

**1327.404-5**

or restrictions on the contractor's exercise of its rights in data first produced in the performance of the contract, including a requirement to assign copyright to the Government or another party.

**1327.404-5 Unauthorized, omitted, or incorrect markings.**

The designee authorized to concur with the contracting officer's determination that markings are not authorized is set forth in CAM 1301.70.

**PART 1328—BONDS AND INSURANCE**

**Subpart 1328.1—Bonds and Other Financial Protections**

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- 1328.101 Bid guarantees.
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- 1328.105 Other types of bonds.
- 1328.106 Administration.
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**Subpart 1328.2—Sureties and Other Security for Bonds**

- 1328.203 Acceptability of individual sureties.
- 1328.203-7 Exclusion of individual sureties.

**Subpart 1328.3—Insurance**

- 1328.305 Overseas workers' compensation and war-hazard insurance.
- 1328.310 Contract clause for work on a Government installation.
- 1328.310-70 Solicitation provisions and contract clauses.

AUTHORITY: 41 U.S.C. 414; 48 CFR 1.301-1.304.

SOURCE: 75 FR 10570, Mar. 8, 2010, unless otherwise noted.

**Subpart 1328.1—Bonds and Other Financial Protections**

**1328.101 Bid guarantees.**

**1328.101-1 Policy on use.**

The designee authorized to make a class waiver for the requirement to obtain a bid guarantee when a performance bond or a performance and payment bond is required is set forth in CAM 1301.70.

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**1328.105 Other types of bonds.**

The designee authorized to approve using other types of bonds in connection with acquiring particular supplies or services is set forth in CAM 1301.70.

**1328.106 Administration.**

**1328.106-2 Substitution of surety bonds.**

The designee authorized to approve substituting a new surety bond for the previously approved original bond is set forth in CAM 1301.70.

**1328.106-6 Furnishing information.**

When a payment bond has been provided for a contract, the designee authorized to furnish a certified copy of the bond and the contract to any person who makes a proper request is set forth in CAM 1301.70.

**Subpart 1328.2—Sureties and Other Security for Bonds**

**1328.203 Acceptability of individual sureties.**

(a) Contracting officers shall obtain the opinion of the Procurement Counsel as to the adequacy of the documents pledging the assets of an individual surety prior to accepting bid guarantee and payment and performance bonds.

(b) Evidence of possible criminal or fraudulent activities by an individual surety shall be referred to the DOC Office of Inspector General. Policies and procedures for the initiation and conduct of investigations by the Office of Inspector General are prescribed in DAO 207-10, *Inspector General Investigations*.

**1328.203-7 Exclusion of individual sureties.**

The designee authorized to exclude an individual from acting as a surety on bonds submitted by offerors on procurements by the executive branch of the Federal Government is set forth in CAM 1301.70.