

**Clause Matrix for Department Of Energy
Management and Operating Contracts
Part I – FAR Clauses
(Thru FAC 05-08 and DEAR Final Rule dated November 25, 2005)**

(1/10/2006)

K

KEY:

R = Required

A = Required when applicable

O = Optional

General instruction: Set forth below are clauses prescribed in FAR Part 52 (identified in the FAR Matrix for use in CR R&D, CR SVC, or CR CON contracts) which are to be used in DOE M&O contracts.

This listing does not include solicitation provisions.

M&O = Management and Operating contract

UCF = Uniform Contract Format

FAR Clause Number Title	Secondary DEAR Clause Citation	M&O For Profit	M&O Non- Profit	UCF	Prescribed In	FAR Prescription/Notes
52.202-1 Definitions Jul 2004	952.202-1	R	R	I	2.201	Insert the clause at 52.202-1, Definitions, in solicitations and contracts that exceed the simplified acquisition threshold. Note: DEAR 952.202-1 alters FAR clause 52.202-1.
52.203-3 Gratuities Apr 1984		R	R	I	3.202	The contracting officer shall insert the clause at 52.203-3, Gratuities, in solicitations and contracts with a value exceeding the simplified acquisition threshold, except those for personal services and those between military departments or defense agencies and foreign governments that do not obligate any funds appropriated to the Department of Defense.
52.203-5 Covenant Against Contingent Fees Apr 1984		R	R	I	3.404	The contracting officer shall insert the clause at 52.203-5, Covenant Against Contingent Fees, in all solicitations and contracts exceeding the simplified acquisition threshold, other than those for commercial items (see FAR Parts 2 and 12).
52.203-6 Restrictions on Subcontractor Sales to the Government Jul 1995		R	R	I	3.503-2	The contracting officer shall insert the clause at 52.203-6, Restrictions on Subcontractor Sales to the Government, in solicitations and contracts exceeding the simplified acquisition threshold. For the acquisition of commercial items, the contracting officer shall use the clause with its Alternate I.
52.203-7 Anti-Kickback Procedures Jul 1995		R	R	I	3.502-3	The contracting officer shall insert the clause at 52.203-7, Anti-Kickback Procedures, in solicitations and contracts exceeding the simplified acquisition threshold, other than those for commercial items (see FAR Part 12).
52.203-8 Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity Jan 1997		R	R	I	3.104-9(a)	The contracting officer shall insert the clause at 52.203-8, Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity, in solicitations and contracts with a value exceeding the simplified acquisition threshold.
52.203-10 Price or Fee Adjustment for Illegal or Improper Activity Jan 1997		R	R	I	3.104-9(b)	The contracting officer shall insert the clause at 52.203-10, Price or Fee Adjustment for Illegal or Improper Activity, in solicitations and contracts with a value exceeding the simplified acquisition threshold.

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52.203-12 Limitation on Payments to Influence Certain Federal Transactions Jun 2003		R	R	I	3.808(b)	The clause at 52.203-12, Limitation on Payments to Influence Certain Federal Transactions, shall be included in solicitations and contracts expected to exceed \$100,000.
52.204-1 Approval of Contract Dec 1989		A	A	I	4.103	The contracting officer shall insert the clause at 52.204-1, Approval of Contract, in solicitations and contracts if required by agency procedures.
52.204-4 Printed or Copied Double-Sided on Recycled Paper Aug 2000		A	A	I	4.303	Insert the clause at 52.204-4, Printed or Copied Double-Sided on Recycled Paper, in solicitations and contracts that exceed the simplified acquisition threshold.
52.207-3 Right of First Refusal of Employment Nov 1991		A	A	I	7.305(c)	The contracting officer shall insert the clause at 52.207-3, Right of First Refusal of Employment, in all solicitations which may result in a conversion from in-house performance to contract performance of work currently being performed by the Government and in contracts that result from the solicitations, whether or not a cost comparison is conducted. The 10-day period in the clause may be varied by the contracting officer up to a period of 90 days.
52.207-5 Option to Purchase Equipment Feb 1995		A	A	I	7.404	The contracting officer shall insert a clause substantially the same as the clause in 52.207-5, Option to Purchase Equipment, in solicitations and contracts involving a lease with option to purchase.
52.208-8 Helium Requirement Forecast and Required Sources for Helium Apr 2002		A	A	I	8.505	Insert the clause at 52.208-8, Helium Requirement Forecast and Required Sources for Helium, in solicitations and contracts if it is anticipated that performance of the contract involves a major helium requirement.
52.208-9 Contractor Use of Mandatory Sources of Supply Jul 2004		A	A	I	8.004	The contracting officer shall insert the clause at 52.208-9, Contractor Use of Mandatory Sources of Supply, in solicitations and contracts which require a contractor to purchase supply items for Government use that are available from the Committee for Purchase from People Who Are Blind or Severely Disabled. The contracting officer shall identify in the contract schedule the items which must be purchased from a mandatory source and the specific source.
52.209-1 Qualification Requirements Feb 1995		A	A	I	9.206-2	The contracting officer shall insert the clause at 52.209_1, Qualification Requirements, in solicitations and contracts when the acquisition is subject to a qualification requirement.
52.209-6 Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment Jan 2005		R	R	I	9.409(b)	The contracting officer shall insert the clause at 52.209-6, Protecting the Government's Interests when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment, in solicitations and contracts where the contract value exceeds \$25,000.
52.211-5 Material Requirements Aug 2000		A	A	I	11.304	Insert the clause at 52.211-5, Material Requirements, in solicitations and contracts for supplies that are not commercial items.

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52.211-8 Time of Delivery Jun 1997		O	O	F	11.404(a)(2)	The contracting officer may insert in solicitations and contracts other than those for construction and architect-engineering, a clause substantially the same as the clause at 52.211-8, Time of Delivery, if the Government requires delivery by a particular time and the delivery schedule is to be based on the date of the contract.
Alternate I Jun 1997		O	O		11.404(a)(2)	If the delivery schedule is expressed in terms of specific calendar dates or specific periods and is based on an assumed date of award, the contracting officer may use the clause with its Alternate I.
Alternate II Jun 1997		O	O		11.404(a)(2)	If the delivery schedule is expressed in terms of specific calendar dates or specific periods and is based on an assumed date the contractor will receive notice of award, the contracting officer may use the clause with its Alternate II.
Alternate III Jun 1997		O	O		11.404(a)(2)	If the delivery schedule is to be based on the actual date the contractor receives a written notice of award, the contracting officer may use the clause with its Alternate III.
52.211-9 Desired and Required Time of Delivery Jun 1997		O	O	F	11.404(a)(3)	The contracting officer may insert in solicitations and contracts other than those for construction and architect-engineering, a clause substantially the same as the clause at 52.211-9, Desired and Required Time of Delivery, if the Government desires delivery by a certain time but requires delivery by a specified later time, and the delivery schedule is to be based on the date of the contract.
Alternate I Jun 1997		O	O		11.404(a)(3)	If the delivery schedule is expressed in terms of specific calendar dates or specific periods and is based on an assumed date of award, the contracting officer may use the clause with its Alternate I.
Alternate II Jun 1997		O	O		11.404(a)(3)	If the delivery schedule is expressed in terms of specific calendar dates or specific periods and is based on an assumed date the contractor will receive notice of award, the contracting officer may use the clause with its Alternate II.
Alternate III Jun 1997		O	O		11.404(a)(3)	If the delivery schedule is to be based on the actual date the contractor receives a written notice of award, the contracting officer may use the clause with its Alternate III.
52.211-12 Liquidated Damages—Construction Sep 2000		O	O	F	11.503(b)	Use the clause at 52.211-12, Liquidated Damages—Construction, in solicitations and contracts for construction, other than cost-plus-fixed-fee, when the contracting officer determines that liquidated damages are appropriate (see 11.501(a)). If the contract specifies more than one completion date for separate parts or stages of the work, revise paragraph (a) of the clause to state the amount of liquidated damages for delay of each separate part or stage of the work.
52.211-13 Time Extensions Sep 2000		A	A	F	11.503(c)	Use the clause at 52.211-13, Time Extensions, in solicitations and contracts for construction that use the clause at 52.211-12, Liquidated Damages—Construction, when that clause has been revised as provided in paragraph (b) of this section.
52.215-8 Order of Precedence—Uniform Contract Format Oct 1997		A	A	I	15.209(h)	The contracting officer shall insert the clause at 52.215-8, Order of Precedence—Uniform Contract Format, in solicitations and contracts using the format at 15.204.

