

3.3.1-11 Availability of Funds for the Next Fiscal Year (February 2003)

Funds are not presently available for performance under this contract beyond ----- . The Government's obligation for performance of this contract beyond that date is contingent upon the availability of appropriated funds from which payment for contract purposes can be made. No legal liability on the part of the government for any payment may arise for performance under this contract beyond -----, until funds are made available to the Contracting Officer for performance and until the Contractor receives notice of availability, in writing from the Contracting Officer.

(End of clause)

PRESCRIPTION

Shall be used in RFI/RFP's and contracts (in accordance with 31 U.S.C. 1301 and 42 U.S.C. 2459) if a one year indefinite quantity or requirements contract for services is contemplated and the contract is: a) funded by annual appropriations and; b) is to extend beyond the initial fiscal year. The Contracting Officer should insert the appropriate information in the clause.