

## Federal Acquisition Regulations

*(Applies to purchase orders / contracts funded by federal grants/contracts)*

**Florida State University has entered into an agreement with the United States of America. This order is entered into with the Supplier to further the performance of the work required in that agreement. When interpreting applicable FAR provisions, “Government,” or “Government Representative,” or “Contracting Officer” will refer to Florida State University’s Chief Procurement Officer. The term “Contractor” refers to the Supplier hereunder.**

**The following applicable FAR sections and Department of Defense Supplement to the FAR are incorporated by reference into this Contract. If this applies to you, you as the Supplier, agree to furnish the materials, supplies, or services covered by this Contract, and to be bound by the terms and conditions set forth in the Contract, and these applicable FAR sections. The applicable FAR sections and Department of Defense Supplement to the FAR are incorporated by reference into the Contract, and have full force and effect. The FAR provisions in effect at the time of this Contract govern.**

### **Definitions:**

**FAR** – Federal Acquisition Regulations including revision in effect on the date of this order.

**DFAR** – Department of Defense Supplement to the Federal Acquisition Regulations, including

- a. The following provisions of the Federal Acquisition Regulations (FAR) apply regardless of the amount of this order:

Definitions	52.202-1
Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities	52.204-23
Audit and Records – Negotiation	52.215-2
Integrity of Unit Prices	52.215-14
Nondisplacement of Qualified Workers	52.222-17
Prohibition of Segregated Facilities	52.222-21
Equal Opportunity	52.222-26
Notification of Employee Rights under the National Labor Relations Act	52.222-40
Combating Trafficking in Persons	52.222-50
Drug-Free Workplace	52.223-6
Encouraging Contractor Policies to Ban Text Messaging While Driving	52.223-18
Privacy Act (applicable if vendor is supplying design, development, or operation of a system or records on individuals)	52.224-2
Restrictions on Certain Foreign Purchases	52.225-13
Prompt Payment	52.232-25
Providing Accelerated Payments to Small Business Subcontractors	52.232-40
Notice of Intent to Disallow Costs	52.242-1
Changes – Fixed Price	52.243-1
Changes – Cost Reimbursement	52.243-2
Subcontracts for Commercial Items	52.244-6
Preference for U.S. Flag Air Carriers	52.247-63
Preference for Privately Owned U.S. Flag Commercial Vessels	52.247-64
Termination for Convenience of the Government (Fixed Price)(Acquisitions in excess of the simplified acquisition threshold)	52.249-2
Default (Fixed Price Supply and Service)	52.249-8

- b. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$10,000:

Buy American Act – Supplies 52.225-1

- c. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$15,000:

Walsh-Healy Public Contracts Act - Contracts for Materials, Supplies, Articles, and Equipment 52.222-20

Equal Opportunity for Workers with Disabilities 52.222-36

- d. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$35,000:

Protecting the Government’s Interest when Subcontracting with Contractors, Debarred, Suspended or Proposed for Debarment 52.209-6

- e. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$150,000 (simplified acquisition threshold effective 10/1/14):

Gratuities 52.203-3

Covenant Against Contingent Fees 52.203-5

Restrictions on Subcontractor Sales to the Government 52.203-6

Anti-Kickback Procedure 52.203-7

Price or Fee Adjustment for Illegal or Improper Activity 52.203-10

Contractor Employee Whistleblower Rights and Requirements to Inform Employees of Whistleblower Rights 52.203-17

Employment Eligibility Verification 52.222-54

Limitations on Payments to Influence Certain Federal Transactions 52.203-12

Women-Owned Businesses 52.204-5

Utilization of Small Business Concerns 52.219-8

Equal Opportunity for Veterans 52.222-35

Employment Reports on Veterans 52.222-37

Authorization and Consent 52.227-1

Notice and Assistance re: Patent and Copyright Infringement 52.227-2

Bankruptcy 52.242-13

Competition in Subcontracting 52.244-5

Value Engineering 52.248-1

- f. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$700,000.

Small Business and Small Disadvantaged Business Subcontracting Plan 52.219-9

Liquidated Damages – Subcontracting Plan 52.219-16

- g. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$750,000.
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| Cost Accounting Standards                               | 52.230-2 |
| Disclosure and Consistency of Cost Accounting Practices | 52.230-3 |
| Administration of Cost Accounting Standards             | 52.230-6 |
- h. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$2,000,000.
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| Cost Accounting Standards – Educational Institutions | 52.230-5 |
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- i. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$5,500,000.
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| Contractor Code of Business Ethics and Conduct | 52.203-13 |
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- j. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$10,000,000.
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| Equal Opportunity Preaward Clearance | 52.222-26 |
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- k. The following provisions of the Federal Acquisition Regulations (FAR) apply when noted:
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| Security Requirements – when the subcontract involves access to classified information   | 52-204-2  |
| Hazardous Material Identification and Material Safety Data when Subcontract involves hazardous material  | 52.223-3  |
| Filing of Patent Applications – Classified Subject Matter when the Subcontract or purchase order involves experimental research and development work | 52.227-10 |
| Patent Rights – Ownership by the Contractor  | 52.227-11 |

In addition, if federal funds through a contract from an agency of the Department of Defense are involved, the following Department of Defense Federal Acquisition Regulations (DFAR) clauses may apply.

Prohibition on Persons Convicted of fraud or Other Defense Contract Related Felonies	252.203-7001
Disclosure of Information	252-204-7000
Oral Attestation of Security Responsibilities	252.204-7005
Safeguarding Covered Defense Information and Cyber Incident Reporting	252.204-7012
Provision of Information to Cooperative Agreement Holders	252-205-7000
Pricing Adjustment	252.215-7000
Rights in Technical Data – Noncommercial Items	252.227-7013
Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	252.227-7014
Rights in Noncommercial Technical Data & Computer Software – SBIR Programs	252.227-7018
Patents – Subcontracts for experimental, developmental, or Research work to be performed by other than a small business firm or non-profit organization)	252.227-7034

Validation of Restrictive Markings on Technical Data	252.227-7037
Supplemental Cost Principles	252.231-7000

In addition, if federal funds through a contract from the National Aeronautic and Space Administration (NASA) are involved, the following NASA Supplemental Federal Acquisition Regulations (FAR) clauses may apply depending on certain dollar thresholds or under certain circumstances.

Restrictions on Printing and Duplicating, Oct. 2001	1852.208-81
Use of Rural Area Small Businesses, Sept 1990	1852.219-74
Small Business Subcontracting Reporting, May 1999	1852.219-75
Safety and Health Measure and Mishap Reporting, December 2015	1852.223-70
New Technology, May 2002 (for the performance of Experimental, developmental, or research work)	1852.227-70
Requests for Waiver of Rights to Inventions	1852.227-71
Geographic Participation in the Aerospace Program, March 1997	1852.244-70

**The University reserves all administrative, contractual, and legal remedies against the Contractor or Supplier who breaches any of the purchase order or contract terms.**