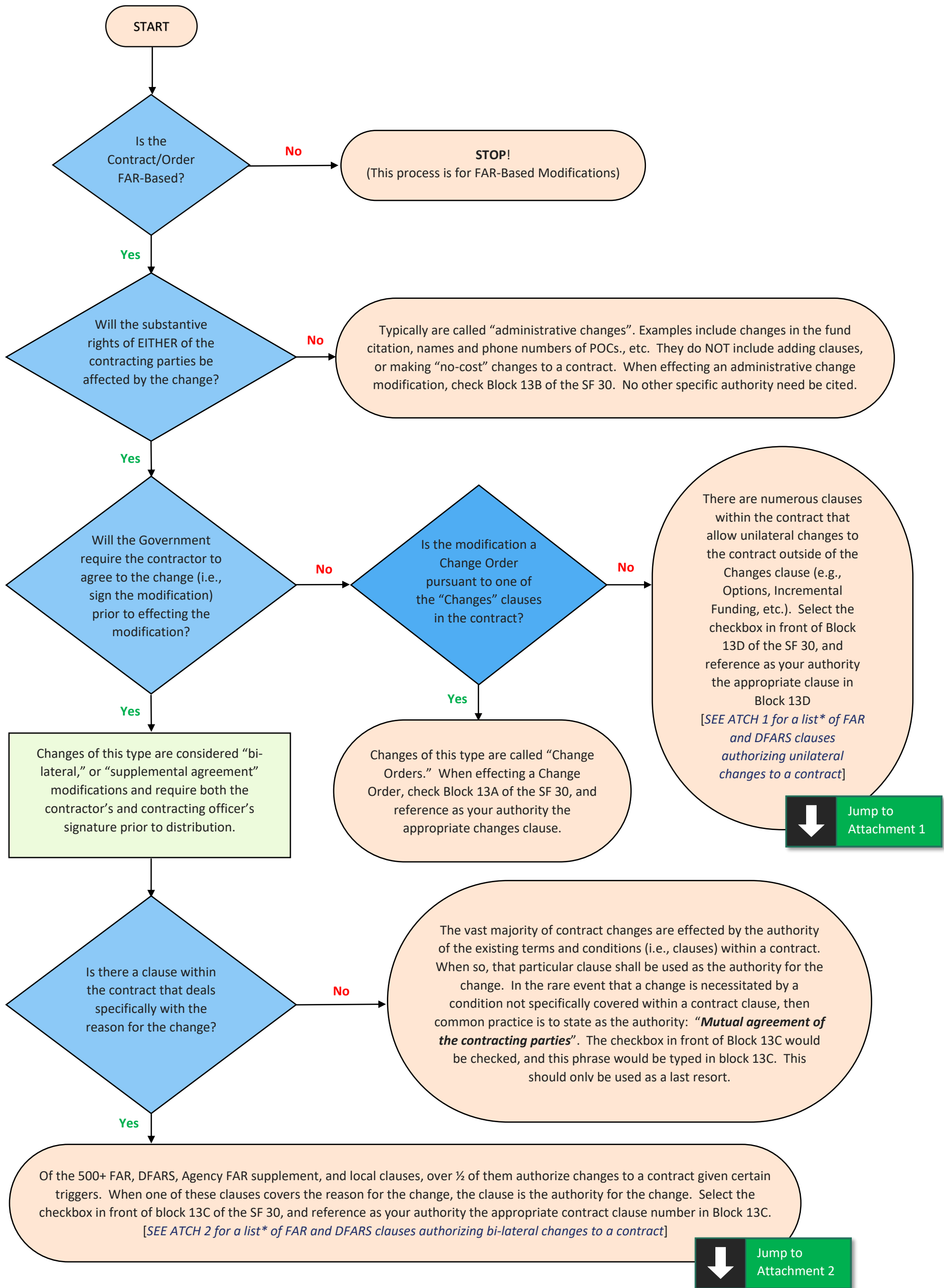


Contract Modification Authority Decision Help Guide

The purpose of this tool is to aid you in the selection of a modification authority to cite in Block 13 of the SF30.



* Although extensive, the list is not all-inclusive.

