levels above the contracting officer, determines that it is reasonably certain that data other than certified cost or pricing data will be needed in order to determine that the price of modifications is fair and reasonable (see FAR 15.403-3(a)).

(B) The contracting officer may specify a higher threshold in paragraph (b) of the clause.


215.470 Estimated data prices.

(a) DoD requires estimates of the prices of data in order to evaluate the cost to the Government of data items in terms of their management, product, or engineering value.

(b) When data are required to be delivered under a contract, include DD Form 1423, Contract Data Requirements List, in the solicitation. See PGI 215.470(b) for guidance on the use of DD Form 1423.

(c) The contracting officer shall ensure that the contract does not include a requirement for data that the contractor has delivered or is obligated to deliver to the government under another contract or subcontract, and that the successful offeror identifies any such data required by the solicitation. However, where duplicate data are desired, the contract price shall include the costs of duplication, but not of preparation, of such data.


PART 216—TYPES OF CONTRACTS

Subpart 216.1—Selecting Contract Types

Sec. 216.104-70 Research and development.

Subpart 216.2—Fixed-Price Contracts

216.203 Fixed-price contracts with economic price adjustment.
216.203-4 Contract clauses.
216.203-4-70 Additional provisions and clauses.

Subpart 216.3—Cost-Reimbursement Contracts

216.306 Cost-plus-fixed-fee contracts.

Subpart 216.4—Incentive Contracts

216.401 General.
216.401-70 Data collection.
216.401-71 Objective criteria.
216.402 Application of predetermined, formula-type incentives.
216.402-2 Technical performance incentives.
216.403 Fixed-price incentive contracts.
216.403-1 Fixed-price incentive (firm target) contracts.
216.403-2 Fixed-price incentive (successive targets) contracts.
216.405 Cost-reimbursement incentive contracts.
216.405-1 Cost-plus-incentive-fee contracts.
216.405-2 Cost-plus award-fee contracts.
216.405-2-71 Award fee reduction or denial for failure to comply with requirements relating to performance of private security functions.
216.405-270 Award fee reduction or denial for jeopardizing the health or safety of Government personnel.
216.406 Contract clauses.
216.470 Other applications of award fees.

Subpart 216.5—Indefinite-Delivery Contracts

216.501 General.
216.501-1 Definitions.
216.501-2 General.
216.504 Indefinite-quantity contracts.
216.505 Ordering.
216.505-70 Orders under multiple award contracts.
216.506 Solicitation provisions and contract clauses.

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

216.601 Time-and-materials contracts.
216.603 Letter contracts.
216.603-2 Application.
216.603-3 Limitations.
216.603-4 Contract clauses.

Subpart 216.7—Agreements

216.703 Basic ordering agreements.


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