

GSA ORDER

Subject: GSAR Case 2006-G518, Rewrite of GSAR Part 547, Transportation (Change 34)

1. Purpose. This order transmits a revision to the General Services Administration (GSAM).
2. Background. The General Services Administration amended the GSA Acquisition Manual (GSAM) to delete coverage in 547, Transportation. Transportation guidance is provided in the Federal Acquisition Regulation (FAR) coverage in FAR Part 47 and in the FAR clauses found at FAR 52.247.
3. Effective date. June 29, 2009.
4. Explanation of changes. This GSAM 547 coverage is removed and reserved. Sufficient guidance is available in FAR Parts 47 and 52.247.
5. Filing instructions. Insert the following pages to the GSAM:

Remove Pages

General Structure
pp. vii and viii

Part 547 TOC
pp. 547-i and 547-ii
547-1 and 547-2

Part 552 TOC
pp. 552-i and 552-ii
552-51 and 552-52

Matrix
552-69 and 552-70


Insert Pages

General Structure
pp. vii and viii

Part 547 TOC
pp. 547-i and 547-ii
None

Part 552 TOC
pp. 552-i and 552-ii
552-51 and 552-52

Matrix
552-69 and 552-70



DAVID A. DRABKIN
Senior Procurement Executive
Office of Acquisition Policy
U.S. General Services Administration

(BLANK PAGE)

PART 532—CONTRACT FINANCING

- 532.1 Non-Commercial Item Purchase Financing
- 532.2 Commercial Item Purchase Financing
- 532.4 Advance Payments for Non-Commercial Items
- 532.5 Progress Payments Based on Costs
- 532.6 Contract Debts
- 532.7 Contract Funding
- 532.9 Prompt Payment
- 532.8 Assignment of Claims
- 532.11 Electronic Funds Transfer
- 532.70 Authorizing Payment by Governmentwide Commercial Purchase Card
- 532.71 Payments for Recurring Services
- 532.72 Payments Under Contracts Subject to Audit

PART 533—PROTESTS, DISPUTES, AND APPEALS

- 533.1 Protests
- 533.2 Disputes and Appeals

SUBCHAPTER F—SPECIAL CATEGORIES OF CONTRACTING

PART 534—MAJOR SYSTEM ACQUISITION

- 534.2 Earned Value Management Systems.

PART 535—RESEARCH AND DEVELOPMENT CONTRACTING [RESERVED]

PART 536—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

- 536.1 General
- 536.2 Special Aspects of Contracting for Construction
- 536.5 Contract Clauses
- 536.6 Architect-Engineer Services

PART 537—SERVICE CONTRACTING

- 537.1 Service Contracts—General
- 537.2 Advisory and Assistance Services
- 537.6 Performance-based Acquisition

PART 538—FEDERAL SUPPLY SCHEDULE CONTRACTING

- 538.2 Establishing and Administering Federal Supply Schedules
- 538.70 Cooperative Purchasing
- 538.71 Recovery Purchasing

PART 539—ACQUISITION OF INFORMATION TECHNOLOGY

PART 540—[RESERVED]

PART 541—ACQUISITION OF UTILITY SERVICES

- 541.4 Administration

SUBCHAPTER G—CONTRACT MANAGEMENT

PART 542—CONTRACT ADMINISTRATION AND AUDIT SERVICES

- 542.1 Contract Audit Services
- 542.2 Contract Administration Services
- 542.3 Contract Administration Office Functions
- 542.11 Production Surveillance and Reporting
- 542.12 Novation and Change-of-Name Agreements
- 542.15 Contractor Performance Information
- 542.70 Audit of Contractor’s Records

PART 543—CONTRACT MODIFICATIONS

- 543.1 General
- 543.2 Change Orders

PART 544—SUBCONTRACTING POLICIES AND PROCEDURES [RESERVED]

PART 545—GOVERNMENT PROPERTY [RESERVED]

PART 546—QUALITY ASSURANCE

- 546.3 Contract Clauses
- 546.7 Warranties

[PART 547—[RESERVED]

PART 548—VALUE ENGINEERING

- 548.1 Policies and Procedures

PART 549—TERMINATION OF CONTRACTS

- 549.1 General Principles
- 549.4 Termination for Default
- 549.5 [Reserved]

PART 550—EXTRAORDINARY CONTRACTUAL ACTIONS

PART 551—USE OF GOVERNMENT SOURCES BY CONTRACTORS [RESERVED]

SUBCHAPTER H—CLAUSES AND FORMS

PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

- 552.1 Instructions for Using Provisions and Clauses
- 552.2 Text of Provisions and Clauses
- 552.3 Provision and Clause Matrixes

PART 553—FORMS

- 553.1 General
- 553.3 Illustrations of Forms

AMENDMENT 2009-06 JUNE 29, 2009

PART 547—[RESERVED]

This page intentionally left blank.

