

# Subpart 47.2 - Contracts for Transportation or for Transportation-Related Services

Parent topic: [Part 47 - Transportation](#)

## 47.200 Scope of subpart.

(a) This subpart prescribes procedures for the *acquisition* by sealed bid or negotiated contracts of-

(1) *Freight* transportation (including local drayage) from rail, motor (including bus), domestic water (including inland, coastwise, and intercoastal) *carriers*, and from *freight* forwarders; and

(2) Transportation-related services including but not limited to stevedoring, storage, packing, marking, and ocean *freight* forwarding.

(b) Except as provided in paragraph (c) of this section, this subpart does not apply to-

(1) The *acquisition* of *freight* transportation from-

(i) Domestic or international air *carriers*; and

(ii) International ocean *carriers* (see [subparts 47.4](#) and [47.5](#));

(2) *Freight* transportation acquired by bills of lading;

(3) *Household goods* for which rates are negotiated under [49 U.S.C. 10721](#) and [1 3712](#). (These statutes do not apply in intrastate moves); or

(4) Contracts at or below the *simplified acquisition threshold*.

(c) With appropriate modifications, the procedures in this subpart *may* be applied to the *acquisition* of *freight* transportation from the *carriers* listed in paragraph (b)(1) of this section and passenger transportation from any *carrier* or mode.

(d) The procedures in this subpart are applicable to the transportation of *household goods* of persons being relocated at Government expense except when acquired-

(1) Under the commuted rate schedules as required in the Federal Travel Regulation (41 CFR Chapter 302);

(2) By DoD under the DoD 4500.9-R, Defense Transportation Regulation; or

(3) Under [49 U.S.C. 10721](#) and [1 3712](#) rates. (These statutes do not apply in intrastate moves.)

(e) Additional guidance for DoD *acquisition* of *freight* and passenger transportation is in the Defense Transportation Regulation.

## **47.201 Definitions.**

As used in this subpart-

*General freight* means *supplies*, goods, and transportable property not encompassed in the definitions of "*household goods*" or "*office furniture*."

*Office furniture* means furniture, equipment, fixtures, records, and other equipment and materials used in Government offices, hospitals, and similar establishments.

## **47.202 Presolicitation planning.**

*Contracting officers shall* inform activities that plan to acquire transportation or transportation-related services of the applicable lead-time requirements, that is-

- (a) The Service Contract Labor Standards statute requirement to obtain a wage determination by accessing the Wage Determinations at SAM.gov website (<https://www.sam.gov>) using the Wage Determinations at SAM.gov process or by submitting a request directly to the Department of Labor on this website using the e98 process before the issuance of an invitation for bid, request for proposal, or commencement of negotiations for any contract exceeding \$2,500 that *may* be subject to the Service Contract Labor Standards statute (see [subpart 22.10](#));
- (b) The possible requirement to provide, during the *solicitation* period, time for prospective *offerors* or contractors to inspect origin and destination locations; or
- (c) The possible requirement for *inspection* by agency personnel of prospective contractor facilities and equipment.

## **47.203 [Reserved]**

## **47.204 Single-movement contracts.**

Single-movement contracts *may* be awarded for unique transportation services that are not otherwise available under *carrier* tariffs or covered by DoD or GSA contracts; *e.g.*, special requirements at origin and/or destination.

## **47.205 Availability of term contracts and basic ordering agreements for transportation or for transportation-related services.**

- (a) All Government agencies *may* contract for transportation or for transportation-related services and execute basic ordering agreements (BOA's) (see [subpart 16.7](#)) unless agency regulations prescribe otherwise. However, it is generally more economical and efficient for most agencies to

make use of term contracts and basic ordering agreements that have been executed by agencies that employ personnel experienced in *contracting* for transportation or for transportation-related services. The Department of Defense (DoD) and the General Services Administration (GSA) contract for transportation or for transportation-related services on behalf of other activities and agencies. For instance, GSA awards term contracts for services such as local drayage, office moves, and ocean-*freight* forwarding (see [47.105](#) for assistance).

(b) Agencies *may* obtain transportation or transportation-related services for which the cost does not exceed the *simplified acquisition threshold* if term contracts or basic ordering agreements are not available.

## **47.206 Preparation of solicitations and contracts.**

(a) *Contracting officers shall* prepare *solicitations* and contracts for transportation or for transportation-related services as prescribed elsewhere in the FAR for fixed-price service contracts to the extent that those requirements are applicable and not inconsistent with the requirements in [subpart 47.2](#).

(b) In addition, the *contracting officer shall* include in *solicitations* and contracts for transportation or for transportation-related services provisions, clauses, and instructions as prescribed in section [47.207](#).

## **47.207 Solicitation provisions, contract clauses, and special requirements.**

The *contracting officer shall* include provisions, clauses, and special requirements in *solicitations* and contracts for transportation or for transportation-related services as prescribed in [47.207-1](#) through [47.207-9](#).

### **47.207-1 Qualifications of offerors.**

(a) *Operating authorities*. The *contracting officer shall* insert the clause at [52.247-2](#), Permits, Authorities, or Franchises, when regulated transportation is involved. The clause need not be used when a Federal office move is intrastate and the *contracting officer* determines that it is in the Government's interest not to apply the requirement for holding or obtaining State authority to operate within the State.

(b) Performance capability for Federal office moving contracts.

(1) The *contracting officer shall* insert the clause at [52.247-3](#), Capability to Perform a Contract for the Relocation of a Federal Office, 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.

(2) 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, the *contracting officer shall* use the clause with its Alternate I.

(c) *Inspection of shipping and receiving facilities.* The *contracting officer shall* insert the provision at 52.247-4, *Inspection of Shipping and Receiving Facilities*, when it is desired for *offerors* to inspect the shipping, receiving, or other sites to ensure realistic bids.

(d) *Familiarization with conditions.* The *contracting officer shall* insert the clause at 52.247-5, *Familiarization with Conditions*, to ensure that *offerors* become familiar with conditions under which and where the services will be performed.

(e) *Financial statement.* The *contracting officer shall* insert the provision at 52.247-6, *Financial Statement*, to ensure that *offerors* are prepared to furnish financial statements.

## **47.207-2 Duration of contract and time of performance.**

The *contracting officer shall*-

(a) Establish a specific expiration date (month, *day*, and year) for the contract or state the length of time that the contract will remain in effect; *e.g.*, 6 months commencing from the date of award; and

(b) Include the following items as appropriate:

(1) A statement of the time period during which the service is required when the service is a one-time job; *e.g.*, a routine office relocation.

(2) A time schedule for the performance of *segments* of a major job; *e.g.*, an office relocation for which the work phases *must* be coordinated to meet other needs of the agency.

(3) Statements of performance times for particular services; *e.g.*, pickup and delivery services. Specify-

(i) On which days of the week and during which hours of the *day* pickup and delivery services *may* be required;

(ii) The maximum time allowable to the contractor for accomplishing delivery under regular or priority service; and

(iii) How much advance notice the contractor will be given for regular pickup services and, if applicable, priority pickup services.

## **47.207-3 Description of shipment, origin, and destination.**

(a) *Origin of shipments.* The *contracting officer shall* include in *solicitations* full details regarding the location from which the *freight* is to be shipped. For example, if a single location is shown, furnish the shipper's name, street address, city, State, and ZIP code. If several or indefinite locations are involved, as in the case of multiple shippers or drayage contracts, describe the area of origin including boundaries and ZIP codes.

(b) *Destination of shipments.* The *contracting officer shall* include full details regarding delivery points. For example, if a single delivery point is shown, furnish the consignee's name, street address, city, State, and ZIP code. If several or indefinite delivery points are involved, describe the delivery area, including boundaries and ZIP codes.

