

SUBCHAPTER G—CONTRACT MANAGEMENT

PART 541—ACQUISITION OF UTILITY SERVICES

Subpart 541.5—Solicitation Provisions and Contract Clauses

Sec.
541.501 Contract clauses.

AUTHORITY: 40 U.S.C. 121(c).

Subpart 541.5—Solicitation Provisions and Contract Clauses

541.501 Contract clauses (FAR DEVIATION).

(a) *FAR deviation.* GSA has a deviation from FAR 52.232–19 that allows use of the clause at 552.241–70 in lieu of the FAR clause at 52.232–19. Insert the clause at 552.241–70, Availability of Funds for the Next Fiscal Year or Quarter, in lieu of the FAR clause at 52.232–19, in all utility acquisitions.

(b) *Utility services.* Insert the clause at 541.501(b), Disputes (Utility Contracts), in solicitations and contracts for utility services subject to the jurisdiction and regulation of a utility rate commission.

[86 FR 55521, Oct. 6, 2021, as amended at 86 FR 61080, Nov. 5, 2021; 89 FR 55086, July 3, 2024]

PART 542—CONTRACT ADMINISTRATION AND AUDIT SERVICES

Subpart 542.11—Production Surveillance and Reporting

Sec.
542.1107 Contract clause.

AUTHORITY: 40 U.S.C. 121(c).

SOURCE: 64 FR 37228, July 9, 1999, unless otherwise noted.

Subpart 542.11—Production Surveillance and Reporting

542.1107 Contract clause.

Insert the clause at 552.242–70, Status Report of Orders and Shipments, in solicitations and contracts when a requirements or indefinite-quantity contract for Stock or Special Order Program items is contemplated. The

clause may be used in indefinite-delivery definite-quantity contracts for Stock or Special Order Program items when close monitoring is necessary because numerous shipments are involved.

[86 FR 55521, Oct. 6, 2021]

PART 543—CONTRACT MODIFICATIONS

AUTHORITY: 40 U.S.C. 121(c).

SOURCE: 64 FR 37228, July 9, 1999, unless otherwise noted.

Subpart 543.2—Change Orders

543.205 Contract clause.

Insert the clause at 552.243–71, Equitable Adjustments, in solicitations and contracts that include any of the following FAR clauses: 52.243–4, 52.243–5, or 52.236–2.

[86 FR 55521, Oct. 6, 2021]

PART 546—QUALITY ASSURANCE

Subpart 546.3—Contract Clauses

Sec.
546.302 Fixed-price supply contracts.
546.302–70 Source inspection by Quality Approved Manufacturer for fixed-price supply contracts.
546.302–71 Source inspection.
546.302–72 Destination inspection.
546.312 Construction contracts.

Subpart 546.7—Warranties

546.704 Authority for use of warranties.
546.708 Warranties of data.
546.710 Contract clause.

AUTHORITY: 40 U.S.C. 121(c).

SOURCE: 64 FR 37228, July 9, 1999, unless otherwise noted.

General Services Administration

546.710

Subpart 546.3—Contract Clauses

546.302 Fixed-price supply contracts.

546.302-70 Source inspection by Quality Approved Manufacturer for fixed-price supply contracts.

(a) Insert the clause at 552.246-70, Source Inspection by Quality Approved Manufacturer:

(1) In FAS solicitations and contracts that—

(i) Will exceed the simplified acquisition threshold;

(ii) Include the FAR clause at 52.246-2; and

(iii) Provide for source inspection for the Stock and Special Order Programs.

(2) In solicitations and contracts that—

(i) Are below the simplified acquisition threshold;

(ii) Include the FAR clause at 52.246-2; and

(iii) Support the Wildfire program; or

(iv) When a pattern of acquisitions demonstrates an ongoing relationship with the contractor.

(b) The contracting officer may authorize inspection and testing at manufacturing plants or other facilities located outside the United States, Puerto Rico, or the U.S. Virgin Islands according to paragraph (a)(1) of the clause at 552.246-70 when any of the following conditions apply and after coordinating the authorization with QVOC and documenting the authorization in the file:

(1) Inspection services are available from another Federal agency with primary inspection responsibility in the geographic area.

(2) An inspection interchange agreement exists with another agency for inspection at a contractor's plant.

(3) Other considerations will ensure more economical and effective inspection consistent with the Government's interest.

546.302-71 Source inspection.

Insert the clause at 552.246-71, Source Inspection by Government, in FAS so-

licitations and contracts where Government personnel at the source will perform inspection.

546.302-72 Destination inspection.

Insert the clause at 552.246-78, Inspection at Destination, in solicitations and contracts for supplies that require inspection at destination.

546.312 Construction contracts.

Insert the clause at 552.246-72, Final Inspection and Tests, in solicitations and contracts for construction that include the FAR clause at 52.246-12.

Subpart 546.7—Warranties

546.704 Authority for use of warranties.

FAR clause 52.246-21, Warranty of Construction, is approved by the agency for use in solicitations and contracts when a fixed-price construction contract is contemplated.

[84 FR 3718, Feb. 13, 2019]

546.708 Warranties of data.

(a) The contracting officer shall use warranties of data only when both of the following conditions are applicable:

(1) Use of a warranty is in the Government's interest and is documented; and

(2) The contracting director concurs with the decision.

(b) The contracting officer shall consult with the technical or specification manager responsible for developing any warranties of data.

[74 FR 26108, June 1, 2009]

546.710 Contract clause.

Insert the clause at 552.246-77, Additional Contract Warranty Provisions for Supplies of a Noncomplex Nature, in solicitations and contracts that include the FAR clause at 52.246-17.

[86 FR 55522, Oct. 6, 2021]

PART 547 [RESERVED]