

Contract Act) (41 U.S.C. 351 *et seq.*) exempting “any contract for the carriage of freight or personnel * * * where published tariff rates are in effect” nor the administrative exemption for contracts for the carriage of freight or personnel subject to rates covered by section 10721 of the Interstate Commerce Act is applicable. (See 29 CFR 4.123.) The Service Contract Act applies to local office relocation moves where transportation costs (such as packing, crating, handling, loading, and/or storage of goods prior to or following line-haul transportation) are incidental to the principal purpose of the contract. (See 29 CFR 4.118.)

(c) GSA regional offices, on behalf of executive agencies, may enter into term contracts for office relocation services in cities where it is determined that such contracts are warranted. The availability of term contracts for office relocation services will be announced through GSA bulletins as indicated in § 101-40.109-1(b).

(d) Whether an office relocation is made under a GSA term moving contract or under a specific contract entered into by GSA in behalf of an individual agency, the agency being relocated shall make operational arrangements directly with the moving contractor. These arrangements shall include:

- (1) Issuing the purchase order or placing the work order;
- (2) Arranging for direct billing;
- (3) Supervising the actual move;
- (4) Processing loss and damage claims, if any;
- (5) Providing certification on the contractor’s invoices; and
- (6) Processing the invoice for direct payment to the contractor.

The GSA contracting office shall be notified upon completion of the relocation and is prepared to provide technical assistance as necessary.

[45 FR 85752, Dec. 30, 1980, as amended at 51 FR 24332, July 3, 1986; 54 FR 46244, Nov. 2, 1989]

§ 101-40.109-3 Mandatory use of transportation-related contracts and agreements.

(a) When a contract or agreement for transportation-related services, including office relocations, is awarded in re-

sponse to an agency’s specific request, the use of the contract or agreement is mandatory for that requesting agency.

(b) When term contracts or agreements for transportation-related services, excluding office relocations, are entered into and awarded by GSA for use “as required,” the term contract or agreement is mandatory upon all executive agencies; however, exceptions to the mandatory use of term contracts or agreements may be granted by the appropriate GSA regional office.

(c) GSA may enter into optional use contracts for office relocations where deemed appropriate.

[45 FR 85752, Dec. 30, 1980, as amended at 51 FR 24332, July 3, 1986; 52 FR 21032, June 4, 1987]

§ 101-40.110 Assistance to economically disadvantaged transportation businesses.

§ 101-40.110-1 Small business enterprises.

Consistent with the policies of the Government with respect to small business as set forth in subpart 1-1.7 of this title, executive agencies shall place with small business concerns a fair proportion of the total purchases and contracts for intrastate and interstate transportation and related services, such as packing and crating, loading and unloading, and local drayage.

§ 101-40.110-2 Minority business enterprises.

Consistent with the policies of the Government stated in 48 CFR part 19, minority business enterprises shall have the maximum practicable opportunity to participate in the performance of Government purchases and contracts. Agencies shall encourage transportation-related minority enterprises, regardless of the mode of transportation, to identify themselves and provide services that will support the agencies’ transportation requirements. The appropriate GSA regional office may be contacted for assistance, if needed.

[51 FR 24332, July 3, 1986]