

PART II

SECTION I

GENERAL CONTRACT CLAUSES

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PART II

SECTION I

GENERAL CONTRACT CLAUSES

FAR 52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a FAR clause may be accessed electronically at this/these addresses:

FAR clauses: <http://www.gsa.gov/far>

DEAR clauses: <http://www.pr.doe.gov/dear.html>.

I.1 BASE CONTRACT GENERAL CONTRACT CLAUSES

1. DEAR 952.202-1 Definitions (JAN 1997)
2. FAR 52.203-3 Gratuities (APR 1984)
3. FAR 52.203-5 Covenant Against Contingent Fees (APR 1984)
4. FAR 52.203-6 Restrictions on Subcontractor Sales to the Government (JUL 1995)
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21. FAR 52.215-8 Order of Precedence-Uniform Contract Format (OCT 1997)
22. [RESERVED]
23. FAR 52.215-10 Price Reduction for Defective Cost or Pricing Data (OCT 1997)
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27. FAR 52.215-18 Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions (OCT 1997)
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29. [RESERVED]
30. FAR 52.215-21 Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data - Modifications (OCT 1997)

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At the end of paragraph (a), add the following phrase: "with respect to work performed on-site at a DOE-owned or -leased facility, as provided at 10 CFR Part 708".
46. FAR 52.223-2 Clean Air and Water (APR 1984)
47. FAR 52.223-3 Hazardous Material Identification and Material Safety Data (JAN 1997) Alternate I (JUL 1995)

Reference paragraph (b). Identify any hazardous material, including any applicable identification number, such as National Stock Number or Special Item Number below:

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_____None_____	_____N/A_____
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- 48. FAR 52.223-5 Pollution Prevention and Right-To-Know Information (APR 1998)
- 49. FAR 52.223-6 Drug-Free Workplace (JAN 1997)
- 50. FAR 52.223-10 Waste Reduction Program (OCT 1997)
- 51. FAR 52.223-14 Toxic Chemical Release Reporting (OCT 1996)
- 52. [RESERVED]
- 53. [RESERVED]
- 54. FAR 52.224-1 Privacy Act Notification (APR 1984)
- 55. FAR 52.224-2 Privacy Act (APR 1984)
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- 57. FAR 52.225-3 Buy American Act - Supplies (JAN 1994)
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- 61. [RESERVED]
- 62. DEAR 952.226-74 Displaced Employee Hiring Preference (JUN 1997)

- 63. FAR 52.227-1 Authorization and Consent (JUL 1995)
- 64. FAR 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement (AUG 1996)
- 65. DEAR 952.227-9 Refund of Royalties (FEB 1995)
- 66. FAR 52.227-23 Rights to Proposal Data (Technical) (JUN 1987)  
Identify the relevant proposal pages, if any, and the date of the proposal below:  
  
“... pages None, ... (If none, insert ‘None’.)  
....proposal dated September 4, 1998, ....”
- 67. DEAR 970.5204-72 Patent Rights - Profit-Making Management and Operating Contracts (FEB 1995)
- 68. DEAR 970.5204-82 Rights in Data - Facilities (FEB 1998)
- 69. FAR 52.228-7 Insurance-Liability to Third Persons (MAR 1996)
- 70. FAR 52.230-2 Cost Accounting Standards (APR 1998)
- 71. FAR 52.230-6 Administration of Cost Accounting Standards (APR 1996)
- 72. FAR 52.232-17 Interest (JUN 1996)
- 73. FAR 52.232-20 Limitation of Cost (APR 1984)
- 74. FAR 52.232-22 Limitation of Funds (APR 1984)
- 75. FAR 52.232-23 Assignment of Claims (JAN 1986)
- 76. FAR 52.232-25 Prompt Payment (JUN 1997)
- 77. FAR 52.232-33 Mandatory Information for Electronic Funds Transfer Payment (AUG 1996)
- 78. FAR 52.233-1 Disputes (DEC 1998) Alternate I (DEC 1991)
- 79. FAR 52.233-3 Protest After Award (AUG 1996) Alternate I (JUN 1985)
- 80. DEAR 952.235-70 Key Personnel (APR 1994)
- 81. FAR 52.237-2 Protection of Government Buildings, Equipment, and Vegetation (APR 1984)

