

Requirements for Cost or Pricing Data or Other Information (XXX 1995)

(a) In lieu of submitting cost or pricing data, offerors may submit a written request for exemption from the requirement for submission of cost or pricing data by submitting—

- (1) SF 1412, Request for Exemption From Submission of Cost or Pricing Data;
(2) Information relative to an exemption granted for prior or repetitive acquisitions; or
(3) For commercial items not covered by another exception, information on prices at which the same item or similar items have been sold in the commercial market.

(b)(1) Unless the offeror is granted an exemption from the requirement to submit cost or pricing data, the offeror shall submit cost or pricing data on Standard Form (SF) 1411, Contract Pricing Proposal Cover Sheet (Cost or Pricing Data Required), with supporting attachments prepared in accordance with Table 15-2 of FAR 15.804-6(b)(2).

(2) As soon as practicable after final agreement on price, but before contract award (except for unpriced actions such as letter contracts), the offeror shall submit a Certificate of Current Cost or Pricing Data, as prescribed by FAR 15.804-4.

(End of provision)

Alternate I (XXX 1995). As prescribed in 15.804-8(h), substitute the following paragraph (b)(1) for paragraph (b)(1) of the basic provision: -

(b)(1) Unless the offeror is granted an exemption from the requirement to submit cost or pricing data, the offeror shall submit cost or pricing data on Standard Form (SF) 1411, Contract Pricing Proposal Cover Sheet (Cost or Pricing Data Required), with supporting attachments prepared in the following format:

Alternate II (XXX 1995). As prescribed in 15.804-8(h), add the following paragraph (c) to the basic provision:

(c) When the proposal is submitted, also submit one copy each, including the SF 1411 and supporting attachments, to: (1) the Administrative Contracting Officer, and (2) the Contract Auditor.

Alternate III (XXX 1995). As prescribed in 15.804-8(h), add the following paragraph (c) to the basic provision (if Alternate II is also used, redesignate as paragraph (d)):

(c) Submit the cost portion of the proposal via the following electronic media: (Insert media format, e.g., electronic spreadsheet format, electronic mail, etc.).

Alternate IV (XXX 1995). As prescribed in 15.804-8(h), replace the text of the basic provision with the following:

(a) Submission of cost or pricing data is not required.

(b) Provide information described below: (Insert description of the information and the format that are required, including access to records necessary to permit an adequate evaluation of the proposed price in accordance with 15.804-6(a)(5). Standard Form 141X, Proposal Cover Sheet (Cost or Pricing Data Not Required), may be used for information other than cost or pricing data.)

52.215-42 Requirements for Cost or Pricing Data or Other Information—Modifications

As prescribed in 15.804-8(i), insert the following clause:

Requirements for Cost or Pricing Data or Other Information—Modifications (XXX 1995)

(a) In lieu of submitting cost or pricing data for modifications under this contract, for price adjustments expected to exceed threshold set forth at FAR 15.804-2(a)(1), the Contractor may submit a written request for exemption from the requirement for submission of cost or pricing data by submitting—

- (1) Standard Form 1412, Request for Exemption From Submission of Cost or Pricing Data;
(2) Information relative to an exemption granted for prior or repetitive acquisitions; or
(3) For commercial items not covered by another exception, information on prices at which the same item or similar items have been sold in the commercial market.

(b)(1) Unless the Contractor is granted an exemption from the requirement to submit cost or pricing data, the Contractor shall submit cost or pricing data on Standard Form (SF) 1411, Contract Pricing Proposal Cover Sheet (Cost or Pricing Data Required), with supporting attachments prepared in accordance with Table 15-2 of FAR 15.804-6(b)(2).

(2) As soon as practicable after final agreement on price, but before contract award (except for unpriced actions such as letter contracts), the offeror shall submit a certificate of Current Cost or Pricing Data, as prescribed by FAR 15.804-4.

(End of clause)

Alternate I (XXX 1995). As prescribed in 15.804-8(i), substitute the following paragraph (b)(1) for paragraph (b)(1) of the basic clause.

(b)(1) Unless the Contractor is granted an exemption from the requirement to submit cost or pricing data, the Contractor shall submit cost or pricing data on Standard Form (SF) 1411, Contract Pricing Proposal Cover Sheet (Cost or Pricing Data Required), with supporting attachments prepared in the following format:

Alternate II (XXX 1995). As prescribed in 15.804-8(i), add the following paragraph (c) to the basic clause:

(c) When the proposal is submitted, also submit one copy each, including the SF 1411 and supporting attachments, to: (1) the Administrative Contracting Officer, and (2) the Contract Auditor.

Alternate III (XXX 1995). As prescribed in 15.804-8(i), add the following paragraph (c) to the basic clause (if Alternate II is also used, redesignate as paragraph (d)):

(c) Submit the cost portion of the proposal via the following electronic media: (Insert media format).

Alternate IV (XXX 1995). As prescribed in 15.804-8(i), replace the text of the basic provision with the following:

(a) Submission of cost or pricing data is not required.

(b) Provide information described below: (Insert description of the information and the

format that are required, including access to records necessary to permit an adequate evaluation of the proposed price in accordance with 15.804-6(a)(5). Standard Form 141X, Proposal Cover Sheet (Cost or Pricing Data Not Required), may be used for information other than cost or pricing data.)

47. Section 52.215-XX is added to read as follows:

52.215-XX Audit—Commercial Items

As prescribed at 15.106-2, insert the following clause:

Audit—Commercial Items (XXX 1995)

(a) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of whether such items are in written form, in the form of computer data, or any other form.

(b) This paragraph applies to solicitations and contracts/subcontracts for commercial items that may be or have been granted an exemption from submittal of cost or pricing data under FAR 15.804-1(a)(2). In order to determine the accuracy of the information on prices at which the same or similar items have been sold in the commercial market, the Contracting Officer and authorized representatives have a right to examine such information provided by the offeror, Contractor, or subcontractor, and all records that directly relate to such information. This right shall expire two years after the date of award of the contract, or two years after the date of any modification to the contract, with respect to which this information is provided.

(c) If the prime Contractor and each higher-tier subcontractor were required to submit cost or pricing data, the Contractor shall insert the substance of this clause, including this paragraph (c), in each subcontract for which submission of cost or pricing data was required or was exempted under FAR 15.804-1(a)(2).

(End of clause)

52.216-2 Economic Price Adjustment—Standard Supplies

48. Section 52.216-2(a)(2) is amended by removing "15.804-3" and inserting "15.804-1" in its place.

49. Section 52.216-3 is amended by revising the clause date and paragraph (a)(2) to read as follows:

52.216-3 Economic Price Adjustment—Semistandard Supplies

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Economic Price Adjustment—Semistandard Supplies (XXX 1995)

(a) * * * (2) meets the criteria of subsection 15.804-1 of the Federal Acquisition Regulation (FAR), and * * *

50. Section 52.216-5 is amended by revising the clause date and paragraph (d)(1)(i)(A) to read as follows:

52.216-5 Price Redetermination—Prospective

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