AMENDMENT 2009–02 MAY 14, 2009

PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

Sec.

552.000	Scope of part.	552.212-73	Evaluation—Commercial Items (Multiple Award Schedule).
	Subpart 552.1—Instructions for Using Provisions and Clauses	552.214-70	“All or None” Offers.
552.101-70	Using Part 552.	552.214-71	Progressive Awards and Monthly Quantity Allocations.
552.102	Incorporating provisions and clauses.	552.214-72	Bid Sample Requirements.
552.103	Identification of provisions and clauses.	552.215-70	Examination of Records by GSA.
552.104	Procedures for modifying and completing provisions and clauses.	552.215-71	Examination of Records by GSA (Multiple Award Schedule).
552.105	Procedures for using alternates.	552.215-72	Price Adjustment—Failure to Provide Accurate Information.
552.107-70	Provisions and clauses prescribed in Subpart 552.1.	552.216-70	Economic Price Adjustment—FSS Multiple Award Schedule Contracts.
	Subpart 552.2—Text of Provisions and Clauses	552.216-71	Economic Price Adjustment—Stock and Special Order Program Contracts.
552.200	Scope of subpart.	552.216-72	Placement of Orders.
552.203-5	Covenant Against Contingent Fees.	552.216-73	Ordering Information.
552.203-70	Price Adjustment for Illegal or Improper Activity.	552.217-70	Evaluation of Options.
552.203-71	Restriction on Advertising.	552.217-71	Notice Regarding Option(s).
552.211-8	Time of Delivery.	552.219-70	Allocation of Orders—Partially Set-aside Items.
552.211-15	Defense Priorities and Allocations System Requirements.	552.219-71	Notice to Offerors of Subcontracting Plan Requirements.
552.211-70	[Reserved]	552.219-72	Preparation, Submission, and Negotiation of Subcontracting Plans.
552.211-71	Standard References.	552.219-73	Goals for Subcontracting Plan.
552.211-72	Reference to Specifications in Drawings.	552.219-74	Section 8(a) Direct Award.
552.211-73	Marking.	552.223-70	Hazardous Substances.
552.211-74	Charges for Marking.	552.223-71	Nonconforming Hazardous Materials.
552.211-75	Preservation, Packaging and Packing.	552.223-72	Hazardous Material Information.
552.211-76	Charges for Packaging and Packing.	552.225-70	Notice of Procurement Restriction—Hand or Measuring Tools or Stainless Steel Flatware.
552.211-77	Packing List.	552.227-70	Government Rights (Unlimited).
552.211-78	Commercial Delivery Schedule (Multiple Award Schedule).	552.227-71	Drawings and Other Data to Become Property of Government.
552.211-79	Acceptable Age of Supplies.	552.228-5	Government as Additional Insured.
552.211-80	Age on Delivery.	552.229-70	Federal, State, and Local Taxes.
552.211-81	Time of Shipment.	552.229-71	Federal Excise Tax—DC Government.
552.211-82	Notice of Shipment.	552.232-1	Payments.
552.211-83	Availability for Inspection, Testing, and Shipment/Delivery.	552.232-8	Discounts for Prompt Payment.
552.211-84	Non-Compliance with Contract Requirements.	552.232-23	Assignment of Claims.
552.212-70	Preparation of Offer (Multiple Award Schedule).	552.232-25	Prompt Payment.
552.212-71	Contract Terms and Conditions Applicable to GSA Acquisition of Commercial Items.	552.232-70	Invoice Requirements.
552.212-72	Contract Terms and Conditions Required to Implement Statutes or Executive Orders Applicable to GSA Acquisition of Commercial Items.	552.232-71	Adjusting Payments.
		552.232-72	Final Payment.
		552.232-73	Availability of Funds.
		552.232-74	Invoice Payments.
		552.232-75	Prompt Payment.