Attachment 1

FAR and DFARS Unilateral Authorities

52.203-3 GRATUITIES. (Authority to terminate the right to proceed if found in violation)

52.203-5 COVENANT AGAINST CONTINGENT FEES. (Authority to annul the contract if found in violation)

52.203-7 ANTI-KICKBACK PROCEDURES. (Authority to offset the price of the contract by the amount of the kickback)

52.203-8 CANCELLATION, RESCISSION, AND RECOVERY OF FUNDS FOR ILLEGAL OR IMPROPER ACTIVITY. (Authority to rescind the contract and recover funds if found in violation)

52.203-10 PRICE OR FEE ADJUSTMENT FOR ILLEGAL OR IMPROPER ACTIVITY. (Authority for unilateral price reduction for violations)

252.203-7000 REQUIREMENTS RELATING TO COMPENSATION OF FORMER DOD OFFICIALS. (Authority to terminate for default for the contractor's failure to comply with the clause)

252.203-7001 PROHIBITION ON PERSONS CONVICTED OF FRAUD OR OTHER DEFENSE-CONTRACT-RELATED FELONIES. (Authority to terminate for default for the contractor's failure to comply with the clause)

52.204-2 SECURITY REQUIREMENTS (ALT I). (Authority to terminate a contract for convenience if a contractor is not able to comply with security requirements implemented after award of the contract)

52.204-12 DATA UNIVERSAL NUMBERING SYSTEM NUMBER MAINTENANCE. (Authority to modify the contract to update the CONTRACTOR DATA IN THE CONTRACT.)

52.204-13 SYSTEM FOR AWARD MANAGEMENT MAINTENANCE. (Authority to modify the contract to update contractor data in the contract)

52.204-14 SERVICE CONTRACT REPORTING REQUIREMENTS. (Authority to modify the contract to "exercise appropriate contractual remedies" should the contractor fail to comply with the reporting requirements. Such remedies could be a payment reduction by the formula in the PRS assigned to this requirement)

52.204-15 SERVICE CONTRACT REPORTING REQUIREMENTS FOR INDEFINITE-DELIVERY CONTRACTS. (Authority to modify the contract to "exercise appropriate contractual remedies" should the contractor fail to comply with the reporting requirements. Such remedies could be a payment reduction by the formula in the PRS assigned to this requirement)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 1

FAR and DFARS Unilateral Authorities

52.204-18 COMMERCIAL AND GOVERNMENT ENTITY CODE MAINTENANCE. (Authority to modify the contract to update contractor data in the contract)

52.207-5 OPTION TO PURCHASE EQUIPMENT. (Authority to modify the contract unilaterally to exercise the option)

52.208-5 CONDITION OF LEASED VEHICLES. (Authority to charge or offset the cost of the contract by the amount spent to correct a defect or arrange for the lease of similar vehicles)

52.209-1 QUALIFICATION REQUIREMENTS. (Authority to terminate the contract for default (unilateral mod), or allow continued performance with adequate consideration (bilateral mod) to the government)

52.209-3 FIRST ARTICLE APPROVAL-CONTRACTOR TESTING. (Authority to terminate for default (unilateral mod) should the contractor fail to deliver any first article report on time, or the contracting officer disapproves any first article.)

52.209-4 FIRST ARTICLE APPROVAL-GOVERNMENT TESTING (Authority to terminate for default (unilateral mod) should the contractor fail to deliver the first article on time, or the contracting officer disapproves the first article.)

52.209-5 CERTIFICATION REGARDING RESPONSIBILITY MATTERS. (Authority to terminate for defective cert)

252.209-7005 RESERVE OFFICER TRAINING CORPS AND MILITARY RECRUITING ON CAMPUS. (Authority to terminate for default for the contractor's failure to comply with the clause)

252.209-7007 PROHIBITED FINANCIAL INTERESTS FOR LEAD SYSTEM INTEGRATORS. (Authority to terminate for default for the contractor's failure to comply with the clause)

52.211-10 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK (ALT 1). (Authority to unilaterally extend the completion date based on the actual date the contractor receives the Notice to Proceed)

52.211-11, -12 LIQUIDATED DAMAGES-"X". (Authority to collect a set daily amount for delays in completion of the work)

52.211-17 DELIVERY OF EXCESS QUANTITIES. (Authority to accept and pay for excess quantities received at the contract unit price)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 1

