

373

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

**PART II - CONTRACT CLAUSES**

374

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

**SECTION I - CONTRACT CLAUSES**

391

**ARTICLE I.1. GENERAL CLAUSES FOR A TIME AND MATERIAL OR A LABOR HOUR 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

<u>FAR</u>	<u>DATE</u>	<u>TITLE</u>
<u>CLAUSE NO.</u>		
52.204-4	May 2011	<i>Printed or Copied Double-Sided on Postconsumer Fiber Content Paper(Over the Simplified Acquisition Threshold)</i>
52.204-10	Jun 2020	<i>Reporting Executive Compensation and First-Tier Subcontract Awards</i>
52.204-13	Oct 2018	<i>System for Award Management Maintenance</i>
52.204-25	Nov 2021	<i>Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment</i>
52.209-6	Nov 2021	<i>Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment</i>
52.215-2	Jun 2020	<i>Audit and Records - Negotiation</i>
52.215-8	Oct 1997	<i>Order of Precedence - Uniform Contract Format</i>
52.215-10	Aug 2011	<i>Price Reduction for Defective Certified Cost or Pricing Data (Over \$750,000)</i>
52.215-12	Jun 2020	<i>Subcontractor Certified Cost or Pricing Data</i>
52.215-14	Nov 2021	<i>Integrity of Unit Prices (Over the Simplified Acquisition Threshold)</i>
52.215-15	Oct 2010	<i>Pension Adjustments and Asset Reversions (Over \$750,000)</i>
52.215-18	Jul 2005	<i>Reversion or Adjustment of Plans for Post-Retirement Benefits (PRB) other than Pensions</i>
52.215-19	Oct 1997	<i>Notification of Ownership Changes</i>
52.215-21	Nov 2021	<i>Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data - Modifications</i>
52.219-8	Sep 2023	<i>Utilization of Small Business Concerns (Over the Simplified Acquisition Threshold)</i>
52.219-9	Sep 2023	<i>Small Business Subcontracting Plan (Over \$750,000, \$1.5 million for Construction)</i>
52.219-14	Oct 2022	<i>Limitations on Subcontracting</i>
52.219-16	Sep 2021	<i>Liquidated Damages - Subcontracting Plan (Over \$750,000, \$1.5 million for Construction)</i>
52.222-20	Jun 2020	<i>Contracts for Materials, Supplies, Articles, and Equipment</i>
52.222-21	Apr 2015	<i>Prohibition of Segregated Facilities</i>
52.222-26	Sep 2016	<i>Equal Opportunity</i>
52.222-35	Jun 2020	<i>Equal Opportunity for Veterans (\$150,000 or more)</i>
52.222-36	Jun 2020	<i>Equal Opportunity for Workers with Disabilities</i>
52.222-37	Jun 2020	<i>Employment Reports on Veterans (\$150,000 or more)</i>
52.222-40	Dec 2010	<i>Notification of Employee Rights Under the National Labor Relations Act (Over the Simplified Acquisition Threshold)</i>
52.222-50	Nov 2021	<i>Combating Trafficking in Persons</i>
52.222-54	May 2022	<i>Employment Eligibility Verification (Over \$150,000)</i>
52.223-6	May 2001	<i>Drug-Free Workplace</i>

<u>FAR</u>	<u>DATE</u>	<u>TITLE</u>
<u>CLAUSE NO.</u>		
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
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)
52.232-7	Nov 2021	Payments under Time-and-Materials and Labor-Hour Contracts
52.232-8	Feb 2002	Discounts for Prompt Payment
52.232-9	Apr 1984	Limitation on Withholding of Payments
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
52.242-1	Apr 1984	Notice of Intent to Disallow Costs
52.242-13	Jul 1995	Bankruptcy (Over the Simplified Acquisition Threshold)
52.243-3	Sep 2000	Changes - Time-and-Materials or Labor-Hours
52.244-2	Jun 2020	Subcontracts (Over the Simplified Acquisition Threshold)
52.244-6	Dec 2023	Subcontracts for Commercial Products and Commercial Services
52.245-1	Sep 2021	Government Property
52.245-9	Apr 2012	Use and Charges
52.249-6	May 2004	Termination (Cost-Reimbursement), Alternate IV (Sep 1996)
52.249-14	Apr 1984	Excusable Delays
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

<u>HHSAR</u>	<u>DATE</u>	<u>TITLE</u>
<u>CLAUSE NO.</u>		
352.222-70	Dec 2015	<i>Contractor Cooperation in Equal Employment Opportunity Investigations</i>
352.227-70	Dec 2015	<i>Publications and Publicity</i>
352.233-71	Dec 2015	<i>Litigation and Claims</i>
352.237-75	Dec 2015	<i>Key Personnel</i>

*[End of GENERAL CLAUSES FOR A TIME AND MATERIAL OR A LABOR HOUR CONTRACT- Rev. 11/2023].*