# PART 5331 - Contract Cost Principles and Procedures

*Revised: June 2023*

See [FAR Class Deviation 2011-O0006](http://www.acq.osd.mil/dpap/policy/policyvault/USA001350-11-DPAP.pdf).

See [MP5301.601(a)(i)](https://www.acquisition.gov/affars/mp5301-federal-acquisition-regulations-system#AFFARS_MP5301_601).

## SUBPART 5331.1 – APPLICABILTY

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### 5331.109 Advance agreements.

(h) Pre-contract cost agreements should be reviewed for legal sufficiency (see this [template](https://usaf.dps.mil/sites/AFCC/AQCP/KnowledgeCenter/SitePages/DAFFARS-Templates.aspx) for a sample Pre-contract Cost Agreement). As a condition precedent to the use of a pre-contract cost agreement, the correct type of funds should be available upon issuance of the pre-contract cost agreement. While not legally necessary, prudent business acumen would dictate, that to the maximum extent possible, agreement on terms and conditions also be established prior to issuance of a pre-contract cost agreement. Contracting officers should consult with the designated clearance approval authority prior to agreement on pre-contract costs. The contracting officer should incorporate the pre-contract cost agreement into any resultant contract as an attachment within Section J.