

45.107 Contract clauses.

(a)

(1) Except as provided in paragraph (d) of this section, the contracting officer shall insert the clause at [52.245-1](#), Government Property, in-

(i) All cost-reimbursement and time-and-material type *solicitations* and contracts, and labor-hour *solicitations* when property is expected to be furnished for the labor-hour contracts.

(ii) Fixed-price *solicitations* and contracts when the Government will provide Government property.

(iii) Contracts or modifications awarded under FAR [part 12](#) procedures where Government property that exceeds the simplified acquisition threshold, as defined in FAR [2.101](#), is furnished or where the contractor is directed to acquire property for use under the contract that is titled in the Government.

(2) The contracting officer shall use the clause with its Alternate I in contracts other than those identified in FAR [45.104\(a\)](#), Responsibility and Liability for Government Property.

(3) The contracting officer shall use the clause with its Alternate II when a contract for the conduct of basic or applied research at nonprofit institutions of higher education or at nonprofit organizations whose primary purpose is the conduct of scientific research (see [35.014](#)) is contemplated.

(b) The contracting officer shall also insert the clause at [52.245-2](#), Government Property (Installation Operation Services), in fixed-price service contracts to be performed on a Government installation when Government-furnished property will be provided for initial provisioning only and the Government is not responsible for repair or replacement.

(c) The contracting officer shall insert the clause at [52.245-9](#), Use and Charges, in *solicitations* and contracts when the clause at [52.245-1](#) is included.

(d) *Purchase orders* for property repair need not include a Government property clause when the unit acquisition cost of Government property to be repaired does not exceed the simplified acquisition threshold, unless other Government property (not for repair) is provided.

Parent topic: [Subpart 45.1 - General](#)