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has been committed is not subject to
decision under a disputes clause.
(e) The provisions of this section are
in addition to whatever penalties or
remedies may otherwise be provided by
law.

§ 1308.7 Effective date.
Subject to §1308.3(a), this part applies
to any TVA contract having an effective
date on or after March 1, 1979.

Subpart B—Contracting Officers

§ 1308.11 Contractor's request for re-
lief.
Any request for relief which a Con-
tractor believes is due under a contract
shall be submitted to the Contracting
Officer in writing, in accordance with
the terms of the contract, including ap-
plicable time limits.

§ 1308.12 Submission and decision of
Contractor's claim.
(a) If Contractor and TVA are unable
to resolve Contractor's request for re-
lief by agreement within a reasonable
time, Contractor may submit a claim
to the Contracting Officer.
(b) The Contracting Officer shall
issue a decision to the Contractor on a
submitted claim in conformity with
the contract's disputes clause. Specific
findings of fact are not required, but
may be made. Such findings are not
binding in any subsequent proceeding
except as provided in §1308.15. The deci-
sion shall:
(1) Be in writing;
(2) State the reasons for the decision
reached;
(3) Include information about the
Contractor's rights of appeal under sec-
tions 7 and 10 of the Act (including
time limits); and
(4) Notify the Contractor, as appro-
priate, of the special procedures avail-
able under §§1308.35 and 1308.36 at the
Contractor's election. A copy of the
provisions of this part shall be fur-
nished with the decision.

§ 1308.13 Time limits for decisions.
(a) If a submitted claim involves
$50,000 or less, the Contracting Officer
shall issue the decision within 60 days
from actual receipt of the claim. If a
submitted claim involves more than
§ 1308.16

$50,000, the Contracting Officer within
60 days from actual receipt shall either
issue a decision or notify the Con-
tractor of the date by which a decision
shall be rendered, which shall be within
a reasonable time. The Contracting Of-
ficer shall not be deemed to be in "ac-
tual receipt" of a claim until the claim
meets all requirements of §1308.2(c).
(b) The Contracting Officer shall
issue a decision within any time limits
set by an order under §1308.24. If a
Hearing Officer grants a stay of an ap-
peal pursuant to §1308.25, the Con-
tracting Officer shall issue a decision
within any time limits specified by the
stay order, or within a reasonable time
after receipt of the stay, if it sets no
time limits.
(c) As used in this subpart, the rea-
sonableness of a time period depends on
the amount or kind of relief involved
and complexity of the issues raised, the
adequacy of the Contractor's sup-
porting data, contractual requirements
for auditing of Contractor's cost or
other data, and other relevant factors.

§ 1308.14 Request for relief by TVA.
When TVA believes it is due relief
under a contract, the Contracting Offi-
cer shall make a request for relief
against the Contractor, and shall at-
tempt to resolve the request by agree-
ment. If agreement cannot be reached
within a reasonable time, the Con-
tracting Officer shall issue a decision
which complies with the requirements
of §1308.12(b).

§ 1308.15 Finality of decisions.
A decision by a Contracting Officer
under the disputes clause of a contract
subject to this part is final and conclu-
sive and not subject to review by any
forum, tribunal, or Government agency
unless an appeal or suit is timely com-
menced under this part or section 10(a)
(2) and (3) of the Act.

§ 1308.16 Decisions involving fraudu-
 lent claims.
If a Contracting Officer denies any
part of a Contractor's claim for lack of
support, and the Contracting Officer is
of the opinion that the Contractor's in-
ability to support that part of the
claim is within §1308.6 and section 5 of