

FIXED PRICE FORM OF CONTRACT. [However, preference shall be given in the order indicated to the following types of contracts: first, fixed-price; second, fixed-price incentive; third, cost-plus incentive fee; and fourth, cost-plus fixed fee or cost-reimbursement.]

[13-704.] 11-127. DETERMINATIONS AS TO CONTRACTOR'S ACCOUNTING SYSTEM.

[Except for a firm fixed-price contract, no contract type may] A CONTRACT TYPE IN WHICH REIMBURSEMENT IS BASED, IN WHOLE OR IN PART, ON THE CONTRACTOR'S COSTS MAY NOT be used unless the procurement officer determines that the contractor's accounting system will permit timely development of all necessary cost data in the form required by the specific type of contract contemplated and that the contractor's accounting system is adequate to allocate costs in accordance with generally accepted accounting principles.

11-128. REGULATIONS.

THE BOARD SHALL, BY REGULATION, ADOPT PRICE AND COST PRINCIPLES, BASED ON GENERALLY ACCEPTED ACCOUNTING PRINCIPLES, WHICH SHALL BE USED:

(1) AS GUIDELINES IN NEGOTIATING:

(I) ESTIMATED COSTS OR FIXED PRICES;

(II) PRICE ADJUSTMENTS FOR CONTRACT MODIFICATIONS AND CHANGE ORDERS; AND

(III) SETTLEMENTS OF TERMINATED CONTRACTS;

(2) TO ESTABLISH THE ALLOWABILITY OF COSTS UNDER CONTRACT PROVISIONS FOR THE REIMBURSEMENT OF COSTS; AND

(3) IN ANY OTHER SITUATION THAT REQUIRES THE ESTABLISHMENT OF THE ESTIMATED OR INCURRED COSTS OF PERFORMING A CONTRACT.

[13-705.] 11-129. MULTIYEAR CONTRACTS.

(a) [The Department may enter into multiyear contracts and shall, by regulation, provide for the review and approval of contracts for supplies or services which extend beyond the current fiscal year.] SUBJECT TO ANY STANDARDS ESTABLISHED BY THE BOARD AND PURSUANT TO REGULATIONS ADOPTED BY THE APPROPRIATE DEPARTMENT, A PROCUREMENT AGENCY MAY ENTER INTO A MULTIYEAR CONTRACT SUBJECT TO THE REVIEW AND APPROVAL OF THE APPROPRIATE DEPARTMENT. At each level of [the] review and approval [procedure] of A multiyear [contracts] CONTRACT, it shall be determined: