

SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

PART 2927 [RESERVED]

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Subpart 2928.1—Bonds and Other Financial Protections

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2928.106-6 Furnishing information.

Subpart 2928.2—Sureties and Other Security for Bonds

2928.203 Individual sureties.
AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).
SOURCE: 89 FR 66618, Aug. 16, 2024, unless otherwise noted.

Subpart 2928.1—Bonds and Other Financial Protections

2928.106-6 Furnishing information.
The HCA or designee performs the functions outlined in FAR 28.106-6(c).

Subpart 2928.2—Sureties and Other Security for Bonds

2928.203 Individual sureties.
Contracting officers must refer evidence of possible criminal or fraudulent activities by an individual surety to the Office of Inspector General.

PARTS 2929–2931 [RESERVED]

PART 2932—CONTRACT FINANCING

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AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).
SOURCE: 89 FR 66618, Aug. 16, 2024, unless otherwise noted.

Subpart 2932.4—Advance Payments for Other Than Commercial Acquisitions

2932.408 Application for advance payments.

After consulting with the SPE, the HCA may authorize advance payments without interest pursuant to FAR 32.408.

Subpart 2932.5—Progress Payments Based on Costs

2932.501-2 Unusual progress payments.

After consulting with the SPE, the HCA may approve requests for “unusual” progress payments.

2932.503-6 Suspension or reduction of payments.

Any action of a contracting officer under FAR 32.503-6 requires approval in advance from the HCA. Upon receipt of approval from the HCA, the contracting officer shall request the contract finance office to suspend or reduce payments.

Subpart 2932.7—Contract Funding

2932.703 Contract funding requirements.

2932.703-70 Contract clause.

Contracting officers shall insert the clause at DOLAR 2952.232-70, Limitation of Government’s Obligation (LoGO), in all solicitations and contracts for severable services.

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Subpart 2932.9—Prompt Payment

2932.908 Contract clauses.

Contracting Officers shall insert the clause at DOLAR 2952.232–71, Submission of Invoices, in all solicitations and contracts.

PART 2933—PROTESTS, DISPUTES, AND APPEALS

Subpart 2933.1—Protests

Sec.

2933.102 General.

2933.103 Protests to the agency.

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Subpart 2933.2—Disputes and Appeals

2933.203 Applicability.

2933.209 Suspected fraudulent claims.

2933.212 Contracting officer’s duties upon appeal.

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c); E.O. 12979, 60 FR 55171, 3 CFR, 1995 Comp., p. 417.

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

Subpart 2933.1—Protests

2933.102 General.

(c)(1) The relevant contracting officer coordinates DOL’s response to procurement protests filed with the U.S. Government Accountability Office (GAO), in consultation with DOL legal counsel at the Office of the Solicitor.

(2) The authority of the Agency Head under FAR 33.102(b) to determine that a solicitation, proposed award, or award does not comply with the requirements of law or regulation is delegated to the HCA.

2933.103 Protests to the agency.

(a) The relevant contracting officer will be the point of contact for agency-level protests. Upon receipt of an agency level protest, the contracting officer immediately notifies the Director of Strategy and Administration within the OSPE and the Office of the Solicitor of the protest.

(b) OSPE’s Director of Strategy and Administration is the Agency Protest Official.

2933.104 Protests to GAO.

(a) *Protests before award.* The authority of the relevant HCA under FAR 33.104(b) to authorize a contract award when the agency has received notice from the GAO of a protest filed directly with the GAO is nondelegable. In coordination with the Office of the Solicitor, the HCA prepares the written finding with the information required by FAR 33.104(b)(1).

(b) *Protests after award.* The authority of the HCA under FAR 33.104(c) to authorize contract performance when the agency has received notice from the GAO of a protest filed directly with the GAO is nondelegable. In coordination with the Office of the Solicitor, the HCA prepares and provides to the GAO the written finding with the information required by FAR 33.104(c)(2).

(c) *Notice to the GAO.* The authority of the HCA under FAR 33.104(g), to report to the GAO the failure to fully implement the GAO recommendations with respect to a solicitation for a contract or an award or a proposed award of a contract within 60 days of receiving the GAO recommendations, is nondelegable. The written notice must be coordinated with the Office of the Solicitor.

Subpart 2933.2—Disputes and Appeals

2933.203 Applicability.

The authority of the Agency Head for action under FAR subpart 33.2 is delegated to the SPE.

2933.209 Suspected fraudulent claims.

The contracting officer must refer all matters relating to suspected fraudulent claims by a contractor under the conditions in FAR 33.209 to the Office of the Inspector General for further action or investigation.

2933.212 Contracting officer’s duties upon appeal.

(a) When a notice of appeal to the Civilian Board of Contract Appeals has been received, the contracting officer must record the date of mailing (or the date of receipt if the notice was not mailed). The contracting officer must