

## SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

### PART 1527—PATENTS, DATA, AND COPYRIGHTS

#### Subpart 1527.4—Rights in Data and Copyrights

Sec.

1527.404 Basic rights in data clause.

1527.409 Solicitation provisions and contract clauses.

AUTHORITY: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

#### Subpart 1527.4—Rights in Data and Copyrights

##### 1527.404 Basic rights in data clause.

The Contracting Officer shall insert in the *Limited Rights Notice* when using Alternate II of FAR 52.227-14 the following purposes for disclosure of limited data outside the Government.

(a) Use (except for manufacture) by support service contractors;

(b) Evaluation by nongovernment evaluators;

(c) Use (except for manufacture) by other contractors participating in the Government's program of which the specific contract is a part, for information and use in connection with the work performed under each contract;

(d) Emergency repairs or overhaul work;

(e) Release to a foreign government, or instrumentality thereof, as the interests of the United States Government may require, for information or evaluation, or for emergency repair or overhaul work by such government.

[55 FR 48623, Nov. 21, 1990]

##### 1527.409 Solicitation provisions and contract clauses.

The Contracting Officer shall insert the clause in 1552.227-76 in all Superfund solicitations and contracts in excess of the simplified acquisition threshold and, as appropriate, in simplified acquisition procedures. The clause may be used in other contracts if considered necessary by the Contracting Officer.

[59 FR 18620, Apr. 19, 1994, as amended at 61 FR 57339, Nov. 6, 1996]

### PART 1528—INSURANCE

#### Subpart 1528.1—Insurance

##### 1528.101 Insurance liability to third persons.

Contracting officers shall insert the clause at 1552.228-70, Insurance Liability to Third Persons, in cost-reimbursement solicitations and contracts, except those for construction and architect-engineer services. NOTE: This clause may be used in contracts awarded utilizing architect-engineer services such as requirements for Superfund cleanups (*e.g.*, response action contracts). The clause does not apply to Superfund indemnification for third party pollution liability or coverage for commercial pollution liability insurance as prescribed by section 119 of CERCLA as amended by SARA.

[65 FR 58923, Oct. 3, 2000]

### PART 1529—TAXES

#### Subpart 1529.3—State and Local Taxes

Sec.

1529.303 Application of State and local taxes to Government contractors and subcontractors.

#### Subpart 1529.4—Contract Clauses

1529.401 Domestic contracts.

1529.401-70 Cost-reimbursable type contracts.

AUTHORITY: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

SOURCE: 54 FR 49998, Dec. 4, 1989, unless otherwise noted.

#### Subpart 1529.3—State and Local Taxes

##### 1529.303 Application of State and local taxes to Government contractors and subcontractors.

Contractors are responsible for determining the availability of State and local tax exemptions and obtaining such exemptions, if available, unless the Contracting Officer determines

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under FAR 31.205-41(b)(3) that the administrative burden outweighs the corresponding benefit. Contractors are responsible for ensuring that subcontractors also seek and obtain such exemptions, if available.

### Subpart 1529.4—Contract Clauses

#### 1529.401 Domestic contracts.

#### 1529.401-70 Cost-reimbursable type contracts.

Contracting Officers shall insert the clause at 1552.229-70 in all solicitations and contracts when it is anticipated a cost-reimbursable type contract shall be used or a contractor or subcontractor shall be reimbursed for materials at cost.

## PART 1530—COST ACCOUNTING STANDARDS

### Subpart 1530.3—CAS Contract Requirements [Reserved]

## PART 1531—CONTRACT COST PRINCIPLES AND PROCEDURES

### Subpart 1531.1—Applicability [Reserved]

## PART 1532—CONTRACT FINANCING

Sec.

1532.006 Reduction or suspension of contract payments upon finding of fraud.

1532.006-1 General.

1532.006-2 Definitions.

1532.006-3 Responsibilities.

#### Subpart 1532.1—General

1532.102 Description of contract financing methods.

1532.111 Contract clauses.

1532.170 Forms.

#### Subpart 1532.2—Commercial Item Purchase Financing

1532.201 Statutory authority.

#### Subpart 1532.4—Advance Payments [Reserved]

#### Subpart 1532.8—Assignment of Claims

1532.805 Procedure.

1532.805-70 Forms.

### Subpart 1532.9—Prompt Payment

1532.908 Contract clauses.

AUTHORITY: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

SOURCE: 49 FR 8858, Mar. 8, 1984, unless otherwise noted.

### 1532.006 Reduction or suspension of contract payments upon finding of fraud.

#### 1532.006-1 General.

(a)-(b) [Reserved]

(c) Agency responsibilities and determinations under FAR 32.006 are, consistent with FAR 32.006-1(c), delegated to the Head of the Contracting Activity, if that individual is not below Level IV of the Executive Schedule. If the Head of the Contracting Activity is below Level IV of the Executive Schedule, then Agency responsibilities and determinations under FAR 32.006 are delegated to the Assistant Administrator for Administration and Resources Management.

[65 FR 37292, June 14, 2000]

#### 1532.006-2 Definitions.

The Remedy Coordination Official for EPA is the Assistant Inspector General for Investigations.

[65 FR 37292, June 14, 2000]

#### 1532.006-3 Responsibilities.

(a) EPA shall use the procedures in FAR 32.006-4 when determining whether to reduce or suspend further payments to a contractor when there is a report from the Remedy Coordination Official finding substantial evidence that the contractor's request for advance, partial or progress payments is based on fraud and recommending that the Agency reduce or suspend such payments to the contractor.

(b) [Reserved]

[65 FR 37292, June 14, 2000]