

**PADDS REGULATION REFERENCE TEXT
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**REGULATION
CODE:** ES7021

**REGULATION
REFERENCE:** 52.209-4704

DATE: 06/01/1997

TITLE: DUPLICATE FIRST ARTICLES (USAAMCOM)

TEXT

a. The Government reserves the right to delete, within sixty (60) days from contract award and without cost to the Government, the contractual requirement for the first article(s) identified in the schedule from a contractor who has received a previous contract with a first article requirement for the same or similar item, provided that the contractor receiving the previous award has received approval and acceptance of the first article(s) from the Government.

In the event the Government elects to delete the first article(s) as herein permitted, the contract price shall be the price bid for production units without the first article and the delivery schedule shall be as set forth in the contract for delivery of units without the first article(s), extended on a day-to-day basis, from the date of award until notification of first article deletion is made.

b. To eliminate unnecessary additional costs, the contractor receiving an award which includes the requirement for an additional first article as discussed above, shall not incur any cost in connection with satisfaction of the requirement for the first article. Instead, he shall immediately notify the contracting officer and await written instructions to either delete the additional first article requirement or to proceed with manufacture of the additional first article(s).

(End of clause)