

Department of Commerce**1336.602-4**

that the use of human subjects may be required in performance of the award but is not anticipated at the time of award, and may not be modified without consultation with Program Counsel.

1335.014 Government property and title.

The designee authorized to determine that the policies in FAR 35.014(b)(1)–(4) will not apply regarding title to equipment purchased by nonprofit institutions of higher learning and nonprofit organizations whose primary purpose is the conduct of scientific research is set forth in CAM 1301.70.

1335.016 Broad agency announcement.**1335.016-70 DOC procedures for the use of broad agency announcements.**

Procedures for the use of broad agency announcements within the Department of Commerce are set forth in CAM 1335.016.

1335.017 Federal funded research and development centers.**1335.017-2 Establishing or changing an FFRDC.**

The designee authorized to approve the establishment of an FFRDC, or change its basic purpose and mission, is set forth in CAM 1301.70.

1335.017-4 Reviewing FFRDCs.

The designee authorized to approve the continuation or termination of the sponsorship of an FFRDC is set forth in CAM 1301.70.

PART 1336—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS**Subpart 1336.2—Special Aspects of Contract for Construction**

Sec.

1336.203 Government estimate of construction costs.

1336.270 Special requirements for ship construction.

Subpart 1336.6—Architect-Engineer Services

1336.602 Selection of firms for architect-engineer contracts.

1336.602-2 Evaluation boards.

1336.602-4 Selection authority.

1336.602-5 Short selection process for contracts not to exceed the simplified acquisition threshold.

1336.605 Government cost estimate for architect-engineer work.

1336.609 Contract clauses.

1336.609-1 Design within funding limitations.

AUTHORITY: 41 U.S.C. 414; 48 CFR 1.301–1.304.

SOURCE: 75 FR 10570, Mar. 8, 2010, unless otherwise noted.

Subpart 1336.2—Special Aspects of Contracting for Construction**1336.203 Government estimate of construction costs.**

After award, the independent Government estimated price can be released, upon request, to those firms or individuals who submitted proposals.

1336.270 Special requirements for ship construction

See 48 CFR 1371 for special requirements for acquisition involving ship construction and ship repair.

Subpart 1336.6—Architect-Engineer Services**1336.602 Selection of firms for architect-engineer contracts.****1336.602-2 Evaluation boards.**

Permanent and *ad hoc* architect-engineer evaluation boards may include preselection boards. When necessary, members of permanent, *ad hoc*, and preselection boards may be appointed from private practitioners of architecture, engineering, or related professions. Private practitioners may be appointed as deemed necessary by the BPO or higher agency official. The permanent and *ad hoc* evaluation boards should be comprised of at least a majority of government personnel.

1336.602-4 Selection authority.

Each contracting office shall designate the selection authority based on the complexity of each procurement.

1336.602-5**1336.602-5 Short selection process for contracts not to exceed the simplified acquisition threshold.**

(a) In contracts not expected to exceed the simplified acquisition threshold, either or both of the short selection processes set out at FAR 36.602-5 may be used.

(b) Each contracting office shall designate the selection authority based on the complexity of each procurement. The selection authority shall review the selection report and approve it or return it to the chairperson for appropriate revision.

1336.605 Government cost estimate for architect-engineer work.

After award, the independent Government estimated price can be released, upon request, to those firms or individuals who submitted proposals.

1336.609 Contract clauses.**1336.609-1 Design within funding limitations.**

The designee authorized to make the determination described at FAR 36.609-1(c)(1) to enable exclusion of the clause at FAR 52.236-22 from the contract is set forth in CAM 1301.70.

PART 1337—SERVICE CONTRACTING**Subpart 1337.1—Service Contracts—General**

Sec.

1337.110 Solicitation provisions and contract clauses.

1337.110-70 Personnel security processing requirements.

1337.110-71 Additional DOC clauses related to service contracting.

Subpart 1337.2—Advisory and Assistance Services

1337.204 Guidelines for determining availability of personnel.

AUTHORITY: 41 U.S.C. 414; 48 CFR 1.301-1.304.

SOURCE: 75 FR 10570, Mar. 8, 2010, unless otherwise noted.

48 CFR Ch. 13 (10-1-24 Edition)**Subpart 1337.1—Service Contracts—General****1337.110 Solicitation provisions and contract clauses.****1337.110-70 Personnel security processing requirements.**

(a) CAM 1337.70 establishes procedures for personnel security processing for contractors performing services on or within a Department of Commerce facility or through an information technology (IT) system, as required by the Department of Commerce *Security Manual* and Department of Commerce *Security Program Policy and Minimum Implementation Standards*.

(b) Insert clause 1352.237-70, *Security Processing Requirements—High or Moderate Risk Contracts*, in all service contracts designated as High or Moderate risk that will be performed on a DOC facility or when the contractor will access a DOC IT system.

(c) Insert clause 1352.237-71, *Security Processing Requirements—Low Risk Contracts*, in all service contracts designated as Low Risk that will be performed on or within a Department of Commerce facility or when the contractor will access a DOC IT system.

(d) Insert clause 1352.237-72, *Security Processing Requirements—National Security Contracts*, in all service contracts designated as National Security Contracts that will be performed on or within a Department of Commerce facility or when the contractor will access a DOC IT system.

(e) Insert clause 1352.237-73, *Foreign National Visitor and Guest Access to Departmental Resources*, in all DOC solicitations and contracts for services where foreign national access to any DOC facility or DOC IT system is required. The language of the clause may only be modified by adding more restrictive agency or operating unit counsel-specific guidance.

1337.110-71 Additional DOC clauses related to service contracting.

(a) Insert a clause substantially similar to 1352.237-74, *Progress Reports*, where progress reports are required in order to make periodic payments based upon contract progress made, or if the