

FRIB Purchase Order Terms and Conditions – Supplement A

By acceptance of the award(s) for this program, the Supplier agrees to comply with the requirements included in both Michigan State University's Facility for Rare Isotope Beams *Purchase Order Terms and Conditions (T10301-PO-000007)* and *FRIB Purchase Order Terms and Conditions - Supplement A (S10202-PO-000157)*.

1. **GOVERNMENT SUBCONTRACT PROVISIONS:** This Purchase Order is a subcontract under a U.S. government prime contract, and the clauses referenced below of the Federal Acquisition Regulations (FAR) and the Defense Federal Acquisition Regulations (DFAR), or the Armed Services Procurement Regulations (ASPR) are incorporated into the Agreement by this reference. Each regulation contains criteria for determining applicability of the regulation to a particular contract. In the following clauses, the term "Agreement" will mean this Purchase Order and the term "Contractor" will mean Supplier. Supplier will comply with all applicable federal laws and regulations, including but not limