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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 FIXED-PRICE CONSTRUCTION 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
52.215-2	Jun 2020	Audit and Records - Negotiation
52.215-8	Oct 1997	Order of Precedence - Uniform Contract Format
52.215-10	Aug 2011	Price Reduction for Defective Certified Cost or Pricing Data (Over \$750,000)
52.215-12	Jun 2020	Subcontractor Certified Cost or Pricing Data
52.215-15	Oct 2010	Pension Adjustments and Asset Reversions (Over \$750,000)
52.215-18	Jul 2005	Reversion or Adjustment of Plans for Post-Retirement Benefits (PRB) other than Pensions
52.215-19	Oct 1997	Notification of Ownership Changes
52.215-21	Nov 2021	Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data - Modifications
52.216-7	Aug 2018	Allowable Cost and Payment, Alternate I (Feb 1997)
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)
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
52.222-4	May 2018	Contract Work Hours and Safety Standards - Overtime Compensation (Over \$150,000)
52.222-6	Aug 2018	Construction Wage Rate Requirements
52.222-7	May 2014	Withholding of Funds
52.222-8	Jul 2021	Payrolls and Basic Records
52.222-9	Jul 2005	Apprentices and Trainees
52.222-10	Feb 1988	Compliance with Copeland Act Requirements
52.222-11	May 2014	Subcontracts (Labor Standards)
52.222-12	May 2014	Contract Termination - Debarment
52.222-13	May 2014	Compliance with Construction Wage Rate Requirements and Related Regulations
52.222-14	Feb 1988	Disputes Concerning Labor Standards
52.222-15	May 2014	Certification of Eligibility

<u>FAR</u>	<u>DATE</u>	<u>TITLE</u>
<u>CLAUSE NO.</u>		
52.222-21	Apr 2015	<i>Prohibition of Segregated Facilities</i>
52.222-26	Sep 2016	<i>Equal Opportunity</i>
52.222-27	Apr 2015	<i>Affirmative Action Compliance Requirements for Construction</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>
52.222-62	Jan 2022	<i>Paid Sick Leave Under Executive Order 13706</i>
52.223-5	May 2011	<i>Pollution Prevention and Right-to-Know Information</i>
52.223-6	May 2001	<i>Drug-Free Workplace</i>
52.223-18	Jun 2020	<i>Encouraging Contractor Policies to Ban Text Messaging While Driving</i>
52.225-13	Feb 2021	<i>Restrictions on Certain Foreign Purchases</i>
52.227-1	Jun 2020	<i>Authorization and Consent</i>
52.227-2	Jun 2020	<i>Notice and Assistance Regarding Patent and Copyright Infringement</i>
52.227-4	Dec 2007	<i>Patent Indemnity - Construction Contracts</i>
52.228-1	Sep 1996	<i>Bid Guarantee - The amount of the bid guarantee shall be ____ percent of the bid price or \$_____ whichever is less.</i>
52.228-2	Oct 1997	<i>Additional Bond Security</i>
52.228-5	Jan 1997	<i>Insurance - Work on a Government Installation (Over the Simplified Acquisition Threshold)</i>
52.228-11	Feb 2021	<i>Individual Surety - Pledge of Assets</i>
52.228-14	Nov 2014	<i>Irrevocable Letter of Credit</i>
52.228-15	Jun 2020	<i>Performance and Payment Bonds - Construction (Over \$150,000)</i>
52.229-3	Feb 2013	<i>Federal, State and Local Taxes (Over the Simplified Acquisition Threshold)</i>
52.229-4	Feb 2013	<i>Federal, State, and Local Taxes (State and Local Adjustments) (Over the Simplified Acquisition Threshold)</i>
52.232-5	May 2014	<i>Payments Under Fixed-Price Construction Contracts</i>
52.232-17	May 2014	<i>Interest (Over the Simplified Acquisition Threshold)</i>
52.232-23	May 2014	<i>Assignment of Claims</i>
52.232-27	Jan 2017	<i>Prompt Payment for Construction Contracts</i>
52.232-33	Oct 2018	<i>Payment by Electronic Funds Transfer--System for Award Management</i>
52.232-39	Jun 2013	<i>Unenforceability of Unauthorized Obligations</i>
52.233-1	May 2014	<i>Disputes</i>

