

FEDERAL ACQUISITION CIRCULAR

May 28, 2004

Number 2001-19 (Revised pages)

Federal Acquisition Circular (FAC) 2001-19 is issued under the authority of the Secretary of Defense, the Administrator of General Services, and the Administrator for the National Aeronautics and Space Administration.

Due to amendments issued and effective prior to June 8, 2004, replace the June 8, 2004, pages issued in FAC 2001-19 as follows:

Remove Pages

1.1-7 and 1.1-8

53-1 thru 53-4
53.2-5 and 53.2-6

Insert Pages

1.1-7 and 1.1-8

53-1 thru 53-4
53.2-5 and 53.2-6

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FAR segment	OMB Control Number
52.249-3	9000-0028
52.249-5	9000-0028
52.249-6	9000-0028
52.249-11	9000-0028
52.250-1	9000-0029
53.236-1(a)	9000-0037
SF 24	9000-0045
SF 25	9000-0045
SF 25-A	9000-0045
SF 28	9000-0001
SF 34	9000-0045
SF 35	9000-0045
SF 273	9000-0045
SF 274	9000-0045
SF 275	9000-0045
SF 294	9000-0006
SF 295	9000-0007
SF 330	9000-0157
SF 1403	9000-0011
SF 1404	9000-0011
SF 1405	9000-0011
SF 1406	9000-0011
SF 1407	9000-0011
SF 1408	9000-0011
SF 1413	9000-0014
SF 1416	9000-0045
SF 1417	9000-0037
SF 1418	9000-0045
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SF 1429	9000-0075
SF 1435	9000-0012
SF 1436	9000-0012
SF 1437	9000-0012
SF 1438	9000-0012
SF 1439	9000-0012
SF 1440	9000-0012
SF 1443	9000-0010
SF 1444	9000-0089
SF 1445	9000-0089
SF 1446	9000-0089
OF 312	9000-0150

1.107 Certifications.

In accordance with Section 29 of the Office of Federal Procurement Policy Act (41 U.S.C. 425), as amended by Section 4301 of the Clinger-Cohen Act of 1996 (Public Law 104-106), a new requirement for a certification by a contractor or offeror may not be included in this chapter unless—

(a) The certification requirement is specifically imposed by statute; or

(b) Written justification for such certification is provided to the Administrator for Federal Procurement Policy by the Federal Acquisition Regulatory Council, and the Administrator approves in writing the inclusion of such certification requirement.

1.108 FAR conventions.

The following conventions provide guidance for interpreting the FAR:

(a) *Words and terms.* Definitions in Part 2 apply to the entire regulation unless specifically defined in another part, subpart, section, provision, or clause. Words or terms defined in a specific part, subpart, section, provision, or clause have that meaning when used in that part, subpart, section, provision, or clause. Undefined words retain their common dictionary meaning.

(b) *Delegation of authority.* Each authority is delegable unless specifically stated otherwise (see 1.102-4(b)).

(c) *Dollar thresholds.* Unless otherwise specified, a specific dollar threshold for the purpose of applicability is the final anticipated dollar value of the action, including the dollar value of all options. If the action establishes a maximum quantity of supplies or services to be acquired or establishes a ceiling price or establishes the final price to be based on future events, the final anticipated dollar value must be the highest final priced alternative to the Government, including the dollar value of all options.

(d) *Application of FAR changes to solicitations and contracts.* Unless otherwise specified—

(1) FAR changes apply to solicitations issued on or after the effective date of the change;

(2) Contracting officers may, at their discretion, include the FAR changes in solicitations issued before the effective date, provided award of the resulting contract(s) occurs on or after the effective date; and

(3) Contracting officers may, at their discretion, include the changes in any existing contract with appropriate consideration.

(e) *Citations.* When the FAR cites a statute, Executive order, Office of Management and Budget circular, Office of Federal Procurement Policy policy letter, or relevant portion of the Code of Federal Regulations, the citation includes all applicable amendments, unless otherwise stated.

(f) *Imperative sentences.* When an imperative sentence directs action, the contracting officer is responsible for the action, unless another party is expressly cited.

PART 53—FORMS

53.000	Scope of part.	53.222	Application of labor laws to Government acquisitions (SF's 99, 308, 1093, 1413, 1444, 1445, 1446, WH-347).
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53.203	[Reserved]	53.240	[Reserved]
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53.216	Types of contracts.	53.301-18	SF 18, Request for Quotation.
53.216-1	Delivery orders and orders under basic ordering agreements (OF 347).	53.301-24	SF 24, Bid Bond.
53.217	[Reserved]	53.301-25	SF 25, Performance Bond.
53.218	[Reserved]	53.301-25-A	SF 25-A, Payment Bond.
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53.220	[Reserved]	53.301-26	SF 26, Award/Contract.
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53.301-30	SF 30, Amendment of Solicitation/Modification of Contract.		Personal— Memorandum, Continuation Sheet.
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53.301-34	SF 34, Annual Bid Bond.		
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53.301-44	SF 44, Purchase Order—Invoice—Voucher.	53.301-1094	SF 1094, U.S. Tax Exemption Form.
53.301-98	SF 98, Notice of Intention to Make a Service Contract and Response to Notice.	53.301-1094A	SF 1094A, Tax Exemption Forms Accountability Record.
53.301-98a	SF 98a, Notice of Intention to Make a Service Contract and Response to Notice (Attachment A).	53.301-1165	SF 1165, Receipt for Cash—Subvoucher.
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53.301-120-A	SF 120-A, Continuation Sheet (Report of Excess Personal Property).	53.301-1404	SF 1404, Preaward Survey of Prospective Contractor—Technical.
53.301-126	SF 126, Report of Personal Property for Sale.	53.301-1405	SF 1405, Preaward Survey of Prospective Contractor—Production.
53.301-126-A	SF 126-A, Report of Personal Property for Sale (Continuation Sheet).	53.301-1406	SF 1406, Preaward Survey of Prospective Contractor—Quality Assurance.
53.301-252	SF 252, Architect-Engineer Contract.	53.301-1407	SF 1407, Preaward Survey of Prospective Contractor—Financial Capability.
53.301-254	SF 254, Architect-Engineer and Related Services Questionnaire.	53.301-1408	SF 1408, Preaward Survey of Prospective Contractor—Accounting System.
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53.301-275	SF 275, Reinsurance Agreement in Favor of the United States.	53.301-1414	SF 1414, Consent of Surety.
53.301-294	SF 294, Subcontracting Report for Individual Contracts.	53.301-1415	SF 1415, Consent of Surety and Increase of Penalty.
53.301-295	SF 295, Summary Subcontract Report.	53.301-1416	SF 1416, Payment Bond for Other Than Construction Contracts.
53.301-298	SF 298, Report Documentation Page.	53.301-1417	SF 1417, Pre-solicitation Notice (Construction Contract).
53.301-308	SF 308, Request for Wage Determination and Response to Request.	53.301-1418	SF 1418, Performance Bond for Other Than Construction Contracts.
53.301-330	Architect-Engineer Qualifications.	53.301-1420	SF 1420, Performance Evaluation—Construction Contracts.
53.301-1034	SF 1034, Public Voucher for Purchases and Services Other Than Personal.	53.301-1421	SF 1421, Performance Evaluation (Architect-Engineer).
53.301-1034A	SF 1034A, Public Voucher for Purchases and Services Other Than Personal—Memorandum Copy.	53.301-1423	SF 1423, Inventory Verification Survey.
53.301-1035	SF 1035, Public Voucher for Purchases and Services Other Than Personal, Continuation Sheet.	53.301-1424	SF 1424, Inventory Disposal Report.
53.301-1035A	SF 1035A, Public Voucher for Purchases and Services Other Than	53.301-1427	SF 1427, Inventory Schedule A—Continuation Sheet (Metals in Mill Product Form).
		53.301-1428	SF 1428, Inventory Schedule.

