FEDERAL MANAGEMENT REGULATION
Amendment 2008-04

TO: Heads of Federal agencies

SUBJECT: FMR Case 2007-102-4; Transportation Payment and Audit; Refund of Expired, Unused Tickets

1. Purpose. This document includes pages that reflect amendments to Part 102-118 of the Federal Management Regulation (FMR).

2. Background. GSA published §102-118.196 in the Federal Register at 69 FR 57619, September 24, 2004, as an addition to part 118 of Title 41 (41 CFR part 118). The amendment was published as a final rule without a comment period and required that Transportation Service Providers (TSPs) refund the value of expired, unused tickets to GSA’s Audit Division when a ticket purchasing agency fails to notify the TSP of a cancellation.

Since its publication, GSA has received feedback from sources who wanted to offer comments at the time the rule was originally published. After receipt of contacts from these sources, GSA agreed to remove this specific provision in its current form.

In order to accomplish this, it is necessary to remove the existing provision, and this FMR does so.

3. Effective date. This rule was published in the Federal Register at 73 FR 9232 and became effective on February 20, 2008.

4. Explanation of changes. Part 102-118 is amended pertaining to unused tickets. Section 102-118.196 is being deleted and was published without a public comment period.
5. **Filing instructions.** Make the following page changes:

Remove FMR pages:

- 102-118-i and 102-118-ii
- 102-118-7 and 102-118-8

Insert FMR pages:

- 102-118-i and 102-118-ii
- 102-118-7 and 102-118-8

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AMENDMENT 2004–02 SEPTEMBER 24, 2004

PART 102-118—TRANSPORTATION PAYMENT AND AUDIT

Sec.

Subpart A—General

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Definitions

102-118.35— What definitions apply to this part?

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102-118.365—Do the requirements of a prepayment audit change the disbursing official’s liability for overpayment?

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Waivers from Mandatory Prepayment Audit

102-118.375—Who has the authority to grant a waiver of the prepayment audit requirement?
the Prompt Payment Act (31 U.S.C. 3901, et seq.). This notice must include the TSP’s taxpayer identification number, standard carrier alpha code, bill number and document reference number, agency name, amount requested by the TSP, amount paid, payment voucher number, complete tender or tariff authority, the applicable rate authority and the complete fiscal authority including the appropriation.

§102-118.170—Will GSA continue to maintain a centralized numbering system for Government transportation documents?
Yes, GSA will maintain a numbering system for GBLs and GTRs. For commercial TDs, each agency must create a unique numbering system to account for and prevent duplicate numbers. The GSA Audit Division must approve this system. Write to:

General Services Administration
Federal Supply Service
Audit Division (FBA)
1800 F Street, NW.
Washington, DC 20405
www.gsa.gov/trausaudits.

Subpart C—Use of Government Billing Documents

Terms and Conditions Governing Acceptance and Use of a Government Bill of Lading (GBL) or Government Transportation Request (GTR)
(Until Form Retirement)

§102-118.175—Must my agency prepare for the GBL retirement?
Yes, your agency must prepare for retirement of the paper GBL. Effective September 30, 2001, your agency must have phased out use of Standard Form (SF) 1103, Government Bill of Lading, and OF 1203, Privately Owned Personal Property Government Bill of Lading (PPGBL) for domestic shipments. Effective September 30, 2001, your agency may use the GBL or PPGBL solely for international shipments (including domestic overseas shipments).

§102-118.180—Must my agency prepare for the GTR retirement?
Yes, your agency must use the GTR only in situations that do not lend themselves to the use of commercial payment methods.

§102-118.185—When buying freight transportation, must my agency reference the applicable contract or tender on the bill of lading (including a GBL)?
Yes, your agency must reference the applicable contract or tender when buying transportation on a bill of lading (including GBLs). However, the referenced information on a GBL or bill of lading does not limit an audit of charges.

§102-118.190—When buying passenger transportation must my agency reference the applicable contract?
Yes, when buying passenger transportation, your agency must reference the applicable contract on a GTR or passenger transportation document (e.g., ticket).

§102-118.195—What documents must a transportation service provider (TSP) send to receive payment for a transportation billing?
For shipments bought on a TD, the TSP must submit an original properly certified GBL, PPGBL, or bill of lading attached to an SF 1113, Public Voucher for Transportation Charges. The TSP must submit this package and all supporting documents to the agency paying office.

§102-118.200—Can a TSP demand advance payment for the transportation charges submitted on a bill of lading (including GBL)?
No, a TSP cannot demand advance payment for transportation charges submitted on a bill of lading (including GBL), unless authorized by law.

§102-118.205—May my agency pay a subcontractor or agent functioning as a warehouseman for the TSP providing service under the bill of lading?
No, your agency may only pay the TSP with whom it has a contract. The bill of lading will list the TSP with whom the Government has a contract.

§102-118.210—May my agency use bills of lading other than the GBL for a transportation shipment?
Yes, as long as the mandatory terms and conditions contained in this part (as also stated on a GBL) apply. The TSP must agree in writing to the mandatory terms and conditions (also found in the “U.S. Government Freight Transportation—Handbook”) contained in this part.

§102-118.215—May my agency pay a TSP any extra fees to pay for the preparation and use of the GBL or GTR?
No, your agency must not pay any additional charges for the preparation and use of the GBL or GTR. Your agency may not pay a TSP a higher rate than comparable under commercial procedures for transportation bought on a GBL or GTR.
§102-118.220—If a transportation debt is owed to my agency by a TSP because of loss or damage to property, does my agency report it to GSA?

No, if your agency has administratively determined that a TSP owes a debt resulting from loss or damage, follow your agency regulations.

§102-118.225—What constitutes final receipt of shipment?

Final receipt of the shipment occurs when the consignee or a TSP acting on behalf of the consignee with the agency’s permission, fully signs and dates both the delivering TSP’s documents and the consignee’s copy of the same documents indicating delivery and/or explaining any delay, loss, damage, or shrinkage of shipment.

§102-118.230—What if my agency creates or eliminates a field office approved to prepare transportation documents?

Your agency must tell the GSA Audit Division whenever it approves a new or existing agency field office to prepare transportation documents or when an agency field office is no longer authorized to do so. This notice must show the name, field office location of the bureau or office, and the date on which your agency granted or canceled its authority to schedule payments for transportation service.

Agency Responsibilities When Using Government Bills of Lading (GBLs) or Government Transportation Requests (GTRs)

§102-118.235—Must my agency keep physical control and accountability of the GBL and GTR forms or GBL and GTR numbers?

Yes, your agency is responsible for the physical control and accountability of the GBL and GTR stock and must have procedures in place and available for inspection by GSA. Your agency must consider these Government transportation documents to be the same as money.

§102-118.240—How does my agency get GBL and GTR forms?

Your agency can get GBL and GTR forms, in either blank or prenumbered formats, from:

General Services Administration
Federal Supply Service
General Products Commodity Center (7FXM-WS)
819 Taylor Street, Room 6A24
Fort Worth, TX 76102

§102-118.245—How does my agency get an assigned set of GBL or GTR numbers?

If your agency does not use prenumbered GBL and GTR forms, you may get an assigned set of numbers from:

General Services Administration
Federal Supply Service
General Products Commodity Center (7FXM-WS)
819 Taylor Street, Room 6A24
Fort Worth, TX 76102

§102-118.250—Who is accountable for the issuance and use of GBL and GTR forms?

Agencies and employees are responsible for the issuance and use of GBL and GTR forms and are accountable for their disposition.

§102-118.255—Are GBL and GTR forms numbered and used sequentially?

Yes, GBL and GTR forms are always sequentially numbered when printed and/or used. No other numbering of the forms, including additions or changes to the prefixes or additions of suffixes, is permitted.

Quotations, Tenders or Contracts

§102-118.260—Must my agency send all quotations, tenders, or contracts with a TSP to GSA?

(a) Yes, your agency must send copies of each quotation, tender, or contract of special rates, fares, charges, or concessions with TSPs including those authorized by 49 U.S.C. 10721 and 13712, upon execution to—

General Services Administration
Federal Supply Service
Audit Division (FBA)
1800 F Street, NW.
Washington, DC 20405
www.gsa.gov/transaudits.

(b) Tenders must be submitted electronically, following the instructions provided by the requesting agency. The following information must be submitted with the tender: