

Subpart 519.12—Small Disadvantaged Business Participation Program

519.1202 Evaluation factor or sub-factor.

519.1202-2 Applicability.

In addition to the exception in FAR 19.1202-2, do not evaluate the extent of participation of SDB concerns in performance of multiple award schedule contracts when all fair and reasonable offers from responsible sources are accepted.

PART 522—APPLICATION OF LABOR LAWS TO GOVERNMENT ACQUISITIONS

Sec.

522.001 Definition.

Subpart 522.1—Basic Labor Policies

522.101 Labor relations.

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AUTHORITY: 40 U.S.C. 486(c).

SOURCE: 64 FR 37220, July 9, 1999, unless otherwise noted.

522.001 Definition.

Agency labor advisory, as used in this part, means the Director of the GSA Acquisition Policy Division, Office of Acquisition Policy.

Subpart 522.1—Basic Labor Policies

522.101 Labor relations.

522.101-1 General.

(a) GSA personnel performing official duties must maintain GSA's impar-

tiality in disputes between labor and contractor management by refraining from involvement in or expressing a position on:

(1) Labor negotiations between contractors and unions.

(2) The merits of any dispute between labor and a contractor's management.

(b) The Office of General Counsel (OGC) and the agency labor advisor:

(1) Serve as focal points on contractor labor relations.

(2) Initiate contact on contractor labor relations matters with national offices of labor organizations, Government departments, agencies or other governmental organizations.

(3) Serve as a clearinghouse for information on labor laws applicable to Government acquisitions.

(4) Respond to questions involving FAR Part 22, this part, or other contractor labor relations matters concerning GSA acquisition programs. OGC determines the agency's legal position.

522.103-5 Contract clauses.

Insert FAR 52.222-1, Notice to the Government of Labor Disputes, in solicitations and contracts for items on the DoD Master Urgency List.

Subpart 522.4—Labor Standards for Contracts Involving Construction

522.406 Administration and enforcement.

522.406-6 Payrolls and statements.

STATEMENT FROM PRIME CONTRACTORS OR SUBCONTRACTORS THAT PERSONALLY PERFORM WORK

(a) Weekly payrolls and statements of compliance with respect to payment of wages are not required from a prime contractor or a subcontractor that personally performs work.

(b) Instead, a prime contractor or a subcontractor that personally performs work must submit weekly certified statements clearly showing the following information:

(1) The individual's contractual relationship.

(2) The scope and date(s) the individual performed the work.

(3) The individual received no wages for the labor performed.

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(4) No mechanics or laborers were employed in the prosecution of the work.

(c) Use GSA Form 618-D, Statement to be Submitted When Work is Performed Personally, to furnish this information.

Subpart 522.8—Equal Employment Opportunity

522.803 Responsibilities.

Submit questions on the applicability of E.O. 11246 and implementing regulations to assigned legal counsel.

522.804 Affirmative action programs.

522.804-1 Nonconstruction.

(a) The requirements of FAR 22.804 also apply to each contractor and subcontractor with 50 or more employees who either:

(1) Serves as a depository of Government funds.

(2) Is a financial institution serving as an issuing and paying agent for U.S. savings bonds and savings notes.

(b) Contractors, subcontractors, and financial institutions must develop a written affirmative action compliance program for each of its establishments even if the amount held is less than \$50,000.

522.805 Procedures.

(a) To determine whether the contract meets the threshold in FAR 22.805(a), include the value of the basic contract plus priced options. A contract modification exercising a priced option is not a contract award under FAR 22.805(a)(1)(ii) and does not require a preaward clearance.

(b) Submit preaward review requests directly.

Furnishing Information to Contractors

(c) In addition to the poster required by FAR 22.805(b), provide each non-exempt contractor a copy of SF 100.

522.807 Exemptions.

The agency labor advisor submits a request for exemption.

PART 523—ENVIRONMENT, CONSERVATION, OCCUPATIONAL SAFETY AND DRUG-FREE WORK-PLACE

Subpart 523.3—Hazardous Materials Identification and Material Safety Data

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523.303 Contract clause.

523.370 Solicitation provision.

AUTHORITY: 40 U.S.C. 486(c).

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Subpart 523.3—Hazardous Materials Identification and Material Safety Data

523.303 Contract clause.

(a) Insert 552.223-70, Hazardous Substances, in solicitations and contracts for packaged items subject to the Federal Hazardous Substances Act and the Hazardous Materials Transportation Act.

(b) Insert 552.223-71, Nonconforming Hazardous Materials, in solicitations and contracts for supplies that contain hazardous materials.

523.370 Solicitation provision.

Insert 552.223-72, Hazardous Material Information, in any solicitation that provides for delivery of hazardous materials on an f.o.b. origin basis.

PART 525—FOREIGN ACQUISITION

Subpart 525.1—Buy American Act-Supplies [Reserved]

Subpart 525.3—Balance of Payments Program

Sec.

525.302 Policy.

525.302-70 Procurements for agencies under the Foreign Assistance Act.

Subpart 525.5—Evaluating Foreign Officers—Supply Contracts

525.570 Procurement of hand or measuring tools or stainless steel flatware for DOD.

Subpart 525.11—Solicitation Provisions and Contract Clauses

525.1101 Acquisition of supplies.