

responding shall be evaluated. Contracting officers shall solicit offerors through the most effective means of seeking competition, such as a local publication, which serves the area of the facility. Acquisitions of health care services using personal services contracts are exempt from posting and synopsis requirements of (FAR) 48 CFR Part 5.

(c) The contracting officer shall provide the qualifications of individuals responding to the notice to the representative(s) responsible for evaluation and ranking according to the evaluation procedures. Individuals shall be considered solely on the professional qualifications established for the particular health care services being acquired and the Government's estimate of reasonable rates, fees, or costs. The representative(s) responsible for the evaluation and ranking shall provide the contracting officer with rationale for the ranking of the individuals consistent with the required qualifications.

(d) Upon receipt of the ranked listing of offerors, the contracting officer shall either:

(1) Enter into negotiations with the highest ranked offeror. If a mutually satisfactory contract cannot be negotiated, the contracting officer shall terminate negotiations with the highest ranked offeror and enter into negotiations with the next highest, or;

(2) Enter into negotiations with all qualified offerors and select on the basis of qualifications and rates, fees, or other costs.

(e) In the event only one individual responds to an advertised requirement, the contracting officer is authorized to negotiate the contract award. In this case, the individual must still meet the minimum qualifications of the requirement and the contracting officer must be able to make a determination that the price is fair and reasonable.

(f) If a fair and reasonable price cannot be obtained from a qualified individual, the requirement should be canceled and acquired using procedures other than those set forth in this section.

(g) The total amount paid to an individual in any year for health care services under a personal services contract shall not exceed the paycap in COMDTINST M4200.19 (series), Coast Guard Acquisition Procedures.

(h) The contract may provide for the same per diem and travel expenses authorized for a Government employee, including actual transportation and per diem in lieu of subsistence for travel between home or place of business and official duty station and only for travel outside the local area in support of the statement of work.

(i) Coordinate benefits, taxes and maintenance of records with the appropriate office(s).

(j) The contracting officer shall insure that contract funds are sufficient to cover all contingency items that may be cited in the statement of work for health care services.

3037.110-70 Solicitation provisions and contract clauses.

(a) Contracting officers shall insert the clause at (HSAR) 48 CFR 3052.237-70, Qualifications of Contractor Employees, in all solicitations and contracts for services, which require contract employees to have recurring access to Government facilities, sensitive information, including proprietary data or resources. This may include Information Technology (IT) requirements for design, development, or operation and maintenance of sensitive application in non-DHS or DHS facilities.

(b) In addition to the (HSAR) clause 48 CFR 3052.237-70, the contracting officer shall also include the contract clauses, (HSAR) clause 48 CFR 3052.237-71, "Information Systems Access for Contractors" and (HSAR) clause 48 CFR 3052.237-72, "Contractor Personnel Screening for Unclassified Information Technology".

(c) The contracting officer shall also include (HSAR) clause 48 CFR 3052.204-70, "Information Technology Security Plan" in solicitations and contracts when the prescription at paragraph (a) above applies.

PART 3038—FEDERAL SUPPLY SCHEDULE CONTRACTING—[RESERVED]

PART 3039—ACQUISITION OF INFORMATION TECHNOLOGY—[RESERVED]

PART 3040—[RESERVED]

PART 3041—ACQUISITION OF UTILITY SERVICES—[RESERVED]

PART 3042—CONTRACT ADMINISTRATION AND AUDIT SERVICES

Subpart 3042.2—Contract Administration Services

Sec.

3042.202 Assignment of contract administration.

3042.202-70 Contract clauses.

Subpart 3042.15—Contractor Performance Information

3042.1502 Policy.

Subpart 3042.70—Contracting Officer's Technical Representative

3042.7000 Contract clause.

Subpart 3042.2—Contract Administration Services

3042.202 Assignment of contract administration.

3042.202-70 Contract clauses.

(a) The contracting officer may use the clause at (HSAR) 48 CFR 3052.242-70, Dissemination of Information—Educational Institutions, in lieu of the clause at (HSAR) 48 CFR 3052.242-71, Dissemination of Contract Information, in DHS research contracts with educational institutions, except contracts that require the release or coordination of information.

(b) The contracting officer may insert the clause at (HSAR) 48 CFR 3052.242-71, Dissemination of Contract Information, in all DHS contracts except contracts that require the release or coordination of information.

Subpart 3042.15—Contractor Performance Information

3042.1502 Policy.

(a) OEs shall use the Contractor Performance System (CPS) for evaluating contractor performance in accordance with (FAR) 48 CFR 42.1502 and part 1503.

Subpart 3042.70—Contracting Officer's Technical Representative

3042.7000 Contract clause.

The contracting officer shall insert the clause at (HSAR) 48 CFR 3052.242-72, Contracting Officer's Technical Representative, in solicitations and contracts when it is intended that a representative will be assigned to the contract to perform functions of a technical nature.

PART 3043—CONTRACT MODIFICATIONS—[RESERVED]

PART 3044—SUBCONTRACTING POLICIES AND PROCEDURES—[RESERVED]

PART 3045—GOVERNMENT PROPERTY

Subpart 3045.5—Management of Government Property in the Possession of Contractors

Sec.

3045.505 Records and reports of Government property.

3045.505-14 Reports of Government property.

3045.505-70 Solicitation provisions and contract clauses.

3045.508 Physical inventories.