Contractors**

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**Subpart 1509.1—Responsible Prospective
Contractors**

1509.105 Procedures.

**Subpart 1509.170—Contractor
Performance Evaluations**

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**Subpart 1509.170—Contractor
Performance Evaluations**

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This subpart establishes EPA policy and procedures for evaluation of contractor performance. Contracting officers shall insert the contract clause at 1552.209-76 in all solicitations and contracts with an estimated dollar value in excess of \$100,000. For acquisitions involving options, the total estimated value of the acquisition shall include the estimated base amount plus the option(s) amount(s).

[49 FR 8839, Mar. 8, 1984, as amended at 64 FR 20202, Apr. 26, 1999]

**Subpart 1509.4—Debarment, Suspension
and Ineligibility**

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- 1509.403 Definitions.
- 1509.406 Debarment.
- 1509.406-3 Procedures.
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- 1509.407-3 Procedures.

This subpart provides guidance to program and contracting personnel regarding the evaluation of contractor performance. It establishes a uniform method for determining and recording the effectiveness of contractors in meeting contractual obligations. Additionally, this subpart details a systematic approach for identifying and maintaining records of contractors' performance histories.

[64 FR 20203, Apr. 26, 1999]

**Subpart 1509.5—Organizational Conflicts of
Interest**

1509.170-3 Applicability.

- 1509.500 Scope of subpart.
- 1509.502 Applicability.
- 1509.503 Waiver.
- 1509.505-4 Obtaining access to proprietary information.
- 1509.505-70 Information sources.
- 1509.507-1 Solicitation provisions.
- 1509.507-2 Contract clause.

(a) This subpart applies to all EPA acquisitions in excess of \$100,000, except for architect-engineer acquisitions, acquisitions awarded under the Federal Acquisition Regulation (FAR) Subpart 8.6, Acquisitions from Federal Prison Industries, Incorporated, FAR Subpart 8.7, Acquisitions from Non-profit Agencies Employing People Who Are Blind or Severely Disabled, and FAR 13.5, Test Program for Certain Commercial Items. FAR 36.604 provides detailed instructions for architect-engineer contractor performance evaluations.

AUTHORITY: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

SOURCE: 49 FR 8839, Mar. 8, 1984, unless otherwise noted.

1509.000 Scope of part.

This part implements FAR part 9 and provides policy and procedures pertaining to contractor's responsibility; debarment, suspension, and ineligibility; and organizational conflicts of interest.

(b) The acquisition of commercial items in accordance with FAR 13.106 is not applicable to this subpart because simplified acquisition procedures do not require the creation or existence of