

Reclamation Manual

Directives and Standards

Subject:	Reclamation Standard Water-Related Contract Articles, Standard Article 31: Contract Drafting Considerations
Purpose:	To provide requirements for the content and application of Standard Article 31: Contract Drafting Considerations (Standard Article 31), for the benefit of supporting general policy and specific requirements set forth in Reclamation Manual Policy PEC P10, <i>Reclamation Standard Water-Related Contract Articles</i> (PEC P10).
Authority:	The Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), and acts amendatory and supplementary thereto.
Approving Official:	Director, Policy and Administration
Contact:	Water and Environmental Resources Division, 84-55000

1. **Introduction.** This Directive and Standard provides the text for Standard Article 31 and addresses related requirements. Standard Article 31 is required in all contracts, directly or by reference (see Paragraph 6 of PEC P10). It affirms that the parties were competent to and did participate in the formation of the contract, and specifically that the parties participated in drafting the negotiable articles of the contract, which includes all articles except the Reclamation Standard Water-Related Contract Articles required for the contract under Paragraph 6 of PEC P10.
2. **Applicability.** This Directive and Standard applies to Reclamation staff and officials involved in the contracting process, as defined at Paragraph 3.A. of PEC P10, for contracts requiring Standard Article 31 under Paragraph 6 of PEC P10.
3. **Definitions.** See Paragraph 3 of PEC P10.
4. **Responsibilities.** See Paragraph 4 of PEC P10.
5. **Text of Standard Article 31.**

CONTRACT DRAFTING CONSIDERATIONS¹

This Contract has been negotiated and reviewed by the parties hereto, each of whom is sophisticated in the matters to which this Contract pertains. Articles _ through _ of this Contract have been drafted, negotiated, and reviewed by the parties, and no one party shall be considered to have drafted the stated articles.

¹Approved 01/02; revised 04/10.