

State/location	Community No.	Effective date of eligibility	Current effective map date
Michigan: Ross, township of, Kalamazoo County .....	260624	July 24, 1975, Emerg.; Mar. 15, 1982, Reg.; Oct. 6, 1982, Susp.; May 23, 1997, Rein.	Mar. 15, 1982.
<b>Regular Program Conversions</b>			
<b>Region IX</b>			
California:			
Blue Lake, city of, Humboldt County .....	060438	May 5, 1997, Suspension Withdrawn .....	May 5, 1997.
Marin County, unincorporated areas .....	060173	.....do .....	Do.
<b>Region III</b>			
Pennsylvania: Stroudsburg, borough of, Monroe County.	420694	May 19, 1997, Suspension Withdrawn .....	May 19, 1997.
<b>Region IV</b>			
Georgia: Jasper County, unincorporated areas .....	130519	.....do .....	Do.
<b>Region V</b>			
Illinois:			
Huntley, village of, Kane and McHenry Counties ...	170480	.....do .....	Do.
McHenry County, unincorporated areas .....	170732	.....do .....	Do.
Minnesota: North Branch, city of, Chisago County .....	270072	.....do .....	Do.
<b>Region VI</b>			
Louisiana: Caddo Parish, unincorporated areas .....	220361	.....do .....	Do.
Oklahoma:			
Blackwell, city of, Kay County .....	400078	.....do .....	Do.
Kay County, unincorporated areas .....	400477	.....do .....	Do.
<b>Region IX</b>			
California: Angels, city of, Calaveras County .....	060021	.....do .....	Do.

<sup>1</sup> The Town of Stokedale has adopted the Guilford County (CID #137001) Flood Insurance Rate Map dated Dec. 5, 1989, panels 0002 and 0010B.

<sup>2</sup> The Town of Bogue has adopted the Carteret County (CID # 370491) Flood Insurance Rate Map dated Dec. 19, 1996.

<sup>3</sup> The Town of White Lake has adopted the Blade County (CID # 370293) Flood Insurance Rate Map dated Sept. 1, 1989.

<sup>4</sup> The Town of Fremont has adopted the Wayne County (CID # 370254) Flood Insurance Rate Map dated Sept. 30, 1983.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Rein.—Reinstatement; Susp.—Suspension; With.—Withdrawn; SFHA—Non Special Flood Hazard Area.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Issued: June 16, 1997.

**Richard W. Krimm,**

*Executive Associate Director, Mitigation Directorate.*

[FR Doc. 97-16227 Filed 6-19-97; 8:45 am]

BILLING CODE 6718-05-P

## ENVIRONMENTAL PROTECTION AGENCY

**48 CFR Parts 1501, 1504, 1505, 1509, 1513, 1514, 1515, 1516, 1517, 1519, 1522, 1523, 1532, 1533, 1542, 1545, 1546, 1548, and 1552**

[FRL-5842-9]

### Acquisition Regulation; Administrative Amendments

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is redesignating section numbering in the EPA Acquisition Regulation (EPAAR) (48 CFR Chapter 15) to parallel corresponding Federal Acquisition Regulation (FAR) sections, is removing from the EPAAR

unnecessary coverage that duplicates existing FAR coverage, and making other administrative changes.

**EFFECTIVE DATE:** June 20, 1997.

#### FOR FURTHER INFORMATION CONTACT:

Louise Senzel, Environmental Protection Agency, Office of Acquisition Management (3802F), 401 M Street, SW, Washington, D.C. 20460. Telephone: (202) 260-6204.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

This final rule updates section numbering to parallel corresponding FAR sections numbering, eliminates EPAAR coverage that duplicates existing FAR coverage, and makes other administrative changes.

##### B. Executive Order 12866

The final rule is not a significant regulatory action for the purposes of Executive Order 12866; therefore, no review is required by the Office of Information and Regulatory Affairs.

##### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this final rule does not contain information collection requirements that require the approval

of OMB under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.)

#### D. Regulatory Flexibility Act

The EPA certifies that this final rule does not exert a significant economic impact on a substantial number of small entities. The requirements to contractors under the final rule impose no reporting, record-keeping, or any compliance costs.

#### E. Unfunded Mandates

This final rule will not impose unfunded mandates on state or local entities, or others.

