

## SUBCHAPTER A—GENERAL

### PART 1501—GENERAL

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AUTHORITY: 5 U.S.C. 301; Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); and 41 U.S.C. 418b.

SOURCE: 49 FR 8835, Mar. 8, 1984, unless otherwise noted.

#### 1501.000 Scope of part.

The Federal Acquisition Regulation System brings together, in title 48 of the Code of Federal Regulations, the acquisition regulations applicable to all executive agencies of the Government. This part establishes a system of Environmental Protection Agency (EPA) acquisition regulations, referred to as the EPAAR, for the codification and publication of policies and procedures of EPA which implement and supplement the Federal Acquisition Regulation (FAR).

### Subpart 1501.1—Purpose, Authority, Issuance

#### 1501.101 Purpose.

This subpart establishes Chapter 15, the Environmental Protection Agency Acquisition Regulation (EPAAR), within Title 48, the Federal Acquisition Regulations System.

[60 FR 38505, July 27, 1995]

#### 1501.104 Applicability.

The FAR (48 CFR chapter 1) and the EPAAR (48 CFR chapter 15) apply to all EPA acquisitions as defined in part 2 of the FAR, except where expressly excluded.

[62 FR 33572, June 20, 1997]

#### 1501.105 Issuance.

#### 1501.105-1 Publication and code arrangement.

The EPAAR will be published in: (a) The FEDERAL REGISTER, (b) cumulated form in the Code of Federal Regulations (CFR), and (c) a separate loose-leaf form in a distinctive light blue color.

[49 FR 8835, Mar. 8, 1984. Redesignated at 62 FR 33572, June 20, 1997]

#### 1501.105-2 Arrangement of regulations.

(a) *References and citations.* This regulation may be referred to as the Environmental Protection Agency Acquisition Regulation or the EPAAR. References to EPAAR materials shall be made in a manner similar to that prescribed by FAR 1.105-2(c).

[49 FR 8835, Mar. 8, 1984. Redesignated and amended at 62 FR 33572, June 20, 1997]

#### 1501.105-3 Copies.

Copies of the EPAAR in FEDERAL REGISTER and CFR form may be purchased from the Superintendent of Documents, Government Printing Office (GPO), Washington, DC 20402. Copies of loose-leaf EPAAR are distributed within EPA and may be obtained from

**1501.301**

the EPA Facilities and Support Services Division.

[49 FR 8835, Mar. 8, 1984. Redesignated at 62 FR 33572, June 20, 1997]

**Subpart 1501.3—Agency Acquisition Regulations**

**1501.301 Policy.**

The EPAAR is prescribed by the Director, Office of Acquisition Management.

[49 FR 8835, Mar. 8, 1984, as amended at 59 FR 18976, Apr. 21, 1994]

**1501.370 OMB approvals under the Paperwork Reduction Act.**

The information collection activities contained in the EPAAR sections listed below have been approved by the Office of Management and Budget (OMB) and have been issued OMB numbers in accordance with section 3504(h) of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501, *et seq.*

48 CFR citation	OMB control No.
Specification, Standards and other Purchase Descriptions	
1510.011-70 through 1510.011-72 .....	2030-0005
1510.011-80 through 1510.011-81 .....	2030-0023
Contract delivery or performance 1512.104 .....	2030-0023
Small Purchase and Other Simplified Purchase Procedures	
1513.505 through 1513.570 .....	2030-0007
Contract Financing	
1532.170(a) .....	2030-0016
Solicitation Provisions and Contract Clauses	
1552.209-71 .....	2030-0023
1552.209-73 through 1552.209-74 .....	2030-0023
1552.210-72 .....	2030-0005
1552.210-80 .....	2030-0023
1552.212-71 .....	2030-0023
1552.215-72 through 1552.215-76 .....	2030-0006
1552.227-76 .....	2030-0023

[59 FR 18619, Apr. 19, 1994, as amended at 59 FR 32134, June 22, 1994; 61 FR 29316, June 10, 1996]

**Subpart 1501.4—Deviations**

**1501.401 Definition.**

A deviation to the EPAAR is defined in the same manner as a deviation to the FAR (see FAR 1.401).

[49 FR 8835, Mar. 9, 1984; 49 FR 24734, June 15, 1984]

**48 CFR Ch. 15 (10-1-09 Edition)**

**1501.403 Individual deviations.**

Requests for individual deviations from the FAR and the EPAAR shall be submitted to the Head of the Contracting Activity (HCA) for approval. Requests submitted shall cite the specific part of the FAR or EPAAR from which it is desired to deviate, shall set forth the nature of the deviation(s), and shall give the reasons for the action requested.

[65 FR 37291, June 14, 2000]

**1501.404 Class deviations.**

Requests for class deviations to the FAR and the EPAAR shall be submitted to the HCA for processing in accordance with FAR 1.404 and this section. Requests shall include the same type of information prescribed in 1501.403 for individual deviations.

[67 FR 5072, Feb. 4, 2002]

**Subpart 1501.6—Contracting Authority and Responsibilities**

**1501.602-3 Ratification of unauthorized commitments.**

(a) *Applicability.* The provisions of this section apply to all unauthorized commitments, whether oral or written and without regard to dollar value. Examples of unauthorized commitments are;

- (1) Ordering supplies or services by an individual without contracting authority;
- (2) Unauthorized direction of work through assignment of orders or tasks;
- (3) Unauthorized addition of new work;
- (4) Unauthorized direction of contractors to subcontract with particular firms; or

(5) Any other unauthorized direction which changed the terms and conditions of the contract.

(b)(1) *Ratification Approval.* The Chief of the Contracting Office (CCO) is delegated authority to be the ratifying official. In order to act as the ratifying official, a CCO must have delegated contracting officer authority. A CCO cannot approve a ratification if he/she acted as a contracting officer in preparing the determination and findings