

2-6 Determination of Contractor Eligibility.

a. In reviewing eligibility, Contracting Officers should initially restrict their pool of eligible sources to governmental or commercial entities that originate or are chartered/incorporated within NATO-member nations that provide the funding for the ACO/ACT HQs and/or specific requirement. As a general rule, Contracting Officers will allow all eligible, interested, and responsible companies to compete for NATO business.

b. When compliant supplies or services are not available from supporting NATO-member governments and companies, Contracting Officers must request authorisation of departure from the normal method of procurement in accordance with paragraph 2.4. With proper authorisation, the following sources should be considered in order of precedence:

- (1) Commercial or governmental sources from non-funding NATO nations.
- (2) Commercial sources from nations participating in the Partnership for Peace (PfP) programme.
- (3) Commercial sources from non-NATO, non-Partner nations upon whose territory NATO HQs or forces are deployed.
- (4) Commercial sources from other non-NATO, non-Partner nations.

2-7 Determination of Contractor Responsibility.

a. Pre-award surveys should be conducted in order to assess whether eligible sources of supplies or services have historically been responsible and responsive. Governmental or commercially available financial reports serve as a good starting point. The purpose for conducting such surveys is to ensure that:

- (1) Purchases are made from, and contracts are only awarded to, responsible prospective contractors.
- (2) No purchase or award shall be made unless the Contracting Officer makes an affirmative determination of responsibility.

b. To be determined responsible, a prospective contractor must, at least:

- (1) Have adequate financial resources to perform the contract, or the ability to obtain them.
- (2) Be able to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and business commitments.
- (3) Have a satisfactory performance record.