

319.705

48 CFR Ch. 3 (10-1-10 Edition)

**Subpart 319.7—Subcontracting With Small Business, Small Disadvantaged Business, and Women-Owned Small Business Concerns**

**Subpart 323.71—Green Purchasing Requirements**

323.7100 Policy.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 74 FR 62398, Nov. 27, 2009, unless otherwise noted.

**319.705 Responsibilities of the Contracting Officer under the subcontracting assistance program.**

**Subpart 323.70—Safety and Health**

**319.705-5 Awards involving subcontracting plans.**

**323.7000 Scope of subpart.**

(a)(3) The Contracting Officer shall provide the PCR a period of 1 to 5 working days to review the contract award package, depending upon the circumstances and complexity of the individual acquisition.

This subpart prescribes the use of a safety and health clause in contracts involving hazardous materials or operations, and provides procedures for administering safety and health provisions.

**PART 322—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS**

**323.7001 Policy.**

**Subpart 322.8—Equal Employment Opportunity**

Various statutes and regulations (e.g., the Walsh-Healy Act and *Service Contract Act*), require adherence to minimum safety and health standards by contractors engaged in potentially hazardous work. *FAR subpart 23.3* serves as the primary reference regarding hazardous materials. The Contracting Officer shall follow the guidance in this subpart when the guidance in the FAR is not sufficient or does not meet the safety and health situation for an acquisition.

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322.810 Solicitation provisions and contract clauses.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 74 FR 62398, Nov. 27, 2009, unless otherwise noted.

**Subpart 322.8—Equal Employment Opportunity**

**323.7002 Actions required.**

**322.810 Solicitation provisions and contract clauses.**

(h) The Contracting Officer shall insert the clause in 352.222-70, Contractor Cooperation in Equal Employment Opportunity Investigations, in solicitations, contracts, and orders that include the clause in FAR 52.222-26, Equal Opportunity.

(a) *Contracting activities.* The Contracting Officer shall insert the clause in 352.223-70, Safety and Health, or a clause substantially the same, in solicitations and contracts that involve hazardous materials or operations for the following types of requirements:

(1) Services or products.

(2) Research, development, or test projects.

(3) Transportation of hazardous materials.

(4) Construction, including construction of facilities on the contractor's premises.

(b) *Safety officers.* OPDIV safety officers shall advise and assist initiators of acquisition requests and Contracting Officers in—

(1) Determining whether safety and health provisions shall be part of a prospective contract;

**PART 323—ENVIRONMENT, ENERGY AND WATER EFFICIENCY, RENEWABLE ENERGY TECHNOLOGIES, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE**

**Subpart 323.70—Safety and Health**

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323.7000 Scope of subpart.

323.7001 Policy.

323.7002 Actions required.