Index

ABSENCE

Compensated personal absence, accounting for costs, **69:1**, **69:2**

ACCELERATION

Constructive acceleration, 87:10

ACCOUNTING

Contractor accounting system, oversight reviews, **86:6**

Cost Accounting, this index

ACQUISITION OF BUSINESS

Compensation for personal services, special rules, **13:15**

ACQUISITION REFORM

Generally, 2:12 et seq.

Clinger-Cohen Act, 2:15

Cost accounting standards board review panel, 2:16

FAR Part 31, streamlining, 2:17

Federal Acquisition Streamlining Act of 1994, **2:14**

Second thoughts, 2:18

Section 800 panel, 2:13

Simplified acquisition procedures, 5:5

ACTUARIAL GAINS AND LOSSES

Pensions, this index

ADJUSTMENTS TO CONTRACTS

Changes and Adjustments to Contracts, this index

Cost Accounting, this index

ADMINISTRATION OF CONTRACTS

Generally, 86:1 et seq.

Audits, above

Cognizant federal agency, 86:3

Defense contract management agency, 86:2

Disallowance of costs, 86:17

Indirect cost rates. Direct and Indirect Costs, this index

Oversight Reviews, this index

ADVANCE AGREEMENTS

Commercial organizations, contacts with, 7:13

Precontract costs, advance agreements and meaning of "at risk," **39:5**

ADVANCE PAYMENTS

Non-commercial item financing, 85:15

ADVERTISING COSTS

Overview, 8:1

ALCOHOLIC BEVERAGE COSTS

Overview. 58:1

ANALYTICAL FRAMEWORK

Generally, 3:1 et seq.

Contract terms, 3:6

Regulations

generally, 3:3

rulemaking procedures, 3:5

statutory authority, 3:4

Statutes, 3:2

ANTI-DEFICIENCY ACT

Funding and Financing, this index

ANTI-KICKBACK ACT

Generally, 91:22 to 91:24

Case law interpretation, 91:24

Legislative history, 91:23

APPEALS

Boards of contract appeals, 89:20

Cost accounting standards, contractor appeals, **60:27**

Federal court proceedings, this index

APPROPRIATIONS

Non-appropriated funds doctrine, 90:7

ARMED SERVICES PROCUREMENT REGULATION

Cost principles, 2:2

ASSETS

Capital assets under construction, cost of money as element of cost, 78:1, 78:2

Tangible Assets, this index

Valuations. Business Combinations, this index

ASSIGNMENT OF CLAIMS

Generally, 85:18

ATTORNEY'S FEES

Contract Disputes Act, recovery of fees, **89:19**

AUDITS

Generally, 2:11, 86:9 et seq.

Civilian agency inspectors general, 86:10

Cost accounting standards, audit rights, **60:19**

Defense contract audit agency, 86:10

GAO, 86:11

Granting clauses, audit access, 86:9

Historical background, 2:11

Obstruction of federal audit, 91:3

Suspected procurement fraud, investigating, **86:12**

AWARD FEE CONTRACTS

Generally, 4:7

BACKPAY

Personal services, 13:9

BAD DEBTS

Overview, 10:1

BIDS AND BIDDING

Bid and proposal costs. Research and Development, this index Sealed bidding, **5:2**

BOARDS OF CONTRACT APPEALS

Contract Disputes Act, **89:20** Federal Circuit review, **90:9**

BONDING COSTS

Generally, 11:1

BONUSES

Personal services, 13:7

BREACH OF CONTRACT

Damages, 87:31

BREACH OF IMPLIED DUTIES AND WARRANTIES

Constructive changes, 87:5 to 87:7

BRIBERY

Remedies for corruption, 91:13

BUSINESS COMBINATIONS

Assets acquired in business combination, determining cost of acquisition, **65:8**

Asset valuations resulting from

generally, 59:1

CAS-FAR conflict

generally, **59:3**

apparent conflict, creating and resolving, **59:5**, **59:6**

asset revaluation, existing impediments, **59:4**

BUSINESS COMBINATIONS—Cont'd

Asset valuations resulting from—Cont'd operation of cost principle, **59:2**

Depreciation, assets acquired in business combination, **18:6**

Gains or losses resulting from business combinations, treatment of, **65:8**

BUSINESS EXPENSES

Other business expenses, 35:1

BUSINESS UNIT GENERAL AND ADMINISTRATIVE EXPENSES

Cost Accounting, this index

CAPITAL ASSETS UNDER CONSTRUCTION

Cost of money as element of cost, **78:1**, **78:2**

CAPITALIZATION OF TANGIBLE ASSETS

Tangible Assets, this index

CAS-FAR CONFLICTS

Generally, **61:1**

Asset valuations resulting from business combinations, **59:3**

CERTIFICATES

Current cost or pricing data, 84:12 Independent price determination, 91:28 Indirect costs and penalties for expressly unallowable indirect costs, 86:16

CHANGES AND ADJUSTMENTS TO CONTRACTS

Generally, 87:2 et seq.

