

1316.405

48 CFR Ch. 13 (10-1-10 Edition)

Subpart 1316.4—Incentive Contracts

1316.405 Cost-reimbursement incentive contracts.

1316.405-2 Cost-plus-award-fee contracts.

Insert clause 1352.216-72, *Determination of Award Fee*, in all cost-plus-award-fee contracts.

1316.406 Contract clauses.

Insert a clause substantially the same as 1352.216-73, *Distribution of Award Fee*, in all cost-plus-award-fee solicitations and contracts, as determined by the contracting officer.

Subpart 1316.5—Indefinite-Delivery Contracts

1316.501-2-70 Task orders.

Insert clause 1352.216-74, *Task Orders*, or a substantially similar clause in task order solicitations and contracts, making changes, as appropriate. Contracting officers are encouraged to make appropriate modifications to the time requirements and procedures to meet the Government's needs.

1316.505 Ordering.

The department's Task and Delivery Order Ombudsman is designated in CAM 1301.70.

1316.506 Solicitation provisions and contract clauses.

(a) Insert clause 1352.216-75, *Minimum and Maximum Contract Amounts*, in all indefinite quantity contracts, including requirements contracts, if feasible.

(b) Insert a clause similar to 1352.216-76, *Placement of Orders*, in indefinite-delivery solicitations and contracts.

Subpart 1316.6—Time-and-Materials, Labor-Hour, and Letter Contracts

1316.601 Time-and-materials contracts.

The designee authorized to approve a time-and-materials contract prior to the execution of the base period when the base period plus any option periods exceeds three years is set forth in CAM 1301.70.

1316.601-70 Contract clauses.

Insert clause 1352.216-77, *Ceiling Price*, in all time-and-materials contracts.

1316.602 Labor-hour contracts.

1316.602-70 Contract clauses.

Insert clause 1352.216-77, *Ceiling Price*, in all labor-hour contracts, including, if feasible, requirements contracts.

1316.603 Letter contracts.

1316.603-2 Application.

(a) With the written approval from the authorized designee in CAM 1301.70, in extreme cases, the contracting officer may authorize an additional period for contract definitization.

(b) If, after exhausting all reasonable efforts, the contracting officer and the contractor cannot negotiate a definitive contract because of failure to reach agreement as to price or fee, the contracting officer may determine a reasonable price or fee with approval from the authority designated in CAM 1301.70.

1316.603-3 Limitations.

The designee authorized to determine that a letter contract is suitable so that work can begin immediately is set forth in CAM 1301.70.

PART 1317—SPECIAL CONTRACTING METHODS

Subpart 1317.1—Multi-Year Contracting

- Sec.
- 1317.104 General.
- 1317.105 Policy.
- 1317.105-1 Uses.
- 1317.108 Congressional notification.

Subpart 1317.2—Options

- 1317.203 Solicitations.

Subpart 1317.5—Interagency Acquisitions Under the Economy Act

- 1317.502 General.
- 1317.502-70 Policy.

AUTHORITY: 41 U.S.C. 414; 48 CFR 1.301-1.304.

SOURCE: 75 FR 10570, Mar. 8, 2010, unless otherwise noted.