

understanding of the contract requirements (including labor standards provisions) and the rights and obligations of the parties.

### Subpart 1236.5—Contract Clauses

#### 1236.570 Special precautions for work at operating airports.

Where any acquisition will require work at an operating airport, insert the clause at (TAR) 48 CFR 1252.236-70, Special Precautions for Work at Operating Airports, in solicitations and contracts.

### Subpart 1236.6—Architect-Engineer Services

#### 1236.602 Selection of firms for architect-engineer contracts.

##### 1236.602-1 Selection criteria.

(a) Appropriate criteria in addition to those under (FAR) 48 CFR 36.602-1(a) may include, but are not limited to, the criteria listed below. The extent to which these criteria are used will depend on the size and the complexity of the project. For instance, for small and straight-forward projects, particularly those under the small purchase limitation, the data provided by the SFs 254 and 255 may provide an adequate measure of the firm's experience and qualification required for the project. However, on large and more complex projects, the evaluation criteria should be extended to consider such factors as the firm's suggested design approach, methods, and design ability, such as:

(1) *Capability of the firm to accomplish the work:* (i) Relevant, recent experience and technical knowledge of key project personnel and key outside consultants;

(ii) Total number of personnel the Architect-Engineer (A-E) firm employs in the technical disciplines required for the proposed work.

(2) *Capacity of the firm to accomplish the work.* In assessing the firm's capacity to accomplish the work in the required time, consideration shall be given to the firm's current workload, total number of ongoing projects, and percentage of completion.

(3) *Design ability and understanding of the requirements:*

(i) Technical approach (planning and design process, overall planning and design philosophy), possible concepts (narrative), special design opportunities, innovative design possibilities (including environmental), and provisions for the handicapped;

(ii) Understanding of, and experience in, energy conservation design:

(A) Approach to maximizing energy conservation;

(B) Project building and equipment systems that would significantly impact energy consumption;

(C) Criteria and engineering considerations to be used in building and equipment design; and

(D) Examples of previously used design techniques and measure of results (in BTUs consumed per square foot or energy costs);

(iii) Proposed project schedule and personnel-loading plan;

(iv) Quality of examples of previous work; and

(v) Major awards and other major recognition the firm or members of the firm have received for design excellence.

##### (4) *Organization and management:*

(i) Project team organization and key personnel roles and responsibilities;

(ii) Project management procedures such as coordination of design effort among technical disciplines;

(iii) Methods used to control project schedule and construction cost estimates; and

##### (iv) Quality control procedures.

##### (5) *Record of past performance:*

(i) Accuracy of construction cost estimates (compared to construction bids received and value of awarded construction contract(s));

(ii) Number, dollar amount and reason for construction change orders, if any; and

(iii) A-E/client relationship (for Government contracts, the above information is available from SF 1421, Performance Evaluation (A-E)).

(b) If a design competition is to be used, written approval by the COCO shall be obtained prior to soliciting proposals.

(c) The following evaluation criterion shall be used in the A-E evaluation process for A-E acquisitions above the

small purchase limitation. The criterion shall be evaluated separately from other criteria and added to the basic evaluation rating for a composite rating.

*Minority and Women Employment*—A criterion related to evaluating the number of minorities and women in all relevant job classifications and pay scales that will actually work on the project in comparison to the number of qualified minorities and women of the same job classification and pay scale located in the Standard Metropolitan Statistical Area (SMSA) where the work is to be performed.

## PART 1237—SERVICE CONTRACTING

### Subpart 1237.1—Service Contracts—General

1237.110 Solicitation provisions and contract clauses.

### Subpart 1237.70—Department of Transportation Procedures for Acquiring Training Services

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### Subpart 1237.90—Mortuary Services

1237.9000 Solicitation provisions and contract clauses. (USCG)

### Subpart 1237.104—Personal Services Contracts

1237.104-90 Delegation of authority. (USCG)

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

### Subpart 1237.1—Service Contracts—General

#### 1237.110 Solicitation provisions and contract clauses.

Contracting officers shall insert the clause at (TAR) 48 CFR 1252.237-70, Qualifications of Employees, in all solicitations and contracts for services which require contract performance at a Government facility.

[59 FR 40284, Aug. 8, 1994]

### Subpart 1237.70—Department of Transportation Procedures for Acquiring Training Services

SOURCE: 61 FR 391, Jan. 5, 1996, unless otherwise noted.

#### 1237.7000 Policy.

When training services are provided under contract to DOT, it is the policy of DOT that all prospective contractors:

(a) Certify that the data provided concerning company qualifications, background statements, etc., is current, accurate, and complete; and

(b) Agree to not solicit or advertise private, non-Government training while conducting a training course.

#### 1237.7001 Certification of data.

Towards fulfilling DOT's policy at (TAR) 48 CFR 1237.7000(a), contracting officers shall request information from prospective contractors for certification purposes. The type of information requested is dependent upon the criticality of the service and/or any unique or essential qualification requirements.

#### 1237.7002 Applicability.

The policy at (TAR) 48 CFR 1237.7000 applies to all DOT contracts as defined in FAR 2.101 for training services when DOT controls the content and/or presentation of the course. This policy does not apply to courses attended by DOT employees which are offered and sponsored by Government sources of supply, educational institutions, or private entities where DOT does not control the course content or presentation. (See (TAR) 48 CFR 1213.7100 for examples.)

#### 1237.7003 Solicitation provision and contract clause.

(a) The contracting officer shall insert the provision at (TAR) 48 CFR 1252.237-71, Certification of Data, in solicitations and the clause at (TAR) 48 CFR 1252.237-72, Prohibition on Advertising, in solicitations and contracts for training services when the content and/or presentation of the course is controlled by DOT.

(b) Contracting officers shall incorporate the successful offeror's certified data into any resultant contract(s).