

Defined terms: "Board" § 11-101
 "Change order" § 13-201
 "Contract modification" § 13-201
 "Procurement contract" § 11-101

13-214. PRICING.

(A) IN GENERAL.

(1) SUBJECT TO § 13-215 OF THIS SUBTITLE AND SUBSECTION (B) OF THIS SECTION, A UNIT MAY ENTER INTO A PROCUREMENT CONTRACT BASED ON ANY METHOD OF PRICING THAT WILL PROMOTE THE BEST INTERESTS OF THE STATE.

(2) IF PRACTICABLE, A UNIT SHALL GIVE PREFERENCE TO A ~~PROCUREMENT--CONTRACT-BASED-ON-A-FIXED-PRICE-~~ FIXED-PRICE FORM OF PROCUREMENT CONTRACT.

(B) COST-PLUS-A-PERCENTAGE-OF-COST CONTRACT PROHIBITED.

(1) A UNIT MAY NOT ENTER INTO A COST-PLUS-A-PERCENTAGE-OF-COST PROCUREMENT CONTRACT.

(2) A CONTRACTOR ~~UNDER-A-PROCUREMENT-CONTRACT-BASED ON-ANY-FORM-OF WHO IS SUBJECT TO~~ A COST-REIMBURSEMENT CONTRACT MAY NOT ENTER INTO A ~~SUBCONTRACT----THAT----IS----A~~ COST-PLUS-A-PERCENTAGE-OF-COST CONTRACT SUBCONTRACT.

REVISOR'S NOTE: This section is new language derived without substantive change from former SF §§ 11-124 and 11-126.

In subsection (a)(1) of this section, the reference to a "procurement contract based on any method of pricing" is substituted for the former reference to "any type of contract", for clarity.

Defined terms: "Cost-reimbursement contract" § 13-201
 "Procurement contract" § 11-101 "Unit" § 11-101

13-215. COST-REIMBURSEMENT CONTRACTS.

(A) IN GENERAL.

A UNIT MAY NOT ENTER INTO A COST-REIMBURSEMENT CONTRACT UNLESS THE PROCUREMENT OFFICER DETERMINES THAT:

(1) A COST-REIMBURSEMENT CONTRACT IS LIKELY TO BE LESS COSTLY TO THE STATE THAN ANY OTHER TYPE OF CONTRACT; OR