

**Homeland Security Department**

**3011.602**

3052.209-72, "Disclosure of Conflicts of Interest" in all solicitations for negotiated acquisitions, and when simplified acquisitions procedures in (FAR) 48 CFR Part 13, are not used. The contracting officer shall ensure the conditions enumerated in (FAR) 48 CFR 9.507-2 warrant inclusion.

**3009.507-1 Solicitation provision.**

The contracting officer shall insert a provision substantially the same as (HSAR) 3052.209-72, Organizational Conflict of Interest, in solicitations and contracts where a potential organizational conflict of interest exists and mitigation may be possible. The contracting officer shall ensure the conditions enumerated in (FAR) 48 CFR subpart 9.5 warrant inclusion. The contracting officer shall include the information required by (FAR) 48 CFR 9.507-1 and (HSAR) 3052.209-72(a).

[71 FR 25769, May 2, 2006]

**3009.507-2 Contract clause.**

The contracting officer shall insert a clause substantially the same as the clause at (HSAR) 48 CFR 3052.209-73, Limitation of Future Contracting, in solicitations and contracts when a potential organizational conflict of interest exists and mitigation is not feasible.

[71 FR 25769, May 2, 2006]

**PART 3010—MARKET RESEARCH  
[RESERVED]**

**PART 3011—DESCRIBING AGENCY  
NEEDS**

**Subpart 3011.1—Selecting and Developing  
Requirements Documents**

Sec.  
3011.103 Market acceptance.

**Subpart 3011.2—Using and Maintaining  
Requirements**

3011.204-70 Solicitation provisions and contract clauses.

**Subpart 3011.5—Liquidated Damages**

3011.501 Policy.

**Subpart 3011.6—Priorities and Allocations**

3011.602 General.

AUTHORITY: 41 U.S.C. 418b (a) and (b).

SOURCE: 68 FR 67871, Dec. 4, 2003, unless otherwise note.

**Subpart 3011.1—Selecting and  
Developing Requirements  
Documents**

**3011.103 Market acceptance.**

(a) Contracting officers may act on behalf of the head of the agency in this subpart only. Contracting officers may, under appropriate circumstances, require offerors to make the required demonstrations.

**Subpart 3011.2—Using and Main-  
taining Requirements Docu-  
ments**

**3011.204-70 Solicitation provisions  
and contract clauses.**

The contracting officer shall insert the clause at (HSAR) 48 CFR 3052.211-70, Index for Specifications, when an index or table of contents may be furnished with the specification.

**Subpart 3011.5—Liquidated  
Damages**

**3011.501 Policy.**

(d) The HCA may reduce or waive the amount of liquidated damages assessed under a contract, if the Commissioner, Financial Management Service, or designee approves.

**Subpart 3011.6—Priorities and  
Allocations**

**3011.602 General.**

(c) The following DHS Components may assign priority ratings on contracts and orders placed with contractors to acquire products, materials, and services under the Defense Priorities and Allocations System (DPAS) regulations (15 CFR part 700):

(1) The U.S. Coast Guard in support of certified national defense related programs; and