

Subpart 9.6 - Contractor Team Arrangements

Parent topic: [Part 9 - Contractor Qualifications](#)

9.601 Definition.

Contractor team arrangement, as used in this subpart, means an arrangement in which-

- (1) Two or more companies form a partnership or joint venture to act as a potential prime contractor; or
- (2) A potential prime contractor agrees with one or more other companies to have them act as its subcontractors under a specified Government contract or *acquisition* program.

9.602 General.

(a) *Contractor team arrangements* may be desirable from both a Government and industry standpoint in order to enable the companies involved to-

- (1) Complement each other's unique capabilities; and
- (2) *Offer* the Government the best combination of performance, cost, and delivery for the system or product being acquired.

(b) *Contractor team arrangements* may be particularly appropriate in complex research and development *acquisitions*, but *may* be used in other appropriate *acquisitions*, including production.

(c) The companies involved normally form a *contractor team arrangement* before submitting an *offer*. However, they *may* enter into an arrangement later in the *acquisition* process, including after contract award.

9.603 Policy.

The Government will recognize the integrity and validity of *contractor team arrangements*; *provided*, the arrangements are identified and company relationships are fully disclosed in an *offer* or, for arrangements entered into after submission of an *offer*, before the arrangement becomes effective. The Government will not normally require or encourage the dissolution of *contractor team arrangements*.

9.604 Limitations.

Nothing in this subpart authorizes *contractor team arrangements* in violation of antitrust statutes or limits the Government's rights to-

- (a) Require *consent to subcontracts* (see [subpart 44.2](#));
- (b) Determine, on the basis of the stated *contractor team arrangement*, the responsibility of the prime contractor (see [subpart 9.1](#));
- (c) Provide to the prime contractor data rights owned or controlled by the Government;
- (d) Pursue its policies on competitive *contracting*, subcontracting, and *component* breakout after initial production or at any other time; and
- (e) Hold the prime contractor fully responsible for contract performance, regardless of any team arrangement between the prime contractor and its subcontractors.