

### Subpart 245.3—Providing Government Property to Contractors

#### 245.301 Definitions.

*Agency-peculiar property*, as used in DoD, means military property and includes end items and integral components of military weapons systems, along with the related peculiar support equipment which is not readily available as a commercial item.

*Facilities project* means a Government project to provide, modernize or replace facilities for use by a contractor in performing a Government contract or subcontract.

*Industrial plant equipment (IPE)* means plant equipment in Federal stock group 34 with an acquisition cost of \$15,000 or more used for cutting, abrading, grinding, shaping, forming, joining, heating, treating, or otherwise altering the physical properties of materials, components or end items entailed in manufacturing, maintenance, supply, processing, assembly, or research and development operations. IPE is further identified in AR 700-43/NAVSUP PUB 5009/AFM 78-9/DLAM 4215.1, Management of Defense-Owned Industrial Plant Equipment.

*Mapping, charting, and geodesy (MC&G) property* is defined in the clause at 252.245-7000, Government Furnished Mapping, Charting and Geodesy Property.

*Other plant equipment (OPE)* means plant equipment regardless of dollar value, used in or in conjunction with the manufacture of components or end items relative to maintenance, supply, processing, assembly or research and development operations. OPE excludes equipment categorized as IPE.

*Provide* means either to furnish, as in Government-furnished property, or to acquire, as in contractor-acquired property.

#### 245.302 Providing facilities.

##### 245.302-1 Policy.

(a)(4)(A) Comply with DoD Directive 4275.5, Acquisition and Management of Industrial Resources, in processing a request for facilities. Submit requests for approval of facilities projects—

(1) To the Secretaries of the Military Departments and the directors of de-

fense agencies for Government-owned facilities projects if the project—

(i) Is a research and development-funded effort not exceeding \$3 million per fiscal year; or

(ii) Is funded from procurement appropriations, approved on a location basis, and does not exceed \$5 million for all property efforts during one fiscal year; or

(iii) Is in support of a major system or subsystem (including ammunition-related projects) and the total investment will not exceed \$25 million during the projected acquisition or maintenance effort.

(2) To the Office of the Deputy Under Secretary of Defense (Industrial Affairs and Installations) for projects exceeding the limitations in paragraph (a)(4)(A)(1) of this subsection.

(B) The contracting officer shall coordinate the Determination and Finding with the program or project manager.

(C) Departments and agencies must submit reports of facilities projects to the House and Senate Armed Services Committees—

(1) At least 30 days before starting facilities projects involving real property (10 U.S.C. 2662); and

(2) In advance of starting construction for a facilities project regardless of cost. Use DD Form 1391, FY \_\_\_\_, Military Construction Project Data, to notify congressional committees of projects that are not included in the annual budget.

(b)(1)(A) *Industrial plant equipment*. Before acquiring industrial plant equipment—

(1) Submit a DD Form 1419, DoD Industrial Plant Equipment Requisition, to the Defense Supply Center, Richmond (DSCR), Attn: DSCR-JH, 8000 Jefferson Davis Highway, Richmond, Va 23297-5100, in accordance with AR 700-43/NAVSUP PUB 5009/AFM 78-9/DLAM 4215.1, Management of Defense-Owned Industrial Plant Equipment, to determine whether existing, reallocable Government-owned facilities can be used.

(2) Do not acquire any item listed on the DD Form 1419 until a certificate of nonavailability is received from DSCR.

(B) *Automatic data processing equipment*. The administrative contracting

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officer submits contractor requests to acquire automatic data processing equipment to the Defense Information Systems Agency, Chief Information Officer, Defense Automation Resources Management Program Division, Attn: D03D, 701 South Courthouse Road, Arlington, VA 22204-2199, in accordance with the Defense Automation Resources Management Manual.

[56 FR 36448, July 31, 1991, as amended at 62 FR 34127, June 24, 1997; 64 FR 51076, Sept. 21, 1999; 66 FR 49861, Oct. 1, 2001]

### **245.302-2 Facilities contracts.**

Terminate facilities contracts when Government production and research property is no longer required for the performance of Government contracts or subcontracts, unless termination is not in the best interest of the Government. The contractor is not allowed to extend the time for use of property provided under the facilities contract without Government authorization.

### **245.302-7 Optional property-related clauses for facilities contracts.**

Use the clause at 252.225-7030, Restriction on Acquisition of Carbon, Alloy, and Armor Steel Plate, as prescribed in 225.7017-4.

[57 FR 14995, Apr. 23, 1992]

### **245.303 Providing material.**

#### **245.303-2 Procedures.**

When a contractor will be responsible for preparing requisitioning documentation, include in the contract the requirement to prepare the documentation in accordance with DoD 4000.25-1-M, Military Standard Requisitioning and Issue Procedures (MILSTRIP). Copies are available from the address cited at 251.102(e)2.b(2).

### **245.307 Providing special test equipment.**

#### **245.307-2 Acquiring special test equipment.**

(b) *Notice and approval.* (1) The review requires a written evaluation from the appropriate technical specialist.

### **245.310 Providing agency-peculiar property.**

(c) All Government-furnished mapping, charting, and geodesy (MC&G) property is under the control of the Director, National Imagery and Mapping Agency (NIMA).

(i) MC&G property shall not be duplicated, copied, or otherwise reproduced for purposes other than those necessary for contract performance.

(ii) Upon completion of contract performance, the contracting officer shall—

(A) Contact the Director, NIMA(PP), 8613 Lee Highway, Fairfax, VA 22031-2137, for disposition instructions;

(B) Direct the contractor to destroy or return all Government-furnished MC&G property not consumed during contract performance; and

(C) Specify the destination and means of shipment for material to be returned to the Government.

[56 FR 36448, July 31, 1991, as amended at 59 FR 27674, May 27, 1994; 64 FR 51076, Sept. 21, 1999]

### **245.310-70 Contract clause.**

Use the clause at 252.245-7000, Government-Furnished Mapping, Charting, and Geodesy Property, in solicitations and contracts when mapping, charting, and geodesy property is to be furnished.

[57 FR 42632, Sept. 15, 1992]

## **Subpart 245.4—Use and Rental of Government Property**

### **245.401 Policy.**

*Government use* includes use on contracts for foreign military sales. Use on contracts for foreign military sales shall be on a rent-free basis.

### **245.403 Rental—Use and charges clause.**

(1) The DoD normally recovers a fair share of nonrecurring costs of special tooling and special test equipment by including these costs in its calculation of the nonrecurring cost recoupment charge when major defense equipment