<u>FAR</u>	<u>DATE</u>	<u>TITLE</u>
<u>CLAUSE NO.</u>		
52.233-3	Aug 1996	<i>Protest After Award</i>
52.233-4	Oct 2004	<i>Applicable Law for Breach of Contract Claim</i>
52.236-1	Apr 1984	<i>Performance of Work by the Contractor (Over \$1,500,000) The Contractor shall perform on the site, and with its own organization, work equivalent to at least ___% of the total amount of work to be performed under the contract.</i>
52.236-2	Apr 1984	<i>Differing Site Conditions (Over the Simplified Acquisition Threshold)</i>
52.236-3	Apr 1984	<i>Site Investigations and Conditions Affecting the Work (Over the Simplified Acquisition Threshold)</i>
52.236-5	Apr 1984	<i>Material and Workmanship</i>
52.236-6	Apr 1984	<i>Superintendence by the Contractor (Over the Simplified Acquisition Threshold)</i>
52.236-7	Nov 1991	<i>Permits and Responsibilities</i>
52.236-8	Apr 1984	<i>Other Contracts (Over the Simplified Acquisition Threshold)</i>
52.236-9	Apr 1984	<i>Protection of Existing Vegetation, Structures, Equipment, Utilities and Improvements (Over the Simplified Acquisition Threshold)</i>
52.236-10	Apr 1984	<i>Operations and Storage Areas (Over the Simplified Acquisition Threshold)</i>
52.236-11	Apr 1984	<i>Use and Possession Prior to Completion (Over the Simplified Acquisition Threshold)</i>
52.236-12	Apr 1984	<i>Cleaning Up (Over the Simplified Acquisition Threshold)</i>
52.236-13	Nov 1991	<i>Accident Prevention (Over the Simplified Acquisition Threshold)</i>
52.236-14	Apr 1984	<i>Availability and Use of Utility Services</i>
52.236-15	Apr 1984	<i>Schedules for Construction Contracts (Over the Simplified Acquisition Threshold)</i>
52.236-17	Apr 1984	<i>Layout of Work</i>
52.236-21	Feb 1997	<i>Specifications and Drawings for Construction (Over the Simplified Acquisition Threshold)</i>
52.236-26	Feb 1995	<i>Preconstruction Conference</i>
52.242-13	Jul 1995	<i>Bankruptcy (Over the Simplified Acquisition Threshold)</i>
52.242-14	Apr 1984	<i>Suspension of Work</i>
52.243-4	Jun 2007	<i>Changes (Over the Simplified Acquisition Threshold)</i>
52.243-5	Apr 1984	<i>Changes and Changed Conditions (Not to exceed the Simplified Acquisition Threshold)</i>
52.244-6	Dec 2023	<i>Subcontracts for Commercial Products and Commercial Services</i>
52.246-12	Aug 1996	<i>Inspection of Construction (Over the Simplified Acquisition Threshold)</i>
52.248-3	Oct 2020	<i>Value Engineering - Construction (Over the Simplified Acquisition Threshold)</i>

<u>FAR</u>	<u>DATE</u>	<u>TITLE</u>
<u>CLAUSE NO.</u>		
52.249-2	Apr 2012	<i>Termination for Convenience of the Government (Fixed-Price), Alternate I (Sep 1996)</i>
52.249-10	Apr 1984	<i>Default (Fixed-Price Construction)</i>
52.253-1	Jan 1991	<i>Computer Generated Forms</i>

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	<i>Anti-Lobbying</i>
352.222-70	Dec 2015	<i>Contractor Cooperation in Equal Employment Opportunity Investigations</i>
352.227-70	Dec 2015	<i>Publications and Publicity</i>
352.237-75	Dec 2015	<i>Key Personnel</i>

[End of GENERAL CLAUSES FOR A FIXED-PRICE CONSTRUCTION CONTRACT- Rev. 11/2023].