**APPLICABLE FEDERAL RULES**

**COMPLIANCE WITH LAWS:**

The contractor shall warrant and certify that in the performance of this agreement it has complied with or will comply with all applicable statutes, rules, regulations and orders of the United States, and any state or political subdivision thereof, including laws and regulations pertaining to labor, wages, hours and other conditions of employment. All materials, equipment, and supplies provided to the members must comply fully with all safety requirements, rules of the Industrial Commission on Safety, and all applicable OSHA Standards.

**DEBARMENT:**

Federal Executive Order (E.O.) 12549 “Debarment“ requires that all contractors receiving individual awards, using federal funds, and all subrecipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government. By signing this document, you certify that your organization and its principals are not debarred. Failure to comply or attempts to edit this language may disqualify your bid. Information on debarment is available at the following websites: [www.sam.gov](https://www.sam.gov/portal/public/SAM/) and <https://acquisition.gov/far/index.html> see section 52.209-6.

**DEVELOPMENT OF DISADVANTAGED SUPPLIERS:**

The University is committed to encouraging the development of minority, women-owned, and otherwise small and disadvantaged businesses. Contractor shall take reasonable efforts to subcontract with minority, women-owned and otherwise small and disadvantaged businesses.

**GENERAL PROVISIONS AND CERTIFICATIONS FOR GOVERNMENT CONTRACTS:**

The following clauses are applicable on solicitations and awards in support of Government Contracts and are hereby incorporated by reference into solicitations and any purchase orders with the same force and effect as if set forth in full text. To the extent that an earlier version of any such clause is included in the prime contract or subcontract under which solicitation or purchase order is issued, the date of the clause as it appears in such prime contract or subcontract shall be controlling and said version is incorporated herein. Where necessary to make the context of the Federal Acquisition Regulations (FAR) and Department of Defense Federal Acquisition Regulation Supplement (DFARS) clauses set forth in these General Provisions applicable to this solicitation or subcontract, the term “Contractor” shall mean “Subcontractor”, “Seller” or “Supplier”, the term “Contract” or “Subcontract” shall mean “Purchase Order”, the term “Government” shall mean “Buyer” or “University” and the term “Contracting Officer” shall mean “Buyer’s Purchasing Representative”. It is intended that the referenced clauses shall apply to Seller, the legal entity which contracts with the University under any solicitation or purchase order, in such manner as is necessary to reflect the position of Seller as a Supplier to the University, Buyer and legal entity issuing a solicitation or purchase order; to insure Seller’s obligations to the University and the United States Government; and to enable the University to meet its obligations under its prime contract or subcontract.

The clauses incorporated by reference may be found in the Federal Acquisition Regulations (FAR), or the Code of Federal Regulations (CFR). Copies may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, or see the following websites for more information: <https://www.ecfr.gov>

## FAR / DFARS CLAUSES:

52.202-1 Definitions (Jan 2012)

52.204-7 System for Award Management (Oct 2018)

52.204-23 Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (Jul 2018)

52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment

52.211-5 Material Requirement (Aug 2000)

52.211-15 Defense Priority and Allocation Requirements (Apr 2008)

52.215-16 Facilities Capital Cost of Money (Jun 2003)

52.215-17 Waiver of Facilities Capital Cost of Money (Oct 1997) (when cost of money is not proposed)

52.223-10 Waste Reduction Program (May 2011)

52.223-11 Ozone Depleting Substances (May 2001)

52.223-12 Refrigeration Equipment & Air Conditioners (May 1995)

52.227-10 Filing of Patent Applications – Classified Subject Matter (Dec 2007)

52.227-11 Patent Rights - Ownership by Contractor (Dec 2007)

52.232-8 Discount for Prompt Payment (Feb 2002)

52.232-25 Prompt Payment (Oct 2008)

52.233-3 Protest After Award (Aug 1996) (Alt. I) (Jun 1985)

52.243-1 Changes – Fixed Price – Alt. II (Apr 1984) (Apr 1984)

52.244-6 Subcontracts for Commercial Items (Oct 2018)