FAR and DFARS Unilateral Authorities

52.212-4 CONTRACT TERMS AND CONDITIONS—COMMERCIAL ITEMS (Authority to make equitable adjustments (bilateral mod) for various causes contained in the clause; Authority to terminate for cause (unilateral mod))

52.213-4 TERMS AND CONDITIONS—SIMPLIFIED ACQUISITIONS (Other Than Commercial Items. (Authority to terminate for convenience or cause. Clause also references many other FAR clauses which may be used in and of themselves as modification authority for other purposes)

52.214-27 PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA-MODIFICATIONS-SEALED BIDDING. (Authority to reduce contract price by the amount of defective pricing)

52.215-10 PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA. (Authority to unilaterally reduce the cost and fee by the amount of defective data)

52.215-11 PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA-MODIFICATIONS. (Authority to unilaterally reduce the cost/fee, price by the amount of defective data)

52.215-23 LIMITATIONS ON PASS-THROUGH CHARGES. (Authority to reduce the cost/fee by the unallowable pass-through costs found in audit)

52.216-2 ECONOMIC PRICE ADJUSTMENT-STANDARD SUPPLIES. (Authority to increase or decrease the unit pricing in the schedule by the revised price list, and the Authority to cancel undelivered portion of items affected by a price increase.)

52.216-3 ECONOMIC PRICE ADJUSTMENT-SEMI STANDARD SUPPLIES. (Authority to increase or decrease the unit pricing in the schedule by the revised price list, and the Authority to cancel undelivered portion of items affected by a price increase.)

52.216-7 ALLOWABLE COST AND PAYMENT. (Authority to unilaterally reduce the contract cost by amounts found to be unallowable, or for overpayments based on audit findings)

52.216-15 PREDETERMINED INDIRECT COST RATES. (Authority used to incorporate DCMA Forward Pricing Rate Agreements)

52.216-25 CONTRACT DEFINITIZATION. (Authority to unilaterally formalize a cost/fee on a letter contract when the contractor has not proposed a price by the schedule date)

52.216-26 PAYMENTS OF ALLOWABLE COSTS BEFORE DEFINITIZATION. (Authority to reduce payments by unallowable costs)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 1

FAR and DFARS Unilateral Authorities

252.216-7000 ECONOMIC PRICE ADJUSTMENT—BASIC STEEL, ALUMINUM, BRASS, BRONZE, OR COPPER MILL PRODUCTS. (Authority to make and equitable adjustment to the contract price in accordance with the clause)

252.216-7001 ECONOMIC PRICE ADJUSTMENT—NONSTANDARD STEEL ITEMS. (Authority to make an equitable adjustment to the contract price in accordance with the clause)

252.216-7003 ECONOMIC PRICE ADJUSTMENT—WAGE RATES OR MATERIAL PRICES CONTROLLED BY A FOREIGN GOVERNMENT. (Authority to make an equitable adjustment to the contract price in accordance with the clause.)

252.216-7004 AWARD FEE REDUCTION OR DENIAL FOR JEOPARDIZING THE HEALTH OR SAFETY OF GOVERNMENT PERSONNEL. (Authority to deny award fee consistent with the clause)

252.216-7005 AWARD FEE. (Authority for the contracting officer to unilaterally revise the award fee plan)

52.217-2 CANCELLATION UNDER MULTI-YEAR CONTRACTS. (Authority to cancel a multi-year contract)

52.217-6 OPTION FOR INCREASED QUANTITY. (Authority to unilaterally increase the quantity at the pricing established under the contract)

52.217-7 OPTION FOR INCREASED QUANTITY-SEPARATELY PRICED LINE ITEM. (Authority to unilaterally increase the quantity at the unit pricing established under the contract)

52.217-8 OPTION TO EXTEND SERVICES. (Authority to unilaterally extend the term of services for up to 6 months at the current pricing)

52.217-9 OPTION TO EXTEND THE TERM OF THE CONTRACT. (Authority to exercise an option period within the terms of the contract)

252.217-7001 SURGE OPTION. (Authority to increase the quantity or accelerate delivery in accordance with the clause's purpose)

252.217-7027 CONTRACT DEFINITIZATION. (Authority to unilaterally determine a reasonable price or fee by modification (subject to the contractor's appeal))

