

proposed contract will be awarded under the authority at FAR 6.302-5 or will be awarded under a class justification approved by the Associate Administrator for Acquisition Policy.

## **PART 508—REQUIRED SOURCES OF SUPPLIES AND SERVICES**

### **Subpart 508.3 [Removed and Reserved]**

6. Subpart 508.3 is removed and reserved.

7. Subpart 508.7 is amended by revising the heading to read as follows:

#### **Subpart 508.7—Acquisition From Nonprofit Agencies Employing People Who Are Blind or Severely Disabled**

8. Section 508.705-70 is amended by revising paragraphs (b) and (d) to read as follows:

#### **508.705-70 Adding items to the Procurement List.**

\* \* \* \* \*

(b) The Committee for Purchase from People Who Are Blind or Severely Disabled (the Committee), if requested by the CNA, may assign the supply or service to the CNA for development by a workshop and will list the item in the Preliminary Evaluation Record. A copy of the record, updated monthly, is maintained by the Office of Enterprise Development (E).

\* \* \* \* \*

(d) The Committee may request that a procurement be delayed pending Committee action. The contracting activity shall consult with E before rejecting such a request.

## **PART 509—CONTRACTOR QUALIFICATIONS**

### **509.106-70 [Removed]**

9. Section 509.106-70 is removed.

## **PART 515—CONTRACTING BY NEGOTIATION**

10. Section 515.501 is revised to read as follows:

### **515.501 Definitions.**

*Coordinating office*, as used in this subpart, means the (a) Office of GSA Acquisition Policy, (b) Office of Acquisition, FSS, (c) Office of Information Technology Acquisition, ITS, (d) Office of the Acquisition Executive, PBS, or the office designated in writing by the regional administrator in the regions. The Office of GSA Acquisition Policy serves as the coordinating office for Central Office activities outside of FSS, ITS, and PBS.

## **PART 516—TYPES OF CONTRACTS**

### **Subpart 516.3—[Removed]**

11. Subpart 516.3 is removed.

### **516.403 [Removed]**

12. Section 516.403 is removed.

## **PART 519—SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS**

### **519.502-1 [Removed]**

13. Section 519.502-1 is removed.

## **PART 528—BONDS AND INSURANCE**

14. Section 528.103-2 is amended by revising paragraph (a) to read as follows:

#### **528.103-2 Performance bonds.**

(a) Performance bonds shall not be required for building service contracts unless a written determination is made by the contracting officer explaining why the bond is essential to protect the Government's interest and justifying the additional cost of the bonding requirement.

\* \* \* \* \*

### **528.106-1 [Removed]**

15. Section 528.106-1 is removed.

## **PART 536—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS**

### **536.302-70 [Removed]**

16. Section 536.302-70 is removed.

17. Part 541 is added to read as follows:

## **PART 541—ACQUISITION OF UTILITY SERVICES**

Authority: 40 U.S.C. 486(c).

### **Subpart 541.4—Administration**

#### **541.401 Monthly and annual review.**

Unless other procedures are established, the contracting officer shall perform or cause to be performed the reviews required by FAR 41.401.

## **PART 549—TERMINATION OF CONTRACTS**

18. Section 549.111 is revised to read as follows:

#### **549.111 Review of proposed settlements.**

The HCA may establish procedures for the review and approval of settlement agreements at a level above the contracting officer.

Dated: October 12, 1995.

Ida M. Ustad,

*Associate Administrator for Acquisition Policy.*

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## **48 CFR Parts 502, 514, 525 and 542**

[APD 2800.12A, CHGE 67]

RIN 3090-AF85

### **General Services Administration Acquisition Regulation; Implementation of FAC 90-31**

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Final rule.

**SUMMARY:** The General Services Administration Acquisition Regulation (GSAR) is amended to conform to the Federal Acquisition Regulation (FAR) as amended by Federal Acquisition Circular (FAC 90-31) which amended the FAR to implement several sections of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103-355), and to make a GSA internal organizational change in Part 502.

**EFFECTIVE DATE:** October 27, 1995.

**FOR FURTHER INFORMATION CONTACT:** Victoria Moss, Office of GSA Acquisition Policy, (202) 501-4764.

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Public Comments**

This rule was not published in the Federal Register for public comment because it merely revises the GSAR to conform to the FAR as amended by FAC 90-31.

##### **B. Executive Order 12866**

This rule was not submitted to the Office of Management and Budget (OMB) for review because it is not a significant rule as defined in Executive Order 12866, Regulatory Planning and Review.

##### **C. Regulatory Flexibility Act**

This rule is not expected to have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), because the regulations primarily relate to internal contracting procedures.

##### **D. Paperwork Reduction Act**

The Paperwork Reduction Act does not apply because the changes to the GSAR do not impose recordkeeping or information collection requirements which require the approval of the Office of Management and Budget 44 U.S.C. 3501 *et seq.*

List of Subject in 48 CFR Parts 502, 514, 525 and 542

Government procurement.

Accordingly, 48 CFR Parts 502, 514, 525 and 542 are amended to read as follows:

1. The authority citation for 48 CFR Parts 514, 525 and 542 continues to read as follows:

Authority: 40 U.S.C. 486(c).

**PART 502—DEFINITIONS OF WORDS AND TERMS**

2. Section 502.101 is amended by revising the definition “Head of the contracting activity” to read as follows:

**§ 502.101 Definitions.**

\* \* \* \* \*

*Head of the contracting activity* means the Associate Administrator for Acquisition Policy, Associate Administrator for Federal Telecommunications Service (FTS), Commissioners of the Federal Supply Services (FSS), Information Technology Services (ITS), Public Buildings Service (PBS), or Regional Administrators. The Associate Administrator for Acquisition Policy serves as the HCA for Central

Office contracting activities outside of FTS, FSS, ITS and PBS.

\* \* \* \* \*

**PART 514—SEALED BIDDING**

3. Section 514.408-1 is amended by revising paragraph (a) to read as follows:

**514.408-1 General.**

(a) Oral notices of award shall not be used.

\* \* \* \* \*

**PART 525—FOREIGN ACQUISITION**

4. Subpart 525.9 is added to read as follows:

**Subpart 525.9—Additional Foreign Acquisition Clauses**

**525.901 Omission of audit clause.**

The heads of contracting activities shall make the determination under FAR 25.901(c)(1) to waive the right to

examination of records by the Comptroller General.

**PART 542—CONTRACT ADMINISTRATION**

5. Subpart 542.7 is added to read as follows:

**Subpart 542.7—Indirect Cost Rates**

**542.703 Policy.**

The contracting directors may waive the certification requirement under FAR 42.703-2.

Dated: October 10, 1995.

Ida M. Ustad,

*Associate Administrator, Office of Acquisition Policy.*

[FR Doc. 95-26693 Filed 10-26-95; 8:45 am]

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