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52.215-12 Subcontractor Cost or Pricing Data Oct 1997		A	A	I	15.408(d)	The contracting officer shall insert the clause at 52.215-12, Subcontractor Cost or Pricing Data, in solicitations and contracts when the clause at 52.215-10 is included.
52.215-13 Subcontractor Cost or Pricing Data--Modifications Oct 1997		A	A	I	15.408(e)	The contracting officer shall insert the clause at 52.215-13, Subcontractor Cost or Pricing Data-- Modifications, in solicitations and contracts when the clause at 52.215-11 is included.
52.215-14 Integrity of Unit Prices Oct 1997 Alternate I Oct 1997		A A	A A	I	15.408(f)(1) 15.408(f)(2)	The contracting officer shall insert the clause at 52.215-14, Integrity of Unit Prices, in solicitations and contracts except for: (i) Acquisitions at or below the simplified acquisition threshold; (ii) Construction or architect-engineer services under Part 36; (iii) Utility services under Part 41; (iv) Service contracts where supplies are not required; (v) Acquisitions of commercial items; and (vi) Contracts for petroleum products. The contracting officer shall insert the clause with its Alternate I when contracting without adequate price competition or when prescribed by agency regulations.
52.216-10 Incentive Fee Mar 1997		A	A	I	16.307(d)	The contracting officer shall insert the clause at 52.216-10, Incentive Fee, in solicitations and contracts when a cost-plus-incentive-fee contract (other than a facilities contract) is contemplated.
52.216-11 Cost Contract--No Fee Apr 1984 Alternate I Apr 1984		A A	A A	I	16.307(e)(1) 16.307(e)(2)	The contracting officer shall insert the clause at 52.216-11, Cost Contract--No Fee, in solicitations and contracts when a cost-reimbursement contract is contemplated that provides no fee and is not a cost-sharing contract or a facilities contract. If a cost-reimbursement research and development contract with an educational institution or a nonprofit organization that provides no fee or other payment above cost and is not a cost-sharing contract is contemplated, and if the contracting officer determines that withholding of a portion of allowable costs is not required, the contracting officer shall use the clause with its Alternate I.
52.216-12 Cost Sharing Contract--No Fee Apr 1984 Alternate I Apr 1984		A A	A A	I	16.307(f)(1) 16.307(f)(2)	The contracting officer shall insert the clause at 52.216-12, Cost-Sharing Contract--No Fee, in solicitations and contracts when a cost-sharing contract (other than a facilities contract) is contemplated. If a cost-sharing research and development contract with an educational institution or a nonprofit organization is contemplated, and if the contracting officer determines that withholding of a portion of allowable costs is not required, the contracting officer shall use the clause with its Alternate I.
52.216-23 Execution and Commencement of Work Apr 1984		A	A	I	16.603-4(b)(1)	The contracting officer shall insert the clause at 52.216-23, Execution and Commencement of Work, in letter contracts, except that this clause may be omitted from letter contracts awarded on SF 26.
52.216-24 Limitation of Government Liability Apr 1984		A	A	I	16.603-4(b)(2)	The contracting officer shall insert the clause at 52.216-24, Limitation of Government Liability, with dollar amounts completed in a manner consistent with 16.603-2(d).

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52.216-25 Contract Definitization Oct 1997 Alternate I Apr 1984		A A	A A	I	16.603-4(b)(3) 16.603-4(b)(3)	The contracting officer shall insert the clause at 52.216-25, Contract Definitization, with its paragraph (b) completed in a manner consistent with 16.603-2(c), in letter contracts. If, at the time of entering into the letter contract, the contracting officer knows that the definitive contract will be based on adequate price competition or will otherwise meet the criteria of 15.403-1 for not requiring submission of cost or pricing data, the words "and cost or pricing data supporting its proposal" may be deleted from paragraph (a) of the clause. If the letter contract is being awarded on the basis of price competition, the contracting officer shall use the clause with its Alternate I.
52.216-26 Payments of Allowable Costs Before Definitization Dec 2002		A	A	I	16.603-4(c)	The contracting officer shall also insert the clause at 52.216-26, Payments of Allowable Costs Before Definitization, in solicitations and contracts if a cost-reimbursement definitive contract is contemplated, unless the acquisition involves conversion, alteration, or repair of ships.
52.217-9 Option to Extend the Term of the Contract Mar 2000	970.1706-2	A	A	I	17.208(g) 970.1706-2	Insert a clause substantially the same as the clause at 52.217-9, Option to Extend the Term of the Contract, in solicitations and contracts when the inclusion of an option is appropriate (see FAR 17.200 and 17.202) and it is necessary to include in the contract any or all of the following: (1) A requirement that the Government must give the contractor a preliminary written notice of its intent to extend the contract. (2) A statement that an extension of the contract includes an extension of the option. (3) A specified limitation on the total duration of the contract.
52.219-6 Notice of Total Small Business Set-Aside Jun 2003 Alternate I Oct 1995 Alternate II Mar 2004		A A A	A A A	I	19.508(c) 19.508(c) 19.508(c)	The contracting officer shall insert the clause at 52.219-6, Notice of Total Small Business Set-Aside, in solicitations and contracts involving total small business set-asides. The clause at 52.219-6 with its Alternate I will be used when the acquisition is for a product in a class for which the Small Business Administration has waived the nonmanufacturer rule (see 19.102(f)(4) and (5)). Use the clause at 52.219-6 with its Alternate II when including FPI in the competition in accordance with 19.504.
52.219-7 Notice of Partial Small Business Set-Aside June 2003 Alternate I Oct 1995 Alternate II Mar 2004		A A A	A A A	I	19.508(d) 19.508(d) 19.508(d)	The contracting officer shall insert the clause at 52.219-7, Notice of Partial Small Business Set-Aside, in solicitations and contracts involving partial small business set-asides. The clause at 52.219-7 with its Alternate I will be used when the acquisition is for a product in a class for which the Small Business Administration has waived the nonmanufacturer rule (see 19.102(f)(4) and (5)). Use the clause at 52.219-7 with its Alternate II when including FPI in the competition in accordance with 19.504.
52.219-8 Utilization of Small Business Concerns May 2004		R	R	I	19.708(a)	The contracting officer shall insert the clause at 52.219-8, Utilization of Small Business Concerns, in solicitations and contracts when the contract amount is expected to be over the simplified acquisition threshold unless -- (1) A personal services contract is contemplated (see 37.104); or (2) The contract, together with all its subcontracts, is to be performed entirely outside the United States and its outlying areas.

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52.219-9 Small Business Subcontracting Plan Jul 2005		R	R	I	19.708(b)(1)	Insert the clause at 52.219-9, Small Business Subcontracting Plan, in solicitations and contracts that offer subcontracting possibilities, are expected to exceed \$500,000 (\$1,000,000 for construction of any public facility), and are required to include the clause at 52.219-8, Utilization of Small Business Concerns, unless the acquisition is set aside or is to be accomplished under the 8(a) program.
Alternate I Oct 2001		A	A		19.708(b)(1)	When contracting by sealed bidding rather than by negotiation, the contracting officer shall use the clause with its Alternate I.
Alternate II Oct 2001		A	A		19.708(b)(1)	When contracting by negotiation, and subcontracting plans are required with initial proposals as provided for in 19.705-2(d), the contracting officer shall use the clause with its Alternate II.
52.219-10 Incentive Subcontracting Program Oct 2001		O	O	I	19.708(c)(1)	The contracting officer may, when contracting by negotiation, insert in solicitations and contracts a clause substantially the same as the clause at 52.219-10, Incentive Subcontracting Program, when a subcontracting plan is required (see 19.702), and inclusion of a monetary incentive is, in the judgment of the contracting officer, necessary to increase subcontracting opportunities for small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, and women-owned small business concerns, and is commensurate with the efficient and economical performance of the contract; unless the conditions in paragraph (c)(3) of this section are applicable. The contracting officer may vary the terms of the clause as specified in paragraph (c)(2) of this section.
52.219-16 Liquidated Damages-- Subcontracting Plan Jan 1999		R	R	I	19.708(b)(2)	The contracting officer shall insert the clause at 52.219-16, Liquidated Damages--Subcontracting Plan, in all solicitations and contracts containing the clause at 52.219-9, Small, Small Disadvantaged and Women-Owned Small Business Subcontracting Plan, or the clause with its Alternate I or II.
52.219-25 Small Disadvantaged Business Participation Program - Disadvantaged Status and Reporting Oct 1999		A	A	I	19.1204(b)	The contracting officer shall insert the clause at 52.219-25, Small Disadvantaged Business Participation Program - Disadvantaged Status and Reporting, in solicitations and contracts that consider the extent of participation of SDB concerns in performance of the contract.
52.219-3 Notice of Total HUBZone Set-Aside Jan 1999		A	A	I	19.1308(a)	The contracting officer shall insert the clause at 52.219-3, Notice of Total HUBZone Set-Aside, in solicitations and contracts for acquisitions that are set aside for HUBZone small business concerns under 19.1305 or 19.1306.
52.219-4 Notice of Price Evaluation Preference for HUBZone Small Business Concerns July 2005		A	A	I	19.1308(b)	The contracting officer shall insert the clause at 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns, in solicitations and contracts for acquisitions conducted using full and open competition. The clause shall not be used in acquisitions that do not exceed the simplified acquisition threshold.
52.222-1 Notice to the Government of Labor Disputes Feb 1997		A	A	I	22.103-5(a)	The contracting officer shall insert the clause at 52.222-1, Notice to the Government of Labor Disputes, in solicitations and contracts that involve programs or requirements that have been designated under 22.101-1(e).

