

36.608 Liability for Government costs resulting from design errors or deficiencies.

Architect-engineer contractors *shall* be responsible for the professional quality, technical accuracy, and coordination of all services required under their contracts. A firm *may* be liable for Government costs resulting from errors or deficiencies in designs furnished under its contract. Therefore, when a modification to a *construction* contract is required because of an error or deficiency in the services provided under an architect-engineer contract, the *contracting officer* (with the advice of technical personnel and legal counsel) *shall* consider the extent to which the architect-engineer contractor *may* be reasonably liable. The *contracting officer shall* enforce the liability and issue a demand for payment of the amount due, if the recoverable cost will exceed the administrative cost involved or is otherwise in the Government's interest. The *contracting officer shall* include in the contract file a written statement of the reasons for the decision to recover or not to recover the costs from the firm.

Parent topic: [Subpart 36.6 - Architect-Engineer Services](#)