



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

MAY 6, 2002

Department of the Interior Acquisition Policy Release (DIAPR) 2002-7

Subject: **CONTRACTOR RESPONSIBILITY DETERMINATIONS UNDER
INDEFINITE DELIVERY/ INDEFINITE QUANTITY (IDIQ) CONTRACTS**

1. **Purpose.** This DIAPR authorizes a class deviation from Federal Acquisition Regulation (FAR) Part 9 procedures concerning awards to IDIQ contractors who have been debarred or suspended.

2. **Effective Date.** Upon signature.

3. **Expiration Date.** Upon issuance of a pertinent FAR change.

4. **Background and Explanation.**

When a contractor has been debarred, suspended, or proposed for debarment, FAR prohibits future awards to that company unless high level approval is obtained. Termination of existing contracts held by a debarred contractor is optional. In cases where a debarred contractor holds a pre-existing IDIQ contract, FAR 9.405-1(b) specifically allows agencies to continue to place orders against it. Although this language does not require such awards, we have determined that allowing orders to be placed with debarred contractors in an unrestrained manner does not adequately protect the Department of the Interior's interests. Therefore, deviation from this FAR provision is necessary.

In order to ensure that Interior only makes awards to debarred contractors when it is absolutely necessary, the following change to Departmental policy is hereby established. When an IDIQ contract holder has been debarred, suspended or proposed for debarment, contracting officers must obtain Head of the Contracting Activity approval in accordance with DIAR 1409.405-1 before:

- * Placing orders exceeding the guaranteed minimum under indefinite quantity contracts;
- * Placing orders against Federal Supply Schedule contracts when Interior is an optional user.

Contracting officers are reminded that they must always make the affirmative determination of present responsibility required by FAR 9.1, regardless of dollar value or contract type.

5. **Action Required.**

Obtain HCA approval prior to placing orders with debarred holders of IDIQ contracts.

Please disseminate this guidance within your bureau. Contact Ms. Dee Emmerich of this office on (202) 208-3348 if you have any questions regarding this policy issuance.

Debra E. Sonderman

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