

Subpart 1223.3—Hazardous Material Identification and Material Safety Data

1223.303 Contract clause.

The contracting officer shall insert the clause at (TAR) 48 CFR 1252.223-70, Removal or Disposal of Hazardous Substances—Applicable Licenses and Permits, in solicitations and contracts involving the removal or disposal of hazardous waste material.

[59 FR 40279, Aug. 8, 1994]

Subpart 1223.70—Safety Requirements for Selected DOT Contracts

1223.7000 Contract clauses.

(a) Where all or part of a contract will be performed on Government-owned or leased property, the contracting officer shall insert the clause at (TAR) 48 CFR 1252.223-71, Accident and Fire Reporting.

(b) For all solicitations and contracts under which human test subjects will be utilized, the contracting officer shall insert the clause at (TAR) 48 CFR 1252.223-72, Protection of Human Subjects. Copies of NHTSA Orders 700-1, 700-3 and 700-4 may be obtained in writing from NHTSA, Office of Administrative Operations, Distribution Services, NAD-51, 400 Seventh Street SW., Washington, DC 20590.

[59 FR 40279, Aug. 8, 1994]

PART 1224—PROTECTION OF PRIVACY AND FREEDOM OF INFORMATION

Subpart 1224.1—Protection of Individual Privacy

Sec.

1224.102-70 Applicability.

1224.103 Procedures.

Subpart 1224.2—Freedom of Information Act

1224.203 Policy.

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

SOURCE: 59 FR 40279, Aug. 8, 1994, unless otherwise noted.

Subpart 1224.1—Protection of Individual Privacy

1224.102-70 Applicability.

(a) Illustrations of systems of records to which the Privacy Act applies and which shall not be released irrespective of whether the Government or a contractor acting on behalf of the Government is maintaining the records include the following:

(1) Personnel, payroll and background records personal to any officer or employee of DOT, or other person, including his or her residential address;

(2) Medical histories and medical records concerning individuals, including applicants for licenses; and

(3) Any other detailed record containing information identifiable with a particular person.

(b) Illustrations of systems of records to which the Privacy Act does not apply include:

(1) Records that are maintained by a contractor on individuals employed by the contractor in the process of providing goods and services to the Federal government; and

(2) The records generated, when contracting with an educational institution, on contract students pursuant to their attendance (e.g., admission forms, grade reports), provided that they are similar to those maintained under contracts with educational institutions to provide training, generated on students working under the contract relative to their attendance (e.g., admission forms, grade reports), similar to those maintained on other students and are commingled with records of other students.

1224.103 Procedures.

DOT's rules and regulations implementing the Privacy Act of 1974 are located at 49 CFR part 10.

[61 FR 50250, Sept. 25, 1996]

Subpart 1224.2—Freedom of Information Act

1224.203 Policy.

DOT rules and regulations implementing the Freedom of Information Act (FOIA) and the names and addresses of the OA FOIA offices are located in

Department of Transportation

49 CFR part 7. Specific contract award information shall be requested from the FOIA office of the OA making the contract award.

[59 FR 40279, Aug. 8, 1994. Redesignated at 62 FR 67751, Dec. 30, 1997]

PART 1225 [RESERVED]

PART 1227—PATENTS, DATA, AND COPYRIGHTS

Sec.

Subpart 1227.3—Patent Rights Under Government Contracts

1227.305 Administration of patent rights clauses.

1227.305-4 Conveyance of invention rights acquired by the Government.

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

Subpart 1227.3—Patent Rights Under Government Contracts

1227.305 Administration of patent rights clauses.

1227.305-4 Conveyance of invention rights acquired by the Government.

The contracting officer shall ensure that solicitations and contracts which include a patent rights clause include a means for the contractor to report inventions made in the course of contract performance and at contract completion. This requirement may be fulfilled by requiring the contractor to submit a DD Form 882, Report of Inventions and Subcontracts.

[59 FR 40281, Aug. 8, 1994]

PART 1228—BONDS AND INSURANCE

Subpart 1228.1—Bonds

Sec.

1228.106 Administration.

1228.106-1 Bonds and bond-related forms.

1228.106-6 Furnishing of information.

1228.106-70 Execution and administration of bonds.

1228-106-490 Contract clause. (USCG)

1228.106-6

Subpart 1228.3—Insurance

1228.306 Insurance under fixed-price contracts.

1228.306-70 Contracts for lease of aircraft.

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

SOURCE: 59 FR 40281, Aug. 8, 1994, unless otherwise noted.

Subpart 1228.1—Bonds

1228.106 Administration.

1228.106-1 Bonds and bond-related forms.

(c) SF 25, Performance Bond, prescribed at (FAR) 48 CFR 28.106-1(c), must provide coverage for taxes imposed by the United States which are collected, deducted, or withheld from wages paid by the contractor. Forms other than the SF 25 (e.g., a commercial form) shall not be used by contractors when a performance bond is required.

1228.106-6 Furnishing of information.

(b) The contracting officer shall, upon request, furnish the name and address of the prime contractor's surety or sureties to employees, suppliers, and subcontractors having a contractual or employment relationship with prime contractors, subcontractors or suppliers. When furnishing surety information, the inquirer may also be informed that:

(1) Persons believing that they have legal remedies under the Miller Act are cautioned to consult their own legal advisor regarding the proper steps to take to obtain remedies.

(2) On construction contracts exceeding \$2,000, if the contracting officer is informed (through routine compliance checking, a complaint, or a request for information) that a laborer, mechanic, apprentice, trainee, watchman, or guard employed by the contractor or subcontractor at any tier may have been paid wages less than those required by the applicable labor standards provisions of the contract, the contracting officer shall promptly initiate an investigation in accordance with (FAR) 48 CFR subpart 22.4, irrespective of the employee's rights under