- 82. FAR 52.237-3 Continuity of Services (JAN 1991)
- 83. FAR 52.242-1 Notice of Intent to Disallow Costs (APR 1984)
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- 90. FAR 52.244-5 Competition in Subcontracting (DEC 1996)
- 91. FAR 52.244-6 Subcontracts for Commercial Items and Commercial Components (OCT 1998)
- 92. DEAR 952.245-5 Government Property (Cost-Reimbursement, Time-and-Material, or Labor-Hour Contracts) (JAN 1986)
- 93. FAR 52.246-25 Limitation of Liability-Services (FEB 1997)
- 94. FAR 52.247-63 Preference for U.S.-Flag Air Carriers (JAN 1997)
- 95. FAR 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels (JUN 1997)
- 96. DEAR 952.247-70 Foreign Travel (FEB 1997)
- 97. FAR 52.248-1 Value Engineering (MAR 1989)
- 98. FAR 52.248-2 Value Engineering--Architect-Engineer (MAR 1990)
- 99. FAR 52.249-6 Termination (Cost-Reimbursement) (SEP 1996)

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- 101. DEAR 952.250-70 Nuclear Hazards Indemnity Agreement (JUN 1996)
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- 105. FAR 52.253-1 Computer Generated Forms (JAN 1991)
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38. FAR 52.222-4 Contract Work Hours and Safety Standards Act - Overtime Compensation (JUL 1995)
39. FAR 52.222-6 Davis-Bacon Act (FEB 1995)
40. FAR 52.222-7 Withholding of Funds (FEB 1988)
41. FAR 52.222-8 Payrolls and Basic Records (FEB 1988)
42. FAR 52.222-9 Apprentices and Trainees (FEB 1988)
43. FAR 52.222-10 Compliance with Copeland Act Requirements (FEB 1988)
44. FAR 52.222-11 Subcontracts (Labor Standards) (FEB 1988)
45. FAR 52.222.12 Contract Termination-Debarment (FEB 1988)
46. FAR 52.222-13 Compliance with Davis-Bacon and Related Act Regulations (FEB 1988)
47. FAR 52.222-14 Disputes Concerning Labor Standards (FEB 1988)
48. FAR 52.222-15 Certification of Eligibility (FEB 1988)
49. FAR 52.222-21 Prohibition of Segregated Facilities (FEB 1999)
50. FAR 52.222-26 Equal Opportunity (FEB 1999)
51. FAR 52.222-27 Affirmative Action Compliance Requirements for Construction (APR 1984)
52. [RESERVED]
53. FAR 52.222-35 Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era (APR 1998)
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- 70. FAR 52.225-11 Restrictions on Certain Foreign Purchases (AUG 1998)

- 71. FAR 52.225-14 Inconsistency Between English Version and Translation of Contract (AUG 1989)
- 72. FAR 52.225-15 Buy American Act--Construction Materials Under Trade Agreements Act and North American Free Trade Agreement (JUN 1997)  
 In paragraph (b), insert the word "None".  
 In paragraph (d), if the Contractor requests authorization to use foreign construction material, the Contractor shall include the unit of measure, quantity and price for price comparison purposes as follows:

"FOREIGN AND DOMESTIC CONSTRUCTION MATERIALS PRICE COMPARISON"			
<u>Construction Material Description</u>	<u>Unit of Measure</u>	<u>Quantity</u>	<u>Price (Dollars)*</u>
<i>Item 1:</i>			
Foreign construction material	_____	_____	_____
Domestic construction material	_____	_____	_____
<i>Item 2:</i>			
Foreign construction material	_____	_____	_____
Domestic construction material	_____	_____	_____

*[List name, address, telephone number, and contact for suppliers surveyed. Attach copy of response; if oral, attach summary.]*  
*[Include other applicable supporting information.]*  
*[\*Include all delivery costs to the construction site and any applicable duty (whether or not a duty-free entry certificate is issued).]*"

