

**Subpart 546.3—Contract Clauses**

**546.302 Fixed-price supply contracts.**

**546.302-70 Source inspection by Quality Approved Manufacturer for fixed-price supply contracts.**

(a) For solicitations issued and contracts awarded by FAS that will exceed the simplified acquisition threshold and include the clause at 52.246-2, Inspection of Supplies—Fixed-Price:

(1) The contracting officer shall insert the clause at 552.246-70, Source Inspection by Quality Approved Manufacturer, in solicitations and contracts that provide for source inspection for the Stock and Special Order Programs.

(2) The contracting officer may authorize inspection and testing at manufacturing plants or other facilities located outside the United States, Puerto Rico, or the U.S. Virgin Islands, under paragraph (a)(1) of the clause at 552.246-70 under any of the circumstances listed below after coordinating the authorization with QVOC and documenting the authorization in the file.

(i) Inspection services are available from another Federal agency with primary inspection responsibility in the geographic area.

(ii) An inspection interchange agreement exists with another agency for inspection at a contractor's plant.

(iii) Other considerations will ensure more economical and effective inspection consistent with the Government's interest.

(b) When the estimated value of the acquisition is below the simplified acquisition threshold and will include the clause at 52.246-2, Inspection of Supplies—Fixed-Price, insert the clause at 552.246-70, Source Inspection by Quality Approved Manufacturer only:

(1) In solicitations and contracts that support the Wildfire program.

(2) In contracts when a pattern of acquisitions demonstrates an ongoing relationship with the contractor.

[74 FR 26108, June 1, 2009]

**546.302-71 Source inspection.**

For solicitations and contracts issued by FAS, if Government personnel at the source will perform in-

spection, insert 552.246-71, Source Inspection by Government.

[64 FR 37228, July 9, 1999, as amended at 74 FR 26108, June 1, 2009]

**546.302-72 Destination inspection.**

The contracting officer shall include the clause at 552.246-78, Inspection at Destination (JUL 09) in supply contracts that require inspection at destination.

[74 FR 26108, June 1, 2009]

**546.312 Construction contracts.**

Insert the clause at 552.246-72, Final Inspection and Tests, in solicitations and contracts for construction that include FAR 52.246-12, Inspection of Construction.

**Subpart 546.7—Warranties**

**546.708 Warranties of data.**

(a) The contracting officer shall use warranties of data only when both of the following conditions are applicable:

(1) Use of a warranty is in the Government's interest and is documented; and

(2) The contracting director concurs with the decision.

(b) The contracting officer shall consult with the technical or specification manager responsible for developing any warranties of data.

[74 FR 26108, June 1, 2009]

**546.710 Contract clause.**

The Contracting officer shall insert the clause at 552.246-77, Additional Contract Warranty Provisions for Supplies of a Noncomplex Nature, when using the clause at 52.246-17 in solicitations and contracts.

[74 FR 26108, June 1, 2009]

**PART 547 [RESERVED]**

**PART 549—TERMINATION OF CONTRACTS**

AUTHORITY: 40 U.S.C. 121(c).

**Subpart 549.5 [Reserved]**