

**Design and Performance Specification Responsibility**

Seller has reviewed the design and performance requirements of the Contract's technical specifications and assumes all risks and full responsibility for complying with such design and performance requirements.

Seller assumes all risks of impossibility of performance and commercial impracticability under this Contract.

In the event Seller's proposed design does not satisfy Contract requirements and Buyer modifies such requirements in order to allow Seller's design to be conforming (including, without limitation, modifications to provide specification relief when Seller is unable to meet the Contract requirements), such modifications shall not entitle the Seller to either any price increase or any extension of the delivery schedule.