Acceleration, constructive, 87:10

Assertion requirements, 87:11

Change orders, 87:3

Constructive changes

generally, 87:4

acceleration, constructive, 87:10

economic waste, 87:9

implied duty to cooperate and not hinder performance, breach, **87:6**

other implied warranties, breach, 87:7

specifications, breach of implied warranty, **87:5**

superior knowledge, 87:8

Cost Accounting, this index

Damages for breach of contract, 87:31

Economic waste, constructive changes, **87:9**

CHANGES AND ADJUSTMENTS TO CONTRACTS—Cont'd	COMMERCIAL ORGANIZATIONS —Cont'd
Equitable adjustments	Contracts with, general cost principles
generally, 87:19 et seq.	—Cont'd
basic principles, 87:19	allowability—Cont'd
cumulative impact, 87:20	allocability, 7:7
damages for breach of contract, 87:31	FAR Subpart 31.2 limitations, 7:10
indirect costs, below	reasonableness, 7:6
pricing methods, below	terms of contract, 7:9
profit, 87:25	CAS or GAAP, 7:8
release of claims, 87:32	composition of total cost
Implied duty to cooperate and not hinder	generally, 7:1
performance, breach, 87:6	consistency in distinguishing between
Implied warranties, breach, 87:5, 87:7	direct and indirect costs, 7:4
Indirect costs	direct costs, 7:2 , 7:4
generally, 87:21	indirect cost, 7:3 , 7:4
extended overhead, 87:23	credits, 7:11
job site overhead, 87:24	direct costs, 7:2, 7:4
unabsorbed overhead, 87:22	FAR Subpart 31.2 limitations, 7:10
Modifications, 87:1	indirect cost, 7:3, 7:4
Notice requirements, 87:11	pass-through charges, limitations, 7:14
Pricing methods	reasonableness, 7:6
generally, 87:26	terms of contract, 7:9
discrete cost method, 87:29	unallowable costs, 7:12
jury verdict, 87:30	COMPENSATION
modified total cost method, 87:28	COMPENSATION
total cost method, 87:27	Deferred Compensation, this index
Profit, equitable adjustments, 87:25	Former officials, prohibition on acceptance
Release of claims, 87:32	of compensation from contractor, 91:19
Superior knowledge, constructive changes,	Personal Services, this index
87:8	
CLAIMS	CONFLICTS OF INTEREST
	Remedies for corruption, 91:27
Contract Disputes Act, this index	CONSPIRACY
False, fictitious or fraudulent claims statute, 91:4	Procurement fraud, 91:5
False Claims Act, 91:6	Frocurement Iraud, 91:5
raise Ciainis Act, 91:0	CONSTRUCTIVE CHANGES
CLINGER-COHEN ACT	Changes and Adjustments to Contracts, this
Acquisition reform, 2:15	index
COMMERCIAL ITEMS	CONSULTANTS
Acquisition, 5:4, 84:7	Professional and Consultant Service Costs,
Financing, 85:17	this index
2,	CONTINGENCIES
COMMERCIAL ORGANIZATIONS	
Applicability of cost principles by type of	Overview, 14:1
organization, 6:5	CONTINGENT FEES
CAS or GAAP, 7:8	Covenant against, 91:29
Contracts with, general cost principles	•
generally, 6:5 , 7:1 et seq.	CONTRACT ADJUSTMENTS
advance agreements, 7:13	Changes and Adjustments to Contracts, this
allowability	index
generally, 7:5	Cost Accounting, this index

disclosure statement thresholds, 60:6

exemptions, 60:3

waivers, **60:4** Audit rights, **60:19**

CONTRACT ADMINISTRATION CONTRIBUTIONS OR DONATIONS Administration of Contracts, this index Generally. 15:1 Audits, this index Case law interpretation, 15:2 Novation Agreements and Corporate CONVENIENCE Restructuring, this index Termination for convenience. Termination Oversight Reviews, this index of Contract, this index CONTRACT DISPUTES ACT COOPERATION Generally, 89:1 et seq. Implied duty to cooperate and not hinder Attorney's fees, recovery of, 89:19 performance, breach, 87:6 Boards of contract appeals, **89:20** CORPORATE RESTRUCTURING Certification of contractor claims, **89:8** Novation Agreements and Corporate Claims Restructuring, this index generally, **89:6** certification of contractor claims, 89:8 **CORPORATE SECURITIES** identification of contract under which Personal services, compensation for, 13:10 dispute arises, 89:9 **CORRUPTION** submission to contracting officer for final Anti-Kickback Act, 91:22 to 91:24 decision, 89:7 Bribery, 91:13 sum certain, not a prerequisite, 89:10 Conflict of interest statute, 91:27 Continuation of performance, 89:14 Economic Espionage Act, 91:25 Contracting officer Foreign Corrupt Practices Act, 91:26 final decision, 89:11 Gratuities, 91:13 submission of claim, 89:7 Payments to influence federal transactions, Coverage 91:13 generally, 89:2 Procurement Integrity Act, this index contracts, 89:3 **COST ACCOUNTING** parties, 89:4 Generally, 2:6 et seq., 60:1 et seq. Election doctrine, **89:12** Accumulating costs, consistency, 62:1, Federal Claims Court jurisdiction, 90:5 62:2 Fraudulent claims, 89:17 Acquisition costs of material, accounting Identification of contract under which for, 72:1, 72:2 dispute arises, 89:9 Adjustments to contracts Interest, **89:13** generally, 60:10 Judgments, payment of, 89:18 increased cost paid, determining, 60:14 Jurisdictional prerequisites, 89:5 et seq. noncompliant practices, 60:12 Parties covered, 89:4 offsets, 60:15 Performance, obligation to continue, 89:14 required and desirable changes, 60:11 Statute of limitations, 89:15 unilateral changes, 60:13 Subcontractors, actions by and against, Allocating costs incurred for same purpose, 89:16 consistency, 63:1, 63:2, 83:3 Sum certain Allocating direct and indirect costs, 79:1, prerequisite, 89:10 79:2 CONTRACT FUNDING AND Applicability, thresholds and waivers **FINANCING** generally, 60:2 Funding and Financing, this index applying thresholds, 60:7 CAS coverage thresholds, 60:5 CONTRACTOR OVERSIGHT REVIEW

Oversight Reviews, this index

Termination of Contract, this index

CONTRACT TERMINATION

COST ACCOUNTING—Cont'd	COST ACCOUNTING—Cont'd
Business unit general and administrative	Direct material and direct labor, use of
expenses, allocation to final cost	standard costs, 68:1 , 68:2
objectives	Disclosure
generally, 71:1	cost accounting practices, 60:9
fundamental requirements and	process for changing disclosed or
techniques for application, 71:2	established cost accounting prac-
total cost input base, WG 78-12 and DCAA's preference for, 71:3	tices, 60:24 thresholds, disclosure statement, 60:6
Capital assets under construction, cost of	Education and Educational Institutions, this
money as element of cost, 78:1, 78:2	index
CAS administration	Estimating costs, consistency, 62:1, 62:2
generally, 60:20	Exemptions, 60:3
cost impact, 60:23 , 60:26	Feasibility study, 2:7
disclosed or established cost accounting	Format of standards, 60:29
practices, process for changes,	Historical background, 2:6 et seq.
60:24	Home office expenses, allocation to seg-
noncompliance determination and pro-	ments, 64:1 , 64:2
cess, 60:22 , 60:25	Increased cost paid, determining, 60:14
responsibility, 60:21	Independent R&D and bid and proposal
CAS rules, regulations and requirements	costs, 81:1, 81:2
generally, 60:8	Insurance costs. Insurance and Indemnification, this index
adjustments to contracts, above	Material, accounting for acquisition costs,
audit rights, 60:19	72:1, 72:2
change in cost accounting practice,	Noncompliance
below	adjustments to contracts, noncompliant
disclosure of cost accounting practices, 60:9	practices, 60:12
	determination, 60:22
Change in cost accounting practice generally, 60:16	process, 60:25
definition, CAS board's aborted effort to	Offsets, 60:15
revise, 60:17	Pensions, this index
DOD's controversial guidance paper,	Personal absence, compensated, accounting
60:18	for costs, 69:1 , 69:2 Reporting costs, consistency, 62:1 , 62:2
Consistency	Resolving cost impacts, 60:26
allocating costs incurred for same	Standards board
purpose, 63:1 , 63:2 , 83:3	current board, 2:10
educational institutions, 83:2, 83:3	inter-board period, 2:9
estimating, accumulating and reporting	original board, 2:8
costs, 62:1 , 62:2	review panel, 2:16
Contract adjustments. Adjustments to	Subcontracts, 60:28
contracts, above	Tangible Assets, this index
Contractor appeals, 60:27	Unallowable costs, 66:1, 66:2
Cost accounting period, 67:1 , 67:2 , 83:5	Unilateral changes to contract, 60:13
Cost impact	Waivers, 60:4
process, 60:23	COCT OF MONEY
resolving cost impacts, 60:26	COST OF MONEY
Cost of Money, this index	Generally, 17:1
Coverage thresholds, 60:5	Facilities capital, cost of money as element
Deferred Compensation, this index	generally, 75:1
Direct and indirect costs, allocation, 79:1 ,	allocation base, 75:5
79:2	cost of money rate, 75:4

COST OF MONEY—Cont'd

Facilities capital, cost of money as element —Cont'd

fundamental requirements and techniques for applications, **75:2** investment basis, **75:3**

Operation of cost principle, 17:2

COST OF TERMINATION

Termination of Contract, this index

COST-PLUS-INCENTIVE-FEE CONTRACTS

Types of contracts, 4:6

COST PRINCIPLES

Generally, 2:1 et seq., 6:1 et seq.

Armed services procurement regulation, 2:2

Commercial organizations, 6:5

Cost of money, operation of cost principle, 17:2

Defense Procurement Improvement Act of 1985, 2:4

Determination, negotiation or allowance of costs, **6:4**

Early principles, 2:1

Educational institutions, 6:6

Federal acquisition regulation, 2:3

Indian tribal governments, state, local, and federally recognized, **6:7**

Nonprofit organizations, 6:8

Pricing of contracts, subcontracts and modifications, **6:3**

Type of contract, applicability by

generally, **6:2** determination, negotiation or allowance

of costs, **6:4**

pricing of contracts, subcontracts and modifications, **6:3**

Type of organization, applicability by commercial organizations, **6:5** educational institutions, **6:6** Indian tribal governments, state, local, and federally recognized, **6:7** nonprofit organizations, **6:8**

COST-REIMBURSEMENT CONTRACTS

Generally, 4:3

Termination of Contract, this index

COSTS, PRECONTRACT

Precontract Costs, this index

DAMAGES

Breach of contract, 87:31

DEBARMENT

Generally, 91:31

DEBTS

Bad debts, 10:1

Debt collection, 85:19

DEFAULT

Termination for default. Termination of Contract, this index

DEFENSE SPENDING

Armed services procurement regulation, 2:2

Defense contract audit agency, **86:10**Defense contract management agency, **86:2**

Defense Procurement Improvement Act of 1985, 2:4

DEFERRED COMPENSATION

Accounting for cost

generally, 76:1

employee stock ownership plans, accounting for cost, **76:3**

fundamental requirements and techniques for application, **76:2**

Personal services, 13:14

DELAYS

Generally, **87:18**

Government delay of work, 87:16

DEPRECIATION

Generally, 18:1

Affiliates under common control, assets acquired from, **18:4**

Business combination, assets acquired in, 18:6

Capital assets. Tangible Assets, this index

Capital leases, 18:8

CAS 409, 18:2

Determining depreciable cost, 18:3

Emergency facilities, 18:9

Fully depreciated assets, 18:5

Long-lived assets, impairment, 18:7

Tangible Assets, this index

DIRECT AND INDIRECT COSTS

Allocation, **79:1, 79:2**

Billing rates, establishment, 86:15

Certificate of indirect costs and penalties for expressly unallowable indirect costs, **86:16**

