

Subchapter E - General Contracting Requirements

- **Federal Acquisition Regulation**
- Federal Acquisition Regulation
 - Part 27 - Patents, Data, and Copyrights
 - 27.000 Scope of part.
 - 27.001 Definition.
 - Subpart 27.1 - General
 - 27.101 Applicability.
 - 27.102 General guidance.
 - Subpart 27.2 - Patents and Copyrights
 - 27.200 Scope of subpart.
 - 27.201 Patent and copyright infringement liability.
 - 27.201-1 General.
 - 27.201-2 Contract clauses.
 - 27.202 Royalties.
 - 27.202-1 Reporting of royalties.
 - 27.202-2 Notice of Government as a licensee.
 - 27.202-3 Adjustment of royalties.
 - 27.202-4 Refund of royalties.
 - 27.202-5 Solicitation provisions and contract clause.
 - 27.203 Security requirements for patent applications containing classified subject matter.
 - 27.203-1 General.
 - 27.203-2 Contract clause.
 - 27.204 Patented technology under trade agreements.
 - 27.204-1 Use of patented technology under the United States-Mexico-Canada Agreement.
 - 27.204-2 Use of patented technology under the General Agreement on Tariffs and Trade (GATT).
 - Subpart 27.3 - Patent Rights under Government Contracts
 - 27.300 Scope of subpart.
 - 27.301 Definitions.
 - 27.302 Policy.
 - 27.303 Contract clauses.
 - 27.304 Procedures.
 - 27.304-1 General.
 - 27.304-2 Contracts placed by or for other Government agencies.
 - 27.304-3 Subcontracts.
 - 27.304-4 Appeals.
 - 27.305 Administration of patent rights clauses.
 - 27.305-1 Goals.
 - 27.305-2 Administration by the Government.
 - 27.305-3 Securing invention rights acquired by the Government.

- 27.305-4 Protection of invention disclosures.
 - 27.306 Licensing background patent rights to third parties.
- Subpart 27.4 - Rights in Data and Copyrights
 - 27.400 Scope of subpart.
 - 27.401 Definitions.
 - 27.402 Policy.
 - 27.403 Data rights-General.
 - 27.404 Basic rights in data clause.
 - 27.404-1 Unlimited rights data.
 - 27.404-2 Limited rights data and restricted computer software.
 - 27.404-3 Copyrighted works.
 - 27.404-4 Contractor's release, publication, and use of data.
 - 27.404-5 Unauthorized, omitted, or incorrect markings.
 - 27.404-6 Inspection of data at the contractor's facility.
 - 27.405 Other data rights provisions.
 - 27.405-1 Special works.
 - 27.405-2 Existing works.
 - 27.405-3 Commercial computer software.
 - 27.405-4 Other existing data.
 - 27.406 Acquisition of data.
 - 27.406-1 General.
 - 27.406-2 Additional data requirements.
 - 27.406-3 Major system acquisition.
 - 27.407 Rights to technical data in successful proposals.
 - 27.408 Cosponsored research and development activities.
 - 27.409 Solicitation provisions and contract clauses.
- Subpart 27.5 - Foreign License and Technical Assistance Agreements
 - 27.501 General.
- Part 28 - Bonds and Insurance
 - 28.000 Scope of part.
 - 28.001 Definitions.
 - Subpart 28.1 - Bonds and Other Financial Protections
 - 28.100 Scope of subpart.
 - 28.101 Bid guarantees.
 - 28.101-1 Policy on use.
 - 28.101-2 Solicitation provision or contract clause.
 - 28.101-3 Authority of an attorney-in-fact for a bid bond.
 - 28.101-4 Noncompliance with bid guarantee requirements.
 - 28.102 Performance and payment bonds and alternative payment protections for construction contracts.
 - 28.102-1 General.
 - 28.102-2 Amount required.
 - 28.102-3 Contract clauses.
 - 28.103 Performance and payment bonds for other than construction contracts.
 - 28.103-1 General.
 - 28.103-2 Performance bonds.
 - 28.103-3 Payment bonds.
 - 28.103-4 Contract clause.
 - 28.104 Annual performance bonds.
 - 28.105 Other types of bonds.

