PART II
SECTION I - CONTRACT CLAUSES

I.1. CONTRACT CLAUSES

FAR 52.252-2 Clauses Incorporated by Reference (FEB 1998):

This contract incorporates one or more 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 at this address: http://www.arnet.gov.far/facframe.html

A. Federal Acquisition Regulations (FAR) (48 CFR Chapter 1) Contract Clauses

Clause No.	Title and Date
52.202-1	Definitions (JUL 2004) Alternate I (MAR 2001) (See I.C. Authorized Deviation)
52.203-3	Gratuities ((APR 1984)
52.203-5	Covenant Against Contingent Fees (APR 1984)
52.203-6	Restrictions on Subcontracting Sales to the Government (SEPT 2006)
52.203-7	Anti-Kickback Procedures (JUL 1995)
52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal Or Improper Activity (JAN 1997)
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity (JAN 1997)
52.203-12	Limitation on Payments to Influence Certain Federal Transactions (SEPT 2005)
52.203-13	Contractor Code of Business Ethics and Conduct (DEC 2007)
52.204-4	Printing/Copying Double-Sided on Recycled Paper (AUG 2000)
52.204-7	Central Contractor Registration (JUL 2006)
52.209-6	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended or Proposed for Debarment (SEPT 2006)
52.215-2	Audit and Records-Negotiation (JUN 1999)
52.215-8	Order of Precedence–Uniform Contract Format (OCT 1997)
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)
52.215-12	Subcontractor Cost or Pricing Data (OCT 1997)
52.215-13	Subcontractor Cost or Pricing Data—Modifications (OCT 1997)

Clause No.	**Title and Date**
52.215-15	Pension Adjustments and Asset Reversions (OCT 2004)
52.215-17	Waiver of Facilities Capital Cost of Money (OCT 1997)
52.215-18	Reversions or Adjustments of Plans for Postretirement Benefits (PRB) Other than Pensions (JUL 2005)
52.215-19	Notification of Ownership Changes (OCT 1997)
52.215-21	Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data–Modifications (OCT 1997) Alternate I (OCT 1997)
52.216-7	Allowable Cost and Payment (DEC 2002)
52.216-8	Fixed Fee (MAR 1997)
52.219-8	Utilization of Small Business Concerns (MAY 2004)
52.219-9	Small Business Subcontracting Plan (SEPT 2006) Alternate II (OCT 2001)
52.219-16	Liquidated Damages—Subcontracting Plan (JAN 1999)
52.222-2	Payment for Overtime Premiums (JUL 1990) (a) $0
52.222-3	Convict Labor (JUN 2003)
52.222-21	Prohibition of Segregated Facilities (FEB 1999)
52.222-26	Equal Opportunity (MAR 2007)
52.222-35	Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (SEPT 2006)
52.222-36	Affirmative Action for Workers with Disabilities (JUN 1998)
52.222-37	Employment Reports on Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (SEPT 2006)
52.222-41	Service Contract Act of 1965, As Amended (JUL 2005)
52.222-43	Fair Labor Standard Act and Service Contract Act—Price Adjustment (Multiple Year and Option Contracts) (NOV 2006)
52.223-5	Pollution Prevention and Right-to-Know Information (AUG 2003)
52.223-6	Drug-Free Workplace (MAY 2003)
52.223-14	Toxic Chemical Release Reporting (AUG 2003)
52.224-1	Privacy Act Notification (APR 1984)
52.224-2	Privacy Act (APR 1984)
52.225-13	Restrictions on Certain Foreign Purchases (FEB 2006)
52.227-3	Patent Indemnity (APR 1984)
52.227-17	Rights in Data–Special Works (JUN 1987)
52.229-10	State of New Mexico Gross Receipts and Compensating Tax (APR 2003)
52.230-2	Cost Accounting Standards (APR 1998)
52.230-3	Disclosure and Consistency of Cost Accounting Practices (APR 1998)
52.230-4	Consistency in Cost Accounting Standards (AUG 1992)

Clause No.	Title and Date
52.230-6	Administration of Cost Accounting Standards (APR 2005)
52.232-17	Interest (JUN 1996)
52.232-20	Limitation of Cost (APR 1984)
52.232-22	Limitation of Funds (APR 1984)
52.232-23	Assignment of Claims (JAN 1986)
52.232-25	Prompt Payment (OCT 2003)
52.232-33	Payment by Electronic Funds Transfer–Central Contractor Registration (OCT 2003)
52.233-1	Disputes (JUL 2002) Alternate I (DEC 1991)
52.233-3	Protest After Award (AUG 1996) Alternate I (JUN 1985)
52.233-4	Applicable Law for Breach of Contract Claim (OCT 2004)
52.237-3	Continuity of Service (JAN 1991)
52.242-1	Notice of Intent to Disallow Costs (APR 1984)
52.242-3	Penalties for Unallowable Costs (MAY 2001)
52.242-4	Certification of Final Indirect Costs (JAN 1997)
52.242-13	Bankruptcy (JUL 1995)
52.243-2	Changes—Cost-Reimbursement (AUG 1987) Alternate I (APR 1984)
52.244-2	Subcontracts (AUG 1998) (e) over $3,000
52.244-5	Competition in Subcontracting (DEC 1996)
52.244-6	Subcontracts for Commercial Items (MAR 2007)
52.245-5	Government Property (Cost-Reimbursement, Time and Materials, or Labor-Hour Contracts) (MAY 2004)
52.246-25	Limitation of Liability–Services (FEB 1997)
52.249-6	Termination (Cost Reimbursement) (MAY 2004)
52.249-14	Excusable Delays (APR 1984)
52.251-1	Government Supply Sources (APR 1984)
52.253-1	Computer Generated Forms (JAN 1991)

B. Department of Health and Human Services Acquisition Regulations (HHSAR) (48 CFR Chapter 3) Clauses

Clause No.	Title and Date
352.202-1	Definitions (JAN 2006)
352.216-72	Additional Cost Principles (JAN 2006)
352.224-70	Confidentiality of Information (JAN 2006)
352.228-7	Insurance—Liability to third persons (DEC 1991)
352.232-9	Withholding of Contract Payments (JAN 2006)
352.233-70	Litigation and Claims (JAN 2006)
352.242-71	Final Decisions on Audit Findings (APR 1984)
352.249-14	Excusable Delays (JAN 2006)
352.270-1	Accessibility of Meetings, Conferences, and Seminars to Persons with Disabilities (JAN 2001)
352.270-6	Publication and Publicity (JAN 2006)
352.270-7	Paperwork Reduction Act (JAN 2006)

C. Department of Health and Human Services Acquisition Regulation Authorized FAR Deviations

As prescribed in HHSAR 302.201, FAR 52.202-1 is modified as follows:

Substitute the following as paragraph (a):

"(a) The term "Secretary" or "Head of the Agency" (also called "Agency Head") means the Secretary, Under Secretary, or any Assistant Secretary, Administrator or Commissioner of the Department of Health and Human Services; and the term "his/her duly authorized representative" means any person, persons, or board authorized to act for the Secretary."

Add the following paragraph (h):

"(h) The term "Project Officer" means the person representing the Government for the purpose of technical monitoring of contract performance. The Project Officer is not authorized to issue any instructions or directions which effect any increase or decreases in the scope of work or which would result in the increase or decrease of the cost of this contract or a change in performance period of this contract. In addition, the Project Officer is not authorized to receive or act upon the Contractor's notification of a revised cost estimate pursuant to the Limitation of Cost or Limitation of Funds clause of this contract."

I.2. FAR 52.222-42 Statement of Equivalent Rates for Federal Hires (MAY 1989)

In compliance with the Service Contract Act of 1965, as amended, and the regulations of the Secretary of Labor (29 CFR Part 4), this clause identifies the classes of service employees expected to be employed under the contract and states the wages and fringe benefits payable to each if they were employed by the contracting agency subject to the provisions of 5 U.S.C. 5341 or 5332.

This Statement is for information only and is not a Wage Determination.

Employee Class Monetary Wage-Fringe Benefit (See Attachment J-14).