

Standard Work Week (Hours): _____

(j) Commercial Products: _____

(k) Attach a current organizational chart of the company.

(l) Description of Contractor's system of estimating and accumulating costs under Government contracts. (Check appropriate blocks.)

	Estimated/ actual cost	Standard cost
Estimating Sys- tem: Job Order		
Process		
Accumulating System: Job Order		
Process		

Has your cost estimating system been approved by any Government agency? Yes _____ No _____

If yes, give name, date or approval, and location of agency: _____

Has your cost accumulation system been approved by any Government agency? Yes _____ No _____

If yes, give name, date of approval, and address of agency: _____

(m) What is your fiscal year period? (Give month-to-month dates): _____

What were the indirect cost rates for your last completed fiscal year?

Fiscal year	Indirect cost rate	Basis of Allo- cation
Fringe Benefits		
Overhead		
G&A Expense ...		
Other		

(n) Have the proposed indirect cost rate(s) been evaluated and accepted by any Government agency? Yes _____ No _____

If yes, give name, date of approval, and location of the Government agency: _____

Date of last preaward audit review by a Government agency: _____

If the answer is no, data supporting the proposed rates must accompany the cost or price proposal. A breakdown of the items comprising overhead and G&A must be furnished.

(o) Cost estimating is performed by:

Accounting Department _____

Contracting Department _____

Other (describe) _____

(p) Has system of control of Government property been approved by a Government agency? Yes _____ No _____

If yes, give name, date of approval, and location of the Government _____

(q) Purchasing System: FAR 44.302 requires EPA, where it is the cognizant Government agency, to conduct a Contractor Purchasing System Review for each contractor whose sales to the Government, using other than sealed bid procedures, are

expected to exceed \$25 million (annual billings) during the next twelve months. The \$25 million sales threshold is comprised of prime contracts, subcontractors under Government prime contracts, and modifications (except when the negotiated price is based on established catalog or market prices or is set by law or regulation).

Has your purchasing system been approved by a Government agency? Yes _____ No _____

If yes, name and location of the Government agency: _____

Period of Approval: _____

If no, do you estimate that your negotiated sales to the Government during the next twelve months will meet the \$25 million threshold? Yes _____ No _____

If you responded yes to the \$25 million threshold question, is EPA the cognizant agency for your organization based on the preponderance of Government contract dollars? Yes _____ No _____

If EPA is not your cognizant Government agency, provide the name and location of the cognizant agency _____

Are your purchasing policies and procedures written? Yes _____ No _____

(r) Does your firm have an established written incentive compensation or bonus plan? Yes _____ No _____

(s) Additionally, offerors shall submit current financial statements, including a Balance Sheet, Statement of Income (Loss), and Cash Flow for the last two completed fiscal years. Specify resources available to perform the contract without assistance from any outside source. If sufficient resources are not available, indicate in proposal the amount required and the anticipated source (i.e., bank loans, letter or lines of credit, etc.). (End of Provision)

1552.215-74 Advanced understanding—uncompensated time.

As prescribed in 1515.408(b), insert the following provision or one substantially the same as the following provision:

ADVANCED UNDERSTANDING—UNCOMPENSATED TIME (The Month and Year of Publication in the Federal Register)

(a) The estimated cost of this contract is based upon the Contractor's proposal which specified that exempt personnel identified to work at the Contractor's facilities will provide uncompensated labor hours to the contract totaling _____ percent of compensated labor. (Note: the commitment for uncompensated time, and the formula elements in paragraph (b) below, apply only to exempt personnel working at the Contractor's facilities and does not include non-exempt personnel or exempt personnel working at other facilities.) Uncompensated labor hours are defined as hours of exempt personnel in excess of regular hours for a _____ pay period which are actually worked and recorded in accordance with the company policy, entitled, _____

(b) Recognizing that the probable cost to the Government for the labor provided under this contract is calculated assuming a proposed level of uncompensated labor hours, it is hereby agreed that in the event

the proposed level of uncompensated labor hours are not provided, an adjustment, calculated in accordance with the following formula will be made to the contract amount.

