

**2832.407**

FAR and departmental requirements are met.

**2832.407 Interest.**

In cases where advance payments may be made on an interest free basis (FAR 32.407(d)), the intent to make such interest free advance payments, and the circumstance permitting interest free advance payments, shall be set forth in the original determination and findings and be approved in accordance with 2832.402.

**Subpart 2832.9—Prompt Payment**

**2832.903 Policy.**

The HCA is responsible for promulgating policies and procedures to implement FAR 32.9 and to ensure that, when specifying due dates, full consideration will be given to the time reasonably required by Government officials to fulfill their administrative responsibilities under the contract.

**Subpart 2832.11—Electronic Funds Transfer**

**2832.1110 Solicitation provision and contract clauses.**

When the clause at FAR 52.232-34, Payment by Electronic Funds Transfer-Other than Central Contractor Registration, is required the contracting officer may insert in paragraph (b)(1) of the clause a particular time after award, such as a fixed number of days, or an event such as the submission of the first request for payment, to establish the point at which contractors' EFT information must be provided.

[64 FR 37045, July 9, 1999]

**PART 2833—PROTESTS, DISPUTES, AND APPEALS**

**Subpart 2833.1—Protests**

- Sec.
- 2833.101 Definitions.
- 2833.102 General.
- 2833.103 Protests to the agency.

**Subpart 2833.2—Disputes and Appeals**

- 2833.209 Suspected fraudulent claims.
- 2833.211 Contracting officer's decision.

**48 CFR Ch. 28 (10-1-11 Edition)**

AUTHORITY: 28 U.S.C. 510; 40 U.S.C. 486(c); 28 CFR 0.75(j) and 28 CFR 0.76(j).

SOURCE: 63 FR 16132, Apr. 2, 1998, unless otherwise noted.

**Subpart 2833.1—Protests**

**2833.101 Definitions.**

(a) *Agency Protest Official* means the official, other than the contracting officer, designated to review and decide procurement protests filed with a contracting activity of the Department of Justice.

(1) This person will be at a level above that of the Contracting Officer, will be knowledgeable about the acquisition process in general and will have no programmatic interest in the procurement.

(2) This official shall be an individual designated by the head of the contracting activity and may be the Competition Advocate.

(b) *Deciding Official* means the person chosen by the protestor to decide the agency protest; it may be either the Contracting Officer or the Agency Protest Official.

(c) *Interested Party* means an actual or prospective offeror whose direct economic interest would be affected by the award of a contract or by the failure to award a contract.

**2833.102 General.**

(a) This part describes policies and procedures for processing protests to the Department of Justice in accordance with Executive Order 12979, Agency Procurement Protests, dated October 25, 1995, and FAR 33.103. They are intended to be flexible and to provide for fair, quick, and inexpensive resolution of agency protests.

(b) Interested parties have the option of protesting to the Contracting Officer or to the Agency Protest Official.

(c) Contracting officers and potential protestors are encouraged to use their best efforts to resolve concerns through frank and open discussion, as required by FAR 33.103(b). In resolving concerns and/or protests, consideration should be given to the use of alternative dispute resolution techniques where appropriate.

(d) Responsibilities: