

1215.604 Agency points of contact.

(a) The DOT does not have a centralized location to receive unsolicited proposals. The effort submitted in the proposal determines which DOT OA should receive and evaluate the proposal.

(b) Proposers should submit proposals to the cognizant OA contracting office for appropriate handling. Specific information concerning each DOT OA and the type of commodities which they normally procure are available on the worldwide web at <http://www.dot.gov>. Proposers are urged to contact these contracting/procurement offices prior to submitting a proposal to ensure that the proposal is being submitted to the appropriate contracting office for action. This action will serve to reduce paperwork and time for the Government and the proposer.

1215.606 Agency procedures.

(a) The OA contracting office is designated as the point of contact for receipt of unsolicited proposals. Persons within DOT (e.g., technical personnel) who receive unsolicited proposals shall forward the document to their cognizant contracting office.

(b) Within ten working days after receipt of an unsolicited proposal, the contracting office shall review the proposal and determine whether the proposal meets the content and marking requirements of (FAR) 48 CFR 15.6. If the proposal does not meet these requirements, it shall be returned to the submitter giving the reasons for non-compliance.

1215.606-2 Evaluation.

(a) If the proposal is in compliance, the contracting office shall acknowledge receipt of the proposal to the proposer and give the date the proposal evaluation is expected to be completed. The proposal shall be marked as required by (FAR) 48 CFR 15.609 and forwarded to the appropriate technical office for evaluation. The evaluating office shall be given reasonable time to complete the evaluation. However, in no event should an evaluation take more than sixty calendar days after receipt of the proposal except under extenuating circumstances. Contracting offices shall establish a system to en-

sure that this timeframe is met. If the date can not be met, the proposer shall be advised accordingly and be given a revised evaluation completion date.

(b) The evaluating office shall neither reproduce nor disseminate the proposal to other offices without the consent of the contracting office from which the proposal was received for evaluation. If additional information from the proposer is required by the evaluating office, the evaluator shall convey this request to the contracting office in lieu of the proposer. The evaluator shall not communicate directly with the originator of the proposal.

(c) If the evaluator recommends acceptance of the proposal, the cognizant contracting officer shall ensure compliance with all of the requirements of (FAR) 48 CFR 15.607.

PART 1216—TYPES OF CONTRACTS**Subpart 1216.2—Fixed-Price Contracts**

Sec.

1216.203 Fixed-price contracts with economic price adjustment.

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Subpart 1216.4—Incentive Contracts

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Subpart 1216.6—Time-and-Materials, Labor-Hour, and Letter Contracts

1216.603 Letter contracts.

1216.603-4 Contract clauses.

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

SOURCE: 59 FR 40277, Aug. 8, 1994, unless otherwise noted.

Subpart 1216.2—Fixed-Price Contracts

1216.203 Fixed-price contracts with economic price adjustment.

1216.203-4 Contract clauses.

1216.203-470 Solicitation provision.

The contracting officer shall insert the provision at (TAR) 48 CFR 1252.216-

1216.406

70, Evaluation of Offers Subject to an Economic Price Adjustment Clause, in solicitations containing an economic price adjustment clause.

Subpart 1216.4—Incentive Contracts

1216.406 Contract clauses.

(e)(1)(i) The contracting officer shall insert the clause at (TAR) 48 CFR 1252.216-71, Determination of Award Fee, in all cost-plus-award-fee solicitations and contracts.

(ii) The contracting officer shall insert the clause at (TAR) 48 CFR 1252.216-72, Performance Evaluation Plan, in all cost-plus-award-fee solicitations and contracts.

(iii) The contracting officer shall insert the clause at (TAR) 48 CFR 1252.216-73, Distribution of Award Fee, in all cost-plus-award-fee solicitations and contracts.

[59 FR 40277, Aug. 8, 1994. Redesignated and amended at 62 FR 67751, Dec. 30, 1997]

Subpart 1216.5—Indefinite-Delivery Contracts

1216.505 Ordering.

(b)(4) Unless otherwise provided in OA procedures, the OA Competition Advocate is designated as the OA Task and Delivery Order Ombudsman.

(i) If any corrective action is needed after reviewing complaints from contractors on task and delivery order contracts, the OA Ombudsman shall provide a written determination of such action to the contracting officer.

(ii) Issues that cannot be resolved within the OA, are to be forwarded to the DOT Task and Delivery Order Ombudsman for review and resolution.

[61 FR 50249, Sept. 25, 1996]

Subpart 1216.6—Time-and-Materials, Labor-Hour, and Letter Contracts

1216.603 Letter contracts.

1216.603-4 Contract clause.

The contracting officer shall insert the clause at (TAR) 48 CFR 1252.216-74,

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

Settlement of Letter Contract, in all definitized letter contracts.

PART 1217—SPECIAL CONTRACTING METHODS

Subpart 1217.70—Fixed Price Contracts for Vessel Repair, Alteration or Conversion

Sec.
1217.7000 Clauses.

Subpart 1217.71—Energy Savings Performance Contracts

1217.7100 Policy.

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

SOURCE: 59 FR 40277, Aug. 8, 1994, unless otherwise noted.

Subpart 1217.70—Fixed Price Contracts for Vessel Repair, Alteration or Conversion

1217.7000 Clauses.

The following clauses are to be used in specific solicitations and contracts:

(a) The clauses set forth in (TAR) 48 CFR 1252.217-71 through (TAR) 48 CFR 1252.217-74 and (TAR) 48 CFR 1252.217-76 through (TAR) 48 CFR 1252.217-80 shall be included and clause (TAR) 48 CFR 1252.217-75 may be included in sealed bid fixed-price solicitations and contracts for vessel repair, alteration, or conversion which are to be performed within the United States, its possessions, or Puerto Rico.

(b) Unless inappropriate, the clauses set forth in (TAR) 48 CFR 1252.217-71 through (TAR) 48 CFR 1252.217-74 and (TAR) 48 CFR 1252.217-76 through (TAR) 48 CFR 1252.217-80 should be included and (TAR) 48 CFR 1252.217-75 may be included in negotiated solicitations and contracts to be performed outside the United States.

(c) The clause at (TAR) 48 CFR 1252.217-81, Guarantee, shall be used where general guarantee provisions are deemed desirable by the contracting officer.

(1) When inspection and acceptance tests will afford full protection to the Government in ascertaining conformance to specifications and the absence