215.403 Obtaining certified cost or pricing data.


(b) Exceptions to certified cost or pricing data requirements Follow the procedures at PGI 215.403–1(b).

(c) Standards for exceptions from certified cost or pricing data requirements—

(1) Adequate price competition.

(A) For acquisitions under dual or multiple source programs—

(i) The determination of adequate price competition must be made on a case-by-case basis. Even when adequate price competition exists, in certain cases it may be appropriate to obtain additional data to assist in price analysis.

(ii) Adequate price competition normally exists when—

(A) Prices are solicited across a full range of step quantities, normally including a 0–100 percent split, from at least two offerors that are individually capable of producing the full quantity; and

(B) The reasonableness of all prices awarded is clearly established on the basis of price analysis (see FAR 15.404–1(b)).

(B) If only one offer is received in response to a competitive solicitation, see 215.371–3.

(3) Commercial items.

(A) Follow the procedures at PGI 215.403–1(c)(3)(A) for pricing commercial items.

(B) By November 30th of each year, departments and agencies shall provide a report to the Director, Defense Procurement and Acquisition Policy (DPAP), ATTN: DPAP/CPIC, of all waivers granted under FAR 15.403–1(b)(4), during the previous fiscal year, for any contract, subcontract, or modification expected to have a value of $15,000,000 or more. See PGI 215.403–1(c)(4)(B) for the format and guidance for the report. The Director, DPAP, will submit a consolidated report to the congressional defense committees.

(C) DoD has waived the requirement for submission of certified cost or pricing data for the Canadian Commercial Corporation and its subcontractors (but see 215.408(5) and 225.870–4(c)).

(D) DoD has waived certified cost or pricing data requirements for nonprofit organizations (including education institutions) on cost-reimbursement-no-fee contracts. The contracting officer shall require—

(i) Submission of data other than certified cost or pricing data to the extent necessary to determine reasonableness and cost realism; and

(ii) Certified cost or pricing data from subcontractors that are not nonprofit organizations when the subcontractor’s proposal exceeds the certified cost or pricing data threshold at FAR 15.403–4(a)(1).