

Subpart 917.6 - Management and Operating Contracts

Parent topic: [PART 917 - SPECIAL CONTRACTING METHODS](#)

917.600 Scope of subpart.

- (a) This subpart implements 48 CFR subpart 17.6, Management and Operating Contracts. Departmental policies, procedures, provisions and clauses to be used in the award and administration of management and operating contracts that either implement or supplement the Federal Acquisition Regulation and parts 901 through 952 of this chapter are contained in part 970.
- (b) The requirements of this subpart apply to any Department of Energy management and operating contract, including performance-based management contracts as defined in 917.601. References in this subpart to “management and operating contracts” include performance-based management contracts.

917.601 Definitions.

Performance-based contracting has the meaning contained in 48 CFR 37.101.

Performance-based management contract means a management and operating contract that employs, to the maximum extent practicable, performance-based contracting concepts and methodologies through the application of results-oriented statements of work; clear objective performance standards and measurement tools; and incentives to encourage superior contractor performance.

917.602 Policy.

- (a) The use of a management and operating contract must be authorized by the Secretary.
- (b) It is the policy of the Department of Energy to provide for full and open competition in the award of management and operating contracts, including performance-based management contracts.
- (c) A management and operating contract may be awarded or extended at the completion of its term without providing for full and open competition only when such award or extension is justified under one of the statutory authorities identified in 48 CFR 6.302 and only when authorized by the Secretary. Documentation and processing requirements for justifications for the use of other than full and open competition shall be accomplished in accordance with internal agency procedures