

Agency for International Development

Ch. 7, App. J

agreements do not permit these facilities to be made available to non-U.S. citizens if they are under contract to the United States Government. However, in those cases where the facilities are open to TCN contractor personnel, they may be used.

17. Release Of Information (DEC 1986)

[For use in both CNN and TCN Contracts].

All rights in data and reports shall become the property of the U.S. Government. All information gathered under this contract by the contractor and all reports and recommendations hereunder shall be treated as privileged information by the contractor and shall not, without the prior written approval of the Contracting Officer, be made available to any person, party, or government, other than USAID, except as otherwise expressly provided in this contract.

18. Notices (DEC 1986)

[For use in both CNN and TCN Contracts].

Any notice, given by any of the parties hereunder, shall be sufficient only if in writing and delivered in person or sent by telegraph, telegram, registered, or regular mail as follows:

(a) TO USAID: To the Mission Director of the Mission in the Cooperating Country with a copy to the appropriate Contracting Officer.

(b) TO THE CONTRACTOR: At his/her post of duty while in the Cooperating Country and at the contractor's address shown on the Cover Page of this contract or to such other address as either of such parties shall designate by notice given as herein required.

Notices hereunder shall be effective when delivered in accordance with this clause or on the effective date of the notice, whichever is later.

19. Incentive Awards (DEC 1996)

[For CNN and TCN Contracts].

(a) All Cooperating Country National (CCN) Personal Services Contractors (PSCs) and Third Country Nationals (TCNs) of the Foreign Affairs Community are eligible for the Joint Embassy Incentive Awards Program. The program is administered by each post's (Embassy) Joint Country Awards Committee.

(b) Meritorious Step Increases

Meritorious step increases may be granted to CNNs and TCNs paid under the local compensation plan provided the granting of such increases is the general practice locally.

20. Training (JUL 1993)

[For CNN and TCN Contracts].

The contractor may be provided job related training to develop growth potential, expand

capabilities and increase knowledge and skills. The training may be funded under the personal services contract.

21. Medical Evacuation (MEDEVAC) Services (JUL 2007)

[For TCN Contracts Only].

(a) The PSC must obtain MEDEVAC service coverage including coverage for authorized dependents while performing personal services abroad.

(b) *Exceptions.* (1) A PSC and authorized dependents with a health insurance program that includes sufficient MEDEVAC coverage as approved by the Contracting Officer are not required to obtain MEDEVAC service coverage.

(2) The Mission Director at the post of assignment may make a written determination to waive the requirement for such coverage. The determination must be based on findings that the quality of local medical services or other circumstances obviate the need for such coverage for PSCs and their dependents located at post.

13. FAR Clauses

The following FAR Clauses are always to be used along with the General Provisions. They are required in full text.

1. Covenant Against Contingent Fees 52.203-5
2. Disputes 52.233-1 (Alternate 1)
3. Preference for U.S. Flag Air Carriers 52.247-63

The following FAR Clauses are to be used along with the General Provisions, and when appropriate, be incorporated in each personal services contract by reference:

1. Anti-Kickback Procedures 52.203-7
2. Limitation on Payments to Influence Certain Federal Transactions 52.203-12
3. Audit and Records—Negotiation 52.215-2
4. Privacy Act Notification 52.224-1
5. Privacy Act 52.224-2
6. Taxes—Foreign Cost Reimbursement Contracts 52.229-8
7. Interest 52.232-17
8. Limitation of Cost 52.232-20
9. Limitation of Funds 52.232-22
10. Assignment of Claims 52.232-23
11. Protection of Government Buildings, Equipment, and Vegetation 52.237-2
12. Notice of Intent to Disallow Costs 52.242-1
13. Inspection 52.246-5
14. Limitation of Liability—Services 52.246-25

[62 FR 42929, Aug. 11, 1997, as amended at 72 FR 19670, Apr. 19, 2007]

CHAPTER 8—DEPARTMENT OF VETERANS AFFAIRS

SUBCHAPTER A—GENERAL

<i>Part</i>		<i>Page</i>
801	Department of Veterans Affairs Acquisition Regulation System	143
802	Definitions of words and terms	164
803	Improper business practices and personal conflicts of interest	165
804	Administrative matters	169

SUBCHAPTER B—COMPETITION AND ACQUISITION PLANNING

805	Publicizing contract actions	170
806	Competition requirements	170
807	Acquisition planning	172
808	Required sources of supplies and services	173
809	Contractor qualifications	174
810	Market research	181
811	Describing agency needs	181
812	Acquisition of commercial items	187

SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

813	Simplified acquisition procedures	189
814	Sealed bidding	190
815	Contracting by negotiation	195
816	Types of contracts	197
817	Special contracting methods	198

SUBCHAPTER D—SOCIOECONOMIC PROGRAMS

819	Small business programs	201
822	Application of labor laws to Government acquisitions	212
823	Environment, energy and water efficiency, renewable energy technologies, occupational safety, and drug-free workplace [Reserved]	
824	Protection of privacy and freedom of information	212
825	Foreign acquisition	213

48 CFR Ch. 8 (10-1-10 Edition)

<i>Part</i>		<i>Page</i>
826	Other socioeconomic programs [Reserved]	
	SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS	
828	Bonds and insurance	216
829	Taxes	218
830	Cost accounting standards administration [Reserved]	
831	Contract cost principles and procedures	219
832	Contract financing	222
833	Protests, disputes, and appeals	226
	SUBCHAPTER F—SPECIAL CATEGORIES OF CONTRACTING	
836	Construction and architect-engineer contracts	231
837	Service contracting	236
839	Acquisition of information technology [Reserved]	
841	Acquisition of utility services	238
	SUBCHAPTER G—CONTRACT MANAGEMENT	
842	Contract administration and audit services	240
844	Subcontracting policies and procedures [Reserved]	
846	Quality assurance	241
847	Transportation	245
849	Termination of contracts	246
	SUBCHAPTER H—CLAUSES AND FORMS	
852	Solicitation provisions and contract clauses	248
853	Forms	276
	SUBCHAPTER I—DEPARTMENT SUPPLEMENTARY REGULATIONS	
870	Special procurement controls	278
871	Loan guaranty and vocational rehabilitation and employment programs	279
872	[Reserved]	
873	Simplified acquisition procedures for health-care resources	284