52.236-11 Use and Possession Prior to Completion.

As prescribed in 36.511 , insert the following clause:

Use and Possession Prior to Completion (Apr 1984)

(a) The Government *shall* have the right to take possession of or use any completed or partially completed part of the work. Before taking possession of or using any work, the *Contracting Officer shall* furnish the Contractor a list of items of work remaining to be performed or corrected on those portions of the work that the Government intends to take possession of or use. However, failure of the *Contracting Officer* to list any item of work *shall* not relieve the Contractor of responsibility for complying with the terms of the contract. The Government’s possession or use *shall* not be deemed an acceptance of any work under the contract.

(b) While the Government has such possession or use, the Contractor *shall* be relieved of the responsibility for the loss of or damage to the work resulting from the Government’s possession or use, notwithstanding the terms of the clause in this contract entitled "Permits and Responsibilities." If prior possession or use by the Government delays the progress of the work or causes additional expense to the Contractor, an equitable adjustment *shall* be made in the contract price or the time of completion, and the contract *shall* be modified *in writing* accordingly.

(End of clause)

Parent topic: 52.236 [Reserved]