

**Subpart 101-31.1 [Reserved]**

**Subpart 101-31.2—Use of Private Inspection, Testing, and Grading Services**

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AUTHORITY: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

SOURCE: 29 FR 13257, Sept. 24, 1964, unless otherwise noted.

**§ 101-31.000 Scope of part.**

This part prescribes policy, guidelines, and procedures related to inspection, testing, and grading of supplies or services.

**Subpart 101-31.1 [Reserved]**

**Subpart 101-31.2—Use of Private Inspection, Testing, and Grading Services**

**§ 101-31.200 Scope of subpart.**

(a) This subpart prescribes policies and procedures governing use by executive agencies of private organizations in discharging their responsibility as set forth in § 1-14.102 of this title to inspect or arrange for the inspection of purchased supplies and services. For the type and extent of inspection required, see § 1-14.101(b) of this title.

(b) Where an agency has explicit statutory authority to procure services of this nature, it may do so without adhering to the requirements set forth in this subpart.

**§ 101-31.201 Definition of private organizations.**

As used in this subpart, *private organizations* includes all facilities devoted to rendering inspection, testing, and grading services which are not a part of an agency of the Federal Government.

**§ 101-31.202 Testing services.**

Testing services required to determine compliance of purchased supplies or services with contract requirements

may be procured from private organizations if the situation meets all of the following conditions:

(a) It has been determined by an executive agency that its personnel or another Federal agency cannot perform the required testing as efficiently or economically as a qualified private organization;

(b) The testing services required are of a technical nature involving the application of scientific principles and the use of test equipment, gages, or special apparatus; and

(c) The testing may be performed without direct Government supervision.

**§ 101-31.203 Inspection and grading services.**

(a) Inspection or grading, limited to an examination or careful scrutiny to determine from outward appearances or mechanical operation whether supplies or services offered by suppliers comply with contract requirements, is a service in which personal judgment is of major importance and as such shall be performed exclusively by regular employees of the Government under Government supervision.

(b) Technical inspections or grading, the results of which are more dependent on the application of scientific principles or specialized techniques than the element of personal judgment, shall also be performed by Government employees under Government supervision except that a private organization may be retained to render the technical inspection or grading service when an executive agency determines that one of the following conditions exists:

(1) The technical inspection or grading services required are of a specialized nature, and the agency is unable to employ the personnel qualified to perform the services properly or to locate another Federal agency capable of providing the services; or

(2) The inspection or grading results issued by a private organization are essential to verify the acceptance or rejection of a special commodity.