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53.301-1429	SF 1429, Inventory Schedule—Continuation Sheet.	53.303-DD-254	Department of Defense DD Form 254, Contract Security Classification Specification.
53.301-1435	SF 1435, Settlement Proposal (Inventory Basis).	53.303-DD-441	Department of Defense DD Form 441, Security Agreement.
53.301-1436	SF 1436, Settlement Proposal (Total Cost Basis).	53.303-WH-347	Department of Labor Form WH-347, Payroll (For Contractor's Optional Use).
53.301-1437	SF 1437, Settlement Proposal for Cost-Reimbursement Type Contracts.		
53.301-1438	SF 1438, Settlement Proposal (Short Form).		
53.301-1439	SF 1439, Schedule of Accounting Information.		
53.301-1440	SF 1440, Application for Partial Payment.		
53.301-1442	SF 1442, Solicitation, Offer, and Award (Construction, Alteration, or Repair).		
53.301-1443	SF 1443, Contractor's Request for Progress Payment.		
53.301-1444	SF 1444, Request for Authorization of Additional Classification and Rate.		
53.301-1445	SF 1445, Labor Standards Interview.		
53.301-1446	SF 1446, Labor Standards Investigation Summary Sheet.		
53.301-1447	SF 1447, Solicitation/Contract.		
53.301-1449	SF 1449, Solicitation/Contract/Order for Commercial Items.		
53.302-17	Optional Form 17, Offer Label.		
53.302-90	Optional Form 90, Release of Lien on Real Property.		
53.302-91	Optional Form 91, Release of Personal Property from Escrow.		
53.302-307	Optional Form 307, Contract Award.		
53.302-308	Optional Form 308, Solicitation and Offer—Negotiated Acquisition.		
53.302-309	Optional Form 309, Amendment of Solicitation.		
53.302-312	Optional Form 312, Small Disadvantaged Business Participation Report.		
53.302-336	Optional Form 336, Continuation Sheet.		
53.302-347	Optional Form 347, Order for Supplies or Services.		
53.302-348	Optional Form 348, Order for Supplies or Services Schedule—Continuation.		
53.302-1419	Optional Form 1419, Abstract of Offers—Construction.		
53.302-1419A	Optional Form 1419A, Abstract of Offers—Construction, Continuation Sheet.		
			Forms Authorized for Local Reproduction
		SF LLL	Disclosure of Lobbying Activities
		SF LLL-A	Disclosure of Lobbying Activities—Continuation Sheet
		SF 18	Request for Quotation
		SF 24	Bid Bond
		SF 25	Performance Bond
		SF 25A	Payment Bond
		SF 25B	SF 25-B, Continuation Sheet (For SF's 24, 25, and 25-A)
		SF 28	Affidavit of Individual Surety
		SF 33	Solicitation, Offer and Award
		SF 34	Annual Bid Bond
		SF 35	Annual Performance Bond
		SF 273	Reinsurance Agreement for a Miller Act Performance Bond
		SF 274	Reinsurance Agreement for a Miller Act Payment Bond
		SF 275	Reinsurance Agreement in Favor of the United States
		SF 294	Subcontracting Report for Individual Contracts
		SF 295	Summary Subcontract Report
		SF 308	Request for Wage Determination and Response to Request
		SF 330	Architect-Engineer Qualifications
		SF 1403	Preaward Survey of Prospective Contractor (General)
		SF 1404	Preaward Survey of Prospective Contractor—Technical
		SF 1405	Preaward Survey of Prospective Contractor—Production
		SF 1406	Preaward Survey of Prospective Contractor—Quality Assurance
		SF 1407	Preaward Survey of Prospective Contractor—Financial Capability
		SF 1408	Preaward Survey of Prospective Contractor—Accounting System
		SF 1409	Abstract of Offers
		SF 1410	Abstract of Offers—Continuation.
		SF 1414	Consent of Surety
		SF 1415	Consent of Surety and Increase of Penalty

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SF 1416	Payment Bond for Other Than Construction Contracts	SF 1439	Schedule of Accounting Information
SF 1418	Performance Bond for Other Than Construction Contracts	SF 1440	Application for Partial Payment
SF 1420	Performance Evaluation— Construction Contracts	SF 1445	Labor Standards Interview
SF 1423	Inventory Verification Survey	SF 1446	Labor Standards Investigation Summary Sheet
SF 1424	Inventory Disposal Report	SF 1449	Solicitation/Contract/Order for Commercial Items
SF 1427	Inventory Schedule A—Continuation Sheet (Metals in Mill Product Form)	OF 90	Release of Lien on Real Property
SF 1428	Inventory Schedule	OF 91	Release of Personal Property from Escrow
SF 1429	Inventory Schedule—Continuation Sheet	OF 307	Contract Award
SF 1435	Settlement Proposal (Inventory Basis)	OF 308	Solicitation and Offer—Negotiated Acquisition
SF 1436	Settlement Proposal (Total Cost Basis)	OF 309	Amendment of Solicitation
SF 1437	Settlement Proposal for Cost- Reimbursement Type Contracts	OF 312	Small Disadvantaged Business Participation Report
SF 1438	Settlement Proposal (Short Form)	OF 347	Order for Supplies or Services

(a) *SF 252 (Rev. 10/83), Architect-Engineer Contract.* SF 252 is prescribed for use in awarding fixed-price contracts for architect-engineer services, as specified in 36.702(a). Pending issuance of a new edition of the form, Block 8, Negotiation Authority, is deleted.

(b) *SF 330 (6/04), Architect-Engineer Qualifications.* SF 330 is prescribed for use in obtaining information from architect-engineer firms regarding their professional qualifications, as specified in 36.702(b)(1) and (b)(2).

(c) *SF 1421 (10/83 Ed.), Performance Evaluation (Architect-Engineer).* SF 1421 is prescribed for use in evaluating and reporting on the performance of architect-engineer contractors within approved dollar thresholds and as otherwise specified in 36.702(c).