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52.222-3 Convict Labor Jun 2003		R	R	I	22.202	The contracting officer shall insert the clause at 52.222-3, Convict Labor, in solicitations and contracts above the micro-purchase threshold, when the contract is to be performed in any State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Trust Territory of the Pacific Islands; unless -- (a) The contract will be subject to the Walsh-Healey Public Contracts Act (see Subpart 22.6), which contains a separate prohibition against the employment of convict labor; (b) The supplies or services are to be purchased from Federal Prison Industries, Inc. (see Subpart 8.6); or (c) The acquisition involves the purchase, from any State prison, of finished supplies that may be secured in the open market or from existing stocks, as distinguished from supplies requiring special fabrication.
52.222-4 Contract Work Hours and Safety Standards Act—Overtime Compensation Jul 2005		A	A	I	22.305	Insert the clause at 52.222-4, Contract Work Hours and Safety Standards Act—Overtime Compensation, in solicitations and contracts (including, for this purpose, basic ordering agreements) when the contract may require or involve the employment of laborers or mechanics. However, do not include the clause in solicitations and contracts— (a) Valued at or below the simplified acquisition threshold; (b) For commercial items; (c) For transportation or the transmission of intelligence; (d) To be performed outside the United States, Puerto Rico, American Samoa, Guam, the U.S. Virgin Islands, Johnston Island, Wake Island, and Outer Continental Shelf lands as defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331) (29 CFR 5.15); (e) For work to be done solely in accordance with the Walsh-Healey Public Contracts Act (see Subpart 22.6); (f) For supplies that include incidental services that do not require substantial employment of laborers or mechanics; or (g) Exempt under regulations of the Secretary of Labor (29 CFR 5.15).
52.222-6 Davis-Bacon Act Jul 2005		A	A	I	22.407(a)(1)	The contracting officer shall insert the clause in solicitations and contracts in excess of \$2,000 for construction within the United States.
52.222-7 Withholding of Funds Feb 1988		A	A	I	22.407(a)(2)	The contracting officer shall insert the clause in solicitations and contracts in excess of \$2,000 for construction within the United States.
52.222-8 Payrolls and Basic Records Feb 1988		A	A	I	22.407(a)	The contracting officer shall insert the clause in solicitations and contracts in excess of \$2,000 for construction within the United States.
52.222-9 Apprentices and Trainees July 2005		A	A	I	22.407(a)	The contracting officer shall insert the clause in solicitations and contracts in excess of \$2,000 for construction within the United States.
52.222-10 Compliance with Copeland Act		A	A	I	22.407(a)	The contracting officer shall insert the clause in solicitations and contracts in excess of \$2,000 for construction within the United

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Requirements Feb 1988						States.
52.222-11 Subcontracts (Labor Standards) Jul 2005		A	A	I	22.407(a)	The contracting officer shall insert the clause in solicitations and contracts in excess of \$2,000 for construction within the United States.
52.222-12 Contract Termination—Debarment Feb 1988		A	A	I	22.407(a)	The contracting officer shall insert the clause in solicitations and contracts in excess of \$2,000 for construction within the United States.
52.222-13 Compliance with Davis-Bacon and Related Act Regulations Feb 1988		A	A	I	22.407(a)	The contracting officer shall insert the clause in solicitations and contracts in excess of \$2,000 for construction within the United States.
52.222-14 Disputes Concerning Labor Standards Feb 1988		A	A	I	22.407(a)	The contracting officer shall insert the clause in solicitations and contracts in excess of \$2,000 for construction within the United States.
52.222-15 Certification of Eligibility Feb 1988		A	A	I	22.407(a)	The contracting officer shall insert the clause in solicitations and contracts in excess of \$2,000 for construction within the United States.
52.222-16 Approval of Wage Rates Feb 1988		A	A	I	22.407(b)	Insert the clause at 52.222-16, Approval of Wage Rates, in solicitations and contracts in excess of \$2,000 for cost-reimbursement construction to be performed within the United States, except for contracts with a State or political subdivision thereof.
52.222-17 Labor Standards for Construction Work—Facilities Contracts Feb 1988		A	A	I	22.407(d)	Insert the clause at 52.222-17, Labor Standards for Construction Work—Facilities Contracts, in solicitations and contracts, if a facilities contract (see 45.301) may require covered construction work (see 22.402(b)) to be performed in the United States.
52.222-20 Walsh-Healey Public Contracts Act Dec 1996		A	A	I	22.610	The contracting officer shall insert the clause at 52.222-20, Walsh-Healey Public Contracts Act, in solicitations and contracts covered by the Act (see 22.603, 22.604, and 22.605).
52.222-21 Prohibition of Segregated Facilities Feb 1999		A	A	I	22.810(a)(1)	When a contract is contemplated that will include the clause at 52.222-26, Equal Opportunity, the contracting officer shall insert the clause at 52.222-21, Prohibition of Segregated Facilities, in solicitations and contracts.
52.222-26 Equal Opportunity Apr 2002		A	A	I	22.810(e)	The contracting officer shall insert the clause at 52.222-26, Equal Opportunity, in solicitations and contracts (see 22.802) unless the contract is exempt from all of the requirements of E.O. 11246 (see 22.807(a)).
Alternate I Feb 1999		A	A			If the contract is exempt from one or more, but not all, of the requirements of E.O. 11246, the contracting officer shall use the clause with its Alternate I.
52.222-27 Affirmative Action Compliance Requirements for Construction Feb 1999		A	A	I	22.810(f)	The contracting officer shall insert the clause at 52.222-27, Affirmative Action Compliance Requirements for Construction, in solicitations and contracts for construction that will include the clause at 52.222-26, Equal Opportunity, and the amount of the contract is expected to be in excess of \$10,000.

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52.222-29 Notification of Visa Denial Jun 2003		A	A	I	22.810(g)	The contracting officer shall insert the clause at 52.222-29, Notification of Visa Denial, in contracts that will include the clause at 52.222-26, Equal Opportunity, if the contractor is required to perform in or on behalf of a foreign country.
52.222.35 Affirmative Action for Disabled and Vietnam Era Veterans Dec 2001 Alternate I Dec 2001		A A	A A	I	22.1310(a)(1) 22.1310(a)(2)	Insert the clause at 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans, in solicitations and contracts if the expected value is \$25,000 or more, except when— (i) Work is performed outside the United States by employees recruited outside the United States; or (ii) The Deputy Assistant Secretary of Labor has waived, in accordance with 22.1305(a) or the head of the agency has waived, in accordance with 22.1305(b) all of the terms of the clause. If the Deputy Assistant Secretary of Labor or the head of the agency waives one or more (but not all) of the terms of the clause, use the basic clause with its Alternate I.
52.222-36 Affirmative Action for Workers with Disabilities Jun 1998 Alternate I Jun 1998		A A	A A	I	22.1408(a) 22.1408(b)	Insert the clause at 52.222-36, Affirmative Action for Workers with Disabilities, in solicitations and contracts that exceed or are expected to exceed \$10,000, except when— (1) Both the performance of the work and the recruitment of workers will occur outside the United States, Puerto Rico, the Northern Mariana Islands, American Samoa, Guam, the U.S. Virgin Islands, and Wake Island; or (2) The agency head has waived, in accordance with 22.1403(a) or 22.1403(b) all the terms of the clause. If the agency head waives one or more (but not all) of the terms of the clause in accordance with 22.1403(a) or 22.1403(b), use the basic clause with its Alternate I.
52.222-37 Employment Reports on Disabled Veterans and Veterans of the Vietnam Era Dec 2001		A	A	I	22.1310(b)	Insert the clause at 52.22237, Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans, in solicitations and contracts containing the clause at 52.22235, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans.
52.222-38 Compliance with Veterans' Employment Reporting Requirements Dec 2001		A	A	I	22.1310(c)	Insert the provision at 52.22238, Compliance with Veterans' Employment Reporting Requirements, in solicitations when it is anticipated the contract award will exceed the simplified acquisition threshold and the contract is not for acquisition of commercial items.
52.223-3 Hazardous Material Identification and Material Safety Data Jun 1997 Alternate I Jul 1995		A A	A A	I	23.303(a) 23.303(b)	The contracting officer shall insert the clause at 52.223-3, Hazardous Material Identification and Material Safety Data, in solicitations and contracts if the contract will require the delivery of hazardous materials as defined in 23.301. If the contract is awarded by an agency other than the Department of Defense, the contracting officer shall use the clause at 52.223-3 with its Alternate I.
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52.223-5 Pollution Prevention and Right- to-know Information Aug 2003 Alternate I Aug 2003 Alternate II Aug 2003		A A A	A A A	I	23.1005(a) 23.1005(b) 23.1005(c)	Insert the clause at 52.223-5, Pollution Prevention and Right-to-Know Information, in solicitations and contracts that provide for performance, in whole or in part, on a Federal facility. Use the clause with its Alternate I if the contract provides for contractor— (1) Operation or maintenance of a Federal facility at which the agency has implemented or plans to implement an EMS; or (2) Activities and operations— (i) To be performed at a Government-operated Federal facility that has implemented or plans to implement an EMS; and (ii) That the agency has determined are covered within the EMS. Use the clause with its Alternate II if— (1) The contract provides for contractor activities on a Federal facility; and (2) The agency has determined that the contractor activities should be included within the FCA or an environmental management system audit.
52.223-6 Drug-Free Workplace May 2001		A	A	I	23.505	Except as provided in 23.501, insert the clause at 52.223-6, Drug-Free Workplace, except as noted below, in solicitations and contracts. The clause at 52.223-6 shall be omitted if the clause at DEAR 970.5223-4 is used.
52.223-7 Notice of Radioactive Materials Jan 1997		A	A	I	23.602	The contracting officer shall insert the clause at 52.223_7, Notice of Radioactive Materials, in solicitations and contracts for supplies which are, or which contain -- (a) radioactive material requiring specific licensing under regulations issued pursuant to the Atomic Energy Act of 1954; or (b) radioactive material not requiring specific licensing in which the specific activity is greater than 0.002 microcuries per gram or the activity per item equals or exceeds 0.01 microcuries. Such supplies include, but are not limited to, aircraft, ammunition, missiles, vehicles, electronic tubes, instrument panel gauges, compasses and identification markers.
52.223-9 Estimate of Percentage of Recovered Material Content for EPA-Designated Products Aug 2000		A	A	I	23.406(b)	Insert the clause at 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Products, in contracts exceeding \$100,000 that include the provision at 52.223-4. If technical personnel advise that estimates can be verified, use the clause with its Alternate I.
52.223-10 Waste Reduction Program Aug 2000		A	A	I	23.705	Insert the clause at 52.223-10, Waste Reduction Program, in all solicitations and contracts for contractor operation of Government-owned or -leased facilities and all solicitations and contracts for support services at Government-owned or -operated facilities.

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52.223-11 Ozone-Depleting Substances May 2001		A	A	I	23.804(a)	Except for contracts to be performed outside the United States, its possessions, and Puerto Rico, the contracting officer shall insert the clause at 52.223-11, Ozone-Depleting Substances, in solicitations and contracts for ozone-depleting substances or for supplies that may contain or be manufactured with ozone-depleting substances.
52.223-12 Refrigeration Equipment and Air Conditioners May 1995		A	A	I	23.804(b)	Except for contracts to be performed outside the United States, its possessions, and Puerto Rico, the contracting officer shall insert the clause at 52.223-12, Refrigeration Equipment and Air Conditioners, in solicitations and contracts for services when the contract includes the maintenance, repair, or disposal of any equipment or appliance using ozone-depleting substances as a refrigerant, such as air conditioners, including motor vehicles, refrigerators, chillers, or freezers.
52.223-13 Certification of Toxic Chemical Release Reporting Aug 2003		A	A	I	23.907(a)	Except for acquisitions of commercial items as defined in Part 2, the contracting officer shall insert the provision at 52.223-13, Certification of Toxic Chemical Release Reporting, in all solicitations for competitive contracts expected to exceed \$100,000 and competitive 8(a) contracts, unless it has been determined in accordance with 23.905(b) that to do so is not practicable.
52.223-14 Toxic Chemical Release Reporting Aug 2003		A	A	I	23.907(b)	When the solicitation contains the provision at 52.223-13, Certification of Toxic Chemical Release Reporting, insert the clause at 52.223-14, Toxic Chemical Release Reporting, in the resulting contract, if the contract is expected to exceed \$100,000.
52.224-1 Privacy Act Notification Apr 1984		A	A	I	24.104(a)	When the design, development, or operation of a system of records on individuals is required to accomplish an agency function, the contracting officer shall insert the clause at 52.224-1, Privacy Act Notification.
52.224-2 Privacy Act Apr 1984		A	A	I	24.104(b)	When the design, development, or operation of a system of records on individuals is required to accomplish an agency function, the contracting officer shall insert the clause at 52.224-2, Privacy Act.
52.225-1 Buy American Act-Supplies Jun 2003		A	A	I	25.1101(a)(1)	Insert the clause at 52.225-1, Buy American Act—Supplies, in solicitations and contracts with a value exceeding \$2,500 (\$15,000 for acquisitions as described in 13.201(g)(1)) but not exceeding \$25,000; and in solicitations and contracts with a value exceeding \$25,000, if none of the clauses prescribed in paragraphs (b) and (c) of this section apply, except if— (i) The solicitation is restricted to domestic end products in accordance with Subpart 6.3; (ii) The acquisition is for supplies for use within the United States and an exception to the Buy American Act applies (<i>e.g.</i> , nonavailability, public interest, or information technology that is a commercial item); or (iii) The acquisition is for supplies for use outside the United States.

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52.225-9 Buy American Act-Construction Materials Jan 2005		A	A	I	25.1102(a)	<p>Insert the clause at 52.225-9, Buy American Act—Construction Materials, in solicitations and contracts for construction that is performed in the United States valued at less than \$7,407,000.</p> <p>(1) List in paragraph (b)(2) of the clause all foreign construction material excepted from the requirements of the Buy American Act.</p> <p>(2) If the head of the agency determines that a higher percentage is appropriate, substitute the higher evaluation percentage in paragraph (b)(3)(i) of the clause.</p> <p>(b)(1) Insert the provision at 52.225-10, Notice of Buy American Act Requirement—Construction Materials, in solicitations containing the clause at 52.225-9.</p>
52.225-13 Restrictions on Certain Foreign Purchases Mar 2005		R	R	I	25.1103(a)	<i>Restrictions on certain foreign purchases.</i> Insert the clause at 52.225-13, Restrictions on Certain Foreign Purchases, in solicitations and contracts with a value exceeding \$2,500, \$15,000 for acquisitions as described in 13.201(g)(1), unless an exception applies.
52.225-14 Inconsistency Between English Version and Translation of Contract Feb 2000		A	A	I	25.1103(b)	Insert the clause at 52.225-14, Inconsistency Between English Version and Translation of Contract, in solicitations and contracts if anticipating translation into another language.
52.226-1 Utilization of Indian Organizations and Indian-Owned Economic Enterprises Jun 2000		A	A	I	26.104(b)	Contracting officers in civilian agencies may insert the clause at 52.226-1, Utilization of Indian Organizations and Indian-Owned Economic Enterprises, in solicitations and contracts if -- (1) In the opinion of the contracting officer, subcontracting possibilities exist for Indian organizations or Indian-owned economic enterprises; and (2) Funds are available for any increased costs as described in paragraph (c)(2) of the clause at 52.226-1.
52.227-10 Filing of Patent Applications--Classified Subject Matter Apr 1984		A	A	I	27.207-2	The contracting officer shall insert the clause at 52.227-10, Filing of Patent Applications--Classified Subject Matter, in all classified solicitations and contracts and in all solicitations and contracts where the nature of the work or classified subject matter involved in the work reasonably might be expected to result in a patent application containing classified subject matter.
52.227-23 Rights to Proposal Data Jun 1987		R	R	I	27.409(s) 970.2702-5	Contracting officers must include the clause at 52.227-23, Rights to Proposal Data, in all solicitations and contracts for the management and operation of DOE sites and facilities.
52.228-2 Additional Bond Security Oct 1997		A	A	I	28.106-4(a)	The contracting officer shall insert the clause at 52.228-2, Additional Bond Security, in solicitations and contracts when bonds are required.

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52.228-4 Workers' Compensation and War-Hazard Insurance Overseas Apr 1984		A	A	I	28.309(b)	The contracting officer shall insert the clause at 52.228-4, Worker's Compensation and War-Hazard Insurance Overseas, in solicitations and contracts when the contract will be a public-work contract performed outside the United States and the Secretary of Labor waives the applicability of the Defense Base Act (see 28.305(d)).
52.228-11 Pledges of Assets Feb 1992		A	A	I	28.203-6	Insert the clause at 52.228-11 in solicitations and contracts which require the submission of bid guarantees, performance, or payment bonds.
52.228-12 Prospective Subcontractor Requests for Bonds Oct 1995		A	A	I	28.106-4(b)	In accordance with Section 806(a)(3) of Pub. L. 102-190, as amended by Sections 2091 and 8105 of Pub. L. 103-355, the contracting officer shall insert the clause at 52.228-12, Prospective Subcontractor Requests for Bonds, in solicitations and contracts with respect to which a payment bond will be furnished pursuant to the Miller Act (see 28.102-1), except for contracts for the acquisition of commercial items as defined in Subpart 2.1.
52.228-13 Alternative Payment Protections Jun 2000		A	A	I	28.102-3(b)	Insert the clause at 52.228-13, Alternative Payment Protections, in solicitations and contracts for construction, when the estimated or actual value exceeds \$25,000 but does not exceed \$100,000. Complete the clause by specifying the payment protections selected (see 28.102-1(b)(1)) and the deadline for submission.
52.228-14 Irrevocable Letter of Credit Dec 1999		A	A	I	28.204-4	Insert the clause at 52.228-14, Irrevocable Letter of Credit, in solicitations and contracts for services, supplies, or construction, when a bid guarantee, or performance bonds, or performance and payment bonds are required.
52.228-15 Performance and Payment Bonds—Construction Jul 2000		A	A	I	28.102-3(a)	The contracting officer shall insert a clause substantially the same as the clause at 52.228-15, Performance and Payment Bonds—Construction, in solicitations and contracts for construction that contain a requirement for performance and payment bonds if the resultant contract is expected to exceed \$100,000. The penal amount of the performance bonds may be decreased in accordance with 28.102-2(a). Where the provision at 52.228-1 is not included in the solicitation, the contracting officer shall set a period of time for return of executed bonds.
52.228-16 Performance and Payment Bonds—Other Than Construction Jul 2000		A	A	I	28.103-4	The contracting officer shall insert a clause substantially the same as the clause at 52.228-16, Performance and Payment Bonds—Other than Construction, in solicitations and contracts that contain a requirement for both payment and performance bonds. The contracting officer shall determine the amount of each bond for insertion in the clause. The amount shall be adequate to protect the interest of the Government. The contracting officer shall also set a period of time (normally 10 days) for return of executed bonds.
Alternate I Jul 2000		A	A		28.103-4	Alternate I shall be used when only performance bonds are required.
52.229-2 North Carolina State and Local Sales and Use Tax		A	A	I	29.401-2	The contracting officer shall insert the clause at 52.229_2, North Carolina State and Local Sales and Use Tax, in solicitations and contracts for construction to be performed in North Carolina.

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Apr 1984 Alternate I Apr 1984		A	A		29.401-2	If the requirement is for vessel repair to be performed in North Carolina, the clause shall be used with its Alternate I.
52.229-8 Taxes--Foreign Cost- Reimbursement Contracts Mar 1990		A	A	I	29.402-2(a)	The contracting officer shall insert the clause at 52.229-8, Taxes--Foreign Cost-Reimbursement Contracts, in solicitations and contracts when a cost-reimbursement contract is contemplated and the contract is to be performed wholly or partly in a foreign country, unless it is contemplated that the contract will be with a foreign government.
52.229-10 New Mexico Gross Receipts Compensating Tax Apr 2003	970.2904- 1(a)	A	A	I	29.401-4(b) 970.2904-1(a)	<p>The contracting officer shall insert the clause at 52.229-10, State of New Mexico Gross Receipts and Compensating Tax, in solicitations and contracts issued by the agencies identified in paragraph (c) of this subsection when all three of the following conditions exist:</p> <p>(1) The contractor will be performing a cost-reimbursement contract.</p> <p>(2) The contract directs or authorizes the contractor to acquire tangible personal property as a direct cost under a contract and title to such property passes directly to and vests in the United States upon delivery of the property by the vendor.</p> <p>(3) The contract will be for services to be performed in whole or in part within the State of New Mexico.</p> <p>DEAR 970.2904-1(a) alters the FAR clause.</p>
52.230-2 Cost Accounting Standards Apr 1998		A	A	I	30.201-4(a)	Cost accounting standards. (1) The contracting officer shall insert the clause at FAR 52.230-2, Cost Accounting Standards, in negotiated contracts, unless the contract is exempted (see 48 CFR 9903.201-1 (FAR Appendix)), the contract is subject to modified coverage (see 48 CFR 9903.201-2 (FAR Appendix)), or the clause at FAR 52.230-4 is used.
52.230-3 Disclosure and Consistency of Cost Accounting Practices Apr 1998		A	A	I	30.201-4(b)(1)	The contracting officer shall insert the clause at FAR 52.230-3, Disclosure and Consistency of Cost Accounting Practices, in negotiated contracts when the contract amount is over \$500,000, but less than \$25 million, and the offeror certifies it is eligible for and elects to use modified CAS coverage (see 48 CFR 9903.201-2 (FAR Appendix)), unless the clause at FAR 52.230-4 is used.
52.230-4 Consistency in Cost Accounting Practices Aug 1992		A	A	I	30.201-4(c)	The contracting officer shall insert the clause at FAR 52.230-4, Consistency in Cost Accounting Practices, in negotiated contracts that are exempt from CAS requirements solely on the basis of the fact that the contract is to be awarded to a United Kingdom contractor and is to be performed substantially in the United Kingdom (see 48 CFR 9903.201-1(b)(12) (FAR Appendix)).
52.230-5 Cost Accounting Standards--Educational Institution Apr 1998		-	A	I	30.201-4(e)	The contracting officer shall insert the clause at FAR 52.230-5, Cost Accounting Standards--Educational Institution, in negotiated contracts awarded to educational institutions, unless the contract is exempted (see 48 CFR 9903.201-1 (FAR Appendix)), the contract is to be performed by an FFRDC (see 48 CFR 9903.201-2(c)(5) (FAR Appendix)), or the provision at 48 CFR 9903.201-2(c)(6) (FAR Appendix) applies.
52.230-6		A	A	I	30.201-4(d)(1)	The contracting officer shall insert the clause at FAR 52.230-6,

