

Department of Labor

Pt. 2933

prescribed in FAR 30.201-5(e) and submitted to the HCA.

PART 2931—CONTRACT COST PRINCIPLES AND PROCEDURES

AUTHORITY: 5 U.S.C. 301; 40 U.S.C. 486(c).

SOURCE: 69 FR 22991, Apr. 27, 2004, unless otherwise noted.

Subpart 2931.1—Applicability

2931.101 Objectives.

Individual and class deviations from cost principles in FAR part 31 must be processed as prescribed in DOLAR subpart 2901.4.

[69 FR 22991, Apr. 27, 2004]

PART 2932—CONTRACT FINANCING

Subpart 2932.4—Advance Payments for Non-Commercial Items

Sec.

2932.402 General.

2932.407 Interest.

Subpart 2932.7—Contract Funding.

2932.703 Contract funding requirements.

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Subpart 2932.4—Advance Payments for Non-Commercial Items

2932.402 General.

The HCA is authorized to approve determinations and findings as well as contract terms for advance payments. The contracting officer must submit a recommendation for approval or disapproval of the contractor's request to the HCA.

2932.407 Interest.

The HCA may authorize advance payments without interest pursuant to FAR 32.407.

Subpart 2932.7—Contract Funding

2932.703 Contract funding requirements.

(a) Except in unusual circumstances, the contracting office may not issue solicitations until an approved procurement request (PR), containing a certification that funds are available, has been received. However, the contracting office may take all necessary actions up to the point of contract obligation before receipt of the PR certifying that funds are available when:

(1) The Assistant Secretaries, Inspector General, Bureau Chief, Deputy Under Secretary, Solicitor of Labor, Commissioner, or Director of the Women's Bureau certifies that such action is necessary to meet critical program schedules for their program area;

(2) The Budget Officer certifies that program authority has been issued and funds to cover the acquisition will be available before the date set for receipt of proposals;

(3) The solicitation includes the clause at FAR 52.232-18, Availability of Funds.

(b) The contracting office may not open bids/close solicitations until a PR, either planning or final, has been received that contains a certification of fund availability. Only the project or program official with the authority to commit funds from the agency that initiated the PR may make that written certification.

(c) The project or program office that initiated the PR is responsible for obtaining required certifications.

PART 2933—PROTESTS, DISPUTES, AND APPEALS

Subpart 2933.1—Protests

Sec.

2933.102 General.

2933.103 Protests to the agency.

2933.104 Protests to GAO.

Subpart 2933.2—Disputes And Appeals

2933.203 Applicability.

2933.209 Suspected fraudulent claims.

2933.211 Contracting officer's decision.

2933.212 Contracting officer's duties upon appeal.

2933.213 Obligation to continue performance.