

## Department of Energy

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(4) Experience and qualifications of proposed consultants and subcontractors; and

(5) Ability to assign adequate qualified personnel from the proposed organization (firms own organization, joint-venture organizations, consulting firms etc.) including key personnel and a competent supervising representative.

(c) Additional (or special) criteria developed for the specific project shall be considered and evaluated as may be appropriate.

[49 FR 12016, Mar. 28, 1984, as amended at 68 FR 6358, Feb. 7, 2003]

### **936.609-3 Work oversight in architect-engineer contracts.**

In addition to the clause at FAR 52.236-24, the contracting officer shall insert the clause at 952.236-71 in architect-engineer contracts.

### **Subpart 936.7—Standard and Optional Forms for Contracting for Construction, Architect-Engineer Services, and Dismantling, Demolition or Removal of Improvements**

#### **936.702 Forms for use in contracting for architect-engineer services.**

(a) The contracting officer shall also include the additional terms at 952.236-70 in Standard Form 252 item 6.

### **Subpart 936.71—Inspection and Acceptance**

#### **936.7100 Scope of subpart.**

This subpart implements and supplements FAR Part 36 by prescribing the policies and requirements for inspection and acceptance under construction contracts.

#### **936.7101 Construction contracts.**

(a) Inspection services may be performed by the architect-engineer responsible for the design. Inspection services may not be procured from a construction contractor with respect to its own work.

(b) When one contractor is to inspect the work of another, the inspection contractor will be given written instructions defining its responsibilities and stating that it is not authorized to

modify the terms and conditions of the contract, to direct additional work, to waive any requirements of the contract, or to settle any claim or dispute. Copies of the instructions will be given to the contractor who is to be inspected, with a request to acknowledge receipt on a copy to be returned to the contracting officer. In this manner, both contractors are on express notice of the authority and limitations of the authority of the inspecting contractor.

## **PART 937—SERVICE CONTRACTING**

### **Subpart 937.70—Protective Services Contracting**

Sec.

937.7040 Contract clauses.

AUTHORITY: 42 U.S.C. 7254; 40 U.S.C. 486(c).

### **Subpart 937.70—Protective Services Contracting**

SOURCE: 58 FR 36151, July 6, 1993, unless otherwise noted.

#### **937.7040 Contract clauses.**

The contracting officer shall insert the clause at 952.237-70 entitled "Collective bargaining agreements—protective services" in all protective services solicitations and contracts involving DOE-owned facilities requiring continuity of services for public safety and national defense reasons. See also, 922.103-5, Contract clauses, which prescribes use of the clause at FAR 52.222-1, Notice to the Government of Labor Disputes.

## **PART 939—ACQUISITION OF INFORMATION TECHNOLOGY**

### **Subpart 939.70—Implementing DOE Policies and Procedures**

Sec.

939.7000 Scope.

939.7001 Outdated information technology equipment.

939.7002 Contractor acquisition of information technology.

AUTHORITY: 42 U.S.C. 7254; 40 U.S.C. 486(c).

SOURCE: 62 FR 53758, Oct. 16, 1997, unless otherwise noted.