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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 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: <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>
52.214-26	Jun 2020	<i>Audit and Records - Sealed Bidding</i>
52.214-27	Jun 2020	<i>Price Reduction for Defective Certified Cost or Pricing Data - Modifications - Sealed Bidding (Over \$750,000)</i>
52.214-28	Jun 2020	<i>Subcontractor Cost or Pricing Data - Modifications - Sealed Bidding (Over \$750,000)</i>
52.214-29	Jan 1986	<i>Order of Precedence - Sealed Bidding</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>
52.216-7	Jun 2013	<i>Allowable Cost and Payment, Alternate I (Feb 1997)</i>
52.219-8	Oct 2022	<i>Utilization of Small Business Concerns (Over the Simplified Acquisition Threshold)</i>
52.219-9	Oct 2020	<i>Small Business Subcontracting Plan (Over \$750,000, \$1.5 million for Construction), Alternate I (Nov 2016)</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>
52.222-3	Jun 2003	<i>Convict Labor</i>
52.222-4	May 2018	<i>Contract Work Hours and Safety Standards - Overtime Compensation (Over \$150,000)</i>
52.222-6	Aug 2018	<i>Construction Wage Rate Requirements</i>
52.222-7	May 2014	<i>Withholding of Funds</i>
52.222-8	Aug 2018	<i>Payrolls and Basic Records</i>
52.222-9	Jul 2005	<i>Apprentices and Trainees</i>
52.222-10	Feb 1988	<i>Compliance with Copeland Act Requirements</i>
52.222-11	May 2014	<i>Subcontracts (Labor Standards)</i>
52.222-12	May 2014	<i>Contract Termination - Debarment</i>
52.222-13	May 2014	<i>Compliance with Construction Wage Rate Requirements and Related Regulations</i>
52.222-14	Feb 1988	<i>Disputes Concerning Labor Standards</i>
52.222-15	May 2014	<i>Certification of Eligibility</i>
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>

<u>FAR</u>	<u>DATE</u>	<u>TITLE</u>
<u>CLAUSE NO.</u>		
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)
52.222-62	Jan 2022	Paid Sick Leave Under Executive Order 13706
52.223-5	May 2011	Pollution Prevention and Right-to-Know Information
52.223-6	May 2001	Drug-Free Workplace
52.223-18	Jun 2020	Encouraging Contractor Policies to Ban Text Messaging While Driving
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
52.227-4	Dec 2007	Patent Indemnity - Construction Contracts
52.228-1	Sep 1996	Bid Guarantee - The amount of the bid guarantee shall be ____ percent of the bid price or \$_____ whichever is less.
52.228-2	Oct 1997	Additional Bond Security
52.228-5	Jan 1997	Insurance - Work on a Government Installation (Over the Simplified Acquisition Threshold)
52.228-11	Feb 2021	Individual Surety - Pledge of Assets
52.228-14	Nov 2014	Irrevocable Letter of Credit
52.228-15	Jun 2020	Performance and Payment Bonds - Construction (Over \$150,000)
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)
52.232-5	May 2014	Payments Under Fixed-Price Construction Contracts
52.232-17	May 2014	Interest (Over the Simplified Acquisition Threshold)
52.232-23	May 2014	Assignment of Claims
52.232-27	Jan 2017	Prompt Payment for Construction Contracts
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

<u>FAR</u>	<u>DATE</u>	<u>TITLE</u>
<u>CLAUSE NO.</u>		
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	Mar 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>
52.249-2	Apr 2012	<i>Termination for Convenience of the Government (Fixed-Price), Alternate I (Sep 1996)</i>

<u>FAR</u>	<u>DATE</u>	<u>TITLE</u>
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CLAUSE NO.

52.249-10	Apr 1984	Default (Fixed-Price Construction)
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>
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CLAUSE NO.

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 CONSTRUCTION CONTRACT- Rev. 2/2023].*