

# PART 916—TYPES OF CONTRACTS

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Authority: 42 U.S.C. 7101 and 50 U.S.C. 2401

Source: 49 FR 11972, Mar. 28, 1984, unless otherwise noted.

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**Parent topic:** [SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES](#)

## **916.000 Scope.**

This part implements and supplements FAR Part 16 for Department of Energy (DOE) and National Nuclear Security Administration (NNSA) acquisitions All FAR references in this

part are to be read as implemented through the DOE and NNSA class deviations that implemented the Revolutionary FAR Overhaul at DOE and NNSA.

## **Subpart 916.2—Fixed-Price Contracts**

### **916.203 Fixed-price contracts with economic price adjustments.**

#### **916.203-4 Contract clauses.**

(d)(2) The Head of the Contracting Activity (HCA), or designee, may approve the use of an economic price adjustment clause for contracts estimated to be within the limits of their delegated authority, when appropriate, in accordance with FAR 16.203-4(d)(2).

## **Subpart 916.3—Cost-Reimbursement Contracts**

### **916.306 Cost-plus-fixed-fee contracts.**

(c)(2) The HCA, or designee, may approve the determination and findings establishing the basis for application of the statutory price or fee limitations for contracts estimated to be within their delegated authority.

#### **916.307 Contract clauses.**

When using the clause at FAR 52.216-7, Allowable Cost and Payment, supplement the clause with 952.216-7, Allowable Cost and Payment.

## **Subpart 916.4 [Reserved]**

### **916.405 [Reserved]**

#### **916.405-2 [Reserved]**

## **Subpart 916.5—Indefinite-Delivery Contracts**

### **916.504 [Reserved]**

#### **916.505 Ordering.**

(b)(8)(i) The Director, Office of Contract Management within the Office of Acquisition Management, is designated as the DOE Ombudsman for task and delivery order contracts in accordance with FAR 16.507-2(b).

(ii) HCAs must designate a senior manager to serve as the Contracting Activity Ombudsman for task and delivery order contracts. If, for any reason, the Contracting Activity Ombudsman is unable to execute the duties of the position, the HCA must designate an Acting Contracting Activity Ombudsman.

(iii) The Contracting Activity Ombudsman is responsible for resolving complaints for the contracting activity for which they have cognizance. If the Contracting Activity Ombudsman determines that corrective action should be taken, the Contracting Activity Ombudsman will notify the responsible contracting officer. If the issue still cannot be resolved, it should be forwarded to the DOE Ombudsman.

## **Subpart 916.6—[Reserved]**

# PART 952—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

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Authority: 42 U.S.C. 2201; 2282a; 2282b; 2282c; 42 U.S.C. 7101 50 U.S.C. 2401

Source: 49 FR 12042, Mar. 28, 1984, unless otherwise noted.

[Subpart 952.2—Text of Provisions and Clauses](#)

[952.216](#) [Reserved]

[952.216-7 Allowable cost and payment.](#)

## **952.216 [Reserved]**

### **952.216-7 Allowable cost and payment. (DEVIATION APR 2026)**

As prescribed in 916.307, when contracting with a commercial organization, modify paragraph (a) of the clause at FAR 52.216-7 by adding the phrase “as supplemented by subpart [931.2](#) of the Department of Energy Acquisition Regulations (DEAR),” after FAR subpart 31.2.