

# DIAR PART 1428—BONDS AND INSURANCE

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**Authority:** Sec. 205(c), 63 Stat. 390, 40 U.S.C. 486(c); and 5 U.S.C. 301.

**Source:** 75 FR 19829, Apr. 15, 2010, unless otherwise noted.

### **Subpart 1428.3—Insurance**

#### **1428.301 Policy.**

It is the policy of DOI to insure its own risks only when such action is in the best interest of the Government. Circumstances where contractors are required to carry insurance are listed under FAR [28.301](#) and [28.306](#). In these circumstances, the CO shall insert the clause at [1452.228-70](#), Liability Insurance— Department of the Interior, in solicitations and contracts.

#### **1428.306 Insurance under fixed-price contracts.**

#### **1428.306-70 Insurance for aircraft services contracts.**

(a) Policy. The CO shall insert minimum insurance requirements in aircraft services contracts in order to protect the Government and its contractors.

(b) Applicability. The clauses prescribed in section [1428.311-2](#) are applicable to all fixed-price contracts involving use of aircraft with either a contractor-furnished or a Government-furnished pilot except for one-time charters when Government exposure is minimal and time limitations are present.

**1428.311 Solicitation provision and contract clause on liability insurance under cost-reimbursement contracts.**

**1428.311-1 Contract clause.**

The CO shall modify the clause at FAR [52.228-7](#), Insurance—Liability to Third Persons, in accordance with [1452.228-7](#), and insert in solicitations and contracts as prescribed in FAR [28.311-1](#).

**1428.311-2 Agency solicitation provisions and contract clauses.**

The following DOI clauses shall be used as prescribed:

(a) The CO shall insert the clause at [1452.228-71](#), Aircraft and General Public Liability Insurance—Department of the Interior, in solicitations and contracts when a fixed-price contract for operation of aircraft is anticipated and where the Government is using a contractor-furnished pilot.

(b) The CO shall insert the clause at [1452.228-72](#), Liability for Loss or Damage—Department of the Interior, in solicitations and contracts when a fixed-price contract for use of aircraft is anticipated and where the Government does not have a property interest and is using a Government-furnished pilot.

(c) The CO shall insert the clause at [1452.228-73](#), Liability for Loss or Damage (Property Interest)—Department of the Interior, in solicitations and contracts when a fixed-price contract for use of aircraft is anticipated and where the Government has a property interest in the aircraft and is using a Government-furnished pilot ( e.g., a lease with purchase option).