- [28.105-1 Advance payment bonds.](#)
 - [28.105-2 Patent infringement bonds.](#)
- [28.106 Administration.](#)
 - [28.106-1 Bonds and bond-related forms.](#)
 - [28.106-2 Substitution of surety bonds.](#)
 - [28.106-3 Additional bond and security.](#)
 - [28.106-4 Contract clause.](#)
 - [28.106-5 Consent of surety.](#)
 - [28.106-6 Furnishing information.](#)
 - [28.106-7 Withholding contract payments.](#)
 - [28.106-8 Payment to subcontractors or suppliers.](#)
- [Subpart 28.2 - Sureties and Other Security for Bonds](#)
 - [28.200 Scope of subpart.](#)
 - [28.201 Requirements for security.](#)
 - [28.202 Acceptability of corporate sureties.](#)
 - [28.203 Individual Sureties.](#)
 - [28.203-1 Acceptability of individual sureties.](#)
 - [28.203-2 Substitution of assets.](#)
 - [28.203-3 Release of security interest.](#)
 - [28.203-4 Solicitation provision and contract clause.](#)
 - [28.203-5 Exclusion of individual sureties.](#)
 - [28.204 Alternatives in lieu of corporate or individual sureties.](#)
 - [28.204-1 United States bonds or notes.](#)
 - [28.204-2 Certified or cashier's checks, bank drafts, money orders, or currency.](#)
 - [28.204-3 Irrevocable letter of credit.](#)
 - [28.204-4 Contract clause.](#)
- [Subpart 28.3 - Insurance](#)
 - [28.301 Policy.](#)
 - [28.302 Notice of cancellation or change.](#)
 - [28.303 Insurance against loss of or damage to Government property.](#)
 - [28.304 Risk-pooling arrangements.](#)
 - [28.305 Overseas workers' compensation and war-hazard insurance.](#)
 - [28.306 Insurance under fixed-price contracts.](#)
 - [28.307 Insurance under cost-reimbursement contracts.](#)
 - [28.307-1 Group insurance plans.](#)
 - [28.307-2 Liability.](#)
 - [28.308 Self-insurance.](#)
 - [28.309 Contract clauses for workers' compensation insurance.](#)
 - [28.310 Contract clause for work on a Government installation.](#)
 - [28.311 Solicitation provision and contract clause on liability insurance under cost-reimbursement contracts.](#)
 - [28.311-1 Contract clause.](#)
 - [28.311-2 Agency solicitation provisions and contract clauses.](#)
 - [28.312 Contract clause for insurance of leased motor vehicles.](#)
 - [28.313 Contract clauses for insurance of transportation or transportation-related services.](#)
- [Part 29 - Taxes](#)
 - [29.000 Scope of part.](#)
 - [29.001 Definitions.](#)
 - [Subpart 29.1 - General](#)

