

U.S. GOVERNMENT TERMS AND CONDITIONS
Applicable to all U.S. Government subcontracts
PART II - FAR CLAUSES

If this Purchase Order bears a Government contract/subcontract order number, then the following U.S. Government clauses shall also be applicable to this procurement.

1. The Federal Acquisition Regulations (FAR) clauses, listed below and in effect on the date of this Purchase Order, are incorporated herein by reference. In the event of a conflict between Part I, General Provisions and Part II, Government Provisions - FAR clauses, the Part II FAR clauses shall govern. Where used in the FAR, the term “Contractor” shall mean “Seller” and the terms “Government” and “Contracting Officer” shall mean “Buyer”. This substitution shall not apply to a clause where the accepted meanings of these terms are given in the body of the FAR clause.

2. Federal Acquisition Regulations (FAR) Clauses Incorporated by Reference

<u>Clause No.</u>	<u>Title</u>	<u>Notes</u>
52.202-1	Definitions	
52.203-3	Gratuities	
52.203-5	Covenant Against Contingent Fees	
52.203-6	Restrictions on Subcontractor Sales to the Government (Jul 1995)	1
52.203-6	Alternate I (OCT 1995)	1A
52.203-7	Anti-Kickback Procedure	
52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity	
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity	
52.203-12	Limitation on Payments to Influence Certain Federal Transactions (SEP 2005)	1
52.204-1	Approval of Contract	
52.204-2	Security Requirements (AUG 1986)	
52.204-4	Printing/Copying Double Sided on Recycled Paper	
52.204-9	Personal Identity Verification of Contractor Personnel (JAN 2006)	
52.209-5	Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters	
52.209-6	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (JUL 1995)	
52.211-15	Defense Priority and Allocation Requirements (SEP 1990)	2
52.215-2	Audit and Records Negotiations	1
52.215-8	Order of Precedence – Uniform Contract Format	
52.215-10	Price Reduction for Defective Cost or Pricing Data (OCT 1997)	
52.215-11	Price Reduction for Defective Cost or Pricing Data – Modifications (OCT 1997)	
52.215-13	Subcontractor Cost or Pricing Data – Modifications (OCT 1997)	3A
52.215-14	Integrity of Unit Prices (OCT 1997)	1
52.215-15	Pension Adjustments and Asset Reversions (OCT 2004)	
52.215-18	Reversion or Adjustment of Plans for Post-Retirement Benefits (PRB) Other than Pensions (JUL 2005)	
52.215-19	Notification of Ownership Changes (OCT 1997)	
52.215-20	Requirements for Cost or Pricing Data or Information Other than Cost or Pricing Data Modifications (Oct 1997)	
52.215-21	Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data-Modifications (Oct 1997)	
52.216-7	Allowable Cost and Payment	
52.216-18	Ordering	
52.216-19	Order Limitations	
52.216-22	Indefinite Quantity	

<u>Clause No.</u>	<u>Title</u>	<u>Notes</u>
52.217-9	Option to Extend the Term of the Contract: (a) within the current contract year (b) not to exceed 60 months or 5 years	
52-219-6	Notice of Total Small Business Set-Aside	
52.219-8	Utilization of Small Business Concerns and Small Disadvantaged Business Concerns (Oct 2000)	1
52.219-14	Limitations on Subcontracting	
52.222-1	Notice to the Government of Labor Disputes	
52.222-2	Payment for Overtime Premiums	
52.222-3	Convict Labor (Aug 1996)	4
52.222-4	Contract Work Hours and Safety Standards Act – Overtime Compensation	
52.222-20	Walsh-Healey Public Contract Act	
52.222-21	Prohibition of Segregated Facilities (Feb 1999)	4
52.222-26	Equal Opportunity (Apr 2002)	4
52.222-35	Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (Dec 2001)	
52.222-36	Affirmative Action for Workers with Disabilities (Jun 1998)	4
52.222-37	Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	4
52.222-39	Notification of Employee Rights concerning Payment of Union Dues or Fees	1
52.222-41	Service Contract Act of 1965, As Amended (May 1989)	7
52.222-42	Statement of Equivalent Rates by Federal Hires	
52.223-3	Hazardous Material Identification and Materials Safety Data	
52.223-6	Drug-Free Workplace (May 2001)	12
52.223-10	Waste Reduction Program	
52.223-14	Toxic Chemical Release Reporting (Oct 2000)	12
52.225-13	Restrictions on Certain Foreign Purchases (Jul 2000)	
52.227-1	Authorization and Consent (JUL 1995)	
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement (AUG 1996)	1
52.227-11	Patent Rights – Retention by the Contractor – Short Form (JUN 1997)	
52.227-12	Patent Rights – Retention by the Contractor – Long Form (JAN 1997)	
52.227-14	Rights in Data - General (Alternate I, II, III, IV, or V)	
52.227-16	Additional Data Requirements	
52.227-23	Rights in Proposal Data (Technical)	
52.228-5	Insurance – Work on a Government Installation (JAN 1997)	
52.228-7	Insurance – Liability to Third Persons	
52.232-9	Limitation of Withholding of Payments	
52.232-17	Interest	
52.232-22	Limitation on Funds	
52.232-23	Assignment of Claims	
52.232-25	Prompt Payment	
52.232-34	Optional Information for Electronic Funds Transfer Payment	
52.233-1	Disputes (Jul 2002) -- Alternate I (Dec 1991)	5
52.233-3	Protest After Award (Aug 1996) -- Alternate I (Jun 1985)	5
52.237-2	Protection of Government Buildings, Equipment and Vegetation (APR 1984)	
52.237-3	Continuity of Services	
52.242-1	Notice of Intent to Disallow Costs	
52.242-3	Penalties for Unallowable Costs	
52.242-4	Certification of Final Indirect Costs	
52.242-13	Bankruptcy (JUL 1995)	
52.243-2	Changes – Cost Reimbursement (Alt. II APR 1984)	
52.243-3	Changes – Time-and-Materials or Labor-Hours (SEP 2000)	