Commercial organizations, contracts with, 7:2 to 7:4

Index-6

DIRECT AND INDIRECT COSTS —Cont'd

Equitable adjustments to indirect costs, **87:21 to 87:24**

Final indirect cost rates, establishment, **86:14**

Indirect cost rates

generally, 86:13

billing rates, establishment, 86:15

certificate of indirect costs and penalties for expressly unallowable indirect costs, **86:16**

final indirect cost rates, establishment, **86:14**

Legal and other proceedings, costs related to. **54:9**

Overhead, equitable adjustments to indirect costs, 87:22 to 87:24

Standard costs, use for direct material and direct labor, **68:1**, **68:2**

Travel costs. 53:3

DISALLOWANCE OF COSTS

Generally, **86:17**

Unallowable Costs, this index

DISCOUNTS

Employee rebates and discounts, 13:17

DISPUTES

Contract Disputes Act, this index

DONATIONS

Generally, 15:1

Case law interpretation, 15:2

DORMITORIES

Employee morale, health, welfare, food service, and dormitory costs and credits, **20:1**, **20:2**

ECONOMIC ESPIONAGE ACT

Generally, **91:25**

ECONOMIC PLANNING COSTS

Generally, 19:1

Case law interpretation, 19:2

ECONOMIC WASTE

Constructive changes, 87:9

EDUCATION AND EDUCATIONAL INSTITUTIONS

Generally, 83:1 et seq.

Allocating costs incurred for same purpose, consistency, **83:3**

Cost accounting period, 83:5

Cost principles, 6:6

EDUCATION AND EDUCATIONAL INSTITUTIONS—Cont'd

Estimating, accumulating and reporting costs, consistency, **83:2**

Training and education costs, **51:1**, **51:2** Unallowable costs, accounting for, **83:4**

EMERGENCY FACILITIES

Depreciation, 18:9

EMPLOYEES

Labor relations costs, 28:1, 28:2

Morale, health, welfare, food service, and dormitory costs and credits, **20:1**, **20:2**

Personal Services, this index

Procurement Integrity Act, employment contracts, **91:18**

Recruitment costs, 41:1, 41:2

Relocation costs, 42:1, 42:2

Stock ownership plans

cost accounting, **76:3**

personal services, compensation for, 13:13

ENTERTAINMENT

Generally, 21:1

Case law interpretation, 21:2

EOUIPMENT

Special tooling and special test equipment, 47:1, 47:2

EQUITABLE ADJUSTMENTS

Changes and Adjustments to Contracts, this index

ESTIMATING COSTS

Consistency in estimating, accumulating and reporting, **62:1**, **62:2**, **83:2**

Contractor estimating system review, 86:8

FACILITIES CAPITAL

Cost of money as element. Cost of Money, this index

FALSE STATEMENTS AND CLAIMS

Procurement Fraud, this index

FEDERAL ACQUISITION STREAMLINING ACT OF 1994

Generally, 2:14

FEDERAL COURT PROCEEDINGS

Generally, 90:1 et seq.

CDA's advisory opinion provision, 90:11

Federal Circuit

generally, 90:8

establishment, 90:2

FEDERAL COURT PROCEEDINGS	FUNDING AND FINANCING—Cont'd
—Cont'd	Anti-Deficiency Act—Cont'd
Federal Circuit—Cont'd review of COFC and BCA decisions,	nature of obligation, 85:3
90:9	Assignment of claims, 85:18
stare decisis, role of, 90:10	Commercial item financing, 85:17
Federal Claims Court	Debt collection, 85:19
generally, 90:3	Financing payments
CDA cases, 90:5	generally, 85:11
establishment, 90:2	commercial item financing, 85:17
Federal Circuit, review by, 90:9	non-commercial item financing
jurisdiction	generally, 85:12
•	advance payments, 85:15
generally, 90:4	loan guarantees, 85:16
CDA cases, 90:5	performance-based payments, 85:14
non-CDA cases, 90:6	progress payments based on costs,
non-appropriated funds doctrine, 90:7	85:13
non-CDA cases, 90:5	Invoice payments
Non-contractual claims, District Court jurisdition over, 90:12	generally, 85:8
jurisdition over, 90:12	overpayment notification, 85:10
FINANCING	prompt payment, 85:9
Funding and Financing, this index	Limitation of cost, funds or government obligation clauses, 85:7
FINES	Loan guarantees, 85:16
Generally, 22:1 , 22:2	Non-appropriated funds doctrine, 90:7
FIXED-PRICE CONTRACTS	Overpayment notification, 85:10
Generally, 4:2	Performance-based payments, 85:14
Incentive contracts, 4:5	Progress payments based on costs, 85:13
Termination of Contract, this index	GAINS AND LOSSES
Termination of Contract, this mack	Actuarial gains and losses, accounting for,
FOOD SERVICE	74:5
Employee morale, health, welfare, food	Business combinations, treatment of gains
service, and dormitory costs and	or losses resulting from, 65:8
credits, 20:1 , 20:2	Depreciation of tangible assets, treatment
FOREIGN CORRUPT PRACTICES ACT	of gains and losses, 70:9
Generally, 91:26	Disposition or impairment of depreciable
•	property or other capital assets, 23:1,
FRAUD	23:2
Contract Disputes Act, fraudulent claims,	Other contracts, losses on, 30:1
89:17	GOODWILL
Procurement Fraud, this index	Generally, 56:1
FRINGE BENEFITS	GAAP and CAS, accounting under, 56:2
Personal services, 13:16	History of cost principle, 56:3
reisonal services, 13:10	* *
FUNDING AND FINANCING	GOVERNMENT ACCOUNTABILITY OFFICE
Generally, 85:1 et seq.	Contract audit, 86:11
Advance payments, 85:15	
Anti-Deficiency Act	GRATUITIES
generally, 85:1	Remedies for corruption, 91:13
available funds for obligation, 85:2	HEALTH AND WELFARE
consequences of violation, 85:4	Employee morale, health, welfare, food
implementation in FAR, 85:6	service, and dormitory costs and
indemnification provisions, 85:5	credits, 20:1 , 20:2