- [29.101 Resolving tax problems.](#)
- [Subpart 29.2 - Federal Excise Taxes](#)
 - [29.201 General.](#)
 - [29.202 General exemptions.](#)
 - [29.203 Other Federal tax exemptions.](#)
 - [29.204 Federal excise tax on specific foreign contract payments.](#)
- [Subpart 29.3 - State and Local Taxes](#)
 - [29.300 Scope of subpart.](#)
 - [29.301 \[Reserved\]](#)
 - [29.302 Application of State and local taxes to the Government.](#)
 - [29.303 Application of State and local taxes to Government contractors and subcontractors.](#)
 - [29.304 Matters requiring special consideration.](#)
 - [29.305 State and local tax exemptions.](#)
- [Subpart 29.4 - Contract Clauses](#)
 - [29.401 Domestic contracts.](#)
 - [29.401-1 Indefinite-delivery contracts for leased equipment.](#)
 - [29.401-2 Construction contracts performed in North Carolina.](#)
 - [29.401-3 Federal, State, and local taxes.](#)
 - [29.401-4 New Mexico gross receipts and compensating tax.](#)
 - [29.402 Foreign contracts.](#)
 - [29.402-1 Foreign fixed-price contracts.](#)
 - [29.402-2 Foreign cost-reimbursement contracts.](#)
 - [29.402-3 Tax on certain foreign procurements.](#)
 - [29.402-4 Taxes—Foreign Contracts in Afghanistan.](#)
- [Part 30 - Cost Accounting Standards Administration](#)
 - [30.000 Scope of part.](#)
 - [30.001 Definitions.](#)
 - [Subpart 30.1 - General](#)
 - [30.101 Cost Accounting Standards.](#)
 - [30.102 Cost Accounting Standards Board Publication.](#)
 - [Subpart 30.2 - CAS Program Requirements](#)
 - [30.201 Contract requirements.](#)
 - [30.201-1 CAS applicability.](#)
 - [30.201-2 Types of CAS coverage.](#)
 - [30.201-3 Solicitation provisions.](#)
 - [30.201-4 Contract clauses.](#)
 - [30.201-5 Waiver.](#)
 - [30.201-6 Findings.](#)
 - [30.201-7 Cognizant Federal agency responsibilities.](#)
 - [30.202 Disclosure requirements.](#)
 - [30.202-1 General requirements.](#)
 - [30.202-2 Impracticability of submission.](#)
 - [30.202-3 Amendments and revisions.](#)
 - [30.202-4 Privileged and confidential information.](#)
 - [30.202-5 Filing Disclosure Statements.](#)
 - [30.202-6 Responsibilities.](#)
 - [30.202-7 Determinations.](#)
 - [30.202-8 Subcontractor Disclosure Statements.](#)
 - [Subpart 30.3 - CAS Rules and Regulations \[Reserved\]](#)
 - [Subpart 30.4 - Cost Accounting Standards \[Reserved\]](#)

- Subpart 30.5 - Cost Accounting Standards for Educational Institutions [Reserved]
- Subpart 30.6 - CAS Administration
 - 30.601 Responsibility.
 - 30.602 Materiality.
 - 30.603 Changes to disclosed or established cost accounting practices.
 - 30.603-1 Required changes.
 - 30.603-2 Unilateral and desirable changes.
 - 30.604 Processing changes to disclosed or established cost accounting practices.
 - 30.605 Processing noncompliances.
 - 30.606 Resolving cost impacts.
 - 30.607 Subcontract administration.
- Part 31 - Contract Cost Principles and Procedures
 - 31.000 Scope of part.
 - 31.001 Definitions.
 - 31.002 Availability of accounting guide.
 - Subpart 31.1 - Applicability
 - 31.100 Scope of subpart.
 - 31.101 Objectives.
 - 31.102 Fixed-price contracts.
 - 31.103 Contracts with commercial organizations.
 - 31.104 Contracts with educational institutions.
 - 31.105 Construction and architect-engineer contracts.
 - 31.106 [Reserved]
 - 31.107 Contracts with State, local, and federally recognized Indian tribal governments.
 - 31.108 Contracts with nonprofit organizations.
 - 31.109 Advance agreements.
 - 31.110 Indirect cost rate certification and penalties on unallowable costs.
 - Subpart 31.2 - Contracts with Commercial Organizations
 - 31.201 General.
 - 31.201-1 Composition of total cost.
 - 31.201-2 Determining allowability.
 - 31.201-3 Determining reasonableness.
 - 31.201-4 Determining allocability.
 - 31.201-5 Credits.
 - 31.201-6 Accounting for unallowable costs.
 - 31.201-7 Construction and architect-engineer contracts.
 - 31.202 Direct costs.
 - 31.203 Indirect costs.
 - 31.204 Application of principles and procedures.
 - 31.205 Selected costs.
 - 31.205-1 Public relations and advertising costs.
 - 31.205-2 [Reserved]
 - 31.205-3 Bad debts.
 - 31.205-4 Bonding costs.
 - 31.205-5 [Reserved]
 - 31.205-6 Compensation for personal services.
 - 31.205-7 Contingencies.
 - 31.205-8 Contributions or donations.
 - 31.205-9 [Reserved]

