

3.2.2.8-1 New Material (February 2003)

(a) Definitions.

(1) "Material" as used in this clause, includes, but is not limited to, raw materials, parts, items, components, and end products.

(2) "New," as used in this clause, means previously unused or composed of previously unused materials and may, if authorized, include unused residual property or unused former Government surplus property.

(3) "Other than new," as used in this clause, includes, but is not limited to, recycled, recovered, remanufactured, used and reconditioned.

(b) Unless this contract specifies otherwise, the Contractor represents that the supplies, including, if authorized by the Contracting Officer, any residual inventory and former Government surplus property included in its offer, are new and are not of such age or so deteriorated as to impair their usefulness or safety.

(c) If the Contractor proposes to furnish other than new material, residual inventory resulting from terminated Government contracts, or former Government surplus, the Contractor shall provide the following information in its offer:

(1) a complete description of the materials;

(2) quantity;

(3) name of Government agency from which acquired;

(4) date of acquisition, if applicable.

(d) The Contractor shall not furnish any other than new material, residual inventory, or former Government surplus unless authorized in writing by the Contracting Officer.

(e) All material to be furnished under the contract shall comply with the terms and specifications contained in the contract.

(f) If during contract performance the Contractor believes use of other than new material, residual inventory, or former Government surplus property will be in the Government's interest, the Contractor shall so notify the Contracting Officer in writing and request authority to use such material. The Contractor's notice shall include the reasons for the request along with a proposal for any consideration due the Government if the Contracting Officer authorizes the use of such material.

(End of clause)

PRESCRIPTION

May be used in RFIs/RFPs and contracts for supplies.