

1203.405

Subpart 1203.4—Contingent Fees

1203.405 Misrepresentations or violations of the Covenant Against Contingent Fees.

(a) The same procedures contained in (TAR) 48 CFR 1203.203 shall also be followed for misrepresentation or violations of the covenant against contingent fees.

[59 FR 40273, Aug. 8, 1994. Redesignated at 62 FR 26420, May 14, 1997]

Subpart 1203.5—Other Improper Business Practices

1203.502 Subcontractor kickbacks.

1203.502-2 General.

(g) The same procedures contained in (TAR) 48 CFR 1203.203 shall also be followed for subcontractor kickbacks.

Subpart 1203.8—Limitation on the Payment of Funds to Influence Federal Transactions

1203.806 Processing suspected violations.

Contracting officers shall report, in accordance with OA procedures, suspected violations of the requirements of 31 U.S.C. 1352 to the Assistant Inspector General for Investigations (JI-1), 400 Seventh Street, S.W., Washington, DC, 20590.

PART 1204—ADMINISTRATIVE MATTERS

Subpart 1204.1—Contract Execution

Sec.

1204.103 Contract clause.

Subpart 1204.8—Contract Files

1204.804 Closeout of contract files.

1204.804-1 Closeout by the office administering the contract.

1204.804-5 Detailed procedures for closing out contract files.

1204.804-570 Supporting closeout documents.

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

SOURCE: 59 FR 40274, Aug. 8, 1994, unless otherwise noted.

48 CFR Ch. 12 (10-1-02 Edition)

Subpart 1204.1—Contract Execution

1204.103 Contract clause.

The contracting officer shall insert the clause at (FAR) 48 CFR 52.204-1, Approval of Contract, filled in as appropriate, in solicitations when approval to award the resulting contract must be obtained from an official at a level above the contracting officer.

Subpart 1204.8—Contract Files

1204.804 Closeout of contract files.

1204.804-1 Closeout by the office administering the contract.

(b) If the contracting officer determines appropriate, the quick closeout procedures under (FAR) 48 CFR 42.708 may be used for the settlement of indirect costs under contracts when the estimated amount (excluding any fixed fee) of the contract is \$3 million or less.

1204.804-5 Detailed procedures for closing out contract files.

1204.804-570 Supporting closeout documents.

(a) When applicable (see parenthetical examples in this paragraph) and prior to contract closure, the contracting officer shall obtain the listed DOT and Department of Defense (DOD) forms from the contractor to facilitate contract closeout.

(1) Form DOT F 4220.4, Contractor's Release (e.g., see (FAR) 48 CFR 52.216-7);

(2) Form DOT F 4220.45, Contractor's Assignment of Refunds, Rebates, Credits and Other Amounts (e.g., see (FAR) 48 CFR 52.216-7);

(3) Form DOT F 4220.46, Cumulative Claim and Reconciliation Statement (e.g., see (FAR) 48 CFR 4.804-5(a)(13); and

(4) DD Form 882, Report of Inventions and Subcontracts (e.g., see (FAR) 48 CFR 52.227-14).

(b) The forms (See (TAR) 48 CFR part 1253) are used primarily for the closeout of cost-reimbursement, time-and-materials, and labor-hour contracts. However, the forms may also be used for closeout of other contract types or

Department of Transportation

1206.501

when necessary to protect the Government's interest.

PART 1205—PUBLICIZING CONTRACT ACTIONS

Subpart 1205.1—Dissemination of Information

Sec.

1205.101 Methods of disseminating information.

Subpart 1205.4—Release of Information

1205.402 General public.

Subpart 1205.90—Publicizing Contract Actions for Personal Services Contracting

1205.9000 Applicability. (USCG)

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

Subpart 1205.1—Dissemination of Information

1205.101 Methods of disseminating information.

(a)(2)(iii) Contracting officers shall post solicitations expected to exceed \$25,000, if required in OA procedures.

(b) DOT publishes a Procurement Forecast of planned procurements each fiscal year, which is available from the DOT Office of Small and Disadvantaged Business Utilization (S-40), 400 Seventh Street, S.W., Washington, DC, 20590.

[59 FR 40274, Aug. 8, 1994, as amended at 61 FR 50249, Sept. 25, 1996]

Subpart 1205.4—Release of Information

1205.402 General public.

It is DOT policy to furnish to the general public, upon request, the following information on proposed contracts and contract awards:

(a) Prior to the opening of sealed bids or the closing date for receipt of proposals, the names of firms invited to submit sealed bids or proposals;

(b) Prior to the opening of sealed bids or the closing date for receipt of proposals, the names of firms which attended pre-proposal or pre-bid conferences, when held;

(c) After the opening of sealed bids, names of firms which submitted bids; and

(d) After contract award, the names of firms which submitted proposals.

Requests for other specific information shall be processed in accordance with the DOT Freedom of Information Act rules and regulations ((TAR) 48 CFR 1224.202).

[59 FR 40274, Aug. 8, 1994]

Subpart 1205.90—Publicizing Contract Actions for Personal Services Contracting

1205.9000 Applicability. (USCG)

Contracts awarded by the U.S. Coast Guard using the procedures in (TAR) 48 CFR 1237.104–91 are expressly authorized under Section 1091 of Title 10 U.S.C. as amended by Pub. L. 104–106, DOD Authorization Act, Section 733 for the Coast Guard and are exempt from the requirements of (FAR) 48 CFR part 5.

[64 FR 2436, Jan. 14, 1999]

PART 1206—COMPETITION REQUIREMENTS

Subpart 1206.5—Competition Advocates

Sec.

1206.501 Requirement.

Subpart 1206.90—Competition Requirements for Personal Services Contracting

1206.9000 Applicability. (USCG)

AUTHORITY: 5 U.S.C. 301; 41 U.S.C. 418(b); 48 CFR 3.1.

Subpart 1206.5—Competition Advocates

1206.501 Requirement.

The DOT Senior Competition Advocate (SCA) is located in the Office of the Assistant Secretary for Administration. Correspondence may be sent directly to M-60.

[59 FR 40274, Aug. 8, 1994]