

# AIDAR PART 709—CONTRACTOR QUALIFICATIONS

---

## [PART 709—CONTRACTOR QUALIFICATIONS](#)

[Subpart 709.4—Debarment, Suspension and Ineligibility](#)

[709.403 Definitions.](#)

[Subpart 709.5—Organizational Conflicts of Interest](#)

[709.503 Waiver.](#)

[709.507-2 Contract clause.](#)

---

## **PART 709—CONTRACTOR QUALIFICATIONS**

### **Contents**

Subpart 709.4—Debarment, Suspension and Ineligibility

709.403 Definitions.

Subpart 709.5—Organizational Conflicts of Interest

709.503 Waiver.

709.507-2 Contract clause.

Authority: Sec. 621, Pub. L. 87-195, 75 Stat. 445, (22 U.S.C. 2381) as amended; E.O. 12163, Sept. 29, 1979, 44 FR 56673; 3 CFR, 1979 Comp., p. 435.

### **Subpart 709.4—Debarment, Suspension and Ineligibility**

#### **709.403 Definitions.**

*Debarring official* in USAID is the Assistant Administrator, Bureau for Management, or designee as delegated in Agency policy found in ADS 103—Delegations of Authority.

*Suspending official* in USAID is the Assistant Administrator, Bureau for Management, or designee as delegated in Agency policy found in ADS 103—Delegations of Authority.

[79 FR 74992, Dec. 16, 2014; 80 FR 12935, Mar. 12, 2015]

### **Subpart 709.5—Organizational Conflicts of Interest**

#### **709.503 Waiver.**

For purposes of approving waivers or further delegating the authority to approve waivers pursuant to (48 CFR) [FAR 9.503](#), the M/OAA Director is the agency head (see AIDAR [701.601\(a\)\(1\)](#)). The M/OAA Director hereby delegates the authority to approve waivers pursuant to (48 CFR) [FAR 9.503](#) to the heads of USAID contracting activities, as defined in (48 CFR) AIDAR [702.170](#).

[64 FR 42042, Aug. 3, 1999, as amended at 72 FR 19670, Apr. 19, 2007; 79 FR 74988, 74992, Dec. 16, 2014]

**709.507-2 Contract clause.**

(a)-(b) [Reserved]

(c) In order to avoid problems from organizational conflicts of interest that may be discovered after award of a contract, the clause found at [752.209-71](#) shall be inserted in all contracts whenever the solicitation or resulting contract or both include a provision in accordance with (48 CFR) [FAR 9.507-1](#), or a clause in accordance with (48 CFR) [FAR 9.507-2](#), establishing a restraint on the contractor's eligibility for future contracts.

[58 FR 42255, Aug. 9, 1993, as amended at 64 FR 5006, Feb. 2, 1999]