- 31.205-10 Cost of money.
- 31.205-11 Depreciation.
- 31.205-12 Economic planning costs.
- 31.205-13 Employee morale, health, welfare, food service, and dormitory costs and credits.
- 31.205-14 Entertainment costs.
- 31.205-15 Fines, penalties, and mischarging costs.
- 31.205-16 Gains and losses on disposition or impairment of depreciable property or other capital assets.
- 31.205-17 Idle facilities and idle capacity costs.
- 31.205-18 Independent research and development and bid and proposal costs.
- 31.205-19 Insurance and indemnification.
- 31.205-20 Interest and other financial costs.
- 31.205-21 Labor relations costs.
- 31.205-22 Lobbying and political activity costs.
- 31.205-23 Losses on other contracts.
- 31.205-24 [Reserved]
- 31.205-25 Manufacturing and production engineering costs.
- 31.205-26 Material costs.
- 31.205-27 Organization costs.
- 31.205-28 Other business expenses.
- 31.205-29 Plant protection costs.
- 31.205-30 Patent costs.
- 31.205-31 Plant reconversion costs.
- 31.205-32 Precontract costs.
- 31.205-33 Professional and consultant service costs.
- 31.205-34 Recruitment costs.
- 31.205-35 Relocation costs.
- 31.205-36 Rental costs.
- 31.205-37 Royalties and other costs for use of patents.
- 31.205-38 Selling costs.
- 31.205-39 Service and warranty costs.
- 31.205-40 Special tooling and special test equipment costs.
- 31.205-41 Taxes.
- 31.205-42 Termination costs.
- 31.205-43 Trade, business, technical and professional activity costs.
- 31.205-44 Training and education costs.
- 31.205-45 [Reserved]
- 31.205-46 Travel costs.
- 31.205-47 Costs related to legal and other proceedings.
- 31.205-48 Research and development costs.
- 31.205-49 Goodwill.
- 31.205-50 [Reserved]
- 31.205-51 Costs of alcoholic beverages.
- 31.205-52 Asset valuations resulting from business combinations.
- Subpart 31.3 - Contracts with Educational Institutions
 - 31.301 Purpose.
 - 31.302 General.
 - 31.303 Requirements.
- Subpart 31.4 - [Reserved]

- Subpart 31.5 - [Reserved]
- Subpart 31.6 - Contracts with State, Local, and Federally Recognized Indian Tribal Governments
 - 31.601 Purpose.
 - 31.602 General.
 - 31.603 Requirements.
- Subpart 31.7 - Contracts with Nonprofit Organizations
 - 31.701 Purpose.
 - 31.702 General.
 - 31.703 Requirements.
- Part 32 - Contract Financing
 - 32.000 Scope of part.
 - 32.001 Definitions.
 - 32.002 Applicability of subparts.
 - 32.003 Simplified acquisition procedures financing.
 - 32.004 Contract performance in foreign countries.
 - 32.005 Consideration for contract financing.
 - 32.006 Reduction or suspension of contract payments upon finding of fraud.
 - 32.006-1 General.
 - 32.006-2 Definition.
 - 32.006-3 Responsibilities.
 - 32.006-4 Procedures.
 - 32.006-5 Reporting.
 - 32.007 Contract financing payments.
 - 32.008 Notification of overpayment.
 - 32.009 Providing accelerated payments to small business contractors and to prime contractors that subcontract with a small business concern.
 - 32.009-1 General.
 - 32.009-2 Contract clause.
 - Subpart 32.1 - Financing for Other Than a Commercial Purchase
 - 32.100 Scope of subpart.
 - 32.101 Authority.
 - 32.102 Description of contract financing methods.
 - 32.103 Progress payments under construction contracts.
 - 32.104 Providing contract financing.
 - 32.105 Uses of contract financing.
 - 32.106 Order of preference.
 - 32.107 Need for contract financing not a deterrent.
 - 32.108 Financial consultation.
 - 32.109 Termination financing.
 - 32.110 Payment of subcontractors under cost-reimbursement prime contracts.
 - 32.111 Contract clauses for non-commercial purchases.
 - 32.112 Nonpayment of subcontractors under contracts other than for commercial products and commercial services.
 - 32.112-1 Subcontractor assertions of nonpayment.
 - 32.112-2 Subcontractor requests for information.
 - 32.113 Customary contract financing.
 - 32.114 Unusual contract financing.
 - Subpart 32.2 - Commercial Product and Commercial Service Purchase Financing
 - 32.200 Scope of subpart.

