

## Department of Energy

952.223-71

Regulations (DEAR),” after 48 CFR subpart 31.2.

[74 FR 36369, July 22, 2009, as amended at 76 FR 7694, Feb. 11, 2011]

### **952.216-15 Predetermined indirect cost rates.**

*Alternate* (AUG 2009): As prescribed in 916.307(g), modify paragraph (c) of the clause at 48 CFR 52.216-15, Predetermined Indirect Cost Rates, by deleting the words “Subpart 31.4” and substituting for them “Subpart 31.6” and insert the clause in solicitations and contracts when a cost-reimbursement research and development contract with a State or local government is contemplated and predetermined indirect cost rates are to be used.

[49 FR 12042, Mar. 28, 1984, as amended at 59 FR 9109, Feb. 25, 1994; 62 FR 2312, Jan. 16, 1997; 74 FR 36369, July 22, 2009; 76 FR 7694, Feb. 11, 2011]

### **952.217-70 Acquisition of real property.**

Insert the following clause when required by 917.7403:

#### ACQUISITION OF REAL PROPERTY (MAR 2011)

(a) Notwithstanding any other provision of the contract, the prior approval of the Contracting Officer shall be obtained when, in performance of this contract, the Contractor acquires or proposes to acquire use of real property by:

(1) Purchase, on the Government’s behalf or in the Contractor’s own name, with title eventually vesting in the Government.

(2) Lease for which the Department of Energy will reimburse the incurred costs as a reimbursable contract cost.

(3) Acquisition of temporary interest through easement, license or permit, and the Government funds the entire cost of the temporary interest.

(b) Justification of and execution of any real property acquisitions shall be in accordance and compliance with directions provided by the Contracting Officer.

(c) The substance of this clause, including this paragraph (c), shall be included in any subcontract occasioned by this contract under which property described in paragraph (a) of this clause shall be acquired.

(End of clause)

[49 FR 12042, Mar. 28, 1984, as amended at 67 FR 14872, Mar. 28, 2002; 74 FR 36370, 36378, 36380, July 22, 2009; 76 FR 7694, Feb. 11, 2011]

### **952.219-70 DOE Mentor-Protege program.**

In accordance with 919.7014 insert the following provision in applicable solicitations.

#### DOE MENTOR-PROTEGE PROGRAM (MAY 2000)

The Department of Energy has established a Mentor-Protege Program to encourage its prime contractors to assist firms certified under section 8(a) of the Small Business Act by SBA, other small disadvantaged businesses, women-owned small businesses, Historically Black Colleges and Universities and Minority Institutions, other minority institutions of higher learning and small business concerns owned and controlled by service disabled veterans in enhancing their business abilities. If the contract resulting from this solicitation is awarded on a cost-plus-award fee basis, the Contractor’s performance as a Mentor may be evaluated as part of the award fee plan. Mentor and Protege firms will develop and submit “lessons learned” evaluations to DOE at the conclusion of the contract. Any DOE contractor that is interested in becoming a Mentor should refer to the applicable regulations at 48 CFR 919.70 and should contact the Department of Energy’s Office of Small and Disadvantaged Business Utilization.

[65 FR 21371, Apr. 21, 2000, as amended at 75 FR 69014, Nov. 10, 2010]

### **952.223 Clauses related to environment, energy and water efficiency, renewable energy technologies, occupational safety, and drug-free workplace.**

### **952.223-71 Integration of environment, safety, and health into work planning and execution.**

As prescribed in 923.7003 the clause set forth at 970.5223-1 shall be included in all contracts and subcontracts for, and be made applicable to, work to be performed at a government-owned or leased facility where DOE has elected to assert its statutory authority to establish and enforce occupational safety and health standards applicable to the work conditions of contractor and subcontractor employees, and to the protection of the public health and safety.

[49 FR 12042, Mar. 28, 1984, as amended at 59 FR 9109, Feb. 25, 1994; 65 FR 81008, Dec. 22, 2000; 74 FR 36369, July 22, 2009]