53.237 [Reserved]

53.238 [Reserved]

53.239 [Reserved]

53.240 [Reserved]

53.241 [Reserved]

53.242 Contract administration.

53.242-1 Novation and change-of-name agreements (SF 30).

SF 30, Amendment of Solicitation/Modification of Contract. SF 30, prescribed in 53.243, shall be used in connection with novation and change of name agreements, as specified in 42.1203(h).

53.243 Contract modifications (SF 30).

SF 30 (Rev. 10/83), Amendment of Solicitation/Modification of Contract. SF 30 is prescribed for use in amending invitation for bids, as specified in 14.208; modifying purchase and delivery orders, as specified in 13.302-3; and modifying contracts, as specified in 42.1203(h), 43.301, 49.602-5, and elsewhere in this regulation. The form may also be used to amend solicitations for negotiated contracts, as specified in 15.210(b). Pending the publication of a new edition of the form, Instruction (b), Item 3 (effective date), is revised in paragraphs (3) and (5) as follows:

(b) Item 3 (effective date).

* * * * *

(3) For a modification issued as a confirming notice of termination for the convenience of the Government, the effective date of the confirming notice shall be the same as the effective date of the initial notice.

* * * * *

(5) For a modification confirming the termination contracting officer's previous letter determination of the amount due in settlement of a contract termination for convenience, the effective date shall be the same as the effective date of the previous letter determination.

53.244 [Reserved]

53.245 Government property.

The following forms are prescribed, as specified in this section, for use in reporting, reutilization, and disposal of Government property and in accounting for this property:

(a) *SF 120 (GSA), Report of Excess Personal Property, and SF 120-A (GSA), Continuation Sheet (Report of Excess Personal Property).* (See 45.602-3 and 41 CFR 102-36.215.)

(b) *SF 126 (GSA), Report of Personal Property for Sale, and SF 126-A (GSA), Report of Personal Property for Sale (Continuation Sheet).* (See FPMR 101-45.303 (41 CFR 101-45.303).)

(c) *SF 1423 (Rev. 5/2004), Inventory Verification Survey.* (See 45.602-1(b)(1) and 45.606-3.)

(d) *SF 1424 (Rev. 5/2004), Inventory Disposal Report (See 45.605).* SF 1424 is authorized for local reproduction.

(e) *SF 1428 (Rev. 5/2004), Inventory Disposal Schedule, and SF 1429 (Rev. 5/2004), Inventory Disposal Schedule—Continuation Sheet.* (See 45.602-1, 49.303-2, 52.245-2(i), 52.245-5(i), and 53.249(b).) SF's 1428 and 1429 are authorized for local reproduction.

53.246 [Reserved]

53.247 Transportation (U.S. Government Bill of Lading).

The U.S. Government Bill of Lading, prescribed in 41 CFR 101-41.304, shall be used for transportation of property, as specified in 47.103.

53.248 [Reserved]

53.249 Termination of contracts.

(a) The following forms are prescribed for use in connection with the termination of contracts, as specified in Subpart 49.6:

(1) *SF 1034 (GAO), Public Voucher for Purchases and Services Other than Personal.* (See 49.302(a).)

(2) *SF 1435 (Rev. 9/97), Settlement Proposal (Inventory Basis).* (See 49.602-1(a).) Standard Form 1435 is authorized for local reproduction.

(3) *SF 1436 (Rev. 5/2004), Settlement Proposal (Total Cost Basis).* (See 49.602-1(b).) Standard Form 1436 is authorized for local reproduction.

(4) *SF 1437 (Rev. 9/97), Settlement Proposal for Cost-Reimbursement Type Contracts.* (See 49.602-1(c) and 49.302.) Standard Form 1437 is authorized for local reproduction.

(5) *SF 1438 (Rev. 5/2004), Settlement Proposal (Short Form).* (See 49.602-1(d).) Standard Form 1438 is authorized for local reproduction.

(6) *SF 1439 (Rev. 7/89), Schedule of Accounting Information.* (See 49.602-3.) Standard Form 1439 is authorized for local reproduction.

(7) *SF 1440 (Rev. 7/89), Application for Partial Payment.* (See 49.602-4.) Standard Form 1440 is authorized for local reproduction.

(b) *SF 1428 (Rev. 5/2004), Inventory Disposal Schedule, and Standard Form 1429 (Rev. 5/2004), Inventory Disposal Schedule—Continuation Sheet,* shall be used to support termination settlement proposals listed in paragraph (a) of this section, as specified in 49.602-2.

53.250 [Reserved]

53.251 Contractor use of Government supply sources (OF 347).

OF 347, Order for Supplies or Services. OF 347, prescribed in 53.213(f), may be used by contractors when requisitioning from the VA, as specified in 51.102(e)(3)(ii).