

PENSION ADJUSTMENTS AND ASSET REVERSIONS

[FPI – 09/04] [FAR 52.215-15 – 12/98]

- (a) This Article is applicable if it is anticipated that certified cost or pricing data is required or if any pre-award or post-award cost determinations will be subject to FAR Part 31.
- (b) The Subcontractor shall promptly notify the Contracting Officer in writing when it determines that it will terminate a defined-benefit pension plan or otherwise recapture such pension fund assets.
- (c) For segment closings, pension plan terminations, or curtailment of benefits, the adjustment amount shall be the amount measured, assigned, and allocated in accordance with 48 CFR 9904.413-50(c)(12) for Subcontracts and First-tier Subcontracts that are subject to Cost Accounting Standards (CAS) Board rules and regulations (48 CFR Chapter 99). For Subcontracts and First-tier Subcontracts that are not subject to CAS, the adjustment amount shall be the amount measured, assigned, and allocated in accordance with 48 CFR 9904.413-50(c)(12), except the numerator of the fraction at 48 CFR 9904.413-50(c)(12)(vi) shall be the sum of the pension plan costs allocated to all non-CAS-covered Subcontracts and First-tier Subcontracts that are subject to Federal Acquisition Regulation (FAR) Subpart 31.2 or for which cost or pricing data were submitted.
- (d) For all other situations where assets revert to the Subcontractor, or such assets are constructively received by it for any reason, the Subcontractor shall, at the Government's option, make a refund or give a credit to the Government for its equitable share of the gross amount withdrawn. The Government's equitable share shall reflect the Government's participation in pension costs through those Subcontracts for which cost or pricing data were submitted or that are subject to FAR Subpart 31.2.
- (e) The Subcontractor shall include the substance of this clause in all First-tier Subcontracts under this Subcontract that meet the applicability requirement of FAR 15.408(g).