52.214-28 Subcontractor Certified Cost or Pricing Data-Modifications-Sealed Bidding.

As prescribed in 14.201-7(c)(1)(i), insert the following clause in *solicitations* and contracts:

Subcontractor *Certified Cost or Pricing Data*-Modifications-Sealed Bidding (Jun 2020)

(a) The requirements of paragraphs (b) and (c) of this clause *shall*-

(1) Become operative only for any modification to this contract involving aggregate increases and/or decreases in costs, plus applicable profits, expected to exceed the threshold for submission of *certified cost or pricing data* in Federal *Acquisition* Regulation (FAR) 15.403-4(a)(1) on the date of execution of the modification; and

(2) Be limited to such modifications.

(b) Before awarding any subcontract expected to exceed the threshold for submission of *certified cost or pricing data* in FAR 15.403-4(a)(1), on the date of agreement on price or the date of award, whichever is later, or before *pricing* any subcontract modifications involving aggregate increases and/or decreases in costs, plus applicable profits, expected to exceed the threshold for submission of *certified cost or pricing data* in FAR 15.403-4(a)(1), the Contractor *shall* require the subcontractor to submit *certified cost or pricing data* (actually or by specific identification *in writing*), as part of the subcontractor's proposal in accordance with FAR 15.408, Table 15-2 (to include any information reasonably required to explain the subcontractor's estimating process such as the judgmental factors applied and the mathematical or other methods used in the estimate, including those used in projecting from known data, and the nature and amount of any contingencies included in the price), unless an exception under FAR 15.403-1(b) applies. If the threshold for submission of *certified cost or pricing data* specified in FAR 15.403-4(a)(1) is adjusted for inflation as set forth in FAR 1.109(a), then pursuant to FAR 1.109(d) the changed threshold applies throughout the remaining term of the contract, unless there is a subsequent threshold adjustment.

(c) The Contractor *shall* require the subcontractor to certify in substantially the form prescribed in FAR subsection 15.406-2 that, to the best of its knowledge and belief, the data submitted under paragraph (b) of this clause were accurate, complete, and current as of the date of agreement on the negotiated price of the subcontract or subcontract modification.

(d) The Contractor *shall* insert the substance of this clause, including this paragraph (d), in each subcontract that, when entered into, exceeds the threshold for submission of *certified cost or pricing data* in FAR 15.403-4(a)(1).

(End of clause)

Alternate I (Oct 2025). As prescribed in 14.201-7(c)(1)(ii), substitute the following paragraph (b) in place of paragraph (b) of the basic clause:

(b) Unless an exception under FAR 15.403-1(b) applies, the Contractor *shall* require the subcontractor to submit *certified cost or pricing data* (actually or by specific identification *in writing*), as part of the subcontractor's proposal in accordance with FAR 15.408, Table 15-2 (to include any information reasonably required to explain the subcontractor's estimating process such

as the judgmental factors applied and the mathematical or other methods used in the estimate, including those used in projecting from known data, and the nature and amount of any contingencies included in the price)—

(1) Before modifying any subcontract that was awarded prior to July 1, 2018, involving a *pricing* adjustment expected to exceed $950,000; or

(2) Before awarding any subcontract expected to exceed $2.5 million on or after July 1, 2018, or modifying any subcontract that was awarded on or after July 1, 2018, involving a *pricing* adjustment expected to exceed $2.5 million.

Parent topic: 52.214 [Reserved]