PART 2832—CONTRACT FINANCING

Authority: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 0.76(j).

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Parent topic: SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

2832.006 Reduction or suspension of contract payments upon finding of fraud.

2832.006-1 General.

The SPE is the agency head for the purposes of FAR 32.006-1.

2832.006-2 Definition.

The SPE is the “Remedy coordination official” for the purposes of FAR 32.006-2.

2832.006-3 Responsibilities.

DOJ personnel shall immediately report, in writing, to the contracting officer and the OIG any apparent or suspected contractor request for advance, partial, or progress payments based on fraud.

2832.006-4 Procedures.

The SPE is the agency head for the purposes of FAR 32.006-4.

Subpart 2832.1—Non-Commercial Item Purchase Financing

2832.114 Unusual contract financing.

The HCA, or designee at a level at or above the BPC, is the official authorized to approve unusual contract financing as set forth in FAR 32.114.

Subpart 2832.2—Commercial Item Purchase Financing

2832.201 Statutory authority.

The HCA or designee is the agency head for the purposes of FAR 32.201.

Subpart 2832.4—Advance Payments for Non-Commercial Items

2832.402 General.

(a) The authority to make the determinations prescribed in FAR 32.402 and sign written determinations and findings with respect to making advance payments is vested in the HCA or designee.

(b) Prior to awarding a contract which contains provisions for making advanced payments, the contract terms and conditions concerning advance payments shall be approved at a level above the contracting officer.

(c) In ensuring that all FAR and agency requirements are met, the contracting officer shall coordinate with the activity that is to provide contract financing for advance payments, the bureau's disbursing or finance office, or the Treasury Department, as appropriate.

2832.407 Interest.

In accordance with FAR 32.407(d), advance payments may be made on an interest free basis. A determination to make such interest free advance payments, and the circumstance permitting interest free advance payments, shall be set forth in the original determination and findings and be approved in accordance with JAR 2832.402.

Subpart 2832.5—Progress Payments Based on Costs

2832.502 Preaward matters.

2832.502-2 Contract finance office clearance.

Before taking any of the actions prescribed in FAR 32.502-2, the contracting officer shall obtain advice and assistance from the bureau's Chief Financial Officer.

2832.503 Postaward matters.

2832.503-6 Suspension or reduction of payments.

The HCA or designee is the approving official for any action recommended under FAR 32.503-6. Upon approval, the contracting officer shall request the finance office to suspend or reduce payments.

Subpart 2832.7—Contract Funding

2832.703 Contract funding requirements.

2832.703-3 Contracts crossing fiscal years.

The HCA or designee is the agency head for the purposes of FAR 32.703-3(b).

Subpart 2832.9—Prompt Payment

2832.903 Responsibilities.

The HCA or designee is responsible for promulgating policies and procedures to implement FAR subpart 32.9.

Subpart 2832.11—Electronic Funds Transfer

2832.1110 Solicitation provision and contract clauses.

When the clause at FAR 52.232-34, Payment by Electronic Funds Transfer (EFT)—Other than System for Award Management, is required, the contracting officer may insert in paragraph (b)(1) of the clause a particular time after award, such as a fixed number of days, or an event such as the submission of the first request for payment, to establish the point at which contractors' EFT information shall be provided.