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Administration of Cost Accounting Standards Apr 2005						Administration of Cost Accounting Standards, in contracts containing any of the clauses prescribed in paragraphs (a), (b), or (e) of subsection.
52.232-17 Interest Jun 1996		A	-	I	32.617(a) and (b)	<p>The contracting officer shall insert the clause at 52.232-17, Interest, in solicitations and contracts, unless it is contemplated that the contract will be in one or more of the following categories: (1) Contracts at or below the simplified acquisition threshold. (2) Contracts with Government agencies. (3) Contracts with a State or local government or instrumentality. (4) Contracts with a foreign government or instrumentality. (5) Contracts without any provision for profit or fee with a nonprofit organization. (6) Contracts described in Subpart 5.5, Paid Advertisements. (7) Any other exceptions authorized under agency procedures.</p> <p>The contracting officer may insert the clause at 52.232-17, Interest, in solicitations and contracts when it is contemplated that the contract will be in any of the categories specified above.</p>
52.232-18 Availability of Funds Apr 1984		A	A	I	32.705-1(a)	The contracting officer shall insert the clause at 52.232-18, Availability of Funds, in solicitations and contracts if the contract will be chargeable to funds of the new fiscal year and the contracting action is to be initiated before the funds are available.
52.232-19 Availability of Funds for Next Fiscal Year Apr 1984		A	A	I	32.705-1(b)	The contracting officer shall insert the clause at 52.232-19, Availability of Funds for the Next Fiscal Year, in solicitations and contracts if a one-year indefinite-quantity or requirements contract for services is contemplated and the contract – (1) Is funded by annual appropriations; and (2) Is to extend beyond the initial fiscal year (see 32.703-2(b)).
52.232-23 Assignment of Claims Alternate I Apr 1984		A A	A A	I	32.806(a)(1) 32.806(a)(2)	<p>The contracting officer shall insert the clause at 52.232-23, Assignment of Claims, in solicitations and contracts expected to exceed the micro-purchase threshold, unless the contract will prohibit the assignment of claims (see 32.803(b)).</p> <p>If a no-setoff commitment has been authorized (see FAR 32.803 (d)), the contracting officer shall use the clause with its Alternate I.</p>
52.232-24 Prohibition of Assignment of Claims Jan 1986		A	A	I	32.806(b)	The contracting officer shall insert the clause at 52.232-24, Prohibition of Assignment of Claims, in solicitations and contracts for which a determination has been made under agency regulations that the prohibition of assignment of claims is in the Government's interest.
52.232-33 Payment by Electronic Funds Transfer - Central Contractor Registration Oct 2003		A	A	I	32.1110(a)(1)	<p>The contracting officer shall insert the clause at—</p> <p>(1) 52.232-33, Payment by Electronic Funds Transfer— Central Contractor Registration, in solicitations and contracts that include the clause at 52.204-7 or an agency clause that</p>

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						requires a contractor to be registered in the CCR database and maintain registration until final payment, unless— (i) Payment will be made through a third party arrangement (see 13.301 and paragraph (d) of this section); or (ii) An exception listed in 32.1103(a) through (i) applies.
52.232-34 Payment by Electronic Funds Transfer - Other than Central Contractor Registration May 1999		A	A	I	32.1110(a)(2)	The contracting officer shall insert the clause at 52.232-34, Payment by Electronic Funds Transfer - Other than Central Contractor Registration, in all other solicitations and contracts. The contracting officer also shall insert this clause if the payment office does not have the ability to make payment by EFT, but will use a source other than the CCR database for EFT information when it begins making payments by EFT.
52.232-35 Designation of Office for Government Receipt of Electronic Funds Transfer Information May 1999		A	A	I	32.1110(c)	If EFT information is to be submitted to other than the payment office in accordance with agency procedures, the contracting officer shall insert in solicitations and contracts the clause at 52.232-35 Designation of Office for Government Receipt of Electronic Funds Transfer Information, or a clause substantially the same as 52.232-35 that clearly informs the contractor where to send the EFT information.
52.232-36 Payment by Third Party May 1999		A	A	I	32.1110(d)	If a payment under a written contract will be made by a charge to a Government account with a third party such as a Government-wide commercial purchase card, then the contracting officer shall insert the clause at 52.232-36, Payment by a Third Party, in solicitations and contracts.
52.232-37 Multiple Payment Arrangements May 1999		A	A	I	32.1110(e)	If the contract or agreement provides for the use of delivery orders, and provides that the ordering office designate the method of payment for individual orders, the contracting officer shall insert, in the solicitation and contract or agreement, the clause at 52.232-37, Multiple Payment Arrangements, and, to the extent they are applicable the clauses at— (1) 52.232-33, Payment by Electronic Funds Transfer—Central Contractor Registration; (2) 52.232-34, Payment by Electronic Funds Transfer—Other than Central Contractor Registration; and (3) 52.232-36, Payment by Third Party.
52.233-1 Disputes Jul 2002 Alternate I Dec 1991		R A	R A	I	33.215(a) 33.215(a)	The contracting officer shall insert the clause at 52.233-1, Disputes, in solicitations and contracts, unless the conditions in 33.203(b) apply. If it is determined under agency procedures that continued performance is necessary pending resolution of any claim arising under or relating to the contract, the contracting officer shall use the clause with its Alternate I.
52.233-3 Protest after Award Aug 1996 Alternate I Jun 1985		R R	R R	I	33.106(b) 33.106(b)	The contracting officer shall insert the clause at 52.233-3, Protest After Award, in all solicitations and contracts. If a cost reimbursement contract is contemplated, the contracting officer shall use the clause with its Alternate I.
52.234-1 Industrial Resources Developed Under Defense Production Act		A	A	I	34.104	Insert the clause at 52.234-1, Industrial Resources Developed under Title III, Defense Production Act, in all contracts for major systems and items of supply.

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Title III Dec 1994						
52.236-8 Other Contracts Apr 1984	970.3605-1	A	A	I	36.508 970.3605-1	The contracting officer shall insert the clause at 52.236-8, Other Contracts, in solicitations and contracts when a fixed-price construction contract or a fixed-price dismantling, demolition, or removal of improvements contract is contemplated and the contract amount is expected to exceed the simplified acquisition threshold. The contracting officer may insert the clause in solicitations and contracts when a fixed-price construction or a fixed-price contract for dismantling, demolition, or removal of improvements is contemplated and the contract amount is expected to be at or below the simplified acquisition threshold.
52.236-18 Work Oversight in Cost-Reimbursement Construction Contracts Apr 1984		A	A	I	36.518	The contracting officer shall insert the clause at 52.236-18, Work Oversight in Cost-Reimbursement Construction Contracts, in solicitations and contracts when a cost-reimbursement construction contract is contemplated.
52.237-2 Protection of Government Buildings, Equipment, and Vegetation Apr 1984		A	A	I	37.110(b)	The contracting officer shall insert the clause at 52.237-2, Protection of Government Buildings, Equipment, and Vegetation, in solicitations and contracts for services to be performed on Government installations, unless a construction contract is contemplated.
52.237-3 Continuity of Services Jan 1991		O	O	I	37.110(c)	The contracting officer may insert the clause at 52.237-3, Continuity of Services, in solicitations and contracts for services, when -- (1) The services under the contract are considered vital to the Government and must be continued without interruption and when, upon contract expiration, a successor, either the Government or another contractor, may continue them; and (2) The Government anticipates difficulties during the transition from one contractor to another or to the Government. Examples of instances where use of the clause may be appropriate are services in remote locations or services requiring personnel with special security clearances.
52.239-1 Privacy or Security Safeguards Aug 1996		A	A	I	39.107	The contracting officer shall insert a clause substantially the same as the clause at 52.239-1, Privacy or Security Safeguards, in solicitations and contracts for information technology which require security of information technology, and/or are for the design, development, or operation of a system of records using commercial information technology services or support services.
52.242-1 Notice of Intent to Disallow Costs Apr 1984		R	R	I	42.802	The contracting officer shall insert the clause at 52.242-1, Notice of Intent to Disallow Costs, in solicitations and contracts when a cost-reimbursement contract, a fixed-price incentive contract, or a contract providing for price redetermination is contemplated.
52.242-2 Production Progress Reports Apr 1991		A	A	I	42.1107(a)	The contracting officer shall insert the clause at 52.242-2, Production Progress Reports, in solicitations and contracts when production progress reporting is required; unless a facilities contract, a construction contract, or a Federal Supply Schedule contract is contemplated.
52.242-3 Penalties for Unallowable Costs		A	A	I	42.709-6	Use the clause at 52.242-3, Penalties for Unallowable Costs, in all solicitations and contracts over \$500,000 except fixed-price

