

10 eligible carriers on interstate traffic and up to 5 eligible carriers on intrastate traffic. Eligible carriers are those carriers which meet minimum service criteria established by GSA. Additionally, eligible carriers will be evaluated and ranked on the cost comparison (see § 101-40.203-4) based on completed GSA Forms 3080, Household Goods Carrier Evaluation Report (see § 101-40.205), submitted to GSA by Federal employees. Agencies authorizing the GBL method shall select the eligible carrier that meets the agency's service requirements and offers the lowest cost consistent therewith. Deviations from this methodology shall be documented in the requesting agency's records.

[52 FR 21033, June 4, 1987; 52 FR 23137, June 17, 1987]

§ 101-40.205 Quality control.

GSA Form 3080, Household Goods Carrier Evaluation Report (see § 101-40.4902), is a form used by GSA and other agencies for monitoring the performance and quality of household goods carriers' service. When household goods shipments are made under the GBL method, the employee (following delivery of the shipment) should promptly complete his/her portion of GSA form 3080 and send it to the agency GBL issuing officer responsible for the shipment to complete and forward to the Manager, GSA Centralized Household Goods Traffic Management Program, General Services Administration (6FBX), 1500 East Bannister Road, Kansas City, MO 64131. Information compiled from completed GSA Forms 3080 is used by GSA and other agencies to evaluate and rate the quality of carrier service and to determine if actions under § 101-40.208 should be considered. Agencies may submit other documentation of instances of inadequate carrier service or performance to the Manager, GSA Centralized Household Goods Traffic Management Program, General Services Administration (6FBX), 1500 East Bannister Road, Kansas City, MO 64131. Sufficient details must be furnished to identify specific shipments.

[58 FR 53889, Oct. 19, 1993]

§ 101-40.206 Household goods carriers' liability.

The GSA tender of service (TOS) agreement and the carriers' applicable tariffs establish the carriers' minimum liability for the loss of or damage to Government employees' household goods transported in conjunction with this subpart. A value exceeding the established TOS or tariff minimum may be declared on the bill of lading, but the carrier will charge a valuation fee for each \$100, or fraction thereof, of such higher declared valuation. Employees should be fully informed as to the extent the Government will be monetarily responsible for the transportation of household goods, the differences in standard liability under Government and commercial bills of lading, the steps necessary to increase or decrease the carriers' liability, and the relative advantage the employee would have under the Military Personnel and Civilian Employees' Claims Act of 1964 (see § 101-40.207(b)) when the employee chooses to declare a valuation that either exceeds (in which case, the employee is liable for an excess valuation charge) or does not exceed the TOS or tariff minimum.

(a) When a Government employee's household goods are shipped under a GBL via carriers participating in the GSA Centralized Household Goods Traffic Management Program, the TOS agreement establishes the carrier's minimum liability for loss or damage, and the carrier's tender or tariff prescribes any additional charges for which the Government may be responsible relative to that liability. In the absence of an employee's written request for a valuation that exceeds the minimum liability specified in the TOS agreement, all GBLs should be annotated to show the minimum liability specified in the TOS agreement. If an employee requests the agency to declare a valuation that exceeds the TOS minimum, the agency will enter the declaration on the GBL, pay the carrier the valuation fee (if applicable), and collect the fee from the employee. Should the employee's request for increased valuation be made after the GBL has been tendered to the carrier but before the shipment has been picked up, the employee should not

make a separate arrangement with the carrier for increased valuation. Instead, the employee should notify the GBL issuing officer of the valuation desired, and request that the original GBL be amended on Standard Form 1200, Government Bill of Lading Correction Notice. (See § 101-41.4901-1200.)

(b) When a Government employee's household goods are shipped under the commuted rate system, the employee makes all arrangements for moving his/her household goods, and is reimbursed to the extent provided in the commuted rate schedule. If the employee chooses to have his/her household goods transported by a commercial carrier, the shipment will move on a commercial bill of lading. The carrier's tariff establishes the standard level of carrier liability when the shipper fails to declare a value on the bill of lading, prescribes the options the shipper has for increasing or decreasing the carrier's standard liability, and sets the valuation fee payable when the declared value exceeds the minimum carrier liability for which no valuation fee applies. To limit the carrier to the minimum liability and avoid having to pay a valuation fee, the shipper must annotate the bill of lading in accordance with the provisions of the tariff.

[53 FR 4623, Feb. 17, 1988]

§ 101-40.207 Household goods loss and damage claims.

(a) Claims for loss and damage to household goods will normally be filed and processed with the line-haul carrier; i.e., the carrier to which the household goods were tendered and which is shown on the bill of lading as having received the shipment. Depending on agency policy, claims for the repair, replacement, or loss of household goods may be filed by either the agency or the employee (as owner of the goods). When the employee files the claim, the agency or the appropriate GSA regional office will furnish the employee necessary assistance in claim procedures.

(b) Under 31 U.S.C. 3721 (the Military Personnel and Civilian Employees' Claims Act of 1964, as amended), employees who sustain a loss or damage to their household goods (transported incident to service) that exceeds the

amount recovered from a carrier in settlement of a claim may file claim against the United States for the difference. Pursuant to Public Law 100-565, agencies may compensate employees up to \$40,000 on claims arising on or after October 31, 1988. When it is the policy of the agency not to compensate its employees under the Act, the agency should advise employees of the options available to them for insuring their household goods against greater monetary loss. (See § 101-40.206(b) of this subpart.)

(c) When settling a claim for loss or damage to a shipment of household goods, carriers may settle either for the full value declared by the shipper or arrive at the current actual value of the lost or damaged item by using the criterion of replacement cost of the lost or damaged item, less depreciation. The basis upon which carriers will settle a claim is contained in carriers' tariffs or is referenced in section 10721 (49 U.S.C. 10721) quotations on file with GSA and the Interstate Commerce Commission.

(d) Regulations governing household goods carriers subject to the Revised Interstate Commerce Act are contained in 49 CFR part 1056.

(e) Additional information concerning processing loss and damage claims may be obtained from the appropriate GSA regional office.

[51 FR 24335, July 3, 1986, as amended at 54 FR 46245, Nov. 2, 1989]

§ 101-40.208 Temporary nonuse, debarment, or suspension of household goods carriers.

Based on information obtained from the completed GSA Form 3080 or documented instances of other service complaints or deficiencies, agencies may place household goods carriers in temporary nonuse, debarred, or suspended status in accordance with the procedures specified in subpart 101-40.4.

[51 FR 24335, July 3, 1986]

Subpart 101-40.3—Rates, Routes, and Services

SOURCE: 45 FR 85756, Dec. 30, 1980, unless otherwise noted.