

**Subpart 529.4—Contract Clauses****529.401 Domestic contracts.****529.401-70 Purchases at or under the simplified acquisition threshold.**

Insert 552.229-70, Federal, State, and Local Taxes, in purchases and contracts estimated to exceed the micro-purchase threshold, but not the simplified acquisition threshold.

**529.401-71 Contracts for supplies and services usable by the DC Government.**

Insert 552.229-71, Federal Tax-DC Government, in solicitations and contracts that permit the District of Columbia Government to place orders.

**PART 532—CONTRACT FINANCING****Subpart 532.1—Non-Commercial Item Purchase Financing**

Sec.

532.111 Contract clauses for non-commercial purchases.

**Subpart 532.2—Commercial Item Purchase Financing**

532.206 Solicitation provisions and contract clauses.

**Subpart 532.7—Contract Funding**

532.705 Contract clauses.

532.705-1 Clauses for contracting in advance of funds.

**Subpart 532.8—Assignment of Claims**

532.806 Contract clauses.

**Subpart 532.9—Prompt Payment**

532.902 Definitions.

532-905 Invoice payments.

532.905-70 Certification of payment to sub-contractors and suppliers under fixed-price construction contracts.

532.905-71 Final payment—construction and building service contracts.

532.908 Contract clauses.

**Subpart 532.70—Authorizing Payment by Governmentwide Commercial Purchase Card**

532.7001 Definition.

532.7002 Solicitation requirements.

532.7003 Contract clause.

**Subpart 532.71—Payments for Recurring Services**

532.7101 Definitions.

532.7102 Applicability.

532.7104 Contract clauses.

AUTHORITY: 40 U.S.C. 121(c).

SOURCE: 64 FR 37222, July 9, 1999, unless otherwise noted.

**Subpart 532.1—Non-Commercial Item Purchase Financing****532.111 Contract clauses for non-commercial purchases.**

(a) *Invoice requirements.* Insert 552.232-70, Invoice Requirements, or something substantially the same, in all solicitations and contracts for supplies, services, construction, architect-engineer services, or the acquisition of leasehold interests in real property that require the submission of invoices for payment. Delete subparagraph (b) of the clause if an Accounting Control Transaction (ACT) number is not required for payment.

(b) *Adjusting payments.* Insert 552.232-71, Adjusting Payments, in all solicitations and contracts for recurring building services expected to exceed the simplified acquisition threshold.

(c) *Final payment.* Insert 552.232-72, Final Payment, in all solicitations and contracts for recurring building services expected to exceed the simplified acquisition threshold.

**Subpart 532.2—Commercial Item Purchase Financing****532.206 Solicitation provisions and contract clauses.**

(a) *Discounts for prompt payment.* Include 552.232-8, Discounts for Prompt Payments, in multiple award schedule solicitations and contracts instead of the clause at FAR 52.232-8. In solicitations and contracts for FSS Schedule 70 and the Consolidated Products and Services Schedule containing information technology Special Item Numbers (SINs), use Alternate I.

(b) The contracting officer shall insert the clause at 552.232-81, Payments by Non-Federal Ordering Activities, in solicitations and schedule contracts for Schedule 70 and Consolidated Products

and Services Schedule contracts containing information technology SINS.

(c) The contracting officer shall insert the provision at 552.232-82, Contractor's Remittance (Payment) Address, in all Federal Supply Schedule solicitations and contracts.

(d) The contracting officer shall insert the clause at 552.232-83, Contractor's Billing Responsibilities, in all Multiple Award Schedule solicitations and contracts.

[68 FR 24378, May 7, 2003, as amended at 69 FR 28065, May 18, 2004]

### Subpart 532.7—Contract Funding

#### 532.705 Contract clauses.

##### 532.705-1 Clauses for contracting in advance of funds.

Insert 552.232-73, Availability of Funds, in solicitations and contracts for services which are "severable" when both of the following conditions apply:

(a) The contract, or a portion of the contract, will be chargeable to funds of the new fiscal year.

(b) The circumstances described in the prescriptions for FAR 52.232-18 or 52.232-19 do not apply.

### Subpart 532.8—Assignment of Claims

#### 532.806 Contract clauses.

Insert the clause at 552.232-23, Assignment of Claims, in solicitations and requirements or indefinite quantity contracts under which more than one agency may place orders.

### Subpart 532.9—Prompt Payment

#### 532.902 Definitions.

*Full cycle electronic commerce* means the use of electronic data interchange (EDI), Internet-based invoice processing, and electronic funds transfer (EFT):

(a) By the Government, to place purchase, delivery, or task orders, receive invoices, and pay invoices.

(b) By the Contractor, to accept and fill orders, submit invoices, and receive payment.

#### 532.905 Invoice payments.

(a) *General and architect-engineer contracts.* Before exercising the authority to modify the date for constructive acceptance or constructive approval of progress payments in the clauses listed in this section, you must prepare a written justification explaining why a longer period is necessary. An official one level above you must approve your justification. Determine the time needed on a case-by-case basis.

(1) In subdivision (a)(6)(i) of the clause at FAR 52.232-25, Prompt Payment, do not specify a constructive acceptance period that exceeds 30 days.

(2) In subdivision (a)(4)(i)(A) of the clause at FAR 52.232-26, Prompt Payment for Fixed-Price Architect-Engineer Contracts, do not specify a constructive acceptance period that exceeds 30 days.

(3) In subdivision (a)(4)(i)(B) of the clause at FAR 52.232-26, Prompt Payment for Fixed-Price Architect-Engineer Contracts, do not specify a period for constructive approval of progress payments that exceeds 7 days.

(b) *Construction contracts.* (1) Determine on a case-by-case basis the time specified for payment of progress payments in subdivision (a)(1)(i)(A) of the clause at FAR 52.232-27, Prompt Payment for Construction Contracts. Justify in writing periods longer than 14 days. An official one level above you must approve your justification. Under no circumstances may more than 30 days be specified.

(2) Determine the time to be specified in subdivision (a)(4)(i) of FAR clause 52.232-27, for constructive acceptance or approval, on a case-by-case basis. This time may not exceed 7 days unless you justify a longer period in writing, and obtain the approval of an official one level above you. Under no circumstances may more than 30 days be specified.

(c) *Federal Supply Service.* (1) To increase efficiency and reduce costs to the Government, Federal Supply Service contracts under the Stock, Special Order, and Schedules Programs may authorize payment within 10 days of receipt of a proper invoice. The contract must meet all the following conditions:

(i) The contractor agrees to full cycle electronic commerce.