52.219-10 INCENTIVE SUBCONTRACTING PROGRAM (Authority to increase the contract price for the contractor's exceeding their SB goals)

52.219-11 SPECIAL 8(A) CONTRACT CONDITIONS. (Authority to terminate the contract in the event the SBA does not award a subcontract)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 1

FAR and DFARS Unilateral Authorities

- 52.219-16 LIQUIDATED DAMAGES-SUBCONTRACTING PLAN. (Authority to reduce the contract price by the amount of the goal failure)
- 52.222-4 CONTRACT WORK HOURS AND SAFETY STANDARDS ACT-OVERTIME COMPENSATION. (Authority to assess liquidated damages and/or without payments/reduce price for failure to pay in accordance with the CWHSSA)
- 52.222-7 WITHHOLDING OF FUNDS. (Authority to without funds due to Davis Bacon Act violations)
- 52.222-8 PAYROLLS AND BASIC RECORDS. (Authority to without payment due to failure to comply with Davis Bacon Act)
- 52.222-12 CONTRACT TERMINATION- DEBARMENT. (Authority to terminate for violation of DOL related laws)
- 52.222-19 CHILD LABOR-COOPERATION WITH AUTHORITIES AND REMEDIES. (Authority to terminate the contract for violations of the Act)
- 52.222-26 EQUAL OPPORTUNITY. (Authority to terminate the contract if the OFCCP determines that the Contractor is not in compliance with EO 11246)
- 52.222-31 CONSTRUCTION WAGE RATE REQUIREMENTS—PRICE ADJUSTMENT (None or Separately Specified Method). (Authority used to incorporate revised construction wage rate at no cost)
- 52.222-31 CONSTRUCTION WAGE RATE REQUIREMENTS—PRICE ADJUSTMENT (Percentage Method).(Authority to increase the price due to a revision in the DOL wage determination)
- 52.222-32 CONSTRUCTION WAGE RATE REQUIREMENTS—PRICE ADJUSTMENT (ACTUAL METHOD). (Authority to increase the price due to a revision in the DOL wage determination)
- 52.222-40 NOTIFICATION OF EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT. (Authority to terminate the contract should the contractor be found in violation of the Act)
- 52.222-41 SERVICE CONTRACT LABOR STANDARDS. (Authority to withhold payment or terminate a contract for failure to comply with the Act)
- 52.222-49 SERVICE CONTRACT LABOR STANDARDS—PLACE OF PERFORMANCE UNKNOWN. (Authority to incorporate wage determination at no additional cost to the Government)
- 52.222-50 COMBATING TRAFFICKING IN PERSONS. (Authority to enact multiple penalties for failure to comply with the law regarding trafficking in persons)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 1

FAR and DFARS Unilateral Authorities

52.223-6 DRUG-FREE WORKPLACE. (Authority to terminate the contract or suspend payments, etc for law violations)

252.223-7002 SAFETY PRECAUTIONS FOR AMMUNITION AND EXPLOSIVES. (Authority to stop work should the contractor fail to rectify safety issues)

52.225-8 DUTY-FREE ENTRY. (Authority to reduce the contract price by the amount of the duty payable)

52.225-19 CONTRACTOR PERSONNEL IN A DESIGNATED OPERATIONAL AREA OR SUPPORTING A DIPLOMATIC OR CONSULAR MISSION OUTSIDE THE UNITED STATES. (Authority to affect changes in addition to those of the Changes clause for contracts that the clause applies to)

52.227-9 REFUND OF ROYALTIES. (Authority to reduce the contract price by the overpayment of royalties)

52.228-1 BID GUARANTEE. (Authority to terminate the contract for default for failure to execute “all contractual documents or furnish executed bond(s) within 10 days...”)

252.229-7010 RELIEF FROM CUSTOMS DUTY ON FUEL (UNITED KINGDOM). (Authority to reduce the contract value unilaterally by the amount of the relief that would have been allowed)

52.232-22 LIMITATION OF FUNDS. (Authority to add incremental funds)

52.233-1 DISPUTES. (Authority used on modifications settling claims. Bilateral mod preferred, but unilateral authorized when contractor will not agree to terms)

52.233-3 PROTEST AFTER AWARD. (Authority to issue a unilateral mod directing the contractor to stop performance when a protest is received after award).

252.235-7002 ANIMAL WELFARE. (Authority to suspend or terminate performance for failure to comply with this clause)

52.236-15 SCHEDULES FOR CONSTRUCTION CONTRACTS. (Authority to terminate the contractor’s right to proceed with the work for failure to maintain satisfactory progress in accordance with the clause (note: termination for default is a separate action under the Default clause)

52.236-23 RESPONSIBILITY OF THE ARCHITECT-ENGINEER CONTRACTOR. (Authority used to require the A&E firm to correct or revise drawings, specs, and other services when found to be in error; also authority to require the A&E firm to pay for damages to the Government resulting from these errors)

252.236-7002 OBSTRUCTION OF NAVIGABLE WATERWAYS. (Authority to charge the contractor/reduce the contract price for work performed to rectify the safety concern)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 1

FAR and DFARS Unilateral Authorities

252.236-7009 OPTION FOR SUPERVISION AND INSPECTION SERVICES.

(Authority of the Contracting Officer to unilaterally direct the contractor to perform in accordance with the terms of the clause)

252.237-7007 TERMINATION FOR DEFAULT. (Authority to terminate for default in accordance with the special circumstances of the clause)

252.239-7007 CANCELLATION OR TERMINATION OF ORDERS. (Authority to cancel or terminate services and effect and equitable adjustment)

52.241-11 MULTIPLE SERVICE LOCATIONS. (Authority to modify the contract unilaterally to commence or discontinue utilities services within a service area and provide an equitable adjustment)

52.242-3 PENALTIES FOR UNALLOWABLE COSTS. (Authority to reduce the contract price to recover unallowable costs and penalties)

52.242-4 CERTIFICATION OF FINAL INDIRECT COSTS. (Authority for the Contracting Officer to unilaterally establish final indirect costs)

52.242-14 SUSPENSION OF WORK. (Authority to suspend the work)

52.242-15 STOP-WORK ORDER. (Authority to stop the work)

52.243-XX CHANGES... [Various Changes clauses, including alternates thereto] (used unilaterally or bilaterally as Authority to make changes within the terms of the clauses)

52.245-1 GOVERNMENT PROPERTY. (Authority to add, delete, or otherwise modify GFP and make equitable adjustments therefore)

52.246-XX INSPECTION OF "X". (Authority to charge for inspection related expenses, require re-performance, terminate the contract for default, etc.)

52.246-XX WARRANTY OF "X". (Authority to equitably reduce the contract price for defective supplies, services, etc., charge the contractor for the price of obtaining the item or services through another source)

252.246-7001 WARRANTY OF DATA. (Authority to enact certain remedies unilaterally or bilaterally based on errors in technical data)

252.246-7002 WARRANTY OF CONSTRUCTION (GERMANY). (Authority to correct a deficiency at the contractor's expense)

52.249-XX DEFAULT -"X". (Authority for terminating contracts for failure to comply; also Authority to allow performance to continue at an equitable adjustment to the price, etc. Mod may be unilateral or bilateral, depending on the purpose/circumstances)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 2

FAR and DFARS Bilateral Modification Authorities

52.209-1 QUALIFICATION REQUIREMENTS. (Authority to terminate the contract for default (unilateral mod), or allow continued performance with adequate consideration (bilateral mod) to the government)

52.209-3 FIRST ARTICLE APPROVAL-CONTRACTOR TESTING. (Authority for equitable adjustments (bilateral mod) for failing test, Gov delays, etc. Also authority to terminate for default (unilateral mod))

52.209-4 FIRST ARTICLE APPROVAL-GOVERNMENT TESTING (Authority for equitable adjustments (bilateral mod) for failing test, Gov delays, etc. Also authority to terminate for default (unilateral mod))

52.211-13 TIME EXTENSIONS. (Authority to extend the performance period due to a change in the various elements of construction. This authority would be used when a separate modification is needed to specifically extend the POP due to a change, and the extension was not effected within the modification which set forth the changed work, price, etc., originally.)

