

**SECTION 01255
PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA**

1.1 THE REQUIREMENT

- A. If the ENGINEER determines that any price, including profit or fee, negotiated in connection with any Change Order under this Contract, or any cost reimbursable under this Contract, was increased because:
1. the CONTRACTOR furnished cost or pricing data which was not accurate, complete, and current as certified in the CONTRACTOR'S Certificate of Current Cost or Pricing Data;
 2. a Subcontractor or prospective Subcontractor furnished cost or pricing data was submitted in support of a subcontract cost estimate furnished by the CONTRACTOR but which was not accurate, complete, and/or current as of the date certified in the CONTRACTOR'S Certificate of Current Cost or Pricing Data; or,
 3. the CONTRACTOR or a Subcontractor or prospective Subcontractor, at any tier, furnished any data not within subsection 1.1A(1) or 1.1A(2), above, which was not accurate as submitted;

then the price shall be reduced accordingly, and the Contract shall be modified in writing as may be necessary to reflect such reduction. However, any reduction in the Contract price due to defective subcontract data of a perspective Subcontractor, when the subcontract was not subsequently awarded to such Subcontractor, will be limited to the amount (plus applicable overhead and profit allowances) by which the actual subcontract or actual cost to the CONTRACTOR if there was no subcontract, was less than the prospective subcontract cost estimate submitted by the CONTRACTOR; provided that the actual subcontract price was not affected by defective cost or pricing data.

- B. The following certification from the CONTRACTOR is required to be provided on all Change Order quotations or requests for equitable adjustment in excess of ten-thousand dollars (\$10,000).

CERTIFICATION OF CURRENT COST
AND PRICING DATA

This is to certify that, to the best of my knowledge and belief, cost or pricing data submitted in writing, or specifically identified in writing if actual submission of the data is impracticable, to the CITY in support of **[CONTRACTOR is to insert appropriate identification such as Change Order quotation, proposal quotation, price adjustment, etc.]** are accurate, complete, and current as of **[CONTRACTOR to insert date]**.

CONTRACT NO.: _____
PROPOSED CHANGE ORDER NO.: _____
FIRM: _____
NAME: _____
TITLE: _____
DATE: _____
SIGNATURE: _____