

**IDS Terms and Conditions Guide
Section M**

**Clause Number: M320L
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AVOIDANCE OF CONFLICTS IN CONTRACT TYPES

While performing under this Purchase Order/Contract, Seller agrees that neither it nor any subcontractor will concurrently perform work for Buyer's benefit at the same Buyer location using the same skills and/or disciplines under the following conditions:

1. If this is a lump sum type Purchase Order/Contract, then no concurrent work shall be undertaken pursuant to a Time-and-Materials or Labor-Hour type contract/subcontract.
2. If this is a Time-and-Materials or Labor-Hour type Purchase Order/Contract, then no concurrent work shall be undertaken pursuant to a Lump Sum type contract/subcontract.

Questions regarding the boundaries of a "Buyer location" shall be directed to the Buyer's Procurement Agent. Seller shall be responsible for requesting advice from Buyer to determine the existence of concurrent conflicting type contracts between Buyer and Seller's proposed subcontractors.