- 73. [RESERVED]
- 74. DEAR 952.226-74 Displaced Employee Hiring Preference (JUN 1997)
- 75. FAR 52.227-1 Authorization and Consent (JUL 1995)
- 76. FAR 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement (AUG 1996)
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- 94. FAR 52.236-7 Permits and Responsibilities (NOV 1991)
- 95. FAR 52.237-2 Protection of Government Buildings, Equipment, and Vegetation (APR 1984)
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 .... proposal dated September 4, 1998, ...."
- 68. DEAR 970.5204-72 Patent Rights - Profit-Making Management and Operating Contracts (FEB 1995)
- 69. DEAR 970.5204-82 Rights in Data - Facilities (FEB 1998)

- 70. FAR 52.228-7 Insurance-Liability to Third Persons (MAR 1996)
- 71. FAR 52.230-2 Cost Accounting Standards (APR 1998)
- 72. FAR 52.230-6 Administration of Cost Accounting Standards (APR 1996)
- 73. FAR 52.232-17 Interest (JUN 1996)
- 74. FAR 52.232-20 Limitation of Cost (APR 1984)
- 75. FAR 52.232-22 Limitation of Funds (APR 1984)
- 76. FAR 52.232-23 Assignment of Claims (JAN 1986)
- 77. FAR 52.232-25 Prompt Payment (JUN 1997)
- 78. FAR 52.232-33 Mandatory Information for Electronic Funds Transfer Payment (AUG 1996)
- 79. FAR 52.233-1 Disputes (DEC 1998) Alternate I (DEC 1991)
- 80. FAR 52.233-3 Protest After Award (AUG 1996) Alternate I (JUN 1985)
- 81. DEAR 952.235-70 Key Personnel (APR 1994)
- 82. FAR 52.237-2 Protection of Government Buildings, Equipment, and Vegetation (APR 1984)
- 83. FAR 52.237-3 Continuity of Services (JAN 1991)
- 84. FAR 52.242-1 Notice of Intent to Disallow Costs (APR 1984)
- 85. FAR 52.242-3 Penalties for Unallowable Costs (OCT 1995)
- 86. FAR 52.242-4 Certification of Final Indirect Costs (JAN 1997)
- 87. FAR 52.242-13 Bankruptcy (JUL 1995)
- 88. FAR 52.243-2 Changes (Cost-Reimbursement) (AUG 1987) Alternate II (APR 1984)
- 89. FAR 52.243-7 Notification of Changes (APR 1984)
- 90. FAR 52.244-2 Subcontracts (AUG 1998) Alternate II (AUG 1998)
- 91. FAR 52.244-5 Competition in Subcontracting (DEC 1996)

- 92. FAR 52.244-6 Subcontracts for Commercial Items and Commercial Components (OCT 1998)
- 93. DEAR 952.245-5 Government Property (Cost-Reimbursement, Time-And-Material, or Labor-Hour Contracts) (JAN 1986)
- 94. [RESERVED]
- 95. FAR 52.246-25 Limitation of Liability-Services (FEB 1997)
- 96. FAR 52.247-63 Preference for U.S.-Flag Air Carriers (JAN 1997)
- 97. FAR 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels (JUN 1997)
- 98. DEAR 952.247-70 Foreign Travel (FEB 1997)
- 99. FAR 52.248-1 Value Engineering (MAR 1989)
- 100. FAR 52.249-6 Termination (Cost-Reimbursement) (SEP 1996)
- 101. FAR 52.249-14 Excusable Delays (APR 1984)
- 102. DEAR 952.250-70 Nuclear Hazards Indemnity Agreement (JUN 1996)
- 103. FAR 52.251-1 Government Supply Sources (APR 1984)
- 104. DEAR 952.251-70 Contractor Employee Travel Discounts (JUN 1995)
- 105. FAR 52.252-5 Authorized Deviations in Clauses (APR 1984)
- 106. FAR 52.253-1 Computer Generated Forms (JAN 1991)
- 107. DEAR 970.5204-79 Access to and Ownership of Records (JUN 1997)

