

(d) When the contracting officer indicates that either the USDA or the Department of Commerce will conduct the inspection, the contracting officer must also provide in the solicitation that the contractor is responsible for all of the following:

- (1) Arranging and paying for inspection services.
  - (2) Obtaining from the inspectors a certificate indicating that the product complies with specifications.
  - (3) Assuring that the certificate, or copy, accompanies the shipment or is furnished to the receiving installation before shipment, or notifying the installation when the certificate is not immediately available.
  - (4) Seeing that acceptable products are covered by an inspection agency checkloading certificate or stamped by the inspector as prescribed by the contracting officer.
  - (5) Furnishing samples for inspection at the contractor's expense.
  - (6) Indicating the address where inspection will occur.
- (e) The contracting officer must furnish a copy of the purchase document to the inspecting activity.

**846.408-71 Waiver of USDA inspection and specifications.**

(a) When the amount of an item to be purchased will not exceed 500 pounds per delivery, the contracting officer may purchase the following without reference to the specifications in Part IV of the Federal Supply Catalog, Stock List, FSC Group 89, Subsistence, Publication No. C8900-SL, and the USDA inspection requirements:

- (1) Butter.
- (2) Cheese (except cottage cheese).
- (3) Sausage.
- (4) Meat food products\*.
- (5) Bacon, smoked.
- (6) Bacon, Canadian style.

(b) When the items listed in paragraph (a) of this section are procured together with items that are not ex-

empt, the contracting officer must include the following in the solicitation:

Items \* \* \* are not required to be in accordance with the specifications contained in Part IV of the Federal Supply Catalog, Stock List, FSC Group 89, Subsistence, Publication No. C8900-SL, and the special USDA inspection is not required. VA will inspect for quality and condition upon delivery at destination. These items are, however, subject to the quality controls stated herein.

(c) As appropriate, the contracting officer must include the following statements in each invitation for bid, request for proposal, quotation, or purchase order:

- (1) Butter. This product must be graded by the USDA and labeled "Grade A" or the grade specified herein.
- (2) Sausage and meat food products.\*
  - (i) This product must be a high commercial product and must have been prepared in a federally inspected plant and bear the USDA establishment number stamp evidencing that it is sound, healthful, wholesome, and fit for human consumption; and
  - (ii) This product must bear a label complying with the Federal Food, Drug and Cosmetic Act that requires the listing of all ingredients in the order of their predominance.

(3) Bacon, smoked; and bacon, Canadian style. This product must be a high commercial product and must have been prepared in a federally inspected plant and bear the USDA establishment number stamp evidencing that it is sound, healthful, wholesome, and fit for human consumption.

(d) When using a "brand name or equal" purchase description, the contracting officer must list every brand name item that is known to be acceptable and available in the area.

**846.470 Use of commercial organizations for inspections and grading services.**

The contracting officer may use a commercial organization for inspection and grading services when the contracting officer determines that all of the following conditions exist:

- (a) The results of a technical inspection or grading are dependent upon the application of scientific principles or specialized techniques.

\*"Meat food products" means processed foods containing meat in substantial proportion and other listed ingredients including seasoning, e.g., frankfurters, coldcuts. Whole or prefabricated meats, e.g., pork chops, hamburger, are considered meats, not meat food products.

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(b) VA is unable to employ the personnel qualified to properly perform the services and is unable to locate another Federal agency capable of providing the service.

(c) The inspection or grading results issued by a private organization are essential to verify the acceptance or rejection of a special commodity.

(d) The services may be performed without direct Government supervision.

#### **846.471 Determination authority.**

The following officials must make the determinations required in 846.470:

(a) The Director, Office of Construction and Facilities Management, for those items and services for which purchase authority has been assigned to the Office of Construction and Facilities Management.

(b) The Director, Veterans Canteen Service, for those items and services purchased, or contracted for, by the Veterans Canteen Service (except those items purchased from VA supply sources).

(c) The DSPE for all other supplies, equipment, and services.

#### **846.472 Inspection of repairs for properties under the Loan Guaranty and Direct Loan Programs.**

As provided in 846.472-1 and 846.472-2, management brokers or qualified fee or staff inspectors must conduct a final inspection of all repair programs upon completion. In addition, the broker or inspector must conduct intermediate or progress inspections on extensive or technical jobs as specified in the contract.

#### **846.472-1 Repairs of \$1,000 or less.**

(a) Generally, the management broker must make any required inspections for repairs of \$1,000 or less. A qualified fee or staff inspector must make any required inspection for repairs of \$1,000 or less if the contracting officer:

(1) Has not assigned the property to a management broker; or,

(2) Has determined that the nature of the repairs requires supervision by a technician.

(b) There is no form prescribed for inspection of repairs of \$1,000 or less, but

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the inspector may use VA Form 26-1839, Compliance Inspection Report. Regardless of the form in which the report is submitted, the inspector must identify the contractor, property, and the repair program and provide sufficient detail to enable the contracting officer to make a determination that the work is being performed satisfactorily or completed in accordance with the terms of the contract.

#### **846.472-2 Repairs in excess of \$1,000.**

(a) A qualified fee or staff inspector must make the final inspection and any intermediate or progress inspections on repairs exceeding \$1,000.

(b) The inspector must make the report of inspection on VA Form 26-1839, Compliance Inspection Report. The inspector must identify the property, contractor, and repair program and provide sufficient detailed information to enable the contracting officer to make a determination that the work is being performed satisfactorily or that it has been completed in accordance with the terms of the contract. The inspector must itemize any deficiencies and explain the deficiencies in detail.

### **Subpart 846.7—Warranties**

#### **846.710 Contract clauses.**

The contracting officer shall insert the clause at FAR 52.246-21, Warranty of Construction, in solicitations and contracts for construction that are expected to exceed the micro-purchase threshold.

#### **846.710-70 Special warranties.**

The contracting officer shall insert the clause at 852.246-74, Special warranties, in solicitations and contracts for construction that include the FAR clause at 52.246-21, Warranty of Construction.

#### **846.710-71 Warranty for construction—guarantee period services.**

The contracting officer shall insert the clause at 852.246-75, Warranty of construction—guarantee period services, in solicitations and contracts for construction that include the FAR clause at 52.246-21, Warranty of Construction, and that also include guarantee period services.