

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

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**REGULATION
CODE:** HS7040

**REGULATION
REFERENCE:** 52.239-4701

DATE: 11/01/1998

TITLE: YEAR 2000 WARRANTY - NON-COMMERCIAL SUPPLY ITEMS (USAAMCOM)

TEXT

The contractor warrants that each non-commercial item of hardware, software, and firmware product delivered or developed under this contract shall be able to accurately process date/time data (including, but not limited to, calculating, comparing, and sequencing) from, into, and between the twentieth and twenty-first centuries, including leap year calculations, when used in accordance with the product documentation provided by the contractor, to the extent that all delivered or developed products (e.g. hardware, software, firmware) used in combination with such delivered or developed products properly exchanges date/time data with it. If the contract requires that specific delivered or developed products must perform as a system in accordance with the foregoing warranty, then that warranty shall apply to those delivered or developed items as a system. The duration of this warranty and the remedies available to the Government for breach of this warranty shall be defined in, and subject to, the terms and limitations of the contractor's warranty or warranties contained in this contract, provided that notwithstanding any provision to the contrary, in such commercial warranty or warranties, the remedies available to the Government under this warranty shall include repair or replacement of any delivered item whose non-compliance is discovered and made known to the contractor in writing within ninety (90) days after 29 February 2000 or 90 days after acceptance, whichever occurs last. Nothing in this warranty shall be construed to limit any rights or remedies the Government may otherwise have under this contract with respect to defects other than Year 2000 performance.

(End of clause)