HISTORICAL BACKGROUND

Generally, 2:1 et seq.
Acquisition Reform, this index
Audit and oversight, 2:11
Cost Accounting Standards, this index
Cost Principles, this index
Truth in Negotiation Act, 2:5

HOME OFFICES

Allocation of expenses to segments, **64:1**, **64:2**

IDLE FACILITIES AND CAPACITY

Generally, 24:1

Case law interpretation and operation of cost principle generally, 24:2 idle capacity, 24:4 idle facilities, 24:3

IMPLIED WARRANTIES

Breach of implied warranties, 87:5, 87:7

INCENTIVE COMPENSATION

Personal services, 13:7

INCENTIVE CONTRACTS

Generally, 4:4

Cost-plus-incentive-fee contracts, **4:6** Fixed-price incentive contracts, **4:5**

INDEFINITE DELIVERY CONTRACTS

Generally, 4:8

Termination of contract, 88:9

INDEMNIFICATION

Insurance and Indemnification, this index

INDIAN TRIBAL GOVERNMENTS

State, local, and federally recognized, applicability of cost principles, **6:7**

INDIRECT COSTS

Direct and Indirect Costs, this index

INSPECTORS GENERAL

Civilian agencies, 86:10

INSURANCE AND INDEMNIFICATION

Generally, 26:1 et seq.

Accounting for insurance costs generally, 77:1 et seq. allocation of costs, 77:5 fundamental requirements and techniques for application, 77:2 measurement of costs generally, 77:2 purchased insurance, 77:3

INSURANCE AND INDEMNIFICATION —Cont'd

Accounting for insurance costs—Cont'd measurement of costs—Cont'd self-insurance, 77:4

Allocation of insurance costs, **26:2**, **77:5**Allowability and allocability of insurance costs, **26:2**

Anti-Deficiency Act, indemnification provisions, **85:5**

Case law interpretation

allowability and allocability of insurance costs, **26:2**

government contractor defense, **26:5** government indemnification, **26:4** recovery from government, insurance as potential limitation, **26:3**

Contractor oversight review, **86:7**Government contractor defense, **26:5**Government indemnification, **26:4**Oversight review, **86:7**

Purchased insurance, measurement of costs, **77:3**

Recovery from government, insurance as potential limitation, **26:3**Self-insurance, measurement of costs, **77:4**

INTEREST AND OTHER FINANCIAL COSTS

Generally, 27:1 Case law interpretation, 27:2 Contract Disputes Act, 89:13 Taxes, interest and penalties, 48:5

INTRODUCTION

Generally, 1:1

INVESTIGATIONS

Suspected procurement fraud, 86:12

INVOICE PAYMENTS

Funding and Financing, this index

JOB SITE

Differing site conditions, **87:17** Overhead, **87:24**

JUDGMENTS

Contract Disputes Act, payment of judgments, **89:18**

KICKBACKS

Anti-Kickback Act, 91:22 to 91:24

KNOWLEDGE

Superior knowledge, constructive changes, **87:8**

LABOR RELATIONS COSTS

Generally, 28:1

Case law interpretation, 28:2

Capital leases, depreciation, 18:8 Cost of acquisition, leased assets, 65:4 Organizations under common control, leases between, 43:3 Rental costs, 43:1 et seq. Sale and leaseback, 43:4 Termination costs, rental under unexpired

LEGAL AND OTHER PROCEEDINGS, COSTS RELATED TO

Generally, 54:1

Allowability and allocability

generally, 54:6

leases, 49:6

appeals, 54:10

benefit to government, allocability based on. 54:8

claims, 54:10

direct v. indirect costs, 54:9

reasonableness, 54:7

Appeals, 54:10

Benefit to government, allocability based on, **54:8**

Blacklisting regulation, 54:5

Claims, 54:10

Direct v. indirect costs, 54:9

Major Fraud Act of 1988, 54:2

Qui tam suits, 54:4

Reasonableness. 54:7

Unallowable proceedings, 54:3

LIMITATION OF ACTIONS

Contract Disputes Act, 89:15

LOAN GUARANTEES

Non-commercial item financing, 85:16

LOBBYING AND POLITICAL **ACTIVITY COSTS**

Generally, 29:1

Case law interpretation, 29:3

History of cost principle, 29:2

LOSSES

Gains and Losses, this index

MAIL FRAUD

Generally, 91:8

MAJOR FRAUD ACT

Generally, 91:9

Index-10

MAJOR FRAUD ACT—Cont'd

Legal and other proceedings, costs related to, 54:2

MANUFACTURING AND PRODUCTION **ENGINEERING COSTS**

Generally, 32:1

Case law interpretation, 32:2

MATERIAL COSTS

Generally, 33:1

Case law interpretation

interorganizational transfers, 33:2 inventory, material issued from, 33:4 purchase of materials specifically for contract, 33:3

MATERIAL MANAGEMENT

Contractor oversight reviews, 86:6

METHODS OF CONTRACTING

Generally, 5:1 et seq.

