

3501.603

made and return the file to the cognizant HCA for that individual's ratification and subsequent return to the responsible contracting officer together with, when appropriate, instructions to issue a purchase order, contract, or contract modification, as applicable. If the Procurement Executive does not concur with the proposed ratification, he shall return the file to the HCA, together with a written explanation for the decision and instructions for disposition of the case. He will provide a copy to the General Counsel.

3501.603 Selection, appointment, and termination of appointment.

3501.603-1 General.

Heads of Contracting Activities may appoint as contracting officers one or more capable and qualified individuals of their respective staffs. These appointments may be made by memorandum delegating contracting authority, including any limitations to such authority, to positions or to named individuals. Appointments shall be evidenced by a "Certificate of Appointment", as required by FAR 1.603-3. If contracting authority is delegated to a position by memorandum, the "Certificate of Appointment" shall state the name of the individual assigned to the position.

3501.670 Legal review of proposed contract actions.

3501.670-1 Contract actions requiring legal review.

The following contract actions shall be submitted to the General Counsel for review for legal sufficiency:

- (a) All proposed contracts with an estimated cost of \$100,000 or more (in advance of issuance);
- (b) All alleged mistakes in bids, other than apparent clerical mistakes that can be corrected pursuant to FAR 14.406-2;
- (c) All determinations and findings required under the FAR;
- (d) All proposed utility contracts;
- (e) All proposed contracts containing insurance requirements not prescribed in the FAR or this PAR;
- (f) In sealed bid procurements, all proposed awards to other than the lowest responsible and responsive bidder;

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(g) Rejections of all bids and cancellations of invitations for bids;

(h) Proposed letter contracts;

(i) Written protests, whether before or after award;

(j) Unusual, novel, or unique proposed agreements, and unsolicited proposals that are to be negotiated pursuant to FAR subpart 15.5 and subpart 3515.5;

(k) Proposed ADP contracts of \$25,000 or more when purchase is to be from other than a Federal Supply Service contract source;

(l) Termination actions, including pre-termination letters;

(m) All actions taken under the Disputes clause, including final decisions;

(n) Any action concerning suspension or debarment of an individual or concern;

(o) Deviations from the FAR or PAR;

(p) Any contract matter relating to litigation, disputes, or protest resolution before the courts of the United States or of the Republic of Panama, or before the Corps of Engineers Board of Contract Appeals or the Comptroller General of the United States;

(q) Determinations of nonresponsibility;

(r) Any proposed contract modification, including proceed orders, which may result in a change in the contract price of more than \$25,000, or any proposed contract modification or proceed order granting a time extension of more than 20 calendar days;

(s) Any proposed contract modification resulting from either a contractor's settlement proposal under the Termination for Convenience clause, or a contractor's claim under the Suspension of Work clause, regardless of the contract value or the terms of the proposed modification;

(t) Freedom of Information Act and Privacy Act matters involving contractors or arising under or in relation to any contract;

(u) Administrative setoffs to recoup Government funds under any contract; and

(v) Requests for approval of advance payments on contracts other than those excluded in FAR 32.404.