52.245-1 Government Property (Apr 2012)

52.245-2 Government Property (Fixed Price Contracts) (Apr 2012)

52.245-18 Special Test Equipment (Feb 1993)

52.249-1 Termination for Convenience of the Government (Fixed Price) (Short Form) (Apr 1984)

52.249-8 Default (Fixed-Price Supply and Service) (Apr 1984)

52.251-1 Government Supply Sources (Apr 2012)

52.253-1 Computer Generated Forms (Jan 1991)

252.225-7001 Buy American Act and Balance of Payments Program (Mar 1998)

252.225-7002 Qualifying Country Sources as Subcontractors (Dec 1991)

252.225-7021 Trade Agreements Act (Dec 2017)

252.225-7009 Duty-Free Entry-Qualifying Country End Products and Supplies (Aug 2000)

252.225-7016 Restriction on Acquisition of Ball and Roller Bearings (Dec 2000)

252.227-7013 Rights in Technical Data and Computer Software (Nov 1995)

252.227-7026 Deferred Delivery of Technical Data or Computer Software (Apr 1988)

252.227-7027 Deferred Ordering of Technical Data or Computer Software (Apr 1988)

252.227-7030 Technical Data - Withholding of Payment (Mar 2000)

252.227-7037 Validation of Restrictive Markings on Technical Data (Sep 1999)

252.227-7039 Patents-Reporting of Subject Inventions (Apr 1990)

252.251-7000 Ordering from Government Supply Sources (May 1995)

2 CFR 200 Uniform Administrative Requirements, Cost Principles and Agreements

## Applicable when fixed price is greater than $3,000:

52.222-3 Convict Labor (Jun 2003)

52.222-19 Child Labor – Cooperation with Authorities and Remedies (Mar 2012)

52.222-54 Employment Eligibility Verification (July 2012)

52.225-13 Restrictions on Certain Foreign Purchases (Jun 2008)

52.232-23 Assignment of Claims (Jan 1986)

## Applicable when fixed price is greater than $10,000:

52.222-20 Walsh-Healy Public Contracts Act (Oct 2010)

52.222-21 Prohibition of Segregated Facilities (Feb 1999)

52.222-22 Previous Contracts & Compliance Reports (Feb 1999)

52.222-26 Equal Opportunity (Mar 2007)

52.222-36 Affirmative Action for Workers with Disabilities (Oct 2010)

## Applicable when fixed price is greater than $30,000:

By submitting a signed proposal or quotation in response to the University’s solicitation, the supplier is providing a negative assurance in accordance with FAR 52.209-5 Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters. Certification in paragraph (a) of this clause is material representation of fact upon which reliance is placed when making any resulting award.

52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (Dec 2010)

52.222-35 Equal Opportunity for Veterans (Oct 2015) 52.222-37 Employment Reports on Veterans(Feb 2016)

252.231-7000 Supplemental Cost Principles (Dec 1991)

252.246-7000 Material Inspection and Receiving Report (Dec 1991)

*(Note: Not required for subcontracts for which the deliverable is a scientific or technical report.)*

## Applicable when price is greater than $150,000:

By submitting a signed proposal or quotation in response to the University’s solicitation, the supplier is providing positive assurance to the best of his or her knowledge and belief that on or after December 23, 1989:

* 1. No federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with the awarding of any Federal contract, the making of any Federal grant, loan, or cooperative agreement;
  2. If any funds other than Federal appropriated funds (including profit or fee received under a covered federal transaction) have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with the awarding of any resulting purchase order; and
  3. He or she will include the language in this assurance in all subcontract awards at any tier and require that all recipients of subcontract awards in excess of $150,000 shall certify and provide disclosure accordingly.

Assurance and disclosure by submission of your signed proposal is a prerequisite for making or entering into any resulting purchase order imposed by section 1352, title 31, United States Code. Any person who makes an expenditure prohibited under this provision or who fails to file or amend the disclosure form to be filed or amended by this provision, shall be subject to a civil penalty of not less than $10,000 and not more than $100,000, for each such failure.

