536.103 Methods of Contracting.

(a) Except as provided in paragraph (b) of this subsection, although CMc contracts are considered incentive-type contracts (see <u>536.207</u>), contracting officers are authorized to use the CMc project delivery method without completing a determination and finding as required by <u>FAR 16.401(d)</u>. Contracting officers shall discuss the CMc project delivery method as part of the acquisition plan (see <u>FAR 7.105</u>).

(b) To the extent the contracting officer incorporates an award-fee component into the CMc (in addition to the shared savings incentive), then the determination and finding required by FAR 16.401(d) is required to support any such award-fee.

(c) The contracting officer shall use the tradeoff process as described in <u>FAR 15.101-1</u>, unless a different source selection approach is approved in writing by the HCA, for selecting a construction contractor under the CMc project delivery method, and select sources in accordance with subpart 536.7103.

Parent topic: Subpart 536.1 - General