(c) *Description of the freight.* The *contracting officer shall* include in *solicitations-*

(1) An inventory if the *freight* consists of nonbulk items; and

(2) The *freight* classification description, which *should* be obtained from the transportation office. If a *freight* classification description is not available, use a clear nontechnical description. Include additional details necessary to ensure that the prospective *offerors* have complete information about the *freight*; *e.g.*, size, weight, hazardous material, whether packed for export, or unusual value.

(d) *Exclusion of freight.* The *contracting officer shall-*

(1) Clearly identify any *freight* or types of *shipments* that are subject to exclusion; *e.g.*, bulk *freight*, hazardous commodities, or *shipments* under or over specified weights; and

(2) Insert a clause substantially the same as the clause at [52.247-7](#), *Freight Excluded*, when any commodities or types of *shipments* have been identified for exclusion.

(e) Quantity.

(1) The *contracting officer shall* state the actual weight of the *freight* or a reasonably accurate estimate. The following are examples:

(i) If the contract covers transportation services required over an extended period of time, include a schedule of actual or estimated tonnage or number of items to be transported per week, month, or other time period.

(ii) If the contract covers a group movement of *household goods*, give an estimate of the aggregate weights and the basis for determining the aggregate weight.

(2) The *contracting officer shall* insert the clause at [52.247-8](#), *Estimated Weights or Quantities Not Guaranteed*, when weights or quantities are estimates.

#### **47.207-4 Determination of Weights.**

The *contracting officer shall* specify in the contract the method of determining the weights of *shipments* as appropriate for the kind of *freight* involved and the type of service required.

(a) *Shipments of freight other than household goods and office furniture.*

(1) The *contracting officer shall* insert the clause at [52.247-9](#), *Agreed Weight—General Freight*, when the shipping activity determines the weight of *shipments* of *freight* other than *household goods* or *office furniture*.

(2) The *contracting officer shall* insert the clause at [52.247-10](#), *Net Weight—General Freight*, when the weight of *shipments* of *freight* other than *household goods* or *office furniture* is not known at the

time of *shipment* and the contractor is responsible for determining the net weight of the *shipments*.

(b) *Shipments of household goods or office furniture.* The *contracting officer shall* insert the clause at 52.247-11, *Net Weight—Household Goods or Office Furniture*, when movements of Government employees' *household goods* or relocations of Government offices are involved.

#### **47.207-5 Contractor responsibilities.**

Contractor responsibilities vary with the kinds of *freight* to be shipped and services required. The *contracting officer shall* specify clearly those service requirements that are not considered normal transportation or transportation-related requirements.

(a) *Type of equipment.* If appropriate, the *contracting officer shall* specify the type and size of equipment to be furnished by the contractor. Otherwise, state that the contractor *shall* furnish clean and sound closed-type equipment of sufficient size to accommodate the *shipment*.

(b) *Supervision, labor, or materials.* The *contracting officer shall* insert a clause substantially the same as the clause at 52.247-12, *Supervision, Labor, or Materials*, when the contractor is required to furnish supervision, labor, or materials.

(c) *Accessorial services-moving contracts.* The *contracting officer shall* insert a clause substantially the same as the clause at 52.247-13, *Accessorial Services-Moving Contracts*, in contracts for the transportation of *household goods* or *office furniture*.

(d) *Receipt of shipment.* The *contracting officer shall* insert the clause at 52.247-14, *Contractor Responsibility for Receipt of Shipment*.

(e) *Loading and unloading.* The *contracting officer shall* insert the clause at 52.247-15, *Contractor Responsibility for Loading and Unloading*, when the contractor is responsible for loading and unloading *shipments*.

(f) *Return of undelivered freight.* The *contracting officer shall* insert the clause at 52.247-16, *Contractor Responsibility for Returning Undelivered Freight*, when the contractor is responsible for returning undelivered *freight*.

#### **47.207-6 Rates and charges.**

(a)

(1) The *contracting officer shall* include in the *solicitation* a statement that the charges in the contract *shall* not exceed the contractor's charges for the same service that is-

(i) Available to the general public; or

(ii) Otherwise tendered to the Government.

