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**** (USE THE FOLLOWING IN ALL RFP's AND CONTRACTS.) ****

PART II - CONTRACT CLAUSES

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**** (USE THE FOLLOWING IN ALL RFP's AND CONTRACTS.) ****

SECTION I - CONTRACT CLAUSES

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ARTICLE I.1. GENERAL CLAUSES FOR A SEALED BID SERVICE CONTRACT

This contract incorporates the following clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically as follows: FAR Clauses at: <https://www.acquisition.gov/browse/index/far>. HHSAR Clauses at: <https://www.hhs.gov/grants-contracts/contracts/contract-policies-regulations/hhsar/part-352-solicitation-provisions-contract-clauses/index.html> .

a. FEDERAL ACQUISITION REGULATION (FAR) (48 CFR CHAPTER 1) CLAUSES:

| <u>FAR</u> | <u>DATE</u> | <u>TITLE</u> |
|-------------------|-------------|--|
| <u>CLAUSE NO.</u> | | |
| 52.202-1 | Jun 2020 | Definitions (Over the Simplified Acquisition Threshold) |
| 52.203-3 | Apr 1984 | Gratuities (Over the Simplified Acquisition Threshold) |
| 52.203-5 | May 2014 | Covenant Against Contingent Fees (Over the Simplified Acquisition Threshold) |
| 52.203-6 | Jun 2020 | Restrictions on Subcontractor Sales to the Government (Over the Simplified Acquisition Threshold) |
| 52.203-7 | Jun 2020 | Anti-Kickback Procedures (Over \$150,000) |
| 52.203-8 | May 2014 | Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity (Over the Simplified Acquisition Threshold) |
| 52.203-10 | May 2014 | Price or Fee Adjustment for Illegal or Improper Activity (Over the Simplified Acquisition Threshold) |
| 52.203-12 | Jun 2020 | Limitation on Payments to Influence Certain Federal Transactions (Over \$150,000) |
| 52.203-17 | Nov 2023 | Contractor Employee Whistleblower Rights (All Contracts Including at or below the Simplified Acquisition Threshold including Commercially Available Off-the-Shelf Items) |
| 52.203-19 | Jan 2017 | Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements |
| 52.204-4 | May 2011 | Printed or Copied Double-Sided on Postconsumer Fiber Content Paper(Over the Simplified Acquisition Threshold) |

| <u>FAR</u> | <u>DATE</u> | <u>TITLE</u> |
|-------------------|-------------|--|
| <u>CLAUSE NO.</u> | | |
| 52.204-10 | Jun 2020 | Reporting Executive Compensation and First-Tier Subcontract Awards |
| 52.204-13 | Oct 2018 | System for Award Management Maintenance |
| 52.204-25 | Nov 2021 | Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment |
| 52.209-6 | Nov 2021 | Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment |
| 52.214-26 | Jun 2020 | Audit and Records - Sealed Bidding |
| 52.214-27 | Jun 2020 | Price Reduction for Defective Certified Cost or Pricing Data - Modifications - Sealed Bidding (Over \$750,000) |
| 52.214-28 | Jun 2020 | Subcontractor Cost or Pricing Data - Modifications - Sealed Bidding (Over \$750,000) |
| 52.214-29 | Jan 1986 | Order of Precedence - Sealed Bidding |
| 52.215-21 | Nov 2021 | Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data - Modifications |
| 52.219-8 | Sep 2023 | Utilization of Small Business Concerns (Over the Simplified Acquisition Threshold) |
| 52.219-9 | Sep 2023 | Small Business Subcontracting Plan (Over \$750,000, \$1.5 million for Construction), Alternate I (Nov 2016) |
| 52.219-14 | Oct 2022 | Limitations on Subcontracting |
| 52.219-16 | Sep 2021 | Liquidated Damages - Subcontracting Plan (Over \$750,000, \$1.5 million for Construction) |
| 52.222-3 | Jun 2003 | Convict Labor |
| 52.222-21 | Apr 2015 | Prohibition of Segregated Facilities |
| 52.222-26 | Sep 2016 | Equal Opportunity |
| 52.222-35 | Jun 2020 | Equal Opportunity for Veterans (\$150,000 or more) |
| 52.222-36 | Jun 2020 | Equal Opportunity for Workers with Disabilities |
| 52.222-37 | Jun 2020 | Employment Reports on Veterans (\$150,000 or more) |
| 52.222-40 | Dec 2010 | Notification of Employee Rights Under the National Labor Relations Act (Over the Simplified Acquisition Threshold) |
| 52.222-50 | Nov 2021 | Combating Trafficking in Persons |
| 52.222-54 | May 2022 | Employment Eligibility Verification (Over \$150,000) |
| 52.223-6 | May 2001 | Drug-Free Workplace |
| 52.223-18 | Jun 2020 | Encouraging Contractor Policies to Ban Text Messaging While Driving |
| 52.225-1 | Oct 2022 | Buy American - Supplies |
| 52.225-13 | Feb 2021 | Restrictions on Certain Foreign Purchases |
| 52.227-1 | Jun 2020 | Authorization and Consent |
| 52.227-2 | Jun 2020 | Notice and Assistance Regarding Patent and Copyright Infringement |