52.211-18 VARIATION IN ESTIMATED QUANTITY. (Authority to negotiate an equitable adjustment for variations in quantities received, including adjustments in the completion date)

252.211-7000 ACQUISITION STREAMLINING. (Authority to accept a contractor's plan, including any related equitable adjustment)

52.212-4 CONTRACT TERMS AND CONDITIONS—COMMERCIAL ITEMS (Authority to make equitable adjustments (bilateral mod) for various causes contained in the clause; Authority to terminate for convenience or cause (unilateral mod))

52.213-4 TERMS AND CONDITIONS—SIMPLIFIED ACQUISITIONS (Other Than Commercial Items. (Authority to terminate for convenience or cause. Clause also references many other FAR clauses which may be used in and of themselves as modification authority for other purposes)

52.215-9 CHANGES OR ADDITIONS TO MAKE-OR-BUY PROGRAM. (Authority to negotiate an equitable adjustment to reduce the cost/fee by the price reduction from the accepted change)

52.215-15 PENSION ADJUSTMENTS AND ASSET REVERSIONS. (Authority to negotiate a change related to revision of pension plans which results in a lower cost/fee)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 2

FAR and DFARS Bilateral Modification Authorities

52.215-18 REVERSION OR ADJUSTMENT OF PLANS FOR POSTRETIREMENT BENEFITS {PRB} OTHER THAN PENSIONS. (Authority to negotiate a change related to revision of pension plans which results in a lower cost/fee)

52.216-4 ECONOMIC PRICE ADJUSTMENT-LABOR AND MATERIAL. (Authority for an equitable adjustment within the terms of the clause)

52.216-5 PRICE REDETERMINATION-PROSPECTIVE. (Authority for an equitable adjustment within the terms of the clause)

52.216-6 PRICE REDETERMINATION-RETROACTIVE. (Authority for an equitable adjustment within the terms of the clause)

52.216-10 INCENTIVE FEE. (Authority for mods setting forth the actual fee realized and to be paid)

52.216-16 INCENTIVE PRICE REVISION-FIRM TARGET. (Authority for mods setting forth the actual fee realized and to be paid)

52.216-17 INCENTIVE PRICE REVISION-SUCCESSIVE TARGETS. (Authority used to incorporate DCMA Forward Pricing Rate Agreements)

252.217-7028 OVER AND ABOVE WORK (Authority to negotiate equitable adjustments in accordance with the purpose of the clause).

52.222-31 CONSTRUCTION WAGE RATE REQUIREMENTS—PRICE ADJUSTMENT (Percentage Method). (Authority to increase the price due to a revision in the DOL wage determination)

52.222-32 CONSTRUCTION WAGE RATE REQUIREMENTS—PRICE ADJUSTMENT (Actual Method). (Authority to increase the price due to a revision in the DOL wage determination)

52.222-43 FAIR LABOR STANDARDS ACT AND SERVICE CONTRACT ACT-PRICE ADJUSTMENT (Multiple Year and Option Contracts). (Authority to adjust the contract price due to changes in rates)

52.222-44 FAIR LABOR STANDARDS ACT AND SERVICE CONTRACT ACT-PRICE ADJUSTMENT. (Authority to adjust the contract price due to changes in rates)

252.222-7002 COMPLIANCE WITH LOCAL LABOR LAWS (OVERSEAS). (Authority to reimburse the contractor for all fines, penalties, and reasonable litigation expenses incurred as a result of complying with contract terms and conditions)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 2

FAR and DFARS Bilateral Modification Authorities

52.225-19 CONTRACTOR PERSONNEL IN A DESIGNATED OPERATIONAL AREA OR SUPPORTING A DIPLOMATIC OR CONSULAR MISSION OUTSIDE THE UNITED STATES. (Authority to affect changes in addition to those of the Changes clause for contracts that the clause applies to)

52.225-21 REQUIRED USE OF AMERICAN IRON, STEEL, AND OTHER MANUFACTURED GOODS-BUY AMERICAN ACT-CONSTRUCTION MATERIALS. (Authority to renegotiate the price within the terms of the clause)

52.225-23 REQUIRED USE OF AMERICAN IRON, STEEL, AND OTHER MANUFACTURED GOODS-BUY AMERICAN ACT-CONSTRUCTION MATERIALS UNDER TRADE AGREEMENTS. (Authority to renegotiate the price within the terms of the clause)

52.226-1 UTILIZATION OF INDIAN ORGANIZATIONS AND INDIAN-OWNED ECONOMIC ENTERPRISES. (Authority to negotiate changes in contract price based on provisions of the clause)

252.227-7013 RIGHTS IN TECHNICAL DATA—NONCOMMERCIAL ITEMS. (Authority to negotiate by mutual agreement greater license rights as agreeable to the parties for the purpose)

252.227-7014 RIGHTS IN NONCOMMERCIAL COMPUTER SOFTWARE AND NONCOMMERCIAL COMPUTER SOFTWARE DOCUMENTATION. (Authority to negotiate by mutual agreement greater license rights as agreeable to the parties for the purpose)

252.227-7018 RIGHTS IN TECHNICAL DATA AND COMPUTER SOFTWARE—SMALL BUSINESS INNOVATION RESEARCH (SBIR) PROGRAM. (Authority to negotiate by mutual agreement greater license rights as agreeable to the parties for the purpose)

52.228-7 INSURANCE—LIABILITY TO THIRD PERSONS. (Authority to pay (and mod the contract to pay for) liabilities covered within the terms of the contract clause)

52.228-13 ALTERNATE PAYMENT PROTECTIONS. (Authority to modify the contract bilaterally to settle payment issues under the payment protection program)

252.228-7000 REIMBURSEMENT FOR WAR-HAZARD LOSSES. (Authority to pay for War-Hazard Losses)

252.228-7001 GROUND AND FLIGHT RISK. (Authority to enforce equitable adjustments based on the terms of the clause)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 2

FAR and DFARS Bilateral Modification Authorities

252.228-7002 AIRCRAFT FLIGHT RISK. (Authority to enforce equitable adjustments based on the terms of the clause)

252.228-7003 CAPTURE AND DETENTION. (Authority to enforce equitable adjustments based on the terms of the clause)

52.229-3 FEDERAL, STATE, AND LOCAL TAXES. (Authority to increase/decrease contract price due to post-award tax law changes)

52.229-4 FEDERAL, STATE, AND LOCAL TAXES (STATE AND LOCAL ADJUSTMENTS). (Authority to increase/decrease contract price due to post-award tax law changes)

52.229-6 TAXES-FOREIGN FIXED-PRICE CONTRACTS. (Authority to increase/decrease contract price due to post-award tax law changes)

52.229-7 TAXES-FIXED-PRICE CONTRACTS WITH FOREIGN GOVERNMENTS. (Authority to increase/decrease contract price due to post award tax law changes)

52.230-2 COST ACCOUNTING STANDARDS. (Authority to change the price/cost based on changes to the contractor's CAS rules)

52.230-3 DISCLOSURE AND CONSISTENCY OF COST ACCOUNTING PRACTICES (Authority to change the price/cost based on changes to the contractor's CAS rules)

52.230-4 DISCLOSURE AND CONSISTENCY OF COST ACCOUNTING PRACTICES—FOREIGN CONCERNS. (Authority to adjust the contract price or cost allowance, if the Contractor or a subcontractor fails to comply with the applicable CAS rules)

52.230-5 COST ACCOUNTING STANDARDS-EDUCATIONAL INSTITUTION. (Authority to change the price/cost based on changes to the contractor's CAS rules)

52.230-6 ADMINISTRATION OF COST ACCOUNTING STANDARDS. (Authority to change the price/cost based on changes to the contractor's CAS rules)

52.232-7 PAYMENTS UNDER TIME-AND-MATERIAL AND LABOR-HOUR CONTRACTS. (Authority to change the ceiling price of contracts containing this clause (after other considerations and approvals))

52.232-20 LIMITATION OF COST. (Authority to adjust the contract price due to cost-overruns)

252.232-7007 LIMITATION OF GOVERNMENT'S OBLIGATION. (Authority to add/adjust incremental funding and adjust the funding schedule)

52.233-1 DISPUTES. (Authority used most often when settling a claim)

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 2

FAR and DFARS Bilateral Modification Authorities

52.234-1 INDUSTRIAL RESOURCES DEVELOPED UNDER DEFENSE PRODUCTION ACT TITLE III. (Authority to direct testing and equitably adjust the contract price)

52.235-7000 INDEMNIFICATION UNDER 10 U.S.C. 2354—FIXED PRICE. (Authority to pay separately and aside from the contract price, for claims or losses applicable to this clause)

52.235-7001 INDEMNIFICATION UNDER 10 U.S.C. 2354—COST REIMBURSEMENT. (Authority to pay separately and aside from the contract price, for claims or losses applicable to this clause)

52.236-1 PERFORMANCE OF WORK BY THE CONTRACTOR. (Authority to revise the percent of work the contractor must perform under the contract)

52.236-2 DIFFERING SITE CONDITIONS. (Authority for making equitable adjustments due to differing site conditions meeting the definition under the clause)

52.236-22 DESIGN WITHIN FUNDING LIMITATIONS. (Authority for the Contracting Officer to adjust the scope or materials as required to reduce the estimated construction cost to an amount meeting the funding limitation)

52.237-3 CONTINUITY OF SERVICES. (Authority used on mods to extend the contract and equitably adjust the contract price to allow phase-in and/or phase-out)

52.237-7004 AREA OF PERFORMANCE. (Authority to pay the contractor for performing work outside the area of performance)

52.237-7014 LOSS OR DAMAGE (COUNT-OF-ARTICLES). (Authority to mutually determine and pay/receive monies for property in accordance with this clause)

52.237-7023 CONTINUATION OF ESSENTIAL CONTRACTOR SERVICES. (Authority to provide and equitable adjustment for essential services operation)

52.239-7002 ACCESS. (Authority to reimburse the contractor for loss or damage to the equipment due to the fault or negligence of the US Government)

52.239-7005 RATES, CHARGES, AND SERVICES. (Authority the equitably adjust the contract price based on defers or changes in orders)

52.239-7008 REUSE ARRANGEMENTS. (Authority to equitably adjust the contract price for the relocating of facilities or equipment in lieu of cancel or termination of services)

52.239-70011 SPECIAL CONSTRUCTION AND EQUIPMENT CHARGES. (Authority to reimburse the contractor for replacement costs at mutually acceptable rates)

52.241-7 CHANGE IN RATES OR TERMS AND CONDITIONS OF SERVICE FOR

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.

Attachment 2

FAR and DFARS Bilateral Modification Authorities

REGULATED SERVICES. (Authority to equitably adjust the contract price due to changes in rates for services covered by this clause)

52.241-8 CHANGE IN RATES OR TERMS AND CONDITIONS OF SERVICE FOR UNREGULATED SERVICES. (Authority to equitably adjust the contract price due to changes in rates for services covered by this clause)

52.242-17 GOVERNMENT DELAY OF WORK. (Authority used for mods extending the period of performance and/or contract price due to delays caused by the government)

52.243-XX CHANGES... [Various Changes clauses, including alternates thereto) (used unilaterally or bilaterally as Authority to make changes within the terms of the clauses)

52.246-XX WARRANTY OF "X". (Authority to equitably reduce the contract price for defective supplies, services, etc., charge the contractor for the price of obtaining the item or services through another source)

252.246-7001 WARRANTY OF DATA. (Authority to enact certain remedies unilaterally or bilaterally based on errors in technical data)

252.247-7001 PRICE ADJUSTMENT. (Authority to negotiate and adjustment in the prices for the conditions stated within the clause)

252.247-7002 REVISION OF PRICES. (Authority to modify the contract to revise the prices for the conditions stated within the clause)

52.248-X VALUE ENGINEERING-"X". (Authority for accepting a VECP and negotiating an equitable adjustment)

52.249-XX TERMINATION...-"X". (Authority for terminating contracts for convenience)

52.249-XX DEFAULT -"X". (Authority for terminating contracts for failure to comply; also Authority to allow performance to continue at an equitable adjustment to the price, etc. Mod may be unilateral or bilateral, depending on the purpose/circumstances)

52.249-14 EXCUSABLE DELAYS. (Authority to extend the period of performance for reasons beyond the contractor's control)

52.250-5 SAFETY ACT-EQUITABLE ADJUSTMENT. (Authority to make equitable adjustments resulting from the Safety Act)

IF nothing above better supports the reason for the contract change, including Agency supplement or locally developed clauses within your contract, then as a last resort use: *"MUTUAL AGREEMENT OF THE CONTRACTING PARTIES"*

Note: This is not an exhaustive list of all clauses in the FAR or DFARS that can be used. Users should consult the latest FAR/DFARS for a current and complete list. Additionally, to use as a modification authority, the clause must be in your contract/order.