

**PADDs REGULATION REFERENCE TEXT
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REGULATION
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REGULATION
REFERENCE: 52.245-4004

DATE: 10/01/1992

TITLE: RENT-FREE USE OF GOVERNMENT PRODUCTION AND RESEARCH PROPERTY (USAAMCOM)

TEXT

(a) The Contractor is authorized to use in the performance of this Basic Ordering Agreement (BOA), on a rent-free, non-interference basis, the Government-owned production and research property provided to it under Facilities Contract -1-, or any succeeding facilities contract, as well as special tooling, jigs, fixtures, molds, dies and special test equipment heretofore required or authorized under Government contracts and presently in its possession, providing the Contractor has obtained the written concurrence in the use of such property from the Contracting Officer having cognizance of the property in accordance with FAR 45.402 and 45.404.

(b) The following subcontractors having Government-owned facilities provided under the Facilities Contracts set forth below, in effect on the date of this BOA, are authorized to use such facilities on a rent-free basis for the subcontract items listed below, and the subcontract shall so provide, subject to the subcontractor having obtained the written concurrence in the use of such property from the Contracting Officer having cognizance of the property in accordance with FAR 45.402 and 45.404.

SUBCONTRACTOR	FACILITIES CONTRACT NUMBER	SUBCONTRACT ITEM
-2-	-3-	-4-
-5-	-6-	-7-
-8-	-9-	-10-
-11-	-12-	-13-
-14-	-15-	-16-
-17-	-18-	-19-
-20-	-21-	-22-
-23-	-24-	-25-
-26-	-27-	-28-
-29-	-30-	-31-

"(c) The Contractor warrants that in the establishment of prices hereunder, full consideration is given to the rent-free use of the Government production and research property herein authorized for use

(d) If the Contractor enters into other subcontracts with subcontractors who have Government-owned facilities provided to them under Facilities Contracts which provide that rent-free use may be authorized, such facilities may be used on a rent-free basis to the extent that (i) the Administrative Contracting Officer determines that such use will not give the subcontractor a favored competitive position, (ii) the subcontractor obtains the written concurrence in the use of such property from the Contracting Officer having cognizance of the property in accordance with FAR 45.402 and 45.404, and (iii) the Administrative Contracting Officer determines that adequate and sufficient consideration for such rent-free use will pass to the Government. For the purpose of such determination, consideration for rent-free use will be deemed adequate and sufficient if it can be established that any rental charged would normally result in correspondingly increased costs to the Government under this BOA.

(e) If the Government-owned facilities provided to the Contractor or any subcontractor hereunder on a no-charge basis, are increased or decreased or do not remain available during the performance of this BOA or if any change is made in the terms and conditions under which they are made available, such equitable adjustments as may be appropriate will be made in the terms of this BOA, unless such increase or decrease was contemplated in the establishment of the price(s) for any order issued hereunder.

(End of clause)