Defence Acquisition Regulations System, DOD 246.710

246.601 General.
See Appendix F, Material Inspection and Receiving Report, for procedures and instructions for the use, preparation, and distribution of—
(1) The Material Inspection and Receiving Report (DD Form 250 series); and
(2) Supplier’s commercial shipping/packing lists used to evidence Government contract quality assurance.

[71 FR 27647, May 12, 2006]

246.701 Definitions.
Acceptance, as defined in FAR 46.701 and as used in this subpart and in the warranty clauses at FAR 52.246–17, Warranty of Supplies of a Noncomplex Nature; FAR 52.246–18, Warranty of Supplies of a Complex Nature; FAR 52.246–19, Warranty of Systems and Equipment Under Performance Specifications or Design Criteria; and FAR 52.246–20, Warranty of Services, includes the execution of an official document (e.g., DD Form 250, Material Inspection and Receiving Report) by an authorized representative of the Government.
Defect, as used in this subpart, means any condition or characteristic in any supply or service furnished by the contractor under the contract that is not in compliance with the requirements of the contract.

246.704 Authority for use of warranties.
(1) The chief of the contracting office must approve use of a warranty, except in acquisitions for—
(i) Commercial items (see FAR 46.709);
(ii) Technical data, unless the warranty provides for extended liability (see 246.708);
(iii) Supplies and services in fixed-price type contracts containing quality assurance provisions that reference higher-level contract quality requirements (see 246.202–4); or
(iv) Supplies and services in construction contracts when using the warranties that are contained in Federal, military, or construction guide specifications.
(2) The chief of the contracting office shall approve the use of a warranty only when the benefits are expected to outweigh the cost.

[71 FR 27647, May 12, 2006]

246.705 Limitations.
(a) In addition to the exceptions provided in FAR 46.705(a), warranties in the clause at 252.246–7001, Warranty of Data, may be used in cost-reimbursement contracts.

[71 FR 27647, May 12, 2006]

246.706 Warranty terms and conditions.

[71 FR 27647, May 12, 2006]

246.707 Warranties of data.
Obtain warranties on technical data when practicable and cost effective. Consider the factors in FAR 46.703 in deciding whether to obtain warranties of technical data. Consider the following in deciding whether to use extended liability provisions—
(1) The likelihood that correction or replacement of the nonconforming data, or a price adjustment, will not give adequate protection to the Government; and
(2) The effectiveness of the additional remedy as a deterrent against furnishing nonconforming data.

246.708 Contract clauses.
(1) Use a clause substantially the same as the clause at 252.246–7001, Warranty of Data, in solicitations and contracts that include the clause at 252.227–7013, Rights in Technical Data and Computer Software, when there is a need for greater protection or period of liability than provided by the inspection and warranty clauses prescribed in FAR Part 46.
(2) Use the clause at 252.246–7001, Warranty of Data, with its Alternate I when extended liability is desired and a
fixed price incentive contract is contemplated. 

(3) Use the clause at 252.246–7001, Warranty of Data, with its Alternate II when extended liability is desired and a firm fixed price contract is contemplated.

(4) Use the clause at 252.246–7002, Warranty of Construction (Germany), instead of the clause at FAR 52.246–21, Warranty of Construction, in solicitations and contracts for construction when a fixed-price contract will be awarded and contract performance will be in Germany.


PART 247—TRANSPORTATION

Sec. 247.001 Definitions.

This subpart does not apply to the operation of vessels owned by, or bareboat chartered by, the Government. See additional guidance at PGI 247.200 for procurement of transportation or related services.

[75 FR 51417, Aug. 20, 2010]

Subpart 247.2—Contracts for Transportation or for Transportation-Related Services

This subpart does not apply to the operation of vessels owned by, or bareboat chartered by, the Government. See additional guidance at PGI 247.200 for procurement of transportation or related services.

[75 FR 51417, Aug. 20, 2010]

Subpart 247.3—Transportation in Supply Contracts

247.301 General.

247.301–70 Definition.

247.301–71 Evaluation factor or subfactor.

247.305 Solicitation provisions, contract clauses, and transportation factors.

247.306–10 Packing, marking, and consignment instructions.

247.305–70 Returnable containers other than cylinders.

247.371 DD Form 1384, Transportation Control and Movement Document.

247.372 DD Form 1653, Transportation Data for Solicitations.

247.372 DD Form 1654, Evaluation of Transportation Cost Factors.

48 CFR Ch. 2 (10–1–10 Edition)

Subpart 247.5—Ocean Transportation by U.S.-Flag Vessels

247.570 Scope.

247.571 Definitions.

247.572 Policy.

247.573 Procedures.

247.573–1 Ocean transportation incidental to a contract for supplies, services, or construction.

247.573–2 Direct purchase of ocean transportation services.

247.573–3 Annual reporting requirement.

247.574 Solicitation provisions and contract clauses.


SOURCE: 56 FR 36466, July 31, 1991, unless otherwise noted.

247.001 Definitions.

For definitions of “Civil Reserve Air Fleet” and “Voluntary Intermodal Sealift Agreement,” see Joint Pub 1–02, DoD Dictionary of Military and Associated Terms. See additional information at PGI 247.001 for the Voluntary Intermodal Sealift Agreement program.

[75 FR 51417, Aug. 20, 2010]