

§852.211-74 Telecommunications equipment.

1. When a detailed purchase description or formal specification is the basis for solicitations for telecommunications equipment as defined in VA Manual MP-6, Part VIII (available at any VA facility), solicitations, including those for construction, will include the following provision:

SPECIAL NOTICE (APR 1984)

Descriptive literature. The submission of descriptive literature with offers is not required and voluntarily submitted descriptive literature which qualifies the offer will require rejection of the offer.

However, within 5 days after award of contract, the contractor will submit to the contracting officer literature describing the equipment he/she intends to furnish and indicating strict compliance with the specification requirements.

The contracting officer will, by written notice to the contractor within 20 calendar days after receipt of the literature, approve, conditionally approve, or disapprove the equipment proposed to be furnished. The notice of approval or conditional approval will not relieve the contractor from complying with all requirements of the specifications and all other terms and conditions of this contract. A notice of conditional approval will state any further action required of the contractor. A notice of disapproval will cite reasons therefor.

If the equipment is disapproved by the Government, the contractor will be subject to action under the Default provision of this contract. However, prior to default action the contractor will be permitted a period (at least 10 days) under that clause to submit additional descriptive literature on equipment originally offered or descriptive literature on other equipment.

The Government reserves the right to require an equitable adjustment of the contract price for any extension of the delivery schedule necessitated by additional descriptive literature evaluations.

(End of Provision)

2. The descriptive literature to be furnished by the contractor after award in accordance with paragraph (a) of this section is subject to the controls established in [§870.112\(b\)](#).
3. The time of delivery or performance to be specified in the solicitation will include the time required for submission, receipt, the evaluation and approval required by [§870.112\(b\)](#) of this chapter, and return to the contractor of the descriptive literature.