Defense Acquisition Regulations System, DOD

216.601

Subpart 216.6—Time-And-Materials, Labor-Hour, and Letter Contracts

216.601 Time-and-materials contracts.

(d) **Limitations.** (1) The determination and findings shall contain sufficient facts and rationale to justify that no other contract type is suitable. At a minimum, the determination and findings shall—

(A) Include a description of the market research conducted;

(B) Establish that it is not possible at the time of placing the contract or order to accurately estimate the extent or duration of the work or to anticipate costs with any reasonable degree of certainty;

(C) Establish that the requirement has been structured to minimize the use of time-and-materials requirements (e.g., limiting the value or...