AMENDMENT 2009–06 JUNE 29, 2009

GENERAL SERVICES ADMINISTRATION ACQUISITION MANUAL

552.232-76	Electronic Funds Transfer Payment.		by Certain Entities—Cooperative Purchasing.
552.232-77	Payment By Governmentwide Commercial Purchase Card.	552.238-80	Use of Federal Supply Schedule Contracts by Certain Entities—Recovery Purchasing.
552.232-78	Payment Information.	552.242-70	Status Report of Orders and Shipments.
552.232-79	Payment by Credit Card.	552.243-71	Equitable Adjustments.
552.232-81	Payments by Non-Federal Ordering Activities.	552.246-70	Source Inspection by Quality Approved Manufacturer.
552.232-82	Contractor’s Remittance (Payment) Address.	552.246-71	Source Inspection by Government.
552.232-83	Contractor’s Billing Responsibilities.	552.246-72	Final Inspection and Tests.
552.236-70	Definitions.	552.246-77	Additional Contract Warranty Provisions for Supplies of a Noncomplex Nature.
552.236-71	Authorities and Limitations.	552.246-78	Inspection at Destination.
552.236-72	Specialist.	552.252-5	Authorized Deviations in Provisions.
552.236-73	Basis of Award—Construction Contract.	552.252-5	Authorized Deviations in Provisions.
552.236-74	Working hours.	552.252-6	Authorized Deviations in Clauses.
552.236-75	Use of Premises.	552.270-1	Instructions to Offerors—Acquisition of Leasehold Interests in Real Property.
552.236-76	Measurements.	552.270-2	Historic Preference.
552.236-77	Specifications and Drawings.	552.270-3	Parties to Execute Lease.
552.236-78	Shop Drawings, Coordination Drawings, and Schedules.	552.270-4	Definitions.
552.236-79	Samples.	552.270-5	Subletting and Assignment.
552.236-80	Heat.	552.270-6	Maintenance of Building and Premises—Right of Entry.
552.236-81	Use of Equipment by the Government.	552.270-7	Fire and Casualty Damage.
552.236-82	Subcontracts.	552.270-8	Compliance with Applicable Law.
552.236-83	Requirement for a Project Labor Agreement.	552.270-9	Inspection—Right of Entry.
552.237-70	Qualifications of Offerors.	552.270-10	Failure in Performance.
552.237-71	Qualifications of Employees.	552.270-11	Successors Bound.
552.237-72	Prohibition Regarding “Quasi-Military Armed Forces.”	552.270-12	Alterations.
552.237-73	Restriction on Disclosure of Information.	552.270-13	Proposals for Adjustment.
552.238-70	Identification of Electronic Office Equipment Providing Accessibility for the Handicapped.	552.270-14	Changes.
552.238-71	Submission and Distribution of Authorized FSS Schedule Pricelists.	552.270-15	Liquidated Damages.
552.238-72	Identification of Products that have Environmental Attributes.	552.270-16	Adjustment for Vacant Premises.
552.238-73	Cancellation	552.270-17	Delivery and Condition.
552.238-74	Industrial Funding Fee and Sales Reporting.	552.270-18	Default in Delivery—Time Extensions.
552.238-75	Price Reductions.	552.270-19	Progressive Occupancy.
552.238-76	Definition (Federal Supply Schedules)—Recovery Purchasing.	552.270-20	Payment.
552.238-77	Definition (Federal Supply Schedules).	552.270-21	Effect of Acceptance and Occupancy.
552.238-78	Scope of Contract (Eligible Ordering Activities).	552.270-22	Default by Lessor During the Term.
552.238-79	Use of Federal Supply Schedule Contracts	552.270-23	Subordination, Nondisturbance and Attornment.
		552.270-24	Statement of Lease.
		552.270-25	Substitution of Tenant Agency.
		552.270-26	No Waiver.

AMENDMENT 2009–06 JUNE 29, 2009

(f) *Responsibility for rejected supplies.* When the Contractor fails to remove or provide instructions for the removal of rejected supplies under FAR 52.246-2(h) pursuant to the Contracting Officer's instructions, the Contractor shall be liable for all costs incurred by the Government in taking such measures as are expedient to avoid unnecessary loss to the Contractor. In addition to the remedies provided in FAR 52.246-2, supplies may be—

- (1) Stored for the Contractor's account;
- (2) Reshipped to the Contractor at its expense (any additional expense incurred by the Government or the freight carrier caused by the refusal of the Contractor to accept their return also shall be for the Contractor's account); or
- (3) Sold to the highest bidder on the open market and the proceeds applied against the accumulated storage and other costs, including the cost of the sale.

