

## SUBCHAPTER G—CONTRACT MANAGEMENT

### PART 942—CONTRACT ADMINISTRATION AND AUDIT SERVICES

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AUTHORITY: 42 U.S.C. 7101 *et seq.* and 50 U.S.C. 2401 *et seq.*

SOURCE: 49 FR 12026, Mar. 28, 1984, unless otherwise noted.

#### Subpart 942.2—Contract Administration Services

SOURCE: 65 FR 81007, Dec. 22, 2000, unless otherwise noted.

##### 942.270-1 Contracting Officer's Representatives.

In accordance with internal agency procedures, a contracting officer may designate other qualified personnel to be the Contracting Officer's Representative (COR) for the purpose of performing certain technical functions in administering a contract. These functions include, but are not limited to, technical monitoring, inspection, approval of shop drawings, testing, and approval of samples. The COR acts solely as a technical representative of the contracting officer and is not authorized to perform any function that results in a change in the scope, price, terms or conditions of the contract. COR designations must be made in writing by the contracting officer, and shall identify the responsibilities and

limitations of the designation. A copy of the COR designation must be furnished to the contractor and the contract administration office.

##### 942.270-2 Contract clause.

The clause at 952.242-70, Technical Direction, or a clause substantially the same, may be inserted in solicitations and contracts when a designated Contracting Officer's Representative will issue technical direction to the contractor under the contract.

[74 FR 36367, July 22, 2009]

#### Subpart 942.7—Indirect Cost Rates

##### 942.704 Billing rates.

(b) When the contracting officer or auditor responsible for establishing billing rates, in accordance with 48 CFR 42.704, has not established such rates or such rates are not current for the performance periods (contractor FY) under contract, the DOE contracting officer responsible for administration of the contract shall establish an appropriate rate(s) for billing purposes. If the contractor holds more than one DOE contract covering that period of performance, the DOE office with the largest unliquidated obligations as of the beginning of that performance period shall take the lead in establishing the required billing rate for use on DOE contracts. Once appropriate billing rates are established by the responsible contracting officer designated by 48 CFR 42.704, such rates shall be adopted by the contracting officer and all billings and payments shall be retroactively revised to reflect the agreed upon rate(s).

[65 FR 81007, Dec. 22, 2000, as amended at 75 FR 29459, May 26, 2010]

##### 942.705 Final indirect cost rates.

##### 942.705-1 Contracting officer determination procedure.

(a)(3) The Department of Energy shall use the contracting officer determination procedure for all business units for which it shall be required to negotiate final indirect cost rates. A