

## § 550.5

State cooperative extension services, all colleges and universities, other research or education institutions and organizations, Federal and private agencies and organizations, individuals, and any other party, either foreign or domestic, to further research, extension, or teaching programs in the food and agricultural sciences. (7 U.S.C. 3318(b)(1)).

### § 550.5 Competition.

REE agencies may enter into non-assistance cooperative agreements, as authorized by this part, without regard to any requirements for competition. (7 U.S.C. 3318(e)).

### § 550.6 Duration.

REE may enter into non-assistance cooperative agreements for a period not to exceed five years.

### § 550.7 Exceptions.

This Part does not apply to:

(a) USDA Federal Financial Assistance agreements subject to 7 CFR 3015, 3016, or 3019.

(b) Procurement contracts or other agreements subject to the Federal Acquisition Regulation (FAR) or the Agriculture Acquisition Regulation (AgAR); on Agreements providing loans or insurance directly to an individual.

### § 550.8 Conflicting policies and deviations.

This part supersedes and takes precedence over any individual REE regulations and directives dealing with the award and administration of non-assistance cooperative agreements entered into under the delegated authority of 7 U.S.C. 3318(b). This part may only be superseded, in whole or in part, by either a specifically worded statutory provision or a waiver authorized by the USDA-REE-Administrative and Financial Management (AFM)-Extramural Agreements Division (EAD) or any successor organization. Responsibility for developing, interpreting, and updating this part is assigned to the USDA-REE-AFM-EAD or any successor organization.

### § 550.9 Other applicable regulations.

Related issuances are in other parts of the CFR and the U.S.C. as follows:

## 7 CFR Ch. V (1-1-13 Edition)

(a) 7 CFR Part 3017 “Governmentwide Debarment and Suspension”;

(b) 7 CFR Part 3018 “New Restrictions on Lobbying”;

(c) 7 CFR Part 3052 “Audits of States, Local Governments, and Nonprofit Organizations”;

(d) 7 CFR 3015.175 (b) “Copyrights”;

(e) 37 CFR 401.14 “Standard Patent Rights Clause”;

(f) 15 U.S.C. 205a *et seq.* “The Metric Conversion Act, as amended by the Omnibus Trade and Competitiveness Act”;

(g) 42 U.S.C. 6962 “Resource Conservation and Recovery Act (RCRA)”.

### § 550.10 Special Award Conditions.

(a) REE Agencies may impose special conditions and/or additional requirements to a non-assistance agreement if a Cooperator:

(1) Has a history of poor performance,

(2) Is not financially stable,

(3) Has a management system that does not meet the standards prescribed in this Part,

(4) Has not conformed to the terms and conditions of a previous award, or

(5) Is not otherwise responsible.

(b) Special conditions and/or additional requirements may be added to an award provided that the Cooperator is notified in writing as to: the nature of the additional requirements, the reason why the additional requirements are being imposed, the nature of the corrective action needed, the time allowed for completing the corrective actions, and the method for requesting reconsideration of the additional requirements imposed. Any special conditions shall be promptly removed once the conditions that prompted them have been corrected.

## Subpart B—Formation of Agreements

### § 550.11 Purpose.

Sections 550.12 through 550.18 prescribe instructions and other pre-award matters to be used in establishing a non-assistance cooperative agreement.

### § 550.12 Statutory authorization required (REE Agency).

REE Agencies must have programmatic statutory authority for the