

Include this clause when checked on the Contract Clause Selection Worksheet, ARDEC Form 367-E. Fill-in information is also on the form.

52.209-4006

DESIGN VERIFICATION

OCT/2010

- a. The Design Verification sample shall consist of (Fill in -1-) which shall be verified in accordance with the contract and specification (Fill in -2-). All costs associated with this test are the responsibility of the contractor.
- b. The Design Verification sample shall be delivered to (Fill in -3-). Unless otherwise specified below, the (Fill in -4-) is responsible for the conduct of all tests and associated test documentation. If the Government is to perform testing, the contractor is responsible for shipping the test sample and all resubmission samples to and from the test site.
(Fill in -5- if applicable.)
- c. The contractor shall provide at least (Fill in -6-) calendar days advance notice of the Design Verification test to (Fill in -7-) so the Government may witness the testing.
- d. The Contracting Officer will provide notice of approval, conditional approval or disapproval of the sample within (Fill in -8-) calendar days of receipt of the Design Verification test report. The notice of conditional approval or disapproval shall not relieve the contractor of the requirement to comply with the terms of the contract. The notice of conditional approval or disapproval will state the reasons for the disposition and may state that further action is required. Further action may include corrective action and resubmission of a new sample at the contractor's expense. A notice of disapproval may be considered reason for termination of the contract.
- e. Before design verification test approval, the acquisition of materials or components for, or the commencement of production of the balance of the contract quantity is at the sole risk of the contractor unless specific written authorization is granted by the Contracting Officer. The contractor is responsible for verification that all configuration changes necessary to achieve design verification test approval are incorporated into the production quantities.
- f. The Government may waive all or part of the Design Verification test for supply of an identical or similar design to that previously furnished by the contractor. The contractor may request a waiver but must provide evidence of prior successful verification of the design to the technical requirements.
- g. Notwithstanding a waiver, a new Design Verification, or portions of one, may be required by the contracting officer when a configuration change occurs that experience and judgment indicates will affect:
1. Interface characteristics
 2. Form, fit, function or performance
 3. Support and ownership requirements (Fill -9-)
 4. Operating requirements (Fill in -9-)

In this situation, the contractor shall notify the contracting officer so that a determination can be made concerning the need for a new Design Verification. The costs for a new Design Verification resulting from a design change not requested by the Government shall be borne by the contractor.