I.4 OPTION 3 GENERAL CONTRACT CLAUSES

1. DEAR 952.202-1 Definitions (JAN 1997)
2. FAR 52.203-3 Gratuities (APR 1984)
3. FAR 52.203-5 Covenant Against Contingent Fees (APR 1984)
4. FAR 52.203-6 Restrictions on Subcontractor Sales to the Government (JUL 1995)
5. FAR 52.203-7 Anti-Kickback Procedures (JUL 1995)
6. FAR 52.203-8 Cancellation, Rescission, and Recovered Funds for Illegal or Improper Activity (JAN 1997)
7. FAR 52.203-10 Price or Fee Adjustment for Illegal or Improper Activity (JAN 1997)
8. FAR 52.203-12 Limitation on Payments to Influence Certain Federal Transactions (JUN 1997)
9. DEAR 970.5204-1 Counterintelligence (SEP 1997)
10. DEAR 970.5204-58 Workplace Substance Abuse Programs at DOE Sites (AUG 1992)
11. DEAR 952.204-2 Security (SEP 1997)
12. FAR 52.204-4 Printing/Copying Double-Sided on Recycled Paper (JUN 1996)
13. DEAR 952.204-70 Classification/Declassification (SEP 1997)
14. DEAR 952.204-74 Foreign Ownership, Control, or Influence Over Contractor (APR 1984)
15. DEAR 952.208-70 Printing (APR 1984)
16. FAR 52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (JUL 1995)
17. DEAR 952.209-72 Organizational Conflicts of Interest (JUN 1997) - Alternate I

18. FAR 52.211-5 Material Requirements (OCT 1997)
19. DEAR 952.211-71 Priorities and Allocations (Atomic Energy) (JUN 1996)
20. FAR 52.215-2 Audit and Records-Negotiation (AUG 1996)
21. FAR 52.215-8 Order of Precedence-Uniform Contract Format (OCT 1997)
22. FAR 52.215-17 Waiver of Facilities Capital Cost of Money (OCT 1997)
23. FAR 52.215-19 Notification of Ownership Changes (OCT 1997)
24. FAR 52.219-8 Utilization of Small Business Concerns (JAN 1999)
25. FAR 52.219-9 Small Business Subcontracting Plan (JAN 1999)
26. FAR 52.219-16 Liquidated Damages-Subcontracting Plan (JAN 1999)
27. FAR 52.222-1 Notice to the Government of Labor Disputes (FEB 1997)
28. FAR 52.222-3 Convict Labor (AUG 1996)
29. FAR 52.222-4 Contract Work Hours and Safety Standards Act - Overtime Compensation (JUL 1995)
30. FAR 52.222-21 Prohibition of Segregated Facilities (FEB 1999)
31. FAR 52.222-26 Equal Opportunity (FEB 1999)
32. FAR 52.222-35 Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era (APR 1998)
33. FAR 52.222-36 Affirmative Action for Workers with Disabilities (JUN 1998)
34. FAR 52.222-37 Employment Reports on Disabled Veterans and Veterans of the Vietnam Era (JAN 1999)
35. DEAR 970.5204-59 Whistleblower Protection for Contractor Employees (JAN 1993)  
In paragraph (a), add the following phrase: "with respect to work performed on-site at a DOE-owned or -leased facility, as provided at 10 CFR Part 708".
36. FAR 52.223-2 Clean Air and Water (APR 1984)
37. FAR 52.223-3 Hazardous Material Identification and Material Safety Data (JAN 1997) Alternate I (JUL 1995)



Reference paragraph (b). Identify any hazardous material, including any applicable identification number, such as National Stock Number or Special Item Number below:

“Material (If none, insert ‘None’)	Identification No.
<u>None</u>	<u>N/A</u>
_____	_____
_____	_____”

- 38. FAR 52.223-5 Pollution Prevention and Right-To-Know Information (APR 1998)
- 39. FAR 52.223-6 Drug-Free Workplace (JAN 1997)
- 40. FAR 52.223-10 Waste Reduction Program (OCT 1997)
- 41. FAR 52.223-14 Toxic Chemical Release Reporting (OCT 1996)
- 42. [RESERVED]
- 43. DEAR 952.223-75 Preservation of Individual Occupational Radiation Exposure Records (APR 1984)
- 44. FAR 52.224-1 Privacy Act Notification (APR 1984)
- 45. FAR 52.224-2 Privacy Act (APR 1984)
- 46. DEAR 952.224-70 Paperwork Reduction Act (APR 1994)
- 47. FAR 52.225-3 Buy American Act - Supplies (JAN 1994)
- 48. FAR 52.225-10 Duty-Free Entry (APR 1984)
- 49. FAR 52.225-11 Restrictions on Certain Foreign Purchases (AUG 1998)
- 50. FAR 52.225-14 Inconsistency Between English Version and Translation of Contract (AUG 1989)
- 51. [RESERVED]
- 52. DEAR 952.226-74 Displaced Employee Hiring Preference (JUN 1997)