(2) The *contracting officer shall* insert the clause at 52.247-17, *Charges*.

(b) The *contracting officer shall* include in the *solicitation* a tabulation listing each required service

and the basis for the rate (price); *e.g.*, "unit of weight" or "per work-hour," leaving sufficient space for *offerors* to insert the rates offered for each service.

(c) The following guidelines apply to the composition of a tabulation of transportation or of transportation-related services and their rate (price) bases:

(1) *Combination of pricing bases.* If various types of services with different bases for assessing charges are required under the same contract, show each service separately and the applicable basis for that service.

(2) *Hourly rate basis.* If charges are based on an hourly rate, state the method for charging for fractions of an hour; *e.g.*-

(i) A period of 30 minutes or less is charged at one-half the hourly rate; and

(ii) The hourly rate applies to any portion of an hour that exceeds 30 minutes.

(3) *Shipments of varying weights.* If charges are based on weight and *shipments* will vary in weight, request rates on a graduated weight basis. Include a table of graduated weights for *offerors* to insert rates.

(4) *Multiple origins and/or destinations.* Specify whether rates are requested for each origin and/or each destination or for specific groups of origins and/or destinations.

(5) *Multiple shipments from one origin.* If multiple *shipments* will be tendered at one time to the contractor for delivery to two or more consignees at the same destination, request the rate applicable to the aggregate weight. If such *shipments* are for delivery to various destinations along the route between origin and last destination, request the rate applicable to the aggregate weight and a stopoff charge for each intermediate destination.

(i) The *contracting officer shall* insert the clause at [52.247-18](#), *Multiple Shipments*, when multiple *shipments* are tendered at one time to the contractor for transportation from one origin to two or more consignees at the same destination.

(ii) The *contracting officer shall* insert the clause at [52.247-19](#), *Stopping in Transit for Partial Unloading*, when multiple *shipments* are tendered at one time to the contractor for transportation from one origin to two or more consignees along the route between origin and last destination.

(6) *Estimated quantities or weights.* The *contracting officer shall* insert in *solicitations* the provision at [52.247-20](#), *Estimated Quantities or Weights for Evaluation of Offers*, when quantities or weights of *shipments* between each origin and destination are not known, stating estimated quantity or weight for each origin/destination pair.

(7) *Additional services.* If services in addition to those covered in the basic rate are anticipated; *e.g.*, inside delivery, state the conditions under which payment will be made for those services.

## **47.207-7 Liability and insurance.**

(a) The *contracting officer shall* specify-

(1) The contractor's liability for injury to persons or damage to property other than the *freight* being transported;



(2) The contractor's liability for loss of and/or damage to the *freight* being transported; and

(3) The amount of *insurance* the contractor is required to maintain.

(b) When the contractor's liability for loss of and/or damage to the *freight* being transported is not specified, the usual measure of liability as prescribed in section 11706 of the Interstate Commerce Act (49 U.S.C.11706) applies.

(c) The *contracting officer shall* insert the clause at 52.247-21, Contractor Liability for Personal Injury and/or Property Damage.

(d) The *contracting officer shall* insert the clause at 52.247-22, Contractor Liability for Loss of and/or Damage to *Freight* other than *Household Goods*, in *solicitations* and contracts for the transportation of *freight* other than *household goods*.

(e) The *contracting officer shall* insert the clause at 52.247-23, Contractor Liability for Loss of and/or Damage to *Household Goods*, in *solicitations* and contracts for the transportation of *household goods*, including the rate per pound appropriate to the situation.

(f) When *freight* is not shipped under rates subject to *released or declared value*, see 28.313(a) and the clause at 52.228-9, *Cargo Insurance*.

(g) When the *contracting officer* determines that vehicular liability and/or general public liability *insurance* required by law are not sufficient for a contract, see 28.313(b) and the clause at 52.228-10, *Vehicular and General Public Liability Insurance*.

