

will be considered in formulating the final rule.

List of Subjects in 48 CFR Parts 511, 516, 532, 538, 546, and 552

Government procurement.

Dated: May 2, 2003.

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Deputy Associate Administrator, Office of Acquisition Policy.

■ Therefore, GSA amends 48 CFR parts 511, 516, 532, 538, 546, and 552 as set forth below:

■ 1. The authority citation for 48 CFR parts 511, 516, 532, 538, 546, and 552 is revised to read as follows:

Authority: 40 U.S.C. 121(c).

PART 511—DESCRIBING AGENCY NEEDS

■ 2. Amend section 511.204 in paragraphs (c)(3) and (d) by adding a sentence to the end of each paragraph to read as follows:

511.204 Solicitation provisions and contract clauses.

* * * * *

(c) * * *

(3) * * * In solicitations and contracts for FSS Schedule 70 and the Corporate Schedule containing information technology Special Item Numbers, use Alternate I.

(d) * * * In solicitations and contracts for FSS Schedule 70 and the Corporate Schedule containing information technology Special Item Numbers, use Alternate I.

PART 516—TYPES OF CONTRACTS

■ 3. Amend section 516.506 by redesignating paragraph (c) as paragraph (d); adding a new paragraph (c); and revising the last sentence in the newly designated paragraph (d) to read as follows:

516.506 Solicitation provisions and contract clauses.

* * * * *

(c) In solicitations and contracts for FSS Schedule 70 and the Corporate Schedule containing information technology Special Item Numbers, use 552.216–72, Placement of Orders, Alternate III, instead of Alternate II.

(d) * * * Use 552.216–73 Alternate II when 552.216–72 Alternate II or Alternate III are prescribed.

PART 532—CONTRACT FINANCING

■ 4. Revise section 532.206 to read as follows:

532.206 Solicitation provisions and contract clauses.

(a) *Discounts for prompt payment.* Include 552.232–8, Discounts for Prompt Payments, in multiple award schedule solicitations and contracts instead of the clause at FAR 52.232–8. In solicitations and contracts for FSS Schedule 70 and the Corporate Schedule containing information technology Special Item Numbers (SINs), use Alternate I.

(b) The contracting officer shall insert the clause at 552.232–81, Payments by Non-Federal Ordering Activities, in solicitations and schedule contracts for Schedule 70 and Corporate Schedule contracts containing information technology SINs.

(c) The contracting officer shall insert the provision at 552.232–82, Contractor's Remittance (Payment) Address, in all Federal Supply Schedule solicitations and contracts.

(d) The contracting officer shall insert the clause at 552.232–83, Contractor's Billing Responsibilities, in all Multiple Award Schedule solicitations and contracts.

532.7003 Contract clause.

■ 5. Amend section 532.7003 by revising paragraph (b); and adding a new paragraph (c) to read as follows:

* * * * *

(b) *Federal Supply Service contracts.* Use Alternate I of the clause at 552.232–77 for all FSS schedule solicitations and contracts, except Federal Supply Schedule 70, Information Technology, and the Corporate Schedule contracts containing Information Technology Special Item Numbers.

(c) *Federal Supply Service schedule contracts for information technology Special Item Numbers.* In solicitations and contracts for FSS Schedule 70 and the Corporate Schedule containing information technology Special Item Numbers, use 552.232–79 instead of 552.232–77.

PART 538—FEDERAL SUPPLY SCHEDULE CONTRACTING

538.272 [Amended]

■ 6. Amend paragraph (a) of section 538.272 by removing “Government” each time it is used (twice) and adding “eligible ordering activities” in its place.

■ 7. Amend section 538.273 by revising the introductory text of paragraph (a)(2); and adding a sentence at the end of paragraph (b)(2) to read as follows:

538.273 Contract clauses.

(a) * * *

(2) 552.237–71, Submission and Distribution of Authorized FSS

Schedule Pricelists. In solicitations and contracts for FSS Schedule 70 and the Corporate Schedule contracts containing information technology Special Item Numbers, use Alternate I. If GSA is not prepared to accept electronic submissions for a particular schedule, delete:

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(b) * * * In solicitations and contracts for FSS Schedule 70 and the Corporate Schedule contracts containing information technology Special Item Numbers, use Alternate I.

■ 8. Add Subpart 538.70 to read as follows:

Subpart 538.70 Cooperative Purchasing

Sec.

538.7000 Scope of subpart.

538.7001 Definitions.

538.7002 General.

538.7003 Policy.

538.7004 Solicitation provisions and contract clauses.

538.7000 Scope of subpart.

This subpart prescribes policies and procedures that implement statutory provisions authorizing non-federal organizations to use Schedule 70 and Corporate Schedule contracts containing information technology Special Item Numbers (SINs).

538.7001 Definitions.

Ordering activity (also called “ordering agency” and “ordering office”) means an eligible ordering activity (see 552.238–78) authorized to place orders under Federal supply schedule contracts.

Schedule 70, as used in this subpart, means Schedule 70 information technology contracts, and corporate schedule contracts containing information technology SINs. The Corporate Schedule is a compilation of multiple individual Federal Supply Schedules; therefore, only the SINs that fall under Schedule 70 of the Corporate Schedule will apply to Cooperative Purchasing. No other Schedules, or SINs, containing information technology outside of Schedule 70 SINs, and corporate schedule contracts containing Schedule 70 SINs, will apply.

State and local government entities, as used in this subpart, means the states of the United States, counties, municipalities, cities, towns, townships, tribal governments, public authorities (including public or Indian housing agencies under the United States Housing Act of 1937), school districts, colleges and other institutions of higher education, council of governments (incorporated or not), regional or