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Mar 2001						contracts without cost incentives or any firm-fixed-price contract for the purchase of commercial items. Generally, covered contracts are those which contain one of the clauses at 52.216-7, 52.216-13, 52.216-16, or 52.216-17, or a similar clause from an executive agency's supplement to the FAR.
52.242-10 F.o.b. Origin--Government Bills of Lading or Prepaid Postage Apr 1984		A	A	I	42.1404-2(a)	The contracting officer shall insert the clause at 52.242-10, F.o.b. Origin--Government Bills of Lading or Prepaid Postage, in solicitations and contracts when f.o.b. origin shipments are to be made using Government bills of lading or prepaid postage.
52.242-11 F.o.b. Origin--Government Bills of Lading or Indicia Mail Feb 1993		A	A	I	42.1404-2(b)	The contracting officer shall insert the clause at 52.242-11, F.o.b. Origin--Government Bills of Lading or Indicia Mail, in solicitations and contracts when f.o.b. origin shipments are to be made using Government bills of lading or indicia mail, if indicia mail has been authorized by the U.S. Postal Service.
52.242-12 Report of Shipment (REPSHIP) Jun 2003		A	A	I	42.1406-2	The contracting officer shall insert the clause at 52.242-12, Report of Shipment (REPSHIP), in solicitations and contracts when advance notice of shipment is required for safety or security reasons, or where carload or truckload shipments will be made to DoD installations or, as required, to civilian agency facilities.
52.242-13 Bankruptcy Jul 1995		R	R	I	42.903	The contracting officer shall insert the clause at 52.242-13, Bankruptcy, in all solicitations and contracts exceeding the simplified acquisition threshold.
52.242-15 Stop-Work Order Aug 1989		O	O	F	42.1305(b)(1)	The contracting officer may, when contracting by negotiation, insert the clause at 52.242-15, Stop-Work Order, in solicitations and contracts for supplies, services, or research and development.
Alternate I Apr 1984		O	O		42.1305(b)(2)	If a cost-reimbursement contract is contemplated, the contracting officer shall use the clause with its Alternate I.
52.243-6 Change Order Accounting Apr 1984		O	O	I	43.205(f)	The contracting officer may insert a clause, substantially the same as the clause at 52.243-6, Change Order Accounting, in solicitations and contracts for supply and research and development contracts of significant technical complexity, if numerous changes are anticipated. The clause may be included in solicitations and contracts for construction if deemed appropriate by the contracting officer.
52.243-7 Notification of Changes Apr 1984		O	O	I	43.107	The contracting officer may insert a clause substantially the same as the clause at 52.243-7, Notification of Changes, in solicitations and contracts. The clause is available for use primarily in negotiated research and development or supply contracts for the acquisition of major weapon systems or principal subsystems. If the contract amount is expected to be less than \$1,000,000, the clause shall not be used, unless the contracting officer anticipates that situations will arise that may result in a contractor alleging that the Government has effected changes other than those identified as such in writing and signed by the contracting officer.

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52.244-5 Competition in Subcontracting Dec 1996		A	A	I	44.204(c)	The contracting officer shall, when contracting by negotiation, insert the clause at 52.244-5, Competition in Subcontracting, in solicitations and contracts when the contract amount is expected to exceed the simplified acquisition threshold, unless -- (1) A firm-fixed-price contract, awarded on the basis of adequate price competition or whose prices are set by law or regulation, is contemplated; or (2) A time-and-materials, labor-hour, or architect-engineer contract is contemplated.
52.244-6 Subcontracts for Commercial Items and Commercial Components Dec 2004		R	R	I	44.403	The contracting officer shall insert the clause at 52.244-6, Subcontracts for Commercial Items and Commercial Components, in solicitations and contracts other than those for commercial items.
52.246-3 Inspection of Supplies--Cost- Reimbursement Mar 2001		A	A	E	46.303	The contracting officer shall insert the clause at 52.246-3, Inspection of Supplies--Cost Reimbursement, in solicitations and contracts for supplies, or services that involve the furnishing of supplies, when a cost-reimbursement contract is contemplated.
52.246-5 Inspection of Services--Cost- Reimbursement Apr 1984		A	A	E	46.305	The contracting officer shall insert the clause at 52.246-5, Inspection of Services--Cost Reimbursement, in solicitations and contracts for services, or supplies that involve the furnishing of services, when a cost-reimbursement contract is contemplated.
52.246-8 Inspection of Research and Development--Cost Reimbursement May 2001 Alternate I Apr 1984		A A	A A	E	46.308 46.308	The contracting officer shall insert the clause at 52.246-8, Inspection of Research and Development-- Cost Reimbursement, in solicitations and contracts for research and development when (a) the primary objective of the contract is the delivery of end items other than designs, drawings, or reports, and (b) a cost-reimbursement contract is contemplated; unless use of the clause is impractical and the clause prescribed in 46.309 is considered to be more appropriate. If it is contemplated that the contract will be on a no-fee basis, the contracting officer shall use the clause with its Alternate I.
52.246-9 Inspection of Research and Development (Short Form) Apr 1984		A	A	E	46.309	The contracting officer shall insert the clause at 52.246-9, Inspection of Research and Development (Short Form), in solicitations and contracts for research and development when the clause at 52.246-7 or the clause at 52.246-8 is not used.
52.246-11 Higher-Level Contract Quality Requirement (Government Specification) Feb 1999		A	A	E	46.311	The contracting officer shall insert the clause at 52.246-11, Higher-Level Contract Quality Requirement (Government Specification), in solicitations and contracts when the inclusion of a higher-level contract quality requirement is appropriate (see 46.202-4).
52.246-12 Inspection of Construction Aug 1996		A	A	E	46.312	The contracting officer shall insert the clause at 52.246-12, Inspection of Construction, in solicitations and contracts for construction when a fixed-price contract is contemplated and the contract amount is expected to exceed the simplified acquisition threshold. The contracting officer may insert the clause in such solicitations and contracts when the contract amount is expected

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						to be at or below the simplified acquisition threshold, and its use is in the Government's interest.
52.246-15 Certificate of Conformance Apr 1984		A	A	E	46.315	The contracting officer shall insert the clause at 52.246-15, Certificate of Conformance, in solicitations and contracts for supplies or services when the conditions in 46.504 apply.
52.246-23 Limitation of Liability Feb 1997		A	A	I	46.805(a)(1) and (3)	Insert the clause at 52.246-23, Limitation of Liability, in solicitations and contracts requiring delivery of end items that are not high-value items when the contract amount is expected to be in excess of the simplified acquisition threshold and the contract is subject to the requirements of subpart 46.8, as indicated in 46.801.
52.246-24 Limitation of Liability--High Value Items Feb 1997		A	A	I	46.805(a)(2)	Insert the clause at 52.246-24, Limitation of Liability-High Value Items, in solicitations and contracts requiring delivery of high-value items when the contract amount is expected to be in excess of the simplified acquisition threshold and the contract is subject to the requirements of subpart 46.8, as indicated in 46.801.
Alternate I Apr 1984		A	A		46.805(a)(3)	In contracts requiring delivery of both high-value items and other end items, insert both clauses at 52.246-23 and 52.246-24, Alternate I of the clause at 52.246-24, and identify clearly in the contract schedule the line items designated as high-value items.
52.246-25 Limitation of Liability--Services Feb 1997		A	A	I	46.805(a)(4)	Insert the clause at 52.246-25, Limitation of in solicitations and contracts In contracts requiring the performance of services when the contract amount is expected to be in excess of the simplified acquisition threshold and the contract is subject to the requirements of subpart 46.8, as indicated in 46.801.
52.247-1 Commercial Bill of Lading Notations Apr 1984		A	A	I	47.104-4(a)/(b)	The contracting officer, in order to ensure the application of section 10721 rates, shall insert the clause at 52.247-1, Commercial Bill of Lading Notations, in solicitations and contracts when the contracts will be -- (1) Cost-reimbursement contracts, including those that may involve the movement of household goods (see 47.104-3(b)); or (2) Fixed-price f.o.b. origin contracts (other than contracts at or below the simplified acquisition threshold) (see 47.104-2(b) and 47.104-3). The contracting officer may insert the clause at 52.247-1, Commercial Bill of Lading Notations, in solicitations and contracts made at or below the simplified acquisition threshold when it is contemplated that the delivery terms will be f.o.b. origin.
52.247-63 Preference for U.S.-Flag Air Carriers Jun 2003		R	R	I	47.405	The contracting officer shall insert the clause at 52.247-63, Preference for U.S.-Flag Air Carriers, in solicitations and contracts whenever it is possible that U.S. Government-financed international air transportation of personnel (and their personal effects) or property will occur in the performance of the contract. This clause does not apply to contracts awarded using the simplified acquisition procedures in Part 13 or contracts for commercial items (see Part 12).
52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels Apr 2003		A	A	I	47.507(a)(1)	Insert the clause at 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels, in solicitations and contracts that may involve ocean transportation of supplies subject to the Cargo Preference Act of 1954. (For application of