Commercial items, acquisition of, 5:4

Contracting by negotiation, 5:3

Micro-purchase threshold, actions at or below, **5:6**

Sealed bidding, 5:2

Simplified acquisition procedures, 5:5

MICRO-PURCHASE THRESHOLD

Actions at or below, 5:6

MISCHARGING COSTS

Generally, 22:1, 22:3

MODIFICATIONS TO CONTRACTS

Generally, 87:1

Changes and Adjustments to Contracts, this index

MONEY, COST OF

Cost of Money, this index

NEGOTIATIONS

Contracting by negotiation, 5:3 Truth in Negotiations Act, this index

NONPROFIT ORGANIZATIONS

Cost principles, **6:8**

NOTICE

Changes to contracts, 87:11

NOVATION AGREEMENTS AND CORPORATE RESTRUCTURING

Generally, 86:18, 86:19

Entering into agreement, risks, 86:21

Failing to obtain agreement, risks, 86:20

NOVATION AGREEMENTS AND CORPORATE RESTRUCTURING —Cont'd Recovery of restructuring costs, 86:22	PENALTIES Generally, 22:1, 22:2 Procurement Integrity Act, 91:21 PENSIONS
OFFSETS Adjustments to contracts, 60:15 Personal services, 13:4 Truth in Negotiations Act, defective certified cost or pricing data, 84:17	Adjustment and allocation of pension cost generally, 74:1 et seq. actuarial gains and losses, accounting for generally, 74:5 asset valuation, 74:6
ORDERS Change orders, 87:3 Stop-work order, 87:15	segments allocation of costs among, 74:7 closing adjustments, 74:8 surplus pension assets, government
ORGANIZATION COSTS Generally, 34:1 Case law interpretation, 34:3 History of cost principle, 34:2	claims generally, 74:2 chronology of regulatory changes, 74:4 original CAS 413, 74:3
OTHER BUSINESS EXPENSES Generally, 35:1	Composition and measurement of pension cost, cost accounting standard
OVERHEAD Extended, 87:23 Job site, 87:24 Unabsorbed, 87:22	generally, 73:1 et seq. defined benefit pension plans pay-as-you-go basis accounting, 73:4 plans other than those accounted for
OVERPAYMENTS Notification, 85:10	on pay-as-you-go basis generally, 73:5 assignment, 73:7
OVERSIGHT REVIEWS Generally, 86:4 Estimating system review, 86:8 Insurance/pension review, 86:7 Material management and accounting system review, 86:6 Purchasing system review, 86:5	funding and allocation, 73:8 measurement, 73:6 defined contribution pension plans, 73:3 fundamental requirements and techniques for application, 73:2 Contractor oversight review, 86:7 Oversight review, 86:7 Personal services, 13:11
PATENTS	PERFORMANCE
Costs generally, 37:1 history of cost principle and case law interpretation, 37:2 Royalties and other costs for use of patents generally, 44:1 case law interpretation, 44:2	Implied duty to cooperate and not hinder performance, breach, 87:6 Payments, performance-based, non-commercial item financing, 85:14 PERSONAL ABSENCE Compensated absence, accounting for costs, 69:1, 69:2
PAYMENTS Contract Disputes Act, payment of judgments, 89:18 Fraud finding, reduction or suspension of payments, 91:12 Funding and Financing, this index Influencing federal transactions, 91:13 Partial payments, 88:11	PERSONAL SERVICES Generally, 13:1 Additional limitations on specific elements of compensation, 13:5 et seq. Backpay, 13:9 Bonuses, 13:7 Business acquisitions, special rules, 13:15 Corporate securities, 13:10
	Index-11

PRECONTRACT COSTS—Cont'd PERSONAL SERVICES—Cont'd Criteria, generally, 13:2 Necessary to comply with proposed contract delivery schedule, 39:4 Deferred compensation, 13:14 Differential pay, 13:6 **PRICING** Discounts for employees, 13:17 Generally, **84:1** Employee stock ownership plans, 13:13 Certificate of independent price determina-Fringe benefits, 13:16 tion, 91:28 Government reviews Cost analysis, 84:21 generally, 13:19 Cost realism analysis, 84:22 salary caps, 13:21 Discrete cost method, 87:29 salary surveys, use of, 13:20 Equitable adjustments to pricing methods, Incentive compensation, 13:7 87:26 to 87:30 Offsets, 13:4 Independent price determination, certifi-Pensions, 13:11 cate, 91:28 Post-retirement benefits other than pen-Modified total cost method, 87:28 sions, 13:12 Price analysis, 84:20 Reasonableness, 13:3 Profit, 84:23, 87:25 Rebates for employees, 13:17 Proposal analysis techniques Salary caps, 13:18, 13:21 generally, 84:19 Salary surveys, use of, 13:20 cost analysis, 84:21 Severance pay, 13:8 cost realism analysis, 84:22 **PLANNING** price analysis, **84:20** Economic planning costs, 19:1, 19:2 Total cost method. 87:27 Truth in Negotiations Act, this index PLANT PROTECTION COSTS Generally, 36:1 PROCUREMENT FRAUD Generally, 91:2 et seq. PLANT RECONVERSION COSTS Audit, obstruction of, 91:3 Generally, 38:1 Conspiracy statute, 91:5 Case law interpretation, 38:2 Contract payments, reduction or suspension **POLITICAL ACTIVITY** upon finding of fraud, 91:12 Lobbying and Political Activity Costs, this False, fictitious or fraudulent claims statute, index 91:4 False Claims Act, 91:6 POST-RETIREMENT BENEFITS False statements statute, 91:2 OTHER THAN PENSIONS Investigating, 86:12 Generally, 13:12, 82:1 Mail fraud statutes, 91:8 Allowability under FAR 31.205-6, 82:2 Major Fraud Act. 91:9 CAS coverage, 82:3 Program Fraud Civil Remedies Act, 91:10 Past service PRB costs, government RICO, 91:11 liability Special plea in fraud statute, 91:7 generally, 82:4 extraordinary contractual relief under PL Wire fraud statutes, 91:8 85-804. **82:7** PROCUREMENT INTEGRITY ACT segment closing adjustments, 82:5, 82:6 Generally, 91:15 et seq. PRECONTRACT COSTS Definitions, 91:20 Generally, 39:1 Disclosure of procurement information, Advance agreements and meaning of "at prohibition, 91:16 risk," **39:5** Employment contracts, 91:18 Case law interpretation, 39:2 Former officials, prohibition on acceptance Directly pursuant to negotiation and in of compensation from contractor, 91:19 anticipation of contract award, 39:3

