52.246–24 Limitation of liability-high-value items.

As prescribed in 46.805, insert the following clause:

* * * * *

*

*

52.246–25 Limitation of liability-services.

As prescribed in 46.805, insert the following clause:

*

112. Section 52.247–1 is amended by adding the introductory paragraph and removing paragraphs (a) and (b) to read as follows:

52.247–1 Commercial bill of lading notations.

As prescribed in 47.104–4, insert the following clause:

* * * * *

52.247-64 [Amended]

113. In the clause at section 52.247– 64, the date is revised to read "(XXX 1995)"; in paragraph (d) remove the words "small purchases" and insert "contracts at or below the simplified acquisition threshold" in their place; and in paragraph (e)(1), remove the words "Small purchases" and insert "Contracts at or below the simplified acquisition threshold" in their place. 114. In sections 52.249–8, 52.249–9,

114. In sections 52.249–8, 52.249–9, and 52.249–10 the introductory paragraphs are revised to read as follows:

52.249–8 Default (Fixed-price supply and service).

As prescribed in 49.504(a)(1), insert the following clause:

* * * * *

52.249–9 Default (Fixed-price research and development).

As prescribed in 49.504(b), insert the following clause:

* * * * *

52.249–10 Default (Fixed-price construction).

As prescribed in 49.504(c)(1), insert the following clause:

* * * * *

PART 53—FORMS

115. Section 53.213 is amended by revising the heading, the introductory paragraph, and paragraphs (a), (c), and (e)(1) to read as follows:

53.213 Simplified acquisition procedures (SF's 18, 30, 44, 1165, OF's 347, 348).

The following forms are prescribed as stated below for use in simplified acquisition procedures, orders under existing contracts or agreements, and orders from required sources of supplies and services; (a) SF 18 (Rev. 5/93), Request for Quotations. SF 18 prescribed in 53.215– 1(a), shall be used in obtaining price, cost, delivery, and related information from suppliers as specified in 13.107(a).

(c) SF 44 (Rev. 10/83), Purchase Order Invoice Voucher. SF 44 is prescribed for use in simplified acquisition procedures, as specified in 13.505–3.

(e) * * *

(1) To accomplish acquisitions under simplified acquisition procedures, as specified in 13.505–1(a)(2).
* * * * * *

116. Section 53.215–1 is amended by revising the introductory paragraph to read as follows:

53.215–1 Solicitation and receipt of proposals and quotations.

The following forms are prescribed, as stated below, for use in contracting by negotiation (except for construction, architect-engineer services, or acquisitions made using simplified acquisition procedures): * * * * * *

[FR Doc. 95–5451 Filed 3–3–95; 8:45 am] BILLING CODE 6820–34–P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 2, 4, 5, 7, 8, 9, 12, 14, 15, 16, 32, 45, 52, and 53

[FAR Case 91-104]

Federal Acquisition Regulation; Electronic Contracting

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA). ACTION: Proposed rule.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council are proposing to amend the Federal Acquisition Regulation (FAR) to address the use of electronic commerce/ electronic data interchange in Government contracting. This regulatory action was subject to Office of Management and Budget review pursuant to Executive Order No. 12866 dated September 30, 1993.

DATES: Comments should be submitted to the FAR Secretariat at the address

shown below on or before May 5, 1995, to be considered in the formulation of a final rule.

ADDRESSES: Interested parties should submit written comments to:

General Services Administration, FAR Secretariat (VRS), 18th & F Streets, NW, Room 4037, Washington, DC 20405. Please cite FAR case 91–104 in all correspondence related to this case.

FOR FURTHER INFORMATION CONTACT: Mr. Edward Loeb at (202) 501–4547 in reference to this FAR case. For general information, contact the FAR Secretariat, Room 4037, GS Building, Washington, DC 20405 (202) 501–4755. Please cite FAR Case 91–104.

SUPPLEMENTARY INFORMATION:

A. Background

A proposed rule was published in the **Federal Register** at 58 FR 69588, December 30, 1993. The rule proposed amendments to the FAR to remove any barriers to the use of electronic data interchange in Government contracting. Thirty-six comments from ten respondents were received during the public comment period. After evaluating the public comments, the Councils agreed to publish another proposed rule, because significant changes to the rule published on December 30, 1993, were deemed to be necessary. The changes include:

- -Revision of the definition of "in writing" or "written" at 2.101 to include electronically transmitted and stored information.
- –Revision of the definition of "signature" at 2.101 for clarity and to include electronic symbols.
- —Addition of a definition of "electronic commerce" at 4.301.
- -Amendment of section 5.101 to permit the use of electronic dissemination, available to the public at the contracting office, to satisfy the requirement for public display of proposed contract actions.
- -Amendment of section 5.102 to permit contracting officers to furnish solicitations directly to the electronic address of a small business concern.
- -Amendment of sections 12.103, 14.304-1, 52.212-1, 52.212-2, 52.214-7, 52.214-23, 52.214-32, 52.214-33, 52.215-10, and 52.215-36 to accommodate the use of electronic systems which batch-process communications overnight and, therefore, require receipt of information one day in advance to ensure timely delivery to the designated address.
- –Revision of paragraph (a) of section 14.205–1 to eliminate the requirement