

15.402 Pricing policy.

Contracting officers shall-

(a) Purchase *supplies* and services from responsible sources at fair and reasonable *prices*. In establishing the reasonableness of the offered *prices*, the *contracting officer-*

(1) *Shall* obtain *certified cost or pricing data* when required by 15.403-4, along with *data other than certified cost or pricing data* as necessary to establish a fair and reasonable *price*; or

(2) When *certified cost or pricing data* are not required by 15.403-4, *shall* obtain *data other than certified cost or pricing data* as necessary to establish a fair and reasonable *price*, generally using the following order of preference in determining the type of data required:

(i) No additional data from the *offeror*, if the *price* is based on adequate *price* competition, except as provided by 15.403-3(b).

(ii) *Data other than certified cost or pricing data* such as-

(A) Data related to *prices* (*e.g.*, established catalog or market *prices*, sales to non-governmental and governmental entities), relying first on data available within the Government; second, on data obtained from sources other than the *offeror*; and, if necessary, on data obtained from the *offeror*. When obtaining data from the *offeror* is necessary, unless an exception under 15.403-1(b)(1) or (2) applies, such data submitted by the *offeror shall* include, at a minimum, appropriate data on the *prices* at which the same or similar items have been sold previously, adequate for evaluating the reasonableness of the *price*.

(B) Cost data to the extent necessary for the *contracting officer* to determine a fair and reasonable *price*.

(3) Obtain the type and quantity of data necessary to establish a fair and reasonable *price*, but not more data than is necessary. Requesting unnecessary data can lead to increased proposal preparation costs, generally extend *acquisition* lead time, and consume additional contractor and Government resources. Use techniques such as, but not limited to, *price* analysis, cost analysis, and/or *cost realism* analysis to establish a fair and reasonable *price*. If a fair and reasonable *price* cannot be established by the *contracting officer* from the analyses of the data obtained or submitted to date, the *contracting officer shall* require the submission of additional data sufficient for the *contracting officer* to support the determination of the fair and reasonable *price*.

(b) *Price* each contract separately and independently and not-

(1) Use proposed *price* reductions under other contracts as an evaluation factor; or

(2) Consider losses or profits realized or anticipated under other contracts.

(c) Not include in a contract *price* any amount for a specified contingency to the extent that the contract provides for a *price* adjustment based upon the occurrence of that contingency.

Parent topic: Subpart 15.4 - Contract Pricing