**List of Subjects in 48 CFR Parts 1501, 1504, 1505, 1509, 1513, 1514, 1515, 1516, 1517, 1519, 1522, 1523, 1532, 1533, 1542, 1545, 1546, 1548, and 1552**

Government procurement.

**Authority:** The provisions of this regulation are issued under 5 U.S.C. 301; Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

Therefore, 48 CFR Chapter 15 is amended as set forth below:

1. The authority citation for parts 1501, 1504, 1505, 1509, 1513, 1514, 1515, 1516, 1517, 1519, 1522, 1523, 1532, 1533, 1542, 1545, 1546, 1548, and 1552 continues to read as follows:

**Authority:** Sec. 205(c), 63 stat. 390, as amended, 40 U.S.C. 486(c).

2. Section 1501.104 is redesignated as 1501.105 and section 1501.103 is redesignated as 1501.104 and is revised to read as follows:

**1501.104 Applicability.**

The FAR (48 CFR chapter 1) and the EPAAR (48 CFR chapter 15) apply to all EPA acquisitions as defined in part 2 of the FAR, except where expressly excluded.

3. Section 1501.104-1 is redesignated as 1501.105-1, and 1501.104-2 is redesignated as 1501.105-2, the FAR reference "1.104-2(c)" in newly designated 1501.105-2 is revised to read "1.105-2(c)", and section 1501.104-3 is redesignated as 1501.105-3.

4.-5. Section 1501.602-3 is amended by removing paragraph (a), and redesignating paragraphs (b) through (f) as (a) through (e) respectively.

5-6. Section 1505.203 is amended by revising the FAR reference "5.203 (b) or (c)" to read "5.203 (c) or (d)" and revising "5.203(d)" to read "5.203(e)".

7. Section 1509.507-1(b) is revised to read as follows:

**1509.507-1 Solicitation provisions.**

\* \* \* \* \*

**(b) Required solicitation provision.**

The Contracting Officer shall include the provisions at 1552.209-70 and 1552.209-72 in all solicitations, except where the following applies:

(1) An Organizational Conflict of Interest provision is drafted for a particular acquisition (see Section 1509.507-1(a));

(2) When the procurement is with another Federal agency (however, the provision is included in solicitations issued under the Small Business Administration's (SBA) 8(a) program); and

(3) When the procurement is accomplished through simplified acquisition procedures, use of the provision is optional.

8. Section 1513.404 is redesignated as 1515.403.

9. Section 1513.505-2 is redesignated as the text of 1513.505.

10. Section 1514.000 is removed.

11. Section 1514.205-5 is removed.

12. Section 1515.413 paragraph (c) is removed and paragraphs (d), (e), (f), and (g) are redesignated as (c), (d), (e) and (f).

13. Section 1515.600 is removed.

14. Section 1515.603 is removed.

15. Section 1515.608 is amended by revising paragraphs (a)(1), and (a)(2) to read as follows:

**1515.608 Proposal evaluation.**

(a) \* \* \*

(1) The evaluation of technical proposals (including past performance factors) shall be accomplished using the following scoring plan or one specifically developed for the solicitation, e.g., other numeric, adjectival or color rating systems. Contracting Officers may request that the TEP also indicate whether proposals are acceptable or unacceptable, and/or whether the offerors' responses to individual criteria are acceptable or unacceptable.

**SCORING PLAN**

Value	Descriptive statement
0 .....	The factor is not addressed, or is totally deficient and without merit.
1 .....	The factor is addressed, but contains deficiencies and/or weaknesses that can be corrected only by major or significant changes to relevant portions of the proposal, or the factor is addressed so minimally or vaguely that there are widespread information gaps. In addition, because of the deficiencies, weaknesses, and/or information gaps, serious concerns exist on the part of the TEP about the offeror's ability to perform the required work.
2 .....	Information related to the factor is incomplete, unclear, or indicates an inadequate approach to, or understanding of the factor. The TEP believes there is question as to whether the offeror would be able to perform satisfactorily.
3 .....	The response to the factor is adequate. Overall, it meets the specifications and requirements, such that the TEP believes that the offeror could perform to meet the Government's minimum requirements.
4 .....	The response to the factor is good with some superior features. Information provided is generally clear, and the approach is acceptable with the possibility of more than adequate performance.
5 .....	The response to the factor is superior in most features.

(2) **Ranking.** The use of pre-established cut-off scores to determine the competitive range or the source to be selected is prohibited. Each member of the TEP shall independently evaluate and score each offer. The TEP shall develop a consensus opinion on the scores assigned to each offer. The averaging of individual TEP members'

scores to arrive at an overall panel score is prohibited.

