

4. **Default.** The government may terminate the funding agreement if the contractor fails to perform the work contracted.

5. **Termination for Convenience.** The STTR funding agreement may be terminated at any time by the government if it deems termination to be in its best interest, in which case the awardee will be compensated for work performed and for reasonable termination costs.

6. **Disputes.** Any dispute concerning the funding agreement which cannot be resolved by agreement shall be decided by the contracting officer with right of appeal.

7. **Contract Work Hours.** The awardee may not require an employee to work more than eight hours a day or forty hours a week unless the employee is compensated accordingly (e.g., overtime pay).

8. **Equal opportunity.** The awardee will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

9. **Affirmative Action for Veterans.** The awardee will not discriminate against any employee or applicant for employment because he or she is a disabled veteran or veteran of the Vietnam era.

10. **Affirmative Action for Handicapped.** The awardee will not discriminate against any employee or applicant for employment because he or she is physically or mentally handicapped.

11. **Officials Not To Benefit.** No government official shall benefit personally from the STTR funding agreement.

12. **Covenant Against Contingent Fees.** No person or agency has been employed to solicit or secure the funding agreement upon an understanding for compensation except bona fide employees or commercial agencies maintained by the awardee for the purpose of securing business.

13. **Gratuities.** The funding agreement may be terminated by the government if any gratuities have been offered to any representative of the government to secure the contract.

14. **Patent Infringement.** The awardee shall report each notice or claim of patent infringement based on the performance of the funding agreement.

K. Additional Information

Information pertinent to an understanding of the administration requirements of STTR proposals and funding agreements not included elsewhere shall be included in this section. As a minimum, statements essentially as follows shall be included under "Additional Information" in STTR Program solicitations:

1. This program solicitation is intended for informational purposes and reflects current planning. If there is any inconsistency between the information contained herein and the terms of any resulting STTR funding agreement, the terms of the funding agreement are controlling.

2. Before award of an STTR funding agreement, the government may request the proposer to submit certain organizational, management, personnel and financial information to assure responsibility of the proposer.

3. The government is not responsible for any monies expended by the proposer before award of any funding agreement.

4. This program solicitation is not an offer by the government and does not obligate the government to make any specific number of awards. Also, awards under the STTR Program are contingent upon the availability of funds.

5. The STTR Program is not a substitute for existing unsolicited proposal mechanisms. Unsolicited proposals shall not be accepted under the STTR Program in either Phase I or Phase II.

6. If an award is made pursuant to a proposal submitted under this STTR Program solicitation, the contractor or grantee or party to a cooperative agreement will be required to certify that he or she has not previously been, nor is currently being, paid for essentially equivalent work by any agency of the Federal government.

VI. Submission of Proposals

A. This section shall clearly specify the closing date on which all proposals are due to be received.

B. This section shall specify the number of copies of the proposal that are to be submitted.

C. This section shall clearly set forth the complete mailing and/or delivery address(es) where proposals are to be submitted.

D. This section may include other instructions such as the following:

1. **Bindings.** Please do not use special bindings or covers. Staple the pages to the upper left corner of the cover sheet of each proposal.

2. **Packaging.** All copies of a proposal should be sent in the same package.

VII. Scientific and Technical Information Sources

Wherever descriptions of research topics or subtopics include reference to publications, information on where such publications will normally be available shall be included in a separate section of the solicitation entitled "Scientific and Technical Information Sources."

VIII. Research Topics

Describe the R/R&D topics and subtopics for which proposals are being solicited sufficiently to inform the proposer of technical details of what is desired while leaving sufficient flexibility in order to obtain the greatest degree of creativity and innovation consistent with the overall objectives of the STTR Programs.

IX. Submission Forms and Certifications

Up to three copies each of proposal preparation forms necessary to the contracting and granting process may be required. This section may include Proposal Summary, Proposal Cover, Budget, Checklist, and other forms the sole purpose of which is to meet the mandate of law or regulation and simplify the submission of proposals.

This section may also include certifying forms required by legislation, regulation or standard operating procedures, to be submitted by the proposer to the contracting or granting agency. This would include

certifying forms such as those for the protection of human and animal subjects.

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BILLING CODE 4910-11-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

[Notice No. 83-15]

Safety Advisory: Rupture of a High Pressure Aluminum SCUBA Cylinder (300 PSIG Marked Service Pressure)

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Safety advisory notice.

SUMMARY: This is to notify the public that RSPA is investigating the rupture of an aluminum self-contained underwater breathing apparatus (SCUBA) cylinder which, while marked with DOT permit number "SP 6498", appears not to have been manufactured under that marked special permit. The cylinder was also falsely marked with a retested's identification number (RIN). Persons are reminded that serious personal injury, death, and/or property damage could result from rupture of a cylinder. Cylinders of unknown or questionable origin, or which may not have been retested in compliance with the Hazardous Materials Regulations (49 CFR parts 171-180) (HMR), should not be used.

FOR FURTHER INFORMATION CONTACT: Irving R. Abis, telephone (202) 368-4700, Office of Hazardous Materials Enforcement, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590-0001. Office hours are: 8:30 a.m. to 5 p.m., Monday through Friday.

SUPPLEMENTARY INFORMATION: RSPA has been notified of the violent rupture of a SCUBA cylinder stamped "SP 6498" and marked with the RIN

B 4
X 8 7 Y

where:

X = month of interest

Y = year of retest.

The cylinder, with a marked service pressure of 3000 psig, ruptured/fragmented into multiple pieces while it was being charged, resulting in serious injuries (one critical) to several employees of a dive shop located near Savannah, Georgia.

The cause of the cylinder rupture has not been determined, but it appears that this cylinder, while stamped "SP 6498"