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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 RESEARCH AND DEVELOPMENT SBIR PHASE I 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)
52.203-12	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
52.204-10	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
52.215-8	Oct 1997	Order of Precedence - Uniform Contract Format
52.219-6	Nov 2020	Notice of Total Small Business Set-Aside
52.219-14	Oct 2022	Limitations on Subcontracting
52.222-3	Jun 2003	Convict Labor

<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>
52.222-35	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>
52.222-50	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>
52.223-18	Jun 2020	<i>Encouraging Contractor Policies to Ban Text Messaging While Driving</i>
52.225-1	Oct 2022	<i>Buy American - Supplies</i>
52.225-13	Feb 2021	<i>Restrictions on Certain Foreign Purchases</i>
52.227-1	Jun 2020	<i>Authorization and Consent, Alternate I (Apr 1984)</i>
52.227-2	Jun 2020	<i>Notice and Assistance Regarding Patent and Copyright Infringement</i>
52.227-11	May 2014	<i>Patent Rights - Ownership by the Contractor (Note: In accordance with FAR 27.303(b)(2), paragraph (e) is modified to include the requirements in FAR 27.303(b)(2)(i) through (iv). The frequency of reporting in (i) is annual.</i>
52.227-20	May 2014	<i>Rights in Data - SBIR Program</i>
52.232-9	Apr 1984	<i>Limitation on Withholding of Payments</i>
52.232-23	May 2014	<i>Assignment of Claims</i>
52.232-25	Jan 2017	<i>Prompt Payment</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>
52.233-3	Aug 1996	<i>Protest After Award</i>
52.233-4	Oct 2004	<i>Applicable Law for Breach of Contract Claim</i>
52.243-1	Aug 1987	<i>Changes - Fixed Price, Alternate V (Apr 1984)</i>
52.244-6	Dec 2023	<i>Subcontracts for Commercial Products and Commercial Services</i>
52.249-1	Apr 1984	<i>Termination for the Convenience of the Government (Fixed-Price) (Short Form)</i>
52.249-9	Apr 1984	<i>Default (Fixed-Price Research and Development)(Over the Simplified Acquisition Threshold)</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	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 FIXED-PRICE RESEARCH AND DEVELOPMENT SBIR PHASE I CONTRACT- Rev. 11/2023].*