\* \* \* \* \*

16. Section 1515.609 is amended by revising paragraph (a), by removing paragraph (b), and by redesignating paragraph (c) as (b) and revising newly designated paragraph (b) (1) and (2) to read as follows:

**1515.609 Competitive range.**

(a) The Contracting Officer shall prepare the determination of the competitive range for the subsequent approval of the SSO only if the determination is tantamount to selection, for example when there is only a single offeror in the competitive range or when there are only two proposals in the competitive range and multiple awards are anticipated. All determinations must be completely documented to support the competitive range decision.

(b)(1) When there is only one proposal in the competitive range, the Contracting Officer shall examine the solicitation to determine if it was unduly restrictive. As part of the discussion in the competitive range determination, the Contracting Officer shall address at a minimum, the following four factors: whether the requirement could have been broken up into smaller components; whether the solicitation provided adequate response time; whether the requirement could have been satisfied with reduced staffing levels (discussion may be combined with the first factor); and if applicable, whether the work required on-site could otherwise be performed at a contractor's facility, avoiding the cost and logistical implications of relocating employees. If it is determined that unduly restrictive requirements inhibited competition, the Contracting Officer shall consider appropriate changes to those requirements and cancellation and reissuance of the solicitation.

(2) In cases where only a single proposal has been received and a competitive range determination has not been prepared, the discussion of the reasons for receipt of the single proposal which otherwise would be contained in the competitive range determination shall be included in the source selection document. The discussion in the source selection document at a minimum shall address the factors referenced in paragraph (b)(1) of this section. If it is determined that unduly restrictive requirements inhibited competition, the Contracting Officer shall consider appropriate changes to those

requirements and cancellation and reissuance of the solicitation.

\* \* \* \* \*

17. Section 1515.611 is removed.  
18. Section 1516.000 is removed.  
19. Section 1516.404-270 is removed.  
20. Section 1516.404-271 is removed.  
21.-22. Section 1517.200 is removed.  
23. Section 1519.000 is removed.  
24. Section 1522.000 is removed.  
25.-26. Section 1532.000 is removed.  
27. Section 1533.000 is removed.  
28. Section 1542.000 is removed.  
29. Section 1542.700 is removed.  
30. Section 1542.705-70 is revised to read as follows:

**1542.705-70 Solicitation and contract clause.**

The Contracting Officer shall insert the clause in 1552.242-70, Indirect Costs, in solicitations and contracts where indirect costs apply, unless contracting with an educational institution where there are approved predetermined final indirect cost rates.

31. Section 1545.000 is removed.  
32. Section 1546.000 is removed.

33.-34. Section 1552.209-70 is amended by removing paragraphs (a) through (c) and revising the introductory text to read as follows:

**1552.209-70 Organizational Conflict of Interest Notification.**

As prescribed in 1509.507-1(b) insert the following solicitation provision in all solicitations.

\* \* \* \* \*

35. The introductory text of section 1552.211-70 is amended by revising the reference "1510.011-70" to read "1511.011-70."

36. The introductory text of section 1552.211-72 is amended by revising the reference "1510.011-72" to read "1511.011-72."

37. The introductory text of section 1552.211-73 is amended by revising the reference "1512.104(a)" to read "1511.011-73."

38. The introductory text of Section 1552.211-74 is amended by revising the reference "1512.104(b)" to read "1511.011-74."

39. The introductory text of Section 1552.211-75 is amended by revising the

reference "1510.011-75" to read "1511.011-75."

40. The introductory text of Section 1552.211-76 is amended by revising the reference "1510.011-76" to read "1511.011-76."

41. The introductory text of Section 1552.211-77 is amended by revising the reference "1510.011-77" to read "1511.011-77."

42. The introductory text of Section 1552.211-78 is amended by revising the reference "1510.011-78" to read "1511.011-78."

43. The introductory text of Section 1552.211-79 is amended by revising the reference "1510.011-79" to read "1511.011-79."

44. The introductory text of Section 1552.209-75 is amended by revising the reference "1510.011-80" to read "1509.507-2(d)."

Dated: May 20, 1997.

**Betty L. Bailey,**

*Director, Office of Acquisition Management.*

[FR Doc. 97-15856 Filed 6-19-97; 8:45 am]

BILLING CODE 6560-50-P