

Subpart 2944.2—Consent To Subcontract**2944.201–1 Consent requirements**

In accordance with FAR 44.201–1(b) or FAR 44.201–2, advance notification and agreement are required for all cost-reimbursement, time-and-materials, or labor-hour subcontracts exceeding the simplified acquisition threshold.

2944.202 Contracting officer's evaluation.**2944.202–2 Considerations.**

The review required by FAR 44.202–2(a) must be documented in writing (including supporting facts and rationale), signed by the contracting officer, and included in the contract file.

2944.203 Consent limitations.

Any limitations placed on the consent to subcontract must be documented in writing (including supporting facts and rationale), signed by the contracting officer, and included in the contract file.

Subpart 2944.3—Contractors' Purchasing Systems Reviews**2944.302 Requirements.**

The authority of the ASAM under FAR 44.302(a), to raise or lower the \$25 million review level for a contractor's purchasing system, may not be delegated. When a CPSR is required by the Contracting Officer, the effort must be coordinated with the Division of Acquisition Management Services, and the Division of Cost Determination.

PART 2945—GOVERNMENT PROPERTY**Subpart 2945.1—General**

Sec.

- 2945.104 Review and correction of contractors' property control systems.
- 2945.105 Records of Government property.

Subpart 2945.3—Providing Government Property to Contractors

- 2945.302 Providing facilities.

Subpart 2945.4—Contractor Use and Rental of Government Property

- 2945.403 Rental-use and charges clause.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2945.1—General**2945.104 Review and correction of contractors' property control systems.**

When the Government's property administrator determines that review and approval of the contractor's property control system rests with the DOL, the Government's property administrator must review the system to determine whether the contractor will be able to meet the requirements of FAR 45.104. The review must be completed,

signed by the appointed property administrator, and retained in the contract file.

2945.105 Records of Government property.

Contracting officers must maintain a file on any Government property in the possession of the contractors. As a minimum, the file must contain the following:

- (a) A copy of the applicable portions of the contract that list the Government-furnished property (GFP);
- (b) Contracting officer's letters assigning the Government property administrator to the contract;
- (c) Written evidence that the contractor's property control system was reviewed and approved as required by FAR 45.104;
- (d) If applicable, documentation of the request and approval or denial of the contractor's requests to acquire or fabricate special test equipment in accordance with FAR 45.307 or other property;
- (e) The contractor's written notice of receipt of the GFP and any reported discrepancies thereto, as required by FAR 45.502–1 and 45.502–2, respectively;
- (f) Any other documents pertaining to or affecting the status of the Government property in the possession of contractors or subcontractors under the contract;
- (g) Documentation of the screening and disposal of all Government property as required by FAR 45.6.

Subpart 2945.3—Providing Government Property to Contractors**2945.302 Providing facilities.**

The HCA is authorized to make the determination to provide facilities to a contractor as prescribed in FAR 45.302–1(a)(4).

Subpart 2945.4—Contractor Use and Rental of Government Property**2945.403 Rental-use and charges clause.**

The HCA must make the determination to charge rent on the basis of use under the clause at FAR 52.245–9 when the contracting officer provides access to Government production and research property, as prescribed in FAR 45.403(a).

PARTS 2946–2951 [RESERVED]**PART 2952—SOLICITATION PROVISIONS AND CONTRACT CLAUSES****Subpart 52.2—Text of Provisions and Clauses**

Sec.

- 2952.201–70 Contracting Officer's Technical Representative (COTR).

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 52.2—Text of Provisions and Clauses**2952.201–70 Contracting officer's technical representative (COTR).**

Insert the following clause into contracts requiring COTR representation under 2901.605:

Contracting officer's technical representative (COTR) [Effective Date of Final Rule]

- (a) Mr./Ms. (Name) of (Organization) (Room No.), (Building), (Address), (Area Code & Telephone No.), is hereby designated to act as contracting officer's technical representative (COTR) under this contract.
- (b) The COTR is responsible, as applicable, for: receiving all deliverables, inspecting and accepting the supplies or services provided hereunder in accordance with the terms and conditions of this contract; providing direction to the contractor which clarifies the contract effort, fills in details or otherwise serves to accomplish the contractual Scope of Work; evaluating performance; and certifying all invoices/vouchers for acceptance of the supplies or services furnished for payment.
- (c) The COTR does not have the authority to alter the contractor's obligations under the contract, and/or modify any of the expressed terms, conditions, specifications, or cost of the agreement. If, as a result of technical discussions, it is desirable to alter/change contractual obligations or the Scope of Work, the contracting officer must issue such changes.

PART 2953—FORMS**Subpart 53.1—General**

Sec.

- 2953.100 Request for review by the Procurement Review Board.
- 2953.101 Simplified Acquisition Checklist DL 1–2001.
- 2953.102 Simplified Acquisition DL 2078.
- 2953.103 Department of Labor Form DL 1–2004, Small Business Procurement Determination.
- 2953.104 Simplified Acquisition Terms And Conditions.

Authority: 5 U.S.C. 301; 40 U.S.C. 486(c).

Subpart 2953.1—General**2953.100 Request for review by the Procurement Review Board.**

The following form must be used by the requisitioning office to submit a request for review by the Procurement Review Board as specified in DOLAR parts 2901 and 2943. This form must be submitted through the Assistant Secretary for the program office to the Director, Division of Acquisition Management Services for scheduling before the PRB. In general, the PRB