PROCUREMENT INTEGRITY ACT

—Cont'd

Obtaining procurement information, prohibition, **91:17**

Penalties, 91:21

PRODUCTION ENGINEERING

Manufacturing and production engineering costs, 32:1, 32:2

PROFESSIONAL ACTIVITY COSTS

Generally, 50:1

Case law interpretation, 50:2

PROFESSIONAL AND CONSULTANT SERVICE COSTS

Generally, 40:1

Allowability

generally, 40:2

documentation requirements, 40:5

retainer fees, 40:3

unallowable costs, 40:4

PROFIT

Contract pricing, **84:23** Equitable adjustments, **87:25**

PROGRAM FRAUD CIVIL REMEDIES ACT

Generally, 91:10

PROGRESS PAYMENTS

Based on costs, 85:13

PROPOSALS

Independent R&D and bid and proposal costs. Research and Development, this index

Proposal analysis techniques. Contract Pricing, this index

PUBLIC OFFICERS AND EMPLOYEES

Former officials, prohibition on acceptance of compensation from contractor, **91:19**

PUBLIC RELATIONS COSTS

Overview, 8:1

PURCHASING SYSTEMS

Contractor oversight reviews, 86:5

QUI TAM SUITS

Legal and other proceedings, costs related to, **54:4**

REBATES

Employee rebates and discounts, 13:17

RECRUITMENT COSTS

Generally, **41:1**

Case law interpretation, 41:2

REFORM

Acquisition Reform, this index

REGULATIONS

Generally, 3:3

Armed services procurement regulation, 2:2

Federal acquisition regulation, 2:3

Rulemaking procedures, 3:5

Statutory authority, 3:4

RELEASE

Claims, release of, 87:32

RELOCATION COSTS

Generally, 42:1

Case law interpretation, 42:2

Travel v. relocation, 53:4

REMEDIES

Generally, 91:1

Anti-Kickback Act, 91:22 to 91:24

Bribery, 91:13

Certificate of independent price determination, 91:28

Changes and Adjustments to Contracts, this index

Conflict of interest statute, 91:27

Covenant against contingent fees, 91:29

Debarment, 91:31

Delay of work by government, 87:16

Economic Espionage Act, 91:25

Foreign Corrupt Practices Act, 91:26

Gratuities, 91:13

Improper business practices, other remedies certificate of independent price determination, 91:28

covenant against contingent fees, **91:29** subcontractor sales to government,

restrictions on, **91:30**

Other remedy-granting clauses

generally, **87:12**

government delay of work, 87:16

government property, 87:13

site conditions, differing, 87:17

stop-work order, 87:15

suspension of work, 87:14

Payments to influence federal transactions, 91:14

Procurement Fraud, this index

Procurement Integrity Act, this index

REMEDIES—Cont'd

Site conditions, differing, **87:17**Stop-work order, **87:15**Subcontractor sales to government, restrictions on, **91:30**Suspension, **91:31**

Suspension of work, 87:14

RENTAL COSTS

Generally, **43:1**Case law interpretation
generally, **43:2**organizations under common control,
leases between, **43:3**sale and leaseback, **43:4**

REPORTING COSTS

Consistency in estimating, accumulating and reporting, **62:1**, **62:2**, **83:2**

REQUIREMENTS CONTRACTS

Termination of contract, 88:9

RESEARCH AND DEVELOPMENT

Deferred R&D costs, 55:1
Independent R&D and bid and proposal costs
generally, 25:1
accounting for, 81:1, 81:2
B&P v. selling, 25:7
case law interpretation
generally, 25:4
B&P v. selling, 25:7
independent development v.

independent development v. manufacturing and production engineering, **25:6**

independent v. sponsored or required effort, **25:5**

teaming agreements, 25:8

cost principle history, 25:2

operation, 25:3

history of cost principle, 25:2

independent development v. manufacturing and production engineering, **25:6**

independent v. sponsored or required effort, **25:5**

operation of cost principle, **25:3** teaming agreements, **25:8**

RESTRUCTURING

Novation Agreements and Corporate Restructuring, this index

RETIREMENT

Post-Retirement Benefits Other Than Pensions, this index

RICO

Procurement fraud, 91:11

ROYALTIES AND OTHER COSTS FOR USE OF PATENTS

Generally, **44:1**Case law interpretation, **44:2**

SALARY CAPS

Personal services, 13:18, 13:21

SALE AND LEASEBACK

Generally, 43:4

SEALED BIDDING

Generally, 5:2

SECURITIES

Corporate securities, compensation for personal services, **13:10**

SELLING COSTS

Generally, **45:1**

Case law interpretation, 45:2

SERVICE AND WARRANTY COSTS

Generally, 46:1

SETTLEMENT

Cost-reimbursement contracts, **88:14**Fixed-price contracts, **88:13**Subcontractors, **88:10**Termination costs, **49:7**