(End of clause)

**The rates to be inserted are established by the Commissioner of the Federal Acquisition Service or a designee.*

552.246-72 Final Inspection and Tests.

As prescribed in [546.312](#), insert the following clause:

FINAL INSPECTION AND TESTS (SEP 1999)

The Contractor shall give written notice to the Contracting Officer at least 10 calendar days before the date the work will be completed and ready for final inspection and tests. Final inspection and tests will begin within 10 calendar days after the date specified in the Contractor's notice unless the Contracting Officer determines that the work is not ready for final inspection and so informs the Contractor.

(End of clause)

552.246-77 Additional Contract Warranty Provisions for Supplies of a Noncomplex Nature.

As prescribed in [546.710](#), insert the following clause in solicitations and contracts that include FAR 52.246-17, Warranty of Supplies of a Noncomplex Nature.

ADDITIONAL CONTRACT WARRANTY PROVISIONS FOR SUPPLIES OF A NONCOMPLEX NATURE (JUNE 2009)

(a) *Definitions.* *Correction*, as used in this clause, means the elimination of a defect.

(b) *Contractor's obligations.* When return, correction, or replacement is required, the Contractor shall be responsible for all costs attendant to the return, correction, or replacement of the nonconforming supplies. Any removal in connection with the above shall be done by the Contractor at its expense.

(c) *Remedies available to the Government.* When the nature of the defect in the nonconforming item is such that the defect affects an entire batch or lot of material, then the equitable price adjustment shall apply to the entire batch or lot of material from which the nonconforming item was taken.

(End of clause)

552.246-78 Inspection at Destination.

As prescribed in [546.302-72](#) insert the following clause:

INSPECTION AT DESTINATION (JUNE 2009)

Inspection of all purchases under this contract will be made at destination by an authorized Government representative.

(End of clause)

This page intentionally left blank.

AMENDMENT 2009-06 JUNE 29, 2009

PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

552.300

P/C	Number	Reference.	Title	Sup	Serv	Const	A-E	SAT	Util	Leas
C	552.236-80	536.570-11	Heat			R		WR		
C	552.236-81	536.570-12	Use of Equipment by the Government			WR		WR		
C	552.236-82	536.570-13	Subcontracts			R				
C	552.236-83	536.570-14	Requirement for a Project Labor Agreement			WR				
P	552.237-70	537.110(a)	Qualifications of Offerors		WR					
C	552.237-71	537.110(a)	Qualifications of Employees		WR					
C	552.237-72	537.110(b)	Prohibition Regarding "Quasi-Military Armed Forces"		WR			WR		
C	552.237-73	537.270	Restriction on Disclosure of Information		WR			WR		
C	552.238-70	538.273(a)(1)	Identification of Electronic Office Equipment Providing Accessibility for the Handicapped	WR						
C	552.238-71	538.273(a)(2)	Submission and Distribution of Authorized FSS Schedule Pricelists	WR	WR					
C	552.238-72	538.273(a)(3)	Identification of Products That Have Environmental Attributes	WR	WR					
C	552.238-73	538.273(a)(4)	Cancellation	WR	WR					
C	552.238-74	538.273(b)(1)	Industrial Funding Fee and Sales Reporting	WR	WR					
C	552.238-75	538.273(b)(2)	Price Reductions	WR	WR					
C	552.238-76	538.7104(a)	Definition (Federal Supply Schedules)—Recovery Purchasing	WR	WR					
C	552.238-77	538.7004(a)	Definition (Federal Supply Schedules)	WR	WR					
C	552.238-78	538.7004	Scope of Contract (Eligible Ordering Activities)	WR	WR					
C	552.238-79	538.7004(c)	Use of Federal Supply Schedule Contracts by Certain Entities—Cooperative Purchasing	WR	WR					
C	552.238-80	538.7104(c)	Use of Federal Supply Schedule Contracts by Certain Entities—Recovery Purchasing	WR	WR					
C	552.242-70	542.1107	Status Report of Orders and Shipments	WR				WR		
C	552.243-71	543.205	Equitable Adjustments			WR				
C	552.246-70	546.302-70	Source Inspection by Quality Approved Manufacturer	WR				WR		
C	552.246-71	546.302-71	Source Inspection by Government	WR				WR		
C	552.246-72	546.312	Final Inspection and Tests			WR		O		
C	552.246-77	546.710	Additional Contract Warranty Provisions for Supplies of a Noncomplex Nature	WR						
C	552.246-78	546.302-72	Inspection at Destination	WR						
P	552.252-5	552.107-70(a)	Authorized Deviations in Provisions	WR	WR	WR	WR	WR	WR	
C	552.252-6	552.107-70(b)	Authorized Deviations in Clauses	WR	WR	WR	WR	WR	WR	
P	552.270-1	570.602	Instructions to Offerors—Acquisition of Leasehold Interests in Real Property							R
P	552.270-2	570.602	Historic Preference							R
P	552.270-3	570.602	Parties to Execute Lease							R
C	552.270-4	570.603	Definitions							R*
C	552.270-5	570.603	Subletting and Assignment							R
C	552.270-6	570.603	Maintenance of Building and Premises— Right of Entry							R

P/C	Number	Reference.	Title	Sup	Serv	Const	A-E	SAT	Util	Leas
C	552.270-7	570.603	Fire and Casualty Damage							R
C	552.270-8	570.603	Compliance with Applicable Law							R
C	552.270-9	570.603	Inspection—Right of Entry							R
C	552.270-10	570.603	Failure in Performance							R
C	552.270-11	570.603	Successors Bound							R
C	552.270-12	570.603	Alterations							R
C	552.270-13	570.603	Proposals for Adjustment							R
C	552.270-14	570.603	Changes							R
C	552.270-15	570.603	Liquidated Damages							R
C	552.270-16	570.603	Adjustment for Vacant Premises							R
C	552.270-17	570.603	Delivery and Condition							R
C	552.270-18	570.603	Default in Delivery—Time Extensions							R
C	552.270-19	570.603	Progressive Occupancy							R
C	552.270-20	570.603	Payment							R
C	552.270-21	570.603	Effect of Acceptance and Occupancy							R
C	552.270-22	570.603	Default by Lessor During the Term							R
C	552.270-23	570.603	Subordination, Nondisturbance and Attornment							R
C	552.270-24	570.603	Statement of Lease							R
C	552.270-25	570.603	Substitution of Tenant Agency							R
C	552.270-26	570.603	No Waiver							R
C	552.270-27	570.603	Integrated Agreement							R
C	552.270-28	570.603	Mutuality of Obligation							R
C	552.270-29	570.603	Acceptance of Space							R
P	52.203-2	570.601(e)	Certificate of Independent Price Determination							WR
C	52.203-7	570.601(e)	Anti-Kickback Procedures							WR
P	52.203-11	570.601(d)	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions							WR
P	52.204-3	570.601(a)	Taxpayer Identification							WR
P	52.209-5	570.601(e)	Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters							WR
C	52.209-6	570.601(c)	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment							WR
C	52.215-2	570.601(e)	Audit and Records—Negotiation							WR
P	52.215-5	570.601(j)	Facsimile Proposals							WR
C	52.215-10	570.601(i)	Price Reduction for Defective Cost or Pricing Data							WR
C	52.215-12	570.601(i)	Subcontractor Cost or Pricing Data							WR
P	52.219-1	570.601(a)	Small Business Program Representations							WR
C	52.219-8	570.601(e)	Utilization of Small Business Concerns							WR
C	52.219-9	570.601(f)	Small Business Subcontracting Plan,							WR
C	52.219-16	570.601(f)	Liquidated Damages—Subcontracting Plan							WR
P	52.219-24	570.601(g)	Small Disadvantaged Business Participation Program—Targets							WR
C	52.219-25	570.601(g)	Small Disadvantaged Business Participation Program—Disadvantaged Status and Reporting							WR
C	52.219-26	570.601(k)	Small Disadvantaged Business Participation Program—Incentive Subcontracting							WR
P	52.222-21	570.601(b)	Prohibition of Segregated Facilities							WR
P	52.222-22	570.601(b)	Previous Contracts and Compliance Reports							WR