652.228–71  
(End of provision)  
[71 FR 34841, June 16, 2006; 71 FR 41177, July 20, 2006]  

652.228–71 Worker’s Compensation Insurance (Defense Base Act)—Services.  

As prescribed in 628.309–70(b), insert the following clause:  

WORKERS’ COMPENSATION INSURANCE (DEFENSE BASE ACT)—SERVICES (JUN 2006)  

(a) This clause supplements FAR 52.228–3. For the purposes of this clause, “covered contractor employees” includes the following individuals:  

(1) United States citizens or residents;  
(2) Individuals hired in the United States or its possessions, regardless of citizenship; and  
(3) Local nationals and third country nationals where contract performance takes place in a country where there are no local workers’ compensation laws.  

(b) The Contractor shall procure Defense Base Act (DBA) insurance pursuant to the terms of the contract between the Department of State and the Department’s DBA insurance carrier for covered contractor employees, unless the Contractor has a DBA self-insurance program approved by the Department of Labor. The Contractor shall submit a copy of the Department of Labor’s approval to the contracting officer upon contract award, if applicable.  

(c) The current rate under the Department of State contract is [contracting officer insert rate] of compensation for services.  

(d) The Contractor shall insert a clause substantially the same as this in all subcontracts. The Contractor shall require that subcontractors insert a similar clause in any of their subcontracts.  

(e) Should the rates for DBA insurance coverage increase or decrease during the performance of this contract, the contracting officer shall modify this contract accordingly.  

(f) The Contractor shall demonstrate to the satisfaction of the contracting officer that the equitable adjustment as a result of the insurance increase or decrease does not include any reserve for such insurance. Adjustment shall not include any overhead, profit, general and administrative expenses, etc.  

Alternate I. (MO/YR) If the contract is for construction, as prescribed in 628.309–70(b), substitute the following paragraph (c) for paragraph (c) of the basic clause:  

(c) The current rate under the Department of State contract is [contracting officer insert rate] of compensation for construction.  

[71 FR 34841, June 16, 2006; 71 FR 41177, July 20, 2006]  

652.228–72—652.228–73 [Reserved]  

652.228–74 Defense Base Act insurance rates—Limitation.  

As prescribed in 628.309–70(c), insert the following provision:  

DEFENSE BASE ACT INSURANCE RATES—LIMITATION (JUN 2006)  

(a) The Department of State has entered into a contract with an insurance carrier to provide Defense Base Act (DBA) insurance to Department of State covered contractor employees at a contracted rate. For the purposes of this provision, “covered contractor employees” includes the following individuals:  

(1) United States citizens or residents;  

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