SEVERANCE PAY

Personal services, 13:8

SITE

Job Site, this index

SPECIAL TOOLING AND SPECIAL TEST EQUIPMENT

Generally, 47:1

Case law interpretation, 47:2

SPECIFICATIONS

Breach of implied warranty of specifications, **87:5**

STARE DECISIS

Role of, appeals to Federal Circuit, 90:10

STATUTE OF LIMITATIONS

Contract Disputes Act, 89:15

STOCK OWNERSHIP PLANS Employees, this index	TANGIBLE ASSETS—Cont'd Depreciation—Cont'd measurement of depreciation cost generally, 70:3
STOP-WORK ORDER Generally, 87:15	
SUBCONTRACTS AND SUBCONTRACTORS Contract Disputes Act, 89:16 Cost accounting standards, 60:28	changes, 70:7 depreciable cost, 70:4 method of depreciation, 70:6 service life, estimated, 70:5
Cost principles, 6:3	TAXES
Jurisdictional Prerequisite, sum certain contract disputes, 89:10 Restrictions on subcontractor sales to	Generally, 48:1 Case law interpretation credits, 48:4 interest and penalties, 48:5
government, 91:30 Termination of contract	refunds, 48:4 required to be paid and paid or accrued,
costs, subcontractor claims, 49:8 Truth in Negotiations Act, certified cost or	meaning of, 48:2 state and local taxes, allocation of, 48:3
pricing data, 84:15 , 84:18	TERMINATION OF CONTRACT
SUSPENSION AND DEBARMENT	Generally, 88:1 et seq.
Generally, 91:31	Completed end items, deductions and pay-
SUSPENSION OF WORK	ment, fixed-price contracts, 88:7
Remedies, 87:14	Continuing costs, 49:3
	Convenience, termination for
TANGIBLE ASSETS	generally, 88:2 et seq.
Capitalization	contractor recovery, 88:4 et seq.
generally, 65:1 et seq.	cost-reimbursement contracts, 88:8
acquisition cost, determining	fixed-price contracts generally, 88:5
generally, 65:3	completed end items, deductions and
business combination, assets acquired in, 65:7	payment, 88:7 profit allowance or loss adjustment,
leased assets, 65:4	88:6
non-arm's length transaction, assets	general principles, 88:3
acquired in, 65:6	indefinite delivery and requirements
self-constructed assets, 65:5 business combination, assets acquired in,	contracts, 88:9
65:7	partial payments, 88:11
fundamental requirements and techniques, 65:2 et seq.	subcontractor settlements, 88:10 Cost-reimbursement contracts
gains or losses resulting from business combinations, treatment of, 65:8	generally, 88:8 settlement, termination for default, 88:12
leased assets, 65:4	Costs of termination
non-arm's length transaction, assets acquired in, 65:6	generally, 49:1 common items, 49:2
self-constructed assets, 65:5	continuing costs, 49:3
written policy for capitalization, 65:3	initial costs, 49:4
Depreciation	loss of useful value, 49:5
generally, 70:1 et seq.	rental under unexpired leases, 49:6
allocation of depreciation cost, 70:8	settlement expenses, 49:7
fundamental requirements and	subcontractor claims, 49:8
techniques for application, 70:2 gains and losses, treatment of, 70:9	Default, termination for generally, 88:12

TERMINATION OF CONTRACT —Cont'd

Default, termination for—Cont'd cost-reimbursement contracts, settlement, **88:14**

fixed-price contracts, settlement, 88:13

Fixed-price contracts

convenience, termination for, above settlement, termination for default, **88:13**

Indefinite delivery contracts, 88:9

Initial costs, 49:4

Loss of useful value, 49:5

Partial payments, 88:11

Profit allowance or loss adjustment, fixedprice contracts, **88:6**

Rental under unexpired leases, 49:6

Requirements contracts, 88:9

Settlement

default, termination for, 88:13, 88:14

expenses, 49:7

subcontractors, 88:10

Subcontractor settlements, 88:10

Useful value, loss of, 49:5

TOOLING

Special tooling and special test equipment, 47:1, 47:2

TRADE, BUSINESS, TECHNICAL, AND PROFESSIONAL ACTIVITY COSTS

Generally, 50:1

Case law interpretation, 50:2

TRAINING AND EDUCATION COSTS

Generally, 51:1

Case law interpretation, 51:2

TRAVEL COSTS

Generally, 53:1

Case law interpretation

direct v. indirect charges, 53:3

first class air travel, 53:5

official company business, 53:2

travel v. relocation, **53:4**

TRUTH IN NEGOTIATIONS ACT

Generally, 2:5, 84:2 et seq.

Adequate price competition, 84:5

Certificate of current cost or pricing data, 84:12

Commercial item, acquisition, 84:7

Defective certified cost or pricing data

generally, 84:16

offsets, 84:17

subcontractor data, 84:18

TRUTH IN NEGOTIATIONS ACT —Cont'd

Exceptions and waivers

generally, 84:4

adequate price competition, 84:5

commercial item, acquisition, 84:7

law or regulation, prices set by, 84:6

waivers, **84:8**

Forward pricing rate agreements, 84:11

Historical background, 2:5

Offsets, defective certified cost or pricing

data, **84:17**

Prices set by law or regulation, 84:6

Subcontractors, certified cost or pricing data, 84:15, 84:18

Submission of certified cost or pricing data

generally, **84:9**

certificate of current cost or pricing data, 84:12

data other than certified cost or pricing data, requiring, **84:14**

definitions, 84:10

forward pricing rate agreements, **84:11** subcontractor certified cost or pricing

data, **84:15**

Table 15-2, use of, **84:13**

when submission required, 84:3

Waivers. 84:4, 84:8

TYPES OF CONTRACTS

Generally, 4:1 et seq.

Award fee contracts, 4:7

Cost-plus-incentive-fee contracts, 4:6

Cost Principles, this index

Cost-reimbursement contracts, 4:3

Fixed-price contracts

generally, 4:2

incentive contracts, 4:5

Incentive contracts

generally, 4:4

cost-plus-incentive-fee contracts, 4:6

fixed-price incentive contracts, 4:5

Indefinite delivery contracts, 4:8

UNALLOWABLE COSTS

Certificate of indirect costs and penalties for expressly unallowable indirect costs, **86:16**

Contracts with commercial organizations, general cost principles, 7:12

Cost accounting, **66:1**, **66:2**

Disallowance of costs, 86:17

Educational institutions, 83:4

Index

UNALLOWABLE COSTS—Cont'd

Professional and consultant service costs, 40:4

WAIVERS

Cost accounting standards, **60:4** Truth in Negotiations Act, **84:4**, **84:8**

WARRANTIES

Breach of implied warranties, 87:5, 87:7

WARRANTIES—Cont'd

Service and warranty costs, 46:1

WASTE

Economic waste, constructive changes, **87:9**

WIRE FRAUD

Generally, 91:8