52.247-3 Capability to Perform a Contract for the Relocation of a Federal Office.

As prescribed in 47.207-1(b), insert the following clause in *solicitations* and contracts for transportation or for transportation-related services when a Federal office is relocated, to ensure that *offerors* are capable to perform interstate or intrastate moving contracts involving the relocation of Federal offices:

Capability to Perform a Contract for the Relocation of a Federal Office (Feb 2006)

(a) If the move specified in this contract is to be performed by the Contractor as a carrier within the borders of more than one State, including the District of Columbia, (*i.e.,* an interstate move), the Contractor *shall* have obtained and hold appropriate and current operating authority from the Federal Motor Carrier Safety Administration.

(b)

(1) If the move specified in this contract is to be performed by the Contractor as a carrier wholly within the borders of one State or the District of Columbia (*i.e.,* an intrastate move), the Contractor *shall*, when required by the State, or the District of Columbia, in which the move is to take place, have obtained and hold appropriate and current operating authority from that jurisdiction in the form of a certificate, permit, or equivalent license to operate.

(2) If no authority to operate is required by the State or the District of Columbia, the Contractor as carrier *shall* maintain facilities, equipment, and a business address within the jurisdiction in which the move is to take place. However, if the move is to originate and/or terminate within an area of one State, or the District of Columbia, that comprises a part of a recognized Commercial Zone (see Subpart B of 49 CFR part 372) the boundaries of which encompass portions of more than one State or the District of Columbia, it *shall* be sufficient if the Contractor as carrier maintains facilities, equipment, and a business address within the Commercial Zone and holds appropriate operating authority, if required, from the jurisdiction within which the Contractor maintains the facilities, equipment, and business address.

(c) If the move specified in this contract will not be performed by the Contractor as carrier, it *must* be performed for the Contractor by a carrier operating under a subcontract with the Contractor. In this case, the Contractor *shall* not be subject to the requirements of paragraphs (a) and (b) of this clause, but *shall* be responsible for requiring and ensuring that the subcontractor carrier complies with those requirements in every respect.

(d) The Contractor *shall* be in compliance with the applicable requirements of this clause at least 14 days before the date on which performance of the contract *shall* commence under the terms specified; except that, if the period from the date of award of the contract to the date that performance *shall* commence is less than 28 days, the Contractor *shall* comply with the applicable requirements of this clause midway between the time of award and the time of commencement of performance.

(End of clause)

Alternate I (Apr 1984). If a Federal office move is intrastate and the *contracting officer* determines that it is in the Government’s interest not to apply the requirements for holding or obtaining State authority to operate within the State, and to maintain a facility within the State or Commercial zone, delete paragraph (b) of the basic clause and redesignate the remaining paragraphs"(b) and (c)." In the 6 th line of the new paragraph (b), delete the words "paragraphs(a) and (b) above" and replace them with "paragraph (a) of this clause."

Parent topic: 52.247 [Reserved]