

IDS Terms and Conditions Guide
Section H

Clause Number: H926
Effective: 9/22/2006
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DEFINITIZATION SCHEDULE (Variable)

(a) The prices shown on this purchase order are maximum prices. Buyer or the Government has the right to examine all books, records, documents and other evidence and accounting procedures and practices sufficient to reflect properly all direct and indirect costs, of whatever nature, claimed to have been incurred and anticipated to be incurred for the performance of this contract. If Buyer so elects, Seller and Buyer will enter into good faith negotiations in order to determine, on the basis of such examination, the amount, if any, by which such prices should be reduced. Costs shall be determined in accordance with Part 31 of the FAR in effect on the date of this contract. Buyer may delete this clause by unilateral change order at any time it elects to do so. However pending its deletion, Seller will not permit costs of performance hereunder to become commingled with costs of performance under any other contract. Nothing in this condition will limit the rights of Buyer to terminate this effort under the pertinent articles of this contract.

(b) Buyer reserves the right to extend this schedule if the parties are unable to begin or conclude negotiations per this schedule. Seller shall notify Buyer, in writing, if it anticipates 40% of the work to be performed under this contract will be completed at an earlier date than the definitization date set forth below. Upon receipt of Seller's notification, Buyer will amend this condition to reflect the date specified by Seller.

(c) If agreement on a definitive price is not reached by the definitization date, or within any extension granted, Buyer may determine a reasonable price or fee in accordance with Subpart 15.4 and Part 31 of the FAR, subject to Seller's right to appeal as provided in the Disputes article of the General Provisions.

(d) The target schedule for definitizing this contract is set forth below.

Submission of Proposal
Begin Negotiations
Definitization