

## Department of Energy

970.3500

shall insert them in all management and operating contracts:

(1) *970.5232-2, Payments and Advances.*

(i) The contracting officer shall insert the basic clause with its Alternate I if a separate fixed-fee is provided for a separate item of work.

(ii) The contracting officer shall insert the basic clause with its Alternate II when total available fee provisions in the basic clause are used.

(iii) The contracting officer shall insert the basic clause with its Alternate III in management and operating contracts with integrated accounting systems.

(iv) The contracting officer shall insert the basic clause with its Alternate IV in management and operating contracts without integrated accounting systems.

(2) *970.5232-3, Accounts, records, and inspection.* If the contract includes the clause at 48 CFR 52.215-11, Price Reduction for Defective Cost or Pricing Data—Modifications, the contracting officer shall use the clause with its Alternate I.

(3) *970.5232-4, Obligation of funds.* The contracting officer may use the clause with its Alternate I in contracts which, expressly or otherwise, provide a contractual basis for equivalent controls in a separate clause.

(4) *970.5203-1, Management controls.*

(5) *970.5232-5, Liability with respect to Cost Accounting Standards.*

(6) *970.5232-6, Work for others funding authorization.*

(7) *48 CFR 52.230-2, Cost Accounting Standards.*

(8) *48 CFR 52.230-6, Administration of Cost Accounting Standards.*

(b) The following DEAR clauses are standard financial management clauses. The contracting officer shall insert them in all management and operating contracts with integrated accounting systems:

(1) *970.5232-7, Financial management system.*

(2) *970.5232-8, Integrated accounting.*

(c) Any deviations from the standard financial management clauses specified in paragraphs (a) and (b) of this section require the approval of the Head of the Contracting Activity and the written

concurrence of the Department's Chief Financial Officer.

[65 FR 81009, Dec. 22, 2000, as amended at 72 FR 29081, May 24, 2007; 74 FR 36373, July 22, 2009]

### Subpart 970.34—Major System Acquisition

#### 970.3400 General requirements.

##### 970.3400-1 Mission-oriented solicitation.

Contractors shall be required to promptly advise the the Department of Energy (DOE) contracting officer of any advance notices of, or solicitations for, requirements which would logically involve DOE facilities or resources operated or managed by the contractor, which are received from another agency pursuant to 48 CFR 34.005. Management and operating contracts shall provide that the contractor shall not respond or otherwise propose to participate in response to the requirements of such solicitations unless the contractor has obtained the prior written approval of the DOE manager of the field activity having cognizance over the contract. Such approval shall not be given except in compliance with applicable DOE directives, and with the concurrence of the cognizant Senior Program Official.

[65 FR 81009, Dec. 22, 2000, as amended at 74 FR 36373, July 22, 2009]

#### 970.35 Research and development contracting.

### Subpart 970.35—Research and Development Contracting

#### 970.3500 Scope of subpart.

This subpart implements 48 CFR 35.017 regarding the establishment, use, review, and termination of Federally Funded Research and Development Centers (FFRDCs) sponsored by the Department of Energy (DOE).

[65 FR 81009, Dec. 22, 2000, as amended at 74 FR 36373, July 22, 2009]