

(2) Classified contracts or purchases (*see* 4.401) when registration in the CCR database, or use of CCR data, could compromise the safeguarding of classified information or national security;

(3) Contracts awarded by—

(i) Deployed contracting officers in the course of military operations, including, but not limited to, contingency operations as defined in 10 U.S.C. 101(a)(13) or humanitarian or peacekeeping operations as defined in 10 U.S.C. 2302(7); or

(ii) Contracting officers in the conduct of emergency operations, such as responses to natural or environmental disasters or national or civil emergencies, *e.g.*, Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121);

(4) Contracts to support unusual or compelling needs (*see* 6.302–2); and

(5) Awards made to foreign vendors for work performed outside the United States, if it is impractical to obtain CCR registration before award.

(b) If practical, the contracting officer shall modify the contract or agreement awarded under paragraph (a)(3) or (a)(4) of this section to required CCR registration.

(c)(1)(i) If a contractor has legally changed its business name, “doing business as” name, or division name (whichever is shown on the contract), or has transferred the assets used in performing the contract, but has not completed the necessary requirements regarding novation and change-of-name agreements in subpart 42.12, the contractor shall provide the responsible contracting officer a minimum of one business day’s written notification of its intention to change the name in the CCR database; comply with the requirements of 42.12; and agree in writing to the timeline and procedures specified by the responsible contracting officer. The contractor must provide with the notification sufficient documentation to support the “legally” changed name.

(ii) If the Contractor fails to comply with the requirements of paragraph (g)(1)(i) of the FAR clause at 52.204–XX, CCR, or fails to perform the agreement at FAR 52.204–XX(g)(1)(i)(3), and, in the absence of a properly executed novation or change-of-name agreement, the CCR information that shows the contractor to be other than the contractor indicated in the contract will be considered to be incorrect information within the meaning of the “suspension of payment” paragraph of the EFT clause of this contract.

(2) The contractor shall not change the name or address for electronic funds transfer payments (EFT) or manual

payments, as appropriate, in the CCR record to reflect an assignee for the purpose of assignment of claims (*see* Subpart 32.8, Assignment of Claims).

Assignees shall be separately registered in the CCR database. Information provided to the contractor’s CCR record that indicates payments, including those made by EFT, to an ultimate recipient other than that contractor will be considered to be incorrect information within the meaning of the “suspension of payment” paragraph of the EFT clause of this contract.

4.1103 Procedures.

(a) Unless the acquisition is exempt under 4.1102, the contracting officer—

(1) Shall verify that the prospective contractor is registered in the CCR database (*see* paragraph (b) of this section) before awarding a contract or agreement;

(2) Should use the DUNS number or, if applicable, the DUNS+4 number, to verify registration—

(i) Via the Internet at <http://www.ccr.gov>;

(ii) By calling toll-free: 1–888–227–2423, commercial: (616) 961–5757, or DSN: 932–5757; or

(iii) As otherwise provided by agency procedures; and

(3) Shall modify a contract or agreement that does not already include the requirement to be registered in the CCR database and maintain registration until final payment, and whose period of performance extends beyond September 30, 2003—

(i) To incorporate, as appropriate, the clause at 52.204–XX, Central Contractor Registration, and its Alternate 1, or, for a contract for commercial items, an addendum to 52.212–4, Contract Terms and Conditions—Commercial Items, that requires the contractor to be registered in the CCR database by September 30, 2003, and maintain registration until final payment; and

(ii) In sufficient time to permit CCR registration by September 30, 2003.

(b) Need not verify registration before placing an order or call if the contract or agreement includes the clause at 52.204.XX, or 52.212–4(t), or a similar agency clause.

(c) If the contracting officer, when awarding a contract or agreement, determines that a prospective contractor is not registered in the CCR database and an exception to the registration requirements for the award does not apply (*see* 4.1102), the contracting officer shall—

(1) If the needs of the requiring activity allow for a delay, make award after the apparently successful offeror

has registered in the CCR database. The contracting officer shall advise the offeror of the number of days it will be allowed to become registered. If the offeror does not become registered by the required date, the contracting officer shall award to the next otherwise successful registered offeror following the same procedures (*i.e.*, if the next apparently successful offeror is not registered, the contracting officer shall advise the offeror of the number of days it will be allowed to become registered, etc.); or

(2) If the needs of the requiring activity do not allow for a delay, proceed to award to the next otherwise successful registered offeror, provided that written approval is obtained at one level above the contracting officer.

(d) Agencies shall protect against improper disclosure of contractor CCR information.

(e) The contracting officer shall, on contractual documents transmitted to the payment office, provide the DUNS number, or, if applicable, the DUNS+4, in accordance with agency procedures.

4.1104 Solicitation provision and contract clauses.

Except as provided in 4.1102(a), use the clause at 52.204–XX Central Contractor Registration, in solicitations and contracts that require contractors to be registered in the CCR database. If modifying a contract, or an agreement to require registration, use the clause with its Alternate I.

PART 13—SIMPLIFIED ACQUISITION PROCEDURES

5. Amend section 13.102 by revising the introductory text of paragraph (a); and adding paragraphs (a)(4) and (a)(5) to read as follows:

13.102 Source list.

(a) Each contracting office should maintain a source list (or lists, if more convenient). A list of new supply sources may be obtained from the Central Contractor Registration database (*see* 4.11) at <http://www.ccr.gov> or the Procurement Marketing and Access Network (PRO–Net) of the Small Business Administration. Either list should identify the status of each source (when the status is made known to the contracting office) in the following categories:

* * * * *

(4) HUBZone small business.

(5) Service-disabled veteran-owned small business.

* * * * *