

Type of contract	Percent-age ranges
Cost-plus-fixed-fee .....	0 to 1
Prospective price determination ...	4 to 5
Firm-fixed-price .....	4 to 6

(A) These ranges may not be appropriate for all acquisitions. The contracting officer might determine that a basis exists for high confidence in the reasonableness of the estimate, and that little opportunity exists for cost reduction without extraordinary efforts. The contractor's willingness to accept ceilings on their burden rates should be considered as a risk factor for cost-plus-fixed-fee contracts.

(B) In making a contract cost risk evaluation in an acquisition that involves definitization of a letter contract, consideration should be given to the effect on total contract cost risk as a result of partial performance under a letter contract. Under some circumstances, the total amount of cost risk may have been effectively reduced by the existence of a letter contract. Under other circumstances, it may be apparent that the contractor's cost risk remained substantially as great as though a letter contract had not been used. Where a contractor has begun work under an anticipatory cost letter, the risk assumed is greater than normal. To be equitable, the determination of a profit weight for application to the total of all recognized costs, both those incurred and those yet to be expended, must be made with consideration to all relevant circumstances, not just to the portion of costs incurred or percentage of work completed prior to definitization.

Dated: May 9, 1997.

**Diane M. Balderson,**

*Acting Director, Office of Acquisition Management.*

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**DEPARTMENT OF TRANSPORTATION**

**Research and Special Programs Administration**

**49 CFR Parts 192 and 195**

[Docket No. PS-94; Notice 7]

RIN 2137-AB38

**Qualification of Pipeline Personnel**

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Notice of public meeting.

**SUMMARY:** This announces the second meeting of RSPA's Negotiated Rulemaking Committee. The Committee is in the process of developing a proposed rule on qualification of those performing certain safety-related functions on pipelines subject to the pipeline safety regulations. The committee is composed of persons who represent the interests that would be affected by the rule, such as gas pipeline operators, hazardous liquid and carbon dioxide pipeline operators, representatives of state and federal governments, labor organizations, and other interested parties.

**DATES:** The next Committee meeting will be held from 9 a.m. to 5 p.m. on May 21-22, 1997.

**ADDRESSES:** The meeting will be held in Room 10234-35 at the U.S. Department of Transportation, Nassif Building, 400 7th Street SW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Eben M. Wyman, (202) 366-0918, regarding the subject matter of this notice; or the Dockets Unit, Room 8421, 400 7th Street, SW., Washington, DC, telephone (202) 366-4453, for copies of this document or other material in the docket.

**SUPPLEMENTARY INFORMATION:** At the initial meeting of the Committee, considerable explanation and training in the Negotiated Rulemaking process was provided by FMCS. The Committee also addressed many procedural issues, such

as ground rules for Committee discussion and addressing comments from the audience, development of the new notice of proposed rulemaking, the procedure for keeping a record or "minutes" of the meetings), and a schedule for distribution of minutes for review and concurrence prior to placing them in the public docket.

**Members of the RSPA Negotiated Rulemaking Committee**

1. American Gas Association.
2. American Petroleum Institute.
3. Interstate Natural Gas Association of America.
4. American Public Gas Association.
5. National Propane Gas Association.
6. Association of Texas Intrastate Natural Gas Pipelines.
7. Midwest Gas Association.
8. National Association of Corrosion Engineers.
9. National Association of Pipeline Safety Representatives.
10. National Association of Regulatory Utility Commissioners.
11. National Association of Fire Marshals.
12. International Union of Operating Engineers.
13. International Brotherhood of Electrical Workers.
14. Office of Pipeline Safety.

**Conduct of Meeting**

The meeting will be held over a two-day period, and may conclude early on the second day depending on the progress of the Committee. These meetings are open to the public, and a time for brief comments from the audience will be on each meeting's agenda.

Issued in Washington, DC, on May 15, 1997.

**Cesar De Leon,**

*Deputy Associate Administrator for Pipeline Safety.*

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