

9.506 Procedures.

(a) If information concerning prospective contractors is necessary to identify and evaluate potential organizational conflicts of interest or to develop recommended actions, *contracting officers* first *should* seek the information from within the Government or from other readily available sources. Government sources include the files and the knowledge of personnel within the *contracting office*, other *contracting offices*, the cognizant contract administration and audit activities and offices concerned with contract financing. Non-Government sources include publications and *commercial services*, such as credit rating services, trade and financial journals, and business directories and registers.

(b) If the *contracting officer* decides that a particular *acquisition* involves a significant potential *organizational conflict of interest*, the *contracting officer shall*, before issuing the *solicitation*, submit for approval to the chief of the *contracting office* (unless a higher level official is designated by the agency)-

(1) A written analysis, including a recommended course of action for avoiding, neutralizing, or mitigating the conflict, based on the general rules in [9.505](#) or on another basis not expressly stated in that section;

(2) A draft *solicitation* provision (see [9.507-1](#)); and

(3) If appropriate, a proposed *contract clause* (see [9.507-2](#)).

(c) The approving official *shall*-

(1) Review the *contracting officer's* analysis and recommended course of action, including the draft provision and any proposed clause;

(2) Consider the benefits and detriments to the Government and prospective contractors; and

(3) Approve, modify, or reject the recommendations *in writing*.

(d) The *contracting officer shall*-

(1) Include the approved provision(s) and any approved clause(s) in the *solicitation* or the contract, or both;

(2) Consider additional information provided by prospective contractors in response to the *solicitation* or during negotiations; and

(3) Before awarding the contract, resolve the conflict or the potential conflict in a manner consistent with the approval or other direction by the *head of the contracting activity*.

(e) If, during the effective period of any restriction (see [9.507](#)), a *contracting office* transfers *acquisition* responsibility for the item or system involved, it *shall* notify the successor *contracting office* of the restriction, and send a copy of the contract under which the restriction was imposed.

Parent topic: [Subpart 9.5 - Organizational and Consultant Conflicts of Interest](#)