

recommendation with supporting justification, recommending that negotiations be conducted with the prospective contractor(s) selected by the evaluation panel. The selection recommendation shall be transmitted to the contracting officer together with the complete official file on the project which was being maintained by the evaluation panel.

(7) The contracting officer will review the selection recommendation, obtain necessary cost and other data, and proceed to negotiate with the recommended sources.

[52 FR 6159, Mar. 2, 1987, as amended at 54 FR 28069, July 5, 1989; 55 FR 6802, Feb. 27, 1990; 62 FR 40467, July 29, 1997; 62 FR 45334, Aug. 27, 1997; 62 FR 47532, Sept. 9, 1997]

PART 716—TYPES OF CONTRACTS

Subpart 716.3—Cost Reimbursement Contracts

Sec.

716.303 Cost-sharing contracts.

716.306 Cost-plus-fixed-fee contracts.

Subpart 716.5 [Reserved]

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 716.3—Cost Reimbursement Contracts

716.303 Cost-sharing contracts.

(a)-(b) [Reserved]

(c) *Limitations.* In addition to the limitations specified in FAR 16.301-3, prior approval of the USAID Procurement Executive (see 702.170-13) is required in

order to use a cost-sharing contract with an educational institution.

[54 FR 46390, Nov. 3, 1989]

716.306 Cost-plus-fixed-fee contracts.

(a)-(b) [Reserved]

(c) The Contracting Officer is authorized to sign the D&F specified in FAR 16.306(c)(2).

[58 FR 8702, Feb. 17, 1993]

Subpart 716.5 [Reserved]

PART 717—SPECIAL CONTRACTING METHODS

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 717.70—Pharmaceutical Products

717.700 General.

Section 606(c) of the Foreign Assistance Act bars procurement by the Government of drug and pharmaceutical products manufactured outside the United States if their manufacture involves the use of or is covered by an unexpired U.S. patent which has not been held invalid by an unappealed or unappealable court decision unless the manufacture is expressly authorized by the patent owner. Applicable policies and procedures are set forth in USAID Automated Directive System Chapter 312.

[49 FR 13243, Apr. 3, 1984, as amended at 61 FR 39092, July 26, 1996]