52.215-20 Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data.

As prescribed in 15.408(l), insert the following provision:

Requirements for *Certified Cost or Pricing Data* and *Data Other Than Certified Cost or Pricing Data* (Nov 2021)

(a) Exceptions from *certified cost or pricing data*.

(1) In lieu of submitting *certified cost or pricing data*, *offerors may* submit a written request for exception by submitting the information described in the following paragraphs.The *Contracting Officer may* require additional supporting information, but only to the extent necessary to determine whether an exception *should* be granted, and whether the price is fair and reasonable.

(i) *Identification of the law or regulation establishing the price offered*. If the price is controlled under law by periodic rulings, reviews, or similar actions of a governmental body, attach a copy of the controlling document, unless it was previously submitted to the *contracting office*.

(ii) *Commercial product and commercial service exception*. For a *commercial product* and *commercial service* exception, the *offeror shall* submit, at a minimum, information on prices at which the same item or similar items have previously been sold in the commercial market that is adequate for evaluating the reasonableness of the price for this *acquisition*. Such information *may* include-

(A) For catalog items, a copy of or identification of the catalog and its date, or the appropriate pages for the offered items, or a statement that the catalog is on file in the buying office to which the proposal is being submitted. Provide a copy or describe current discount policies and price lists (published or unpublished), *e.g.,* wholesale, original equipment manufacturer, or reseller. Also explain the basis of each offered price and its relationship to the established catalog price, including how the proposed price relates to the price of recent sales in quantities similar to the proposed quantities;

(B) For market-priced items, the source and date or period of the market quotation or other basis for market price, the base amount, and applicable discounts. In addition, describe the nature of the market;

(C) For items included on an active Federal Supply Service Multiple Award Schedule contract, proof that an exception has been granted for the schedule item.

(2) The *offeror* grants the *Contracting Officer* or an authorized representative the right to examine, at any time before award, books, records, documents, or other directly pertinent records to verify any request for an exception under this provision, and the reasonableness of price. For items priced using catalog or market prices, or law or regulation, access does not extend to cost or profit information or other data relevant solely to the *offeror*'s determination of the prices to be offered in the catalog or marketplace.

(b) *Requirements for certified cost or pricing data*. If the *offeror* is not granted an exception from the

requirement to submit *certified cost or pricing data*, the following applies:

(1) The *offeror shall* prepare and submit *certified cost or pricing data*, *data other than certified cost or pricing data*, and supporting attachments in accordance with the instructions contained in 15.408 Solicitation provisions and contract clauses. of FAR 15.408, which is incorporated by reference with the same force and effect as though it were inserted here in full text. The instructions in 15.408 Solicitation provisions and contract clauses. are incorporated as a mandatory format to be used in this contract, unless the *Contracting Officer* and the Contractor agree to a different format and change this clause to use *Alternate* I.

(2) As soon as practicable after agreement on price, but before contract award (except for unpriced actions such as letter contracts), the *offeror shall* submit a Certificate of Current *Cost or Pricing Data*, as prescribed by FAR 15.406-2.

(End of Provision)

Alternate I (Oct 2010). As prescribed in 15.408 (l) (and see 15.403-5(b)(1)), substitute the following paragraph (b)(1) for paragraph (b)(1) of the basic provision:

(b)(1) The *offeror shall* submit *certified cost or pricing data*, *data other than certified cost or pricing data*, and supporting attachments in the following format: *[Insert description of the data and format that are required, and include access to records necessary to permit an adequate evaluation of the proposed price in accordance with 15.408, 15.408 Solicitation provisions and contract clauses., Note 2. The description may be inserted at the time of issuing the solicitation, or the Contracting Officer may specify that the offeror's format will be acceptable, or the description may be inserted as the result of negotiations.]*

Alternate II (Oct 1997). As prescribed in 15.408 (l), add the following paragraph (c) to the basic provision:

(c) When the proposal is submitted, also submit one copy each to: (1) the Administrative *Contracting Officer*, and (2) the Contract Auditor.

Alternate III (Oct 1997). As prescribed in 15.408 (l), add the following paragraph (c) to the basic provision (if *Alternate* II is also used, redesignate the following paragraph as paragraph (d)).

(c) Submit the cost portion of the proposal via the following electronic media: _____ *[Insert media format, e.g.,electronic spreadsheet format, electronic mail, etc.]*

Alternate IV (Oct 2010). As prescribed in 15.408 (l), replace the text of the basic provision with the following:

(a) Submission of *certified cost or pricing data* is not required.

(b) Provide data described below: _____ *[Insert description of the data and the format that are required, including the access to records necessary to permit an adequate evaluation of the proposed price in accordance with 15.403-3 .]*

Parent topic: 52.215 [Reserved]