

SUBCHAPTER H—CLAUSES AND FORMS

PART 4452—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

(End of clause)

[55 FR 28208, July 10, 1990]

Subpart 4452.2—Texts of Provisions and Clauses

Sec.

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4452.217-70 Preference for local contractors in Presidentially declared major disasters or emergencies.

4452.226-1 Accessibility of meetings, conferences and seminars to persons with disabilities.

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4452.227-72 Publication.

AUTHORITY: 40 U.S.C. 486(c); Reorganization Plan No. 3 of 1978.

SOURCE: 50 FR 31323, Aug. 1, 1985, unless otherwise noted.

Subpart 4452.2—Texts of Provisions and Clauses

4452.216-70 Consideration and payment (Cost-Sharing).

As prescribed in 4416.303, include the following clause in research and development contracts with non-Federal organizations:

CONSIDERATION AND PAYMENT (COST-SHARING)
(MAR 1989)

(a) The estimated cost for the performance of this contract is \$_____. The contractor agrees to bear without reimbursement by the Government ___% of the cost for performance hereunder. Such cost sharing shall be effected as set forth in paragraph (b) of this clause.

(b) Public vouchers or invoice shall be submitted in an original and five (5) copies and shall show the total cost incurred for the period for which the voucher or invoice is submitted, the cumulative total of costs incurred through the billing period, and the percentage of costs to be reimbursed by the Government. However, the Government is not obligated to reimburse the contractor for the Government's share of the costs in excess of _____% of such amount. The Government shall not be obligated to reimburse the contractor for the Government's share of the costs in excess of \$_____ nor is the contractor obligated by this contract to expend his own funds in excess of \$_____.

4452.217-70 Preference for local contractors in Presidentially declared major disasters or emergencies.

Pursuant to the provisions of Pub. L. 93-288 and 4415.105-71, the following provisions shall be included in each competitive solicitation for on-site disaster relief response:

PREFERENCE FOR LOCAL CONTRACTORS (APR 1984)

In awarding any contract pursuant to this solicitation, the Government shall give preference to local organizations, firms, and individuals residing or doing business primarily in the geographic area identified as the disaster area.

The contracting officer reserves the right to request offerors to furnish documentation to demonstrate eligibility for local contractor preference. To be eligible, the offeror shall have been residing (in the case of individuals) or doing the major portion of its business (in the case of business entities) in the disaster area.

An offeror for which eligibility is established (local offeror) shall be permitted to meet the lowest price received from an otherwise eligible non-local offeror, provided that the proposed price from the local offeror does not exceed 130 percent of the price of the non-local offeror. The lowest priced local offeror within 130 percent of the lowest non-local offeror shall have the first chance to meet the non-local price. If the local offeror meets the lowest non-local price and is determined to be responsible, award shall be made. If the non-local offer is not met, the next lowest local offeror within 130 percent shall have the chance to meet the lowest non-local price. This process shall continue until award is made to a local offeror within the 130 percent requirement or the supply of local offerors is exhausted and award made to the lowest non-local offeror.

(End of clause)

4452.226-1 Accessibility of meetings, conferences and seminars to persons with disabilities.

Include the following clause in contracts under which the contractor will plan meetings, conferences and seminars which may be attended by persons with disabilities.