- 53. FAR 52.227-1 Authorization and Consent (JUL 1995)
- 54. FAR 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement (AUG 1996)
- 55. DEAR 952.227-9 Refund of Royalties (FEB 1995)
- 56. FAR 52.227-23 Rights to Proposal Data (Technical) (JUN 1987)  
Identify the relevant proposal pages, if any, and the date of the proposal below:  
  
“... pages None, ... (If none, insert ‘None’.)  
.... proposal dated September 4, 1998, ....”
- 57. DEAR 970.5204-72 Patent Rights - Profit-Making Management and Operating Contracts (FEB 1995)
- 58. DEAR 970.5204-82 Rights in Data - Facilities (FEB 1998)
- 59. FAR 52.228-5 Insurance-Work on a Government Installation (JAN 1997)
- 60. FAR 52.229-3 Federal, State, and Local Taxes (JAN 1991)
- 61. FAR 52.230-2 Cost Accounting Standards (APR 1998)
- 62. FAR 52.230-6 Administration of Cost Accounting Standards (APR 1996)
- 63. FAR 52.232-1 Payments (APR 1984)
- 64. FAR 52.232-8 Discounts for Prompt Payment (MAY 1997)
- 65. FAR 52.232-11 Extras (APR 1984)
- 66. FAR 52.232-16 Progress Payments (JUL 1991)
- 67. FAR 52.232-17 Interest (JUN 1996)
- 68. FAR 52.232-23 Assignment of Claims (JAN 1986)
- 69. FAR 52.232-25 Prompt Payment (JUN 1997)
- 70. FAR 52.232-33 Mandatory Information for Electronic Funds Transfer Payment (AUG 1996)
- 71. FAR 52.233-1 Disputes (DEC 1998) Alternate I (DEC 1991)

- 72. FAR 52.233-3 Protest After Award (AUG 1996)
- 73. DEAR 952.235-70 Key Personnel (APR 1994)
- 74. FAR 52.236-7 Permits and Responsibilities (NOV 1991)
- 75. FAR 52.237-2 Protection of Government Buildings, Equipment, and Vegetation (APR 1984)
- 76. FAR 52.237-3 Continuity of Services (JAN 1991)
- 77. FAR 52.242-13 Bankruptcy (JUL 1995)
- 78. FAR 52.243-1 Changes (AUG 1987) Alternate II (APR 1984)
- 79. FAR 52.244-2 Subcontracts (AUG 1998) Alternate II (AUG 1998)
- 80. FAR 52.244-5 Competition in Subcontracting (DEC 1996)
- 81. FAR 52.244-6 Subcontracts for Commercial Items and Commercial Components (OCT 1998)
- 82. DEAR 952.245-2 Government Property (Fixed-Price Contracts) (DEC 1989) Alternate I (APR 1984)
- 83. FAR 52.246-25 Limitation of Liability-Services (FEB 1997)
- 84. FAR 52.247-63 Preference for U.S.-Flag Air Carriers (JAN 1997)
- 85. FAR 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels (JUN 1997)
- 86. DEAR 952.247-70 Foreign Travel (FEB 1997)
- 87. FAR 52.248-1 Value Engineering (MAR 1989)
- 88. FAR 52.249-2 Termination For Convenience of the Government (Fixed-Price) (SEP 1996)

89. FAR 52.249-8 Default (Fixed-Price Supply and Service (APR 1984)  
In the last sentence of the clause, substitute the word “termination of work” for “termination”.
90. DEAR 952.250-70 Nuclear Hazards Indemnity Agreement (JUN 1996)
91. FAR 52.251-1 Government Supply Sources (APR 1984)
92. DEAR 952.251-70 Contractor Employee Travel Discounts (JUN 1995)
93. FAR 52.252-5 Authorized Deviations in Clauses (APR 1984)
94. FAR 52.253-1 Computer Generated Forms (JAN 1991)
95. DEAR 970.5204-79 Access to and Ownership of Records (JUN 1997)
96. FAR 52.237-4 Payment by Government to Contractor (APR 1984)