

2901.304

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Subpart 2901.3—Agency Acquisition Regulations

2901.304 Agency control and compliance procedures.

The DOLAR is under the direct oversight of the Department of Labor's (DOL) Senior Procurement Executive (SPE) or designee.

Subpart 2901.4—Deviations From the FAR and DOLAR

2901.403 Individual deviations.

Individual deviations affect only one contract action. Except for individual deviations referenced in FAR 1.405(e), the SPE is authorized to approve individual deviations from FAR provisions (see FAR 1.403) or from DOLAR provisions.

2901.404 Class deviations.

(a) Class deviations affect more than one contract action. If DOL believes that it will require a class deviation on a permanent basis, it will propose a FAR revision per FAR 1.404.

(b) The SPE is authorized to approve and process class deviations from the FAR or the DOLAR, unless FAR 1.405(e) is applicable.

Subpart 2901.6—Career Development, Contracting Authority, and Responsibilities

2901.602 Contracting officers.

2901.602-1 Authority.

Only DOL contracting officers have the authority to enter into, administer, or terminate contracts and to make related determinations and findings. DOL contracting officers may bind DOL to obligations under contracts only to the extent of the authority delegated to them.

48 CFR Ch. 29 (10-1-25 Edition)

2901.602-70 Contract clause.

Contracting officers shall insert clause 2952.201-70, Contracting Officer's Representative, in all solicitations and awards.

Subpart 2901.7—Determinations and Findings

2901.707 Signatory authority.

Except as shown in the applicable FAR or DOLAR, or where prohibited by statute, the authority to sign or delegate signatory authority for the various determinations and findings (D&Fs) resides with the SPE, or their designee.

PART 2902—DEFINITIONS OF WORDS AND TERMS

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 89 FR 66618, Aug. 16, 2024, unless otherwise noted.

Subpart 2902.1—Definitions

2902.101 Definitions.

The following words and terms are used as defined in this subpart unless the context in which they are used clearly requires a different meaning, or a different definition is prescribed for a particular part or portion of a part:

Head of Agency (also called agency head) means the Assistant Secretary for Administration and Management, except that the Secretary of Labor is the Head of Agency for acquisition actions, which by the terms of a statute or delegation must be performed specifically by the Secretary of Labor; the Inspector General is the Head of Agency in all cases for the Office of the Inspector General.

Head of Contracting Activity (HCA) means the official who has overall responsibility for managing the Contracting Activity, as defined at FAR 2.101, when the Contracting Activity has more than one person duly appointed as Contracting Officers by the Senior Procurement Executive or, in the case of the Office of the Inspector General, issued by the Inspector General or their designee. Each Head of

Department of Labor

Agency may designate HCA(s) as appropriate to be responsible for managing Contracting Activities within their respective Agency.

Senior Procurement Executive (SPE), as defined in the FAR, means the individual appointed pursuant to 41 U.S.C. 1702(c) who is responsible for management direction of the acquisition system of the executive agency, including implementation of the unique acquisition policies, regulations, and standards of the executive agency. At DOL, the SPE is also the Chief Procurement Officer and DOL's Suspending and Debarment Official and is the Principal Executive responsible for the Office of the Senior Procurement Executive (OSPE).

PART 2903—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

Subpart 2903.1—Safeguards

Sec.

2903.104 Procurement integrity.

2903.104-1 Definitions.

Subpart 2903.2—Contractor Gratuities to Government Personnel

2903.203 Reporting suspected violations of the Gratuities clause.

2903.204 Treatment of violations.

Subpart 2903.7—Voiding and Rescinding Contracts

2903.703 Authority.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 89 FR 66618, Aug. 16, 2024, unless otherwise noted.

Subpart 2903.1—Safeguards

2903.104 Procurement integrity.

2903.104-1 Definitions.

Agency ethics official means the Solicitor of Labor or the Associate Solicitor for Legal Counsel or other official as designated by the Solicitor of Labor.

2904.703–70

Subpart 2903.2—Contractor Gratuities to Government Personnel

2903.203 Reporting suspected violations of the Gratuities clause.

Contractor gratuities offered to Government personnel are subject to the restriction under 5 CFR part 2635.

2903.204 Treatment of violations.

Any suspected violations of FAR subpart 3.2 and the clause at FAR 52.203-3, Gratuities, must be reported to the Office of the Inspector General. The authority to determine whether a violation of the Gratuities clause by the contractor, its agent, or another representative has occurred, and the appropriate remedies, are delegated to the HCA.

Subpart 2903.7—Voiding and Rescinding Contracts

2903.703 Authority.

Pursuant to FAR 3.703 and 3.705(b), the authority to void or rescind contracts is delegated to the SPE.

PART 2904—ADMINISTRATIVE AND INFORMATION MATTERS

Subpart 2904.7—Contractor Records Retention

Sec.

2904.703 Policy.

2904.703-70 Contract clause.

AUTHORITY: 5 U.S.C. 301, 40 U.S.C. 486(c).

SOURCE: 89 FR 66618, Aug. 16, 2024, unless otherwise noted.

Subpart 2904.7—Contractor Records Retention

2904.703 Policy.

2904.703-70 Contract clause.

The contracting officer shall insert the clause at DOLAR 2952.204-70, Records Management Requirements, in all solicitations and contracts in which the contractor creates, works with, or otherwise handles federal records, as defined in subsection (a) of the clause at DOLAR 2952.204-70, regardless of the medium in which the record exists.