52.203-3 Gratuities (Apr 1984)

52.203-5 Covenant Against Contingent Fees (Apr 1984)

52.203-6 Restrictions on Sub-Contractor Sales to the Government (Sep 2006)

52.203-7 Anti-Kickback Procedures (Oct 2010)

52.203-8 Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity (Jan 1997)

52.203-9 Procurement Integrity-Service Contracting (Oct 1996)

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 (Oct 2010)

52.215-2 Audit and Records- Negotiation (Oct 2010) (Alt. II) (Apr1998)

52.215-14 Integrity of Unit Prices (Oct 2010)

52.219-8 Utilization of Small Business Concerns (Jan 2011)

52.222-4 Contract Work Hours and Safety Standards Act - Overtime Compensation (Sep 2000)

52.222-35 Equal Opportunity for Veterans (Sep 2010)

52.222-37 Employment Reports on Veterans (Feb 2016)

52.223-2 Clean Air and Water (Apr 1984)

52.223-6 Drug-Free Workplace (Mar 2001)

52.227-1 Authorization and Consent (Dec 2007)

52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement (Dec 2007)

52.232.17 Interest (Oct 2010)

52.242-13 Bankruptcy (Jul 1995)

52.244-2 Subcontracts (Oct 2010) (Alt 1) (June 2007)

52.244-5 Competition in Subcontracting (Dec 1996)

52.246-2 Inspection of Supplies - Fixed Price (Aug 1996)

52.246-4 Inspection of Services - Fixed Price (Aug 1996)

52.246-24 Limitation of Liability-High Value Items (Feb 1997)

52.249-2 Termination for Convenience of the Government (Fixed Price) (Apr 2012)

252.203-7000 Statutory Prohibitions on Compensation to Former Department of Defense Employees (Dec 1991)

252.203-7001 Prohibition on Persons Convicted on Fraud or Other Defense Contract Related Felonies (Mar 1999)

252.242-7004 Material Management and Accounting System (Dec 2000)

252-247-7023 Transportation of Supplies by Sea (May 2002)

2 CFR 200.323(b) Profit is Fair and Reasonable

## Applicable when fixed price is greater than $500,000:

52.226-1 Utilization of Indian Organizations and Indian-Owned Economic Enterprises (Jun 2000)

52.230-2 Cost Accounting Standards (May 2012)

52.230-3 Disclosure and Consistency of Cost Accounting Practices (Oct 2015)

52.230-5 Cost Accounting Standards - Educational Institutions (May 2012)

52.230-6 Administration of Cost Accounting Standards (Jun 2010)

252.205-7000 Provision of Information to Cooperative Agreement Holders (Dec 1991)

252.219-7003 Small Business and Small Disadvantaged Business Subcontracting Plan (DOD Contracts) (Apr 1996)

**Applicable when fixed price is greater than $650,000**

52.219-9 Small Business Subcontracting Plan (Jan 2017)

52.219-16 Liquidated Damages – Subcontracting Plan (Jan 1999)

## Applicable when fixed price is greater than $700,000:

52.215-10 Price Reduction for Defective Cost or Pricing Data (Aug 2011)

52.215-12 Subcontractor Cost or Pricing Data (Oct 2010)

52.215-13 Subcontractor Certified Cost or Pricing Data – Modifications (Oct 2010)

52.215-15 Pension Adjustment and Asset Revisions (Oct 2010)

52.215-18 Reversion or Adjustment of Plans for Postretirement Benefits other than Pensions (PRB) (Jul 2005)

252.215-7000 Pricing Adjustment (Dec 1991)

## Applicable when fixed price is greater than $1,000,000:

52.222-26 Equal Opportunity Preaward Clearance (Sep 2016)

52.243-7 Notification of Changes (Apr 1984) (Note: Paragraph (b) - 30 days; paragraph (d) -60 days)

## Applicable when fixed price is greater than $5,000,000:

52.203-13 Contractor Code of Business Ethics and Conduct (Apr 2010)

52.203-14 Display of Hotline Posters (Dec 2007)

252.203-7002 Display of DOD Hotline Poster (Dec 1991)