Formula

Adjustment equals estimated value of uncompensated time hours not provided Target uncompensated time percent minus _____ percent.

Shortage of uncompensated time percent minus actual cost percent.

Estimated value of uncompensated time hours not provided equals shortage of uncompensated time percent times total exempt applicable direct labor costs (including applicable indirect costs).

(c) Within three weeks after the end of the contract, the Contractor shall submit a statement concerning the amount of uncompensated time hours delivered during the contract. In the event there is a shortage of uncompensated time hours provided, a calculation, utilizing the above formula will be made and this calculation will be the basis for an adjustment in the contract amount.

(d) In the event adjustments are made to the contract, the adjusted amounts shall not be allowable as a direct or indirect cost to this or any other Government contract. [End of clause]

Dated: December 1, 1998.

Betty L. Bailey,

Director, Office of Acquisition Management.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period and availability of draft conservation agreement.

SUMMARY: The Fish and Wildlife Service (Service) provides notice that the public comment period on the proposal to list the Pecos pupfish (*Cyprinodon pecosensis*) as an endangered species is reopened. The Service, in cooperation with the New Mexico Department of Game and Fish, New Mexico State Parks Department, Texas Parks and Wildlife Department, and Bureau of Reclamation, has formulated a draft Conservation Agreement that may provide significant new information concerning the threats to the survival of the species. The reopening of the comment period will allow all interested parties to submit comments on the proposal and the draft Conservation Agreement. The draft Conservation Agreement is available for

review (see **ADDRESSES**), and we are seeking comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested parties concerning the proposed rule and the draft Conservation Agreement.

DATES: The comment period for this proposal is reopened and will close on January 27, 1999. All comments on the proposal and the draft Conservation Agreement will be accepted through January 27, 1999.

ADDRESSES: Written comments and materials should be sent to the Field Supervisor, New Mexico Ecological Services Field Office, 2105 Osuna NE, Albuquerque, New Mexico 87113. Comments and materials received will be available for public inspection during normal business hours, by appointment, at the above address.

FOR FURTHER INFORMATION CONTACT: Jennifer Fowler-Propst, Field Supervisor, New Mexico Ecological Services Field Office, at the above address (505) 346-2525. A copy of the draft Conservation Agreement for the Pecos pupfish can be requested by writing to the above address or calling (800) 299-0196.

SUPPLEMENTARY INFORMATION:

Background

The Pecos pupfish was proposed for listing as an endangered species on January 30, 1998 (63 FR 4608). A public hearing on the proposal was held in Carlsbad, New Mexico on April 9, 1998. During the extended public comment period (January 30 to November 20, 1998), we contacted State and Federal land and resource management agencies in New Mexico and Texas to determine if adequate protections could be implemented through a Conservation Agreement. The draft Conservation Agreement formulated by these agencies is available for public review (see **ADDRESSES**). The Agreement and any comments received concerning it will be fully considered by the Service in determining if the threats upon which the proposal to list the species was based have been sufficiently addressed.

The draft Conservation Agreement sets forth the commitments of State and Federal agencies to control nonnative competing species and to protect and manage the Pecos pupfish and its habitat to ensure its survival and promote its conservation. The Agreement addresses the significant threats to the species arising from its small, isolated populations and from the potential for hybridization with the

sheepshead minnow (*Cyprinodon variegatus*). The signatory agencies to the Agreement have made commitments to protect known extant populations of pure Pecos pupfish, expand the distribution of the species within its native range by establishing new populations, and to prohibit the use of sheepshead minnow through revision of baitfish regulations in New Mexico and Texas. If these commitments are adequate in removing the identified threats to the Pecos pupfish, listing of the species may not be required.

Author

The primary author of this document is Jennifer Fowler-Propst, New Mexico Ecological Services Field Office (see **ADDRESSES** section).

Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1532 *et seq.*).

Dated: December 18, 1998.

Renne Lohoefer,

Acting Regional Director, Fish and Wildlife Service.

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