- 32.201 Statutory authority.
- 32.202 General.
 - 32.202-1 Policy.
 - 32.202-2 Types of payments for commercial product and commercial service purchases.
 - 32.202-3 Conducting market research about financing terms.
 - 32.202-4 Security for Government financing.
- 32.203 Determining contract financing terms.
- 32.204 Procedures for contracting officer-specified commercial contract financing.
- 32.205 Procedures for offeror-proposed commercial contract financing.
- 32.206 Solicitation provisions and contract clauses.
- 32.207 Administration and payment of commercial financing payments.
- Subpart 32.3 - Loan Guarantees for Defense Production
 - 32.300 Scope of subpart.
 - 32.301 Definitions.
 - 32.302 Authority.
 - 32.303 General.
 - 32.304 Procedures.
 - 32.304-1 Application for guarantee.
 - 32.304-2 Certificate of eligibility.
 - 32.304-3 Asset formula.
 - 32.304-4 Guarantee amount and maturity.
 - 32.304-5 Assignment of claims under contracts.
 - 32.304-6 Other collateral security.
 - 32.304-7 Contract surety bonds and loan guarantees.
 - 32.304-8 Other borrowing.
 - 32.305 Loan guarantees for terminated contracts.
 - 32.306 Loan guarantees for subcontracts.
- Subpart 32.4 - Advance Payments for Other Than Commercial Acquisitions
 - 32.400 Scope of subpart.
 - 32.401 Statutory authority.
 - 32.402 General.
 - 32.403 Applicability.
 - 32.404 Exclusions.
 - 32.405 Applying Pub.L.85-804 to advance payments under sealed bid contracts.
 - 32.406 Letters of credit.
 - 32.407 Interest.
 - 32.408 Application for advance payments.
 - 32.409 Contracting officer action.
 - 32.409-1 Recommendation for approval.
 - 32.409-2 Recommendation for disapproval.
 - 32.409-3 Security, supervision, and covenants.
 - 32.410 Findings, determination, and authorization.
 - 32.411 Agreement for special account at a financial institution.
 - 32.412 Contract clause.
- Subpart 32.5 - Progress Payments Based on Costs
 - 32.500 Scope of subpart.
 - 32.501 General.
 - 32.501-1 Customary progress payment rates.

- 32.501-2 Unusual progress payments.
 - 32.501-3 Contract price.
 - 32.501-4 [Reserved]
 - 32.501-5 Other protective terms.
- 32.502 Preaward matters.
 - 32.502-1 Use of customary progress payments.
 - 32.502-2 Contract finance office clearance.
 - 32.502-3 Solicitation provisions.
 - 32.502-4 Contract clauses.
- 32.503 Postaward matters.
 - 32.503-1 [Reserved]
 - 32.503-2 Supervision of progress payments.
 - 32.503-3 Initiation of progress payments and review of accounting system.
 - 32.503-4 Approval of progress payment requests.
 - 32.503-5 Administration of progress payments.
 - 32.503-6 Suspension or reduction of payments.
 - 32.503-7 [Reserved]
 - 32.503-8 Liquidation rates-ordinary method.
 - 32.503-9 Liquidation rates-alternate method.
 - 32.503-10 Establishing alternate liquidation rates.
 - 32.503-11 Adjustments for price reduction.
 - 32.503-12 Maximum unliquidated amount.
 - 32.503-13 [Reserved]
 - 32.503-14 Protection of Government title.
 - 32.503-15 Application of Government title terms.
 - 32.503-16 Risk of loss.
- 32.504 Subcontracts under prime contracts providing progress payments.
- Subpart 32.6 - Contract Debts
 - 32.600 Scope of subpart.
 - 32.601 General.
 - 32.602 Responsibilities.
 - 32.603 Debt determination.
 - 32.604 Demand for payment.
 - 32.605 Final decisions.
 - 32.606 Debt collection.
 - 32.607 Installment payments and deferment of collection.
 - 32.607-1 Installment payments.
 - 32.607-2 Deferment of collection.
 - 32.608 Interest.
 - 32.608-1 Interest charges.
 - 32.608-2 Interest credits.
 - 32.609 Delays in receipt of notices or demands.
 - 32.610 Compromising debts.
 - 32.611 Contract clause.
- Subpart 32.7 - Contract Funding
 - 32.700 Scope of subpart.
 - 32.701 [Reserved]
 - 32.702 Policy.
 - 32.703 Contract funding requirements.
 - 32.703-1 General.

