

3.1106 Contract clause.

(a) Insert the clause at [52.203-16](#), Preventing Personal Conflicts of Interest, in *solicitations* and contracts that-

(1) Exceed the *simplified acquisition threshold*; and

(2) Include a requirement for services by contractor employee(s) that involve performance of *acquisition* functions closely associated with *inherently governmental functions* for, or on behalf of, a *Federal agency* or department.

(b) If only a portion of a contract is for the performance of *acquisition* functions closely associated with *inherently governmental functions*, then the *contracting officer shall* still insert the clause, but *shall* limit applicability of the clause to that portion of the contract that is for the performance of such services.

(c) Do not insert the clause in *solicitations* or contracts with a self-employed individual if the *acquisition* functions closely associated with *inherently governmental functions* are to be performed entirely by the self-employed individual, rather than an employee of the contractor.

Parent topic: [Subpart 3.11 - Preventing Personal Conflicts of Interest for Contractor Employees Performing Acquisition Functions](#)