Subpart 2403.3—Reports of Suspected Antitrust Violations

2403.303–70 Reporting requirements.

Potential anti-competitive practices such as described in FAR subpart 3.3, evidenced in bids or proposals, shall be reported to the Office of General Counsel through the Head of the Contracting Activity with a copy to the Senior Procurement Executive and the Inspector General. The Office of General Counsel will provide reports to the Attorney General as appropriate.


Subpart 2403.4—Contingent Fees

2403.405 Misrepresentations or violations of the Covenant Against Contingent Fees.

(a) Government personnel who suspect or have evidence of attempted or actual exercise of improper influence, misrepresentation of a contingent fee arrangement, or other violation of the Covenant against Contingent Fees shall report the matter promptly to the Head of the Contracting Activity.

(b) When there is specific evidence or other reasonable basis to suspect one or more of the violations in paragraph (a) of this section, the HCA shall review the facts and, if appropriate, take or direct one or more of the actions set forth at FAR 3.405(b). The HCA shall refer suspected fraudulent or criminal matters to HUD’s Office of the Inspector General for possible referral to the Department of Justice.

[49 FR 7700, Mar. 1, 1984, as amended at 51 FR 7948, Mar. 7, 1986; Redesignated at 64 FR 46095, Aug. 23, 1999]

Subpart 2403.5—Other Improper Business Practices

2403.502–70 Subcontractor kickbacks.


[49 FR 7700, Aug. 23, 1999]

2403.602 Policy.

The Senior Procurement Executive must approve exceptions to the restriction against contracts with Government employees under FAR subpart 3.6. In addition, the Contracting Officer shall comply with FAR subpart 9.5 before awarding any such contract.

[49 FR 7700, Mar. 1, 1984, as amended at 51 FR 7948, Mar. 7, 1986; Redesignated at 64 FR 46095, Aug. 23, 1999]

2403.670 Solicitation provision and contract clause.

Insert the clause at 48 CFR 2452.203–70 in all solicitations and contracts.

[65 FR 3576, Jan. 21, 2000]

PART 2404—ADMINISTRATIVE MATTERS

Subpart 2404.7—Contractor Records Retention

48 CFR Ch. 24 (10–1–14 Edition)

Sec. 2404.7001 Contract clause.

Subpart 2404.8—Government Contract Files

2404.805 Storage, handling and disposal of contract files.

AUTHORITY: 42 U.S.C. 3535(d).

Subpart 2404.7—Contractor Records Retention

2404.7001 Contract clause.

The contracting officer shall insert the clause at 48 CFR 2452.204–72, Preservation of, and Access to, Contract Records (Tangible and Electronically Stored Information (ESI) Formats), in all solicitations and contracts exceeding the simplified acquisition threshold. The contracting officer shall use the basic clause with its Alternate I in cost-reimbursement type contracts. The contracting officer shall use the basic