

## 47.104-4 Contract clauses.

(a) In order to ensure the application of [49 U.S.C. 10721](#) and [1 3712](#) rates, where authorized (see [47.104\(b\)](#)), insert the clause at [52.247-1](#), *Commercial Bill of Lading* Notations, in *solicitations* and contracts when the contracts will be-

(1) Cost-reimbursement contracts, including those that *may* involve the movement of *household goods* (see [47.104-3\(b\)](#)); or

(2) Fixed-price f.o.b. origin contracts (other than contracts at or below the *simplified acquisition threshold*) (see [47.104-2\(b\)](#) and [47.104-3](#)).

(b) The *contracting officer may* insert the clause at [52.247-1](#), *Commercial Bill of Lading* Notations, in *solicitations* and contracts made at or below the *simplified acquisition threshold* when it is contemplated that the delivery terms will be f.o.b. origin.

**Parent topic:** [47.104 Government rate tenders under sections 10721 and 13712 of the Interstate Commerce Act \(49 U.S.C. 10721 and 13712\).](#)