| <u>FAR</u> | <u>DATE</u> | <u>TITLE</u> |
|-------------------|-------------|---|
| <u>CLAUSE NO.</u> | | |
| 52.229-3 | Feb 2013 | Federal, State and Local Taxes (Over the Simplified Acquisition Threshold) |
| 52.229-4 | Feb 2013 | Federal, State, and Local Taxes (State and Local Adjustments) (Over the Simplified Acquisition Threshold) |
| 52.232-1 | Apr 1984 | Payments |
| 52.232-8 | Feb 2002 | Discounts for Prompt Payment |
| 52.232-9 | Apr 1984 | Limitation on Withholding of Payments |
| 52.232-11 | Apr 1984 | Extras |
| 52.232-17 | May 2014 | Interest (Over the Simplified Acquisition Threshold) |
| 52.232-23 | May 2014 | Assignment of Claims |
| 52.232-25 | Jan 2017 | Prompt Payment |
| 52.232-33 | Oct 2018 | Payment by Electronic Funds Transfer--System for Award Management |
| 52.232-39 | Jun 2013 | Unenforceability of Unauthorized Obligations |
| 52.233-1 | May 2014 | Disputes |
| 52.233-3 | Aug 1996 | Protest After Award |
| 52.233-4 | Oct 2004 | Applicable Law for Breach of Contract Claim |
| 52.242-13 | Jul 1995 | Bankruptcy (Over the Simplified Acquisition Threshold) |
| 52.243-1 | Aug 1987 | Changes - Fixed-Price, Alternate I (Apr 1984) |
| 52.244-6 | Dec 2023 | Subcontracts for Commercial Products and Commercial Services |
| 52.246-25 | Feb 1997 | Limitation of Liability - Services (Over the Simplified Acquisition Threshold) |
| 52.249-4 | Apr 1984 | Termination for Convenience of the Government (Services) (Short Form) |
| 52.249-8 | Apr 1984 | Default (Fixed-Price Supply and Service)(Over the Simplified Acquisition Threshold) |
| 52.253-1 | Jan 1991 | Computer Generated Forms |

b. DEPARTMENT OF HEALTH AND HUMAN SERVICES ACQUISITION REGULATION (HHSAR) (48 CFR CHAPTER 3) CLAUSES:

| <u>HHSAR</u> | <u>DATE</u> | <u>TITLE</u> |
|-------------------|-------------|---|
| <u>CLAUSE NO.</u> | | |
| 352.203-70 | Dec 2015 | Anti-Lobbying |
| 352.222-70 | Dec 2015 | Contractor Cooperation in Equal Employment Opportunity Investigations |
| 352.227-70 | Dec 2015 | Publications and Publicity |
| 352.237-75 | Dec 2015 | Key Personnel |

[End of GENERAL CLAUSES FOR A SEALED BID SERVICE CONTRACT- Rev. 11/2023].