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<p>Alternate I Apr 2003</p> <p>Alternate II Apr 2003</p>		A	A		<p>47.507(a)(2)</p> <p>47.507(a)(3)</p>	<p>the Cargo Preference Act of 1954, see 47.502(a)(3), 47.503(a), and 47.504.)</p> <p>If an applicable statute requires, or if it has been determined under agency procedures, that the supplies to be furnished under the contracts must be transported exclusively in privately owned U.S.-flag commercial vessels (see 47.502(a)(1) and 47.503(b)), use the clause with its Alternate I.</p> <p>Except for contracts or agreements for ocean transportation services or construction contracts, use the clause with its Alternate II if any of the supplies to be transported are commercial items that are shipped in direct support of U.S. military—</p> <ul style="list-style-type: none"> (i) Contingency operations; (ii) Exercises; or (iii) Forces deployed in connection with United Nations or North Atlantic Treaty Organization humanitarian or peacekeeping operations.
52.247-67 Submission of Commercial Transportation Bills to the General Services Administration for Audit Jun 1997		A	A	I	47.104-4(c)	The contracting officer shall insert the clause at 52.247-67, Submission of Commercial Transportation Bills to the General Services Administration for Audit, in solicitations and contracts when a cost-reimbursement contract is contemplated and the contract or a first-tier cost-reimbursement subcontract thereunder will authorize reimbursement of transportation as a direct charge to the contract or subcontract.
52.248-1 Value Engineering Feb 2000		A	A	I	48.201(a)/(b)	<p>The contracting officer shall insert a value engineering clause in solicitations and contracts when the contract amount is expected to be \$100,000 or more, except as specified in subparagraphs (a)(1) through (5) and in paragraph (f) below. A value engineering clause may be included in contracts of lesser value if the contracting officer sees a potential for significant savings. Unless the chief of the contracting office authorizes its inclusion, the contracting officer shall not include a value engineering clause in solicitations and contracts -- (1) For research and development other than full-scale development; (2) For engineering services from not-for-profit or nonprofit organizations; (3) For personal services (see Subpart 37.1); (4) Providing for product or component improvement, unless the value engineering incentive application is restricted to areas not covered by provisions for product or component improvement; (5) For commercial products (see Part 11) that do not involve packaging specifications or other special requirements or specifications; or (6) When the agency head has exempted the contract (or a class of contracts) from the requirements of this Part 48.</p> <p>To provide a value engineering incentive, the contracting officer shall insert the clause at 52.248-1, Value Engineering, in solicitations and contracts except as provided above (but see subparagraph (e) below).</p>
Alternate I Apr 1984		A	A		48.201(c)	If a mandatory value engineering effort is appropriate (i.e., if the contracting officer considers that substantial savings to the Government may result from a sustained value engineering effort of a specified level), the contracting officer shall use the clause with its Alternate I (but see subparagraph (e) below). The value engineering program requirement may be specified by the Government in the solicitation or, in the case of negotiated

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Alternate II Feb 2000		A	A		48.201(d)	contracting, proposed by the contractor as part of its offer and included as a subject for negotiation. The program requirement shall be shown as a separately priced line item in the contract Schedule.
Alternate III Apr 1984		A	A		48.201(e)	If both a value engineering incentive and a mandatory program requirement are appropriate, the contracting officer shall use the clause with its Alternate II (but see subparagraph (e) below). The contract shall restrict the value engineering program requirement to well-defined areas of performance designated by line item in the contract Schedule. Alternate II applies a value engineering program to the specified areas and a value engineering incentive to the remaining areas of the contract.
52.248-3 Value Engineering--Construction Feb 2000		A	A	I	48.202	The contracting officer shall insert the clause at 52.248-3, Value Engineering--Construction, in construction solicitations and contracts when the contract amount is estimated to be \$100,000 or more, unless an incentive contract is contemplated. The contracting officer may include the clause in contracts of lesser value if the contracting officer sees a potential for significant savings. The contracting officer shall not include the clause in incentive-type construction contracts.
Alternate I Apr 1984		A	A		48.202	If the head of the contracting activity determines that the cost of computing and tracking collateral savings for a contract will exceed the benefits to be derived, the contracting officer shall use the clause with its Alternate I.
52.249-6 Termination (Cost Reimbursement) May 2004	970.4905-1	R	R	I	49.503(a)(1)	Insert the clause at 52.249-6, Termination (Cost-Reimbursement), in solicitations and contracts when a cost-reimbursement contract is contemplated, except contracts for research and development with an educational or nonprofit institution on a no-fee basis.
					970.4905-1	The contracting officer shall modify paragraph (i) of the clause to insert "as supplemented in subpart 970.31 of the Department of Energy Acquisition Regulation," after the phrase, "part 31 of the Federal Acquisition Regulation."
52.249-14 Excusable Delays Apr 1984		A	A	I	49.505(d)	The contracting officer shall insert the clause at 52.249-14, Excusable Delays, in solicitations and contracts for supplies, services, construction, and research and development on a fee basis, when a cost-reimbursement contract is contemplated. The contracting officer shall also insert the clause in time-and-material contracts, labor-hour contracts, consolidated facilities contracts, and facilities acquisition contracts.
52.250-1 Indemnification Under Public Law 85-804 Apr 1984	970.5004-1	A	A	I	50.403-3	The contracting officer shall insert the clause at 52.250-1, Indemnification Under Public Law 85-804, in contracts whenever the approving official determines that the contractor shall be indemnified against unusually hazardous or nuclear risks (also see 50.403-2(c)).

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Alternate I Apr 1984		A	A		970.5004-1	When use of the clause at 52.250-1, Indemnification Under Public Law 85-804, is appropriate, the contracting officer may substitute the words "Obligation of funds" for the words "Limitation of Cost or Limitation of Funds." In cost-reimbursement contracts, the contracting officer shall use the clause with its Alternate I.
52.251-1 Government Supply Sources Apr 1984 Alternate I Apr 1984		A A	A A	I	51.107	The contracting officer shall insert the clause at 52.251-1, Government Supply Sources, in solicitations and contracts when the contracting officer may authorize the contractor to acquire supplies or services from a Government supply source. If a facilities contract is contemplated, the contracting officer shall use the clause with its Alternate I.
52.251-2 Interagency Fleet Management System Vehicles and Related Services Jan 1991		A	A	I	51.205	The contracting officer shall insert the clause at 52.251-2, Interagency Fleet Management System (IFMS) Vehicles and Related Services, in solicitations and contracts when a cost-reimbursement contract is contemplated and the contracting officer may authorize the contractor to use interagency fleet management system (IFMS) vehicles and related services.
52.252-2 Clauses Incorporated by Reference Feb 1998		A	A	I	52.107(b)	The contracting officer shall insert the clause at 52.252-2, Clauses Incorporated by Reference, in solicitations and contracts in order to incorporate clauses by reference.
52.252-4 Alterations in Contract Apr 1984		A	A	I	52.107(d)	The contracting officer shall insert the clause at 52.252-4, Alterations in Contract, in solicitations and contracts in order to revise or supplement, as necessary, other parts of the contract, or parts of the solicitations that apply to the contract phase, except for any clause authorized for use with a deviation.
52.252-6 Authorized Deviations in Clauses Apr 1984		A	A	I	52.107(f)	The contracting officer shall insert the clause at 52.252-6, Authorized Deviations in Clauses, in solicitations and contracts that include any FAR or supplemental clause with an authorized deviation. Whenever any FAR or supplemental clause is used with an authorized deviation, the contracting officer shall identify it by the same number, title, and date assigned to the clause when it is used without deviation, include regulation name for any supplemental clause, except that the contracting officer shall insert "(DEVIATION)" after the date of the clause.
52.253-1 Computer Generated Forms Jan 1991		A	A	I	53.111	Contracting officers shall insert the clause at 52.253-1, Computer Generated Forms, in solicitations and contracts that require the contractor to submit data on Standard or Optional Forms prescribed by this regulation; and, unless prohibited by agency regulations, forms prescribed by agency supplements.