2452.216–70  
(3) The complexity and variety of the work small businesses are to perform;  
(4) The realism of the proposal;  
(5) Past performance of the offerors (other than small businesses) in complying with re-
quirements of the clauses at FAR 52.219–8, Utilization of Small Business Concerns, and  
52.219–9, Small Business Subcontracting Plan; and  
(6) The extent of participation of small businesses in terms of the total value of the contract.  
(b) Offerors that are required to submit a subcontracting plan pursuant to the clause at FAR 52.219–9 shall include the small busi-
nesses proposed as subcontractors for evaluation under this provision in their subcon-
tracting plan.  
(End of Provision)

[77 FR 73533, Dec. 10, 2012]  
2452.216–70 Estimated cost, base fee and award fee.  
As prescribed in 2416.406(e)(1), insert the following clause in all cost-plus-
award-fee contracts:  
ESTIMATED COST, BASE FEE AND AWARD FEE  
(FEB 2006)  
(a) The estimated cost of this contract is $[insert amount].  
(b) A base fee is payable in the amount of $[insert amount]. The government will make pay-
ment of the base fee in [insert number] in-
crements on the schedule set forth in the Performance Evaluation Plan established by the government. The amount payable shall be based on the progress toward completion of contract tasks as determined by the Con-
tracting Officer. Payment of the base fee is subject to any withholdings as provided for elsewhere in this contract.  
(c) A maximum award fee available for payment is $[insert amount]. The government shall make payments of the award fee in accord-
ance with the schedule established in the Performance Evaluation Plan and the Evaluation Period(s) set forth in the Distribution of Award Fee clause.  
(End of clause)

[71 FR 2438, Jan. 13, 2006]  
2452.216–71 Award fee.  
As prescribed in 2416.406(e)(2), insert the following clause in all fixed-price-
award-fee contracts:  
AWARD FEE (FEB 2006)  
In addition to the fixed-price for this contract set forth in the Schedule, a maximum award fee of $[insert amount] is available for payment. The government shall make pay-
ments of the award fee in accordance with the schedule established in the Performance Evaluation Plan and the Evaluation Pe-
riod(s) set forth in the Distribution of Award Fee clause.  
(End of clause)

[71 FR 2438, Jan. 13, 2006]  
2452.216–72 Determination of award fee earned.  
As prescribed in 2416.406(e)(3), insert the following clause in all award fee contracts:  
DETERMINATION OF AWARD FEE EARNED (FEB 2006)  
(a) At the conclusion of each evaluation period specified in the Performance Evaluation Plan, the government shall evaluate the contractor’s performance and determine the amount, if any, of award fee earned by the contractor. The amount of award fee to be paid will be determined by the designated Fee Determination Official’s (FDO’s) judgmental evaluation in accordance with the criteria set forth in the Performance Evaluation Plan. This decision will be made unilaterally by the government. In reaching this decision, the FDO may consider any jus-
tification of award fee the contractor submits, provided that the justification is sub-
mitted within [insert number] days after the end of an evaluation period. The FDO deter-
mination shall be in writing, shall set forth the basis of the FDO’s decision, and shall be sent to the contractor within [insert number] days after the end of the evaluation period.  
(b) The FDO may specify in any fee deter-
mination that any amount of fee not earned during the evaluation period may be accum-
ulated and allocated for award during a later evaluation period. The Distribution of Award Fee clause shall be amended to reflect the allocation.  
(End of clause)

[71 FR 2438, Jan. 13, 2006]  
2452.216–73 Performance evaluation plan.  
As prescribed in 2416.406(e)(3), insert the following clause in all award fee contracts:  
PERFORMANCE EVALUATION PLAN (AUG 1987)  
(a) The Government shall unilaterally es-
tain a Performance Evaluation Plan that will provide the basis for the determination of the amount of award fee awarded under