#### **47.207-8 Government responsibilities.**

(a) The *contracting officer shall* state clearly the Government's responsibilities that have a direct bearing on the contractor's performance under the contract; *e.g.*, the Government's responsibility to notify the contractor in advance when hazardous materials are included in a *shipment*.

(1) *Advance notification*. The *contracting officer shall* insert the clause at 52.247-24, Advance Notification by the Government, when the Government is responsible for notifying the contractor of specific service times or unusual *shipments*.

(2) Government equipment with or without operators.

(i) The *contracting officer shall* insert the clause at 52.247-25, Government-Furnished Equipment With or Without Operators, when the Government furnishes equipment with or without operators.

(ii) Insert the kind of equipment and the locations where the equipment will be furnished.

(3) *Direction and marking*. The *contracting officer shall* insert the clause at 52.247-26, Government Direction and Marking, when office relocations are involved.

(b) The *contracting officer shall* insert the clause at 52.247-27, Contract Not Affected by Oral Agreement.



## **47.207-9 Annotation and distribution of shipping and billing documents.**

(a) The *contracting officer shall* state in detail the responsibilities of the contractor, the *contracting* agency, and, if appropriate, the consignee for the annotation and distribution of shipping and billing documents. See 41 CFR part 102-118, Transportation Payment and Audit.

(b) In instances of mass movements of *freight* made available to the contractor at one time, it is particularly important that the *contracting officer* specifies that bills of lading be cross-referenced so that the Government benefits from applicable volume rates.

(c) The *contracting officer shall* insert the clause at 52.247-28, Contractor's *Invoices*, in drayage or other term contracts.

## **47.207-10 Discrepancies incident to shipments.**

Discrepancies incident to *shipment* include overage, shortage, loss, damage, and other discrepancies between the quantity and/or condition of *supplies* received from commercial *carrier* and the quantity and/or condition of these *supplies* as shown on the covering *bill of lading* or other transportation document. Regulations and procedures for reporting and adjusting discrepancies in Government *shipments* are in 41 CFR parts 102-117 and 118. (For the Department of Defense (DoD), see DoD 4500.9-R, Defense Transportation Regulation, Part II, Chapter 210).

## **47.207-11 Volume movements within the contiguous United States.**

(a) For purposes of contract administration, a volume movement is-

(1) In DoD, the aggregate of *freight shipments* amounting to or exceeding 25 carloads, 25 truckloads, or 500,000 pounds, to move during the contract period from one origin point for delivery to one destination point or area; and

(2) In civilian agencies, 50 short tons (100,000 pounds) in the aggregate to move during the contract period from one origin point for delivery to one destination point or area.

(b) Transportation personnel assigned to or supporting the CAO, or appropriate agency personnel, *shall* report planned and actual volume movements in accordance with agency regulations. DoD activities report to the Military Surface Deployment and Distribution Command (SDDC) under DoD 4500.9-R, Defense Transportation Regulation. Civilian agencies report to the local office of GSA's Office of Transportation (see [www.gsa.gov/transportation](http://www.gsa.gov/transportation) (click on Transportation Management Zone Offices in left-hand column, then click on Transportation Management Zones under Contacts on right-hand column)).

## **47.208 Report of shipment (REPSHIP).**

### **47.208-1 Advance notice.**

Military (and as required, civilian agency) storage and distribution points, depots, and other

receiving activities require advance notice of *shipments* en route from contractors' plants. Generally, this notification is required only for classified material; sensitive, controlled, and certain other protected material; explosives, and some other hazardous materials; selected *shipments* requiring movement control; or minimum carload or truckload *shipments*. It facilitates arrangements for transportation control, labor, space, and use of materials handling equipment at destination. Also, timely receipt of notices by the consignee transportation office precludes the incurring of demurrage and vehicle detention charges.

#### **47.208-2 Contract clause.**

The *contracting officer shall* insert the clause at [52.247-68](#), Report of *Shipment* (REPSHIP), in *solicitations* and contracts when advance notice of *shipment* is required for safety or security reasons, or where carload or truckload *shipments* will be made to DoD installations or, as required, to civilian agency facilities.