

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

384

ARTICLE I.1. GENERAL CLAUSES FOR A COST-REIMBURSEMENT SUPPLY 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: <http://www.acquisition.gov/far/> . HHSAR Clauses at: <http://www.hhs.gov/policies/hhsar/subpart352.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	Nov 2021	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	Jun 2020	Contractor Employee Whistleblower Rights and Requirements to Inform Employees of Whistleblower Rights (Over the Simplified Acquisition Threshold)
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)
52.204-10	Jun 2020	Reporting Executive Compensation and First-Tier Subcontract Awards

<u>FAR</u>	<u>DATE</u>	<u>TITLE</u>
<u>CLAUSE NO.</u>		
52.204-13	Oct 2018	<i>System for Award Management Maintenance</i>
52.204-25	Aug 2020	<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>
52.211-5	Aug 2000	<i>Material Requirements</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	Aug 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>
52.215-23	Jun 2020	<i>Limitations on Pass-Through Charges (Over the Simplified Acquisition Threshold)</i>
52.216-7	Aug 2018	<i>Allowable Cost and Payment</i>
52.216-8	Jun 2011	<i>Fixed Fee</i>
52.219-8	Oct 2022	<i>Utilization of Small Business Concerns (Over the Simplified Acquisition Threshold)</i>
52.219-9	Oct 2022	<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>
52.222-2	Jul 1990	<i>Payment for Overtime Premium (Over the Simplified Acquisition Threshold) (Note: The dollar amount in paragraph (a) of this clause is \$0 unless otherwise specified in the contract.)</i>
52.222-4	May 2018	<i>Contract Work Hours and Safety Standards - Overtime Compensation (Over \$150,000)</i>
52.222-19	Dec 2022	<i>Child Labor--Cooperation with Authorities and Remedies</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>

<u>FAR</u>	<u>DATE</u>	<u>TITLE</u>
<u>CLAUSE NO.</u>		
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>
52.223-18	Jun 2020	<i>Encouraging Contractor Policies to Ban Text Messaging While Driving</i>
52.225-1	Nov 2021	<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</i>
52.227-2	Jun 2020	<i>Notice and Assistance Regarding Patent and Copyright Infringement</i>
52.227-14	May 2014	<i>Rights in Data - General</i>
52.232-9	Apr 1984	<i>Limitation on Withholding of Payments</i>
52.232-17	May 2014	<i>Interest (Over the Simplified Acquisition Threshold)</i>
52.232-20	Apr 1984	<i>Limitation of Cost</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, Alternate I (Jun 1985)</i>
52.233-4	Oct 2004	<i>Applicable Law for Breach of Contract Claim</i>
52.242-1	Apr 1984	<i>Notice of Intent to Disallow Costs</i>
52.242-3	Dec 2022	<i>Penalties for Unallowable Costs (Over \$700,000)</i>
52.242-4	Jan 1997	<i>Certification of Final Indirect Costs</i>
52.242-13	Jul 1995	<i>Bankruptcy (Over the Simplified Acquisition Threshold)</i>
52.243-2	Aug 1987	<i>Changes - Cost Reimbursement</i>
52.244-2	Oct 2010	<i>Subcontracts (Over the Simplified Acquisition Threshold), Alternate I (June 2007)</i>
52.244-5	Dec 1996	<i>Competition in Subcontracting (Over the Simplified Acquisition Threshold)</i>
52.244-6	Mar 2023	<i>Subcontracts for Commercial Products and Commercial Services</i>
52.245-1	Jan 2017	<i>Government Property</i>
52.245-9	Apr 2012	<i>Use and Charges</i>
52.249-6	May 2004	<i>Termination (Cost-Reimbursement)</i>
52.249-14	Apr 1984	<i>Excusable Delays</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
------------	----------	----------------------------

352.233-71	Dec 2015	Litigation and Claims
------------	----------	-----------------------

352.237-75	Dec 2015	Key Personnel
------------	----------	---------------

[End of GENERAL CLAUSES FOR A NEGOTIATED COST-REIMBURSEMENT SUPPLY CONTRACT-Rev. 2/2023].