

## SUBCHAPTER B—COMPETITION AND ACQUISITION PLANNING

### PART 505 [RESERVED]

### PART 509—CONTRACTOR QUALIFICATIONS

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AUTHORITY: 40 U.S.C. 121(c).

SOURCE: 64 FR 37207, July 9, 1999, unless  
otherwise noted.

#### Subpart 509.1—Responsible Prospective Contractors

##### 509.105 Procedures.

##### 509.105-1 Obtaining information.

(a) *From a prospective contractor.* FAR 9.105-1 lists a number of sources of information that a contracting officer may utilize before making a determination of responsibility. The contracting officer may request information directly from a prospective con-

tractor using GSA Form 527, Contractor's Qualifications and Financial Information, but only after exhausting other available sources of information.

(b) *From Government personnel.* The contracting officer may solicit and consider information from any appropriate activities, e.g., legal counsel, quality control, contract management, credit and finance, and auditors before determining that an offeror is responsible.

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##### 509.105-2 Determinations and docu- mentation.

(a) The contracting officer shall provide written notification to a prospective contractor determined not responsible. Include the basis for the determination. Notification provides the prospective contractor with the opportunity to correct any problem for future solicitations.

(b) Due to the potential for de facto debarment, the contracting officer shall avoid making repeated determinations of nonresponsibility based on the same past performance information.

(c) To provide for timely consideration of the need to institute action to debar a contractor, the contracting officer shall submit a copy of each nonresponsibility determination, other than those based on capacity or financial capability, to the Suspension and Debarment Official in the Office of the Chief Acquisition Officer.

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##### 509.106-2 Requests for preaward sur- veys.

*Federal Supply Service (FSS).* Contracting activities in FSS may use GSA Form 353, Performance Evaluation & Facilities Report, in lieu of SF 1403 through 1406. Complete Section I in accordance with instructions in 553.370-353-I.

#### Subpart 509.2 [Reserved]