

Homeland Security Department

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F.O.B. ORIGIN INFORMATION (DEC 2003)

The offeror shall furnish information with the offer:

(a) Location of the offeror’s actual shipping point(s) (street address, city, state, and zip code) from which supplies will be delivered to the Government;

(b) Whether the offered shipping point has a private railroad siding, and the name of the rail carrier serving it;

(c) When the offered shipping point does not have a private siding, the names and addresses of the nearest public rail siding and of the carrier serving it; and

(d) The quantity of supplies to be shipped from each shipping point.

(End of provision)

Alternate I (DEC 2003). If delivery is “f.o.b. origin, contractor’s facility,” and the designated facility is not covered by the line-haul transportation rate, add the following paragraph to the basic provision:

(e) The charges required to deliver the shipment to the point where the line-haul rate is applicable.

Alternate II (DEC 2003). When delivery is “f.o.b. origin, freight allowed,” add the following paragraph to the basic provision:

(e) The basis on which transportation charges will be allowed, including the origin and destination from and to which transportation charges will be allowed.

3052.247-71 F.o.b. origin only.

As prescribed in (HSAR) 48 CFR 3047.305-70(b), insert the following provision:

F.O.B. ORIGIN ONLY (DEC 2003)

Offers are invited on the basis of f.o.b. origin only. Offers submitted on any other basis will be rejected as nonresponsive.

(End of provision)

3052.247-72 F.o.b. destination only.

As prescribed in (HSAR) 48 CFR 3047.305-70(c), insert the following provision:

F.O.B. DESTINATION ONLY (DEC 2003)

Offers are invited on the basis of f.o.b. destination only. Offers submitted on any other basis will be rejected as nonresponsive.

§ 3052.249-90 3052.249-90 Contract termination (USCG).

As prescribed in the USCG guidance at (HSAR) 48 CFR 3049.9002, insert the following clause:

CONTRACT TERMINATION (USCG) (MAR 2023)

(a) This contract is subject to Section 3523 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232), 14 U.S.C. 1155, pertaining to contract terminations for the United States Coast Guard (USCG).

(b) *Notification.* As required by 14 U.S.C. 1155(b), before terminating a contract with a total value of more than \$1,000,000, the Commandant of the Coast Guard shall notify the contractor and the contractor shall be required to maintain all work product related to the contract until the earlier of—

(1) not less than 1 year after the date of the notification; or

(2) the date the Commandant notifies the vendor that maintenance of such work product is no longer required.

(c) *Work Product Defined.* In this clause the term “work product”—

(1) means tangible and intangible items and information produced or possessed as a result of a contract referred to in subsection (b); and

(2) includes—

(i) any completed end items;

(ii) any uncompleted end items; and

(iii) any property in the Contractor’s possession in which the United States Government has an interest.

(d) *Penalty.* A Contractor that fails to maintain work product as required under subsection (b) is liable to the United States for a civil penalty of not more than \$25,000 for each day on which such work product is unavailable.

(e) The Contractor shall insert the substance of this clause in contracts and subcontracts, including contracts for commercial items, with a total value of more than \$1,000,000.

(End of clause)

[88 FR 9772, Feb. 15, 2023]

PART 3053—FORMS

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3053.303 Agency forms.

AUTHORITY: 5 U.S.C. 301-302, 41 U.S.C. 1303, 41 U.S.C. 1707, 41 U.S.C. 1702, and 48 CFR subpart 1.3.

SOURCE: 68 FR 67871, Dec. 4, 2003, unless otherwise noted.

Subpart 3053.1—General

3053.101 Requirements for use of forms.

Unless excepted, forms prescribed in (FAR) 48 CFR part 53 and (HSAR) 48 CFR part 3053 are required for use by all Components.

[68 FR 67871, Dec. 4, 2003, as amended at 71 FR 48802, Aug. 22, 2006]

3053.103 Exceptions.

Requests for exceptions to forms contained in (FAR) 48 CFR part 53 and to DHS forms in (HSAR) 48 CFR part 3053 shall be submitted, as prescribed in (FAR) 48 CFR 53.103, to the CPO.

Subpart 3053.2—Prescription of Forms

3053.204-70 Administrative matters.

The following forms are prescribed for use in the closeout of applicable contracts, as specified in (HSAR) 48 CFR 3004.804-570:

(a) DHS Form 700-1, Cumulative Claim and Reconciliation Statement. (See (HSAR) 48 CFR 3004.804-570(a)(3).)

(b) DHS Form 700-2, Contractor's Assignment of Refunds, Rebates, Credits and Other Amounts. (See (HSAR) 48 CFR 3004.804-570(a)(2).)

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(c) DHS Form 700-3, Contractor Release. (See (HSAR) 48 CFR 3004.804-570(a)(1).)

[68 FR 67871, Dec. 4, 2003, as amended at 77 FR 50637, Aug. 22, 2012]

3053.222-70 Application of labor laws to Government acquisitions.

The following form is prescribed for use in connection with the application of labor laws, as specified in (HSAR) 48 CFR 3022.406-9: DHS Form 700-4, Employee's Claim for Wage Restitution.

[68 FR 67871, Dec. 4, 2003, as amended at 71 FR 25776, May 2, 2006; 77 FR 50637, Aug. 22, 2012]

3053.227-70 Conveyance of invention rights acquired by the Government.

The following form is prescribed for including a means for contractors to report inventions made in the course of contract performance, as specified in (HSAR) 48 CFR 3027.305-4: DD Form 882, Report of Inventions and Subcontracts.

3053.245-70 [Reserved]

Subpart 3053.3—Illustrations of Forms

3053.303 Agency forms.

This section illustrates agency-specified forms. To access the DHS forms go to <https://www.dhs.gov/publication/acquisition-forms>.

Form name	Form No.
Cumulative Claim and Reconciliation Statement.	DHS Form 700-1.
Contractor's Assignment of Refunds, Rebates, Credits and Other Amounts.	DHS Form 700-2.
Contractor's Release	DHS Form 700-3.
Employee's Claim for Wage Restitution ..	DHS Form 700-4.
Contractor Report of Government Property.	DHS Form 700-5.
Report of Inventions and Subcontract	DD 882.

[71 FR 25776, May 2, 2006, as amended at 77 FR 50637, Aug. 22, 2012; 86 FR 17318, Apr. 2, 2021]

PARTS 3054-3099 [RESERVED]