- 32.703-2 Contracts conditioned upon availability of funds.
 - 32.703-3 Contracts crossing fiscal years.
- 32.704 Limitation of cost or funds.
- 32.705 Unenforceability of Unauthorized Obligations.
- 32.706 Contract clauses.
 - 32.706-1 Clauses for contracting in advance of funds.
 - 32.706-2 Clauses for limitation of cost or funds.
 - 32.706-3 Clause for unenforceability of unauthorized obligations.
- Subpart 32.8 - Assignment of Claims
 - 32.800 Scope of subpart.
 - 32.801 Definitions.
 - 32.802 Conditions.
 - 32.803 Policies.
 - 32.804 Extent of assignee's protection.
 - 32.805 Procedure.
 - 32.806 Contract clauses.
- Subpart 32.9 - Prompt Payment
 - 32.900 Scope of subpart.
 - 32.901 Applicability.
 - 32.902 Definitions.
 - 32.903 Responsibilities.
 - 32.904 Determining payment due dates.
 - 32.905 Payment documentation and process.
 - 32.906 Making payments.
 - 32.907 Interest penalties.
 - 32.908 Contract clauses.
 - 32.909 Contractor inquiries.
- Subpart 32.10 - Performance-Based Payments
 - 32.1000 Scope of subpart.
 - 32.1001 Policy.
 - 32.1002 Bases for performance-based payments.
 - 32.1003 Criteria for use.
 - 32.1004 Procedures.
 - 32.1005 Solicitation provision and contract clause.
 - 32.1006 [Reserved]
 - 32.1007 Administration and payment of performance-based payments.
 - 32.1008 Suspension or reduction of performance-based payments.
 - 32.1009 Title.
 - 32.1010 Risk of loss.
- Subpart 32.11 - Electronic Funds Transfer
 - 32.1100 Scope of subpart.
 - 32.1101 Statutory requirements.
 - 32.1102 Definitions.
 - 32.1103 Applicability.
 - 32.1104 Protection of EFT information.
 - 32.1105 Assignment of claims.
 - 32.1106 EFT mechanisms.
 - 32.1107 Payment information.
 - 32.1108 Payment by Governmentwide commercial purchase card.
 - 32.1109 EFT information submitted by offerors.
 - 32.1110 Solicitation provision and contract clauses.

- Part 33 Protests, Disputes, and Appeals

- 33.000 Scope of part.
- 33.001 General.
- Subpart 33.1 - Protests
 - 33.101 Definitions.
 - 33.102 General.
 - 33.103 Protests to the agency.
 - 33.104 Protests to GAO.
 - 33.105 Protest at the U.S. Court of Federal Claims.
 - 33.106 Solicitation provision and contract clause.
- Subpart 33.2 - Disputes and Appeals
 - 33.201 Definitions.
 - 33.202 Disputes.
 - 33.203 Applicability.
 - 33.204 Policy.
 - 33.205 Relationship of the Disputes statute to Pub. L.85-804.
 - 33.206 Initiation of a claim.
 - 33.207 Contractor certification.
 - 33.208 Interest on claims.
 - 33.209 Suspected fraudulent claims.
 - 33.210 Contracting officer's authority.
 - 33.211 Contracting officer's decision.
 - 33.212 Contracting officer's duties upon appeal.
 - 33.213 Obligation to continue performance.
 - 33.214 Alternative dispute resolution (ADR).
 - 33.215 Contract clauses.