

Fixed-Price Maintenance, Overhaul and Modification General Provisions
Cont'd

States Government is prepared to make final payment, whichever is earlier; and

- (c) claims for reimbursement of costs (other than expenses of the Contractor by reason of his indemnification of the United States Government against patent liability), including reasonable expenses incidental thereto, incurred by the Contractor under the provisions of this contract relating to patents.

(7) Any cost incurred by the Contractor for direct materials as defined in the Schedule of this contract which would constitute allowable cost under the provisions of this clause shall be included in determining the amount payable under this contract, notwithstanding any provisions contained in the specifications or other documents incorporated in this contract by reference, designating services to be performed or materials to be furnished by the Contractor at his expense or without cost to the United States Government. (NOV.1963)"

(c) To the extent that the contractor furnishes direct material under ~~the~~ PART II the provisions of the foregoing paragraph (b) providing for reimbursement shall be inapplicable and the Contractor shall be paid for such direct material at prices negotiated between the Contractor and the Contracting Officer. These negotiations shall be conducted prior to commencing work on such direct material whenever practicable and in any event promptly and before delivery. Failure to agree upon a reasonable price for such parts and direct material shall be considered a question of fact and settled in accordance with the provisions of the clause of this contract entitled "Disputes." (NOV. 1963)

Clause 5. INCONSISTENCY BETWEEN ENGLISH VERSION AND TRANSLATION OF CONTRACT.

In the event of inconsistency between any terms of this contract and any translation thereof into another language, the English language meaning shall control.

Clause 6. UNITED STATES OFFICIALS NOT TO BENEFIT (OCT. 1957)

No member of or delegate to the Congress of the United States of America, or resident commissioner of the United States of America shall be admitted to any share of part of this contract, or to any benefit that might arise therefrom; but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.