<u>Clause No.</u>	<u>Title</u>	<u>Notes</u>
52.243-6	Change Order Accounting (APR 1984)	
52.244-2	Subcontracts (Cost-Reimbursement and Letter Contracts) Alt. I (AUG-1996)	
52.244-5	Competition in Subcontracting	
52.244-6	Subcontracts for Commercial Items and Commercial Components (FEB 2006)	
52.245-18	Special Test Equipment (FEB 1993)	
52.245-19	Government Property Furnished “as is”	
52.246-2	Inspection of Supplies – Fixed Price (AUG 1996)	
52.246-4	Inspection of Services – Fixed Price (AUG 1996)	
52.246-6	Inspection Time-and-Material and Labor Hours (MAY 2001)	
52.246-25	Limitation of Liability – Services	
52.247-1	Commercial Bill of Lading Notations	
52.249-6	Termination (Cost-Reimbursement)	
52.249-8	Default (Fixed Price Supply and Service) (APR 1984)	
52.249-14	Excusable Delays	
52.251-1	Government Supply Sources	
52.251-2	Interagency Fleet Management System (IFMS) Vehicles and Related Services	
52.252-2	Clauses Incorporated by Reference	
52.252-6	Authorized Deviations in Clauses	

3. National Aeronautics and Space Administration (NASA) Federal Acquisition Regulation Clauses Incorporated by Reference

<u>Clause No.</u>	<u>Title</u>	<u>Notes</u>
1852.204-75	Security Classification Requirements	
1852.215-84	Ombudsman	
1852.216-80	Task Ordering Procedure (Alt. II OCT 1996)	
1852.216-89	Assignment and Release Forms	
1852.219-74	Use of Rural Area Small Businesses	
1852.219-76	NASA Small Disadvantaged Business Subcontracting Goal	
1852.219-77	NASA Mentor-Protégé Program	
1852.219-79	Mentor Requirements and Evaluation	
1852.227-72	Designation of New Technology Representative and Patent Representatives	
1852.227-84	Patent Rights Clauses	
1852.227-86	Commercial Computer Software – Licensing (Dec 1987)	
1852.227-70	Emergency Evacuation Procedures	
1852.243-71	Shared Savings	
1852.245-70	Contractor Requests for Government-Owned Equipment	

NOTES

1. Applies to purchases over \$100,000.
- 1A. Applies to Commercial Items over \$100,000.
2. Arcata Purchase Orders are rated orders on behalf of NASA.
3. Applies to purchases over \$500,000 which offer subcontracting capabilities.
- 3A. Applies to purchases over \$550,000 which offer subcontracting capabilities.
4. Clause applies to purchases over \$10,000.
5. “Contracting Officer” means “Arcata”.
6. Applies to the purchase of supplies that may involve ocean transportation subject to the Cargo Preference Act of 1954.
7. Applies to contracts for services over \$2,500.
8. Applicable to fixed price multiyear service contracts where FAR 52.222-41 is incorporated.
9. Applicable to service contracts where the value exceeds the simplified acquisition threshold.
10. Applies to the foreign portion of international circuit transmission contracts.
11. Applies to purchases exceeding \$2,500.
12. Applicable for non-commercial items over \$100,000 (simplified acquisition).