243.204–70–5 Exceptions.  
(a) The limitations in 243.204–70–2, 243.204–70–3, and 243.204–70–4 do not apply to unpriced change orders for the purchase of initial spares.  
(b) The limitations in 243.204–70–4(a) do not apply to unpriced change orders for ship construction and ship repair.  
(c) The head of the agency may waive the limitations in 243.204–70–2, 243.204–70–3, and 243.204–70–4 for unpriced change orders if the head of the agency determines that the waiver is necessary to support—  
(1) A contingency operation; or  
(2) A humanitarian or peacekeeping operation.  
[75 FR 48277, Aug. 10, 2010]  
243.204–70–6 Allowable profit.  
When the final price of an unpriced change order is negotiated after a substantial portion of the required performance has been completed, the head of the contracting activity shall ensure the profit allowed reflects—  
(a) Any reduced cost risk to the contractor for costs incurred during contract performance before negotiation of the final price;  
(b) The contractor’s reduced cost risk for costs incurred during performance of the remainder of the contract; and  
(c) The extent to which costs have been incurred prior to definitization of the contract action (see 215.404–71–3(d)(2)). The risk assessment shall be documented in the contract file.  
[75 FR 48277, Aug. 10, 2010]  
243.204–70–7 Plans and reports.  
To provide for enhanced management and oversight of unpriced change orders, departments and agencies shall—  
(a) Include in the Consolidated Undefinitized Contract Action (UCA) Management Plan required by 217.7405, the actions planned and taken to ensure that unpriced change orders are definitized in accordance with this subsection; and  
(b) Include in the Consolidated UCA Management Report required by 217.7405, each unpriced change order with an estimated value exceeding $5 million.  
[75 FR 48277, Aug. 10, 2010]  
243.205 Contract clauses.  
243.205–70 Pricing of contract modifications.  
Use the clause at 252.243–7001, Pricing of Contract Modifications, in solicitations and contracts when anticipating and using a fixed price type contract.  
243.205–71 Requests for equitable adjustment.  
Use the clause at 252.243–7002, Requests for Equitable Adjustment, in solicitations and contracts estimated to