

**PADDS REGULATION REFERENCE TEXT
SEQUENCE: REGREF CLAUSE TEXT**

PCN: P10C9154R
PRINT DATE: 10/15/2004
PAGE: 1

**REGULATION
CODE:** HS6040

**REGULATION
REFERENCE:** 52.243-4002

DATE: 10/01/1996

TITLE: SUBSTITUTING COMMERCIAL TEST DATA FOR REQUIRED CONTRACT TESTS (USAAMCOM)

TEXT

(a) GENERAL: At the contractor's request, the Government may delete all or some of the Government or contractor conducted tests required by this contract, under the following conditions:

(1) The contractor (or its supplier), have previously supplied the identical item to use and the Government accepted it; or

(2) The contractor has commercial test reports, performance data, analytical data, or vendor reports demonstrating that the item meets the contract requirements.

(b) How to submit a test deletion request:

(1) Before contract award - submit the offeror's request along with the offeror's bid or proposal. Make sure that the bid or proposal includes an alternate price (that reflects how the offeror's bid or proposal price would change if the Government approved the request).

(2) After contract award - send the contractor's request to -1- at least -2- days before the contractor is scheduled to make delivery of the affected end item.

(3) All requests must (i) identify the test(s) the contractor wants deleted, (ii) state the basis for the contractor request, (iii) include the certificate of compliance, (iv) include a list of configuration changes made subsequent to completing the test(s) in question, and (v) demonstrate that the contractor meets the conditions in paragraph (a)(1) or (a)(2) above.

(c) Supporting data: If the Government agrees to delete a test or tests, the contractor must keep the data the contractor used to support the contractor request. The contractor must provide the Government with this data if the Government asks for it.

(d) Contract adjustment: If the Government agrees to delete a test or tests after contract award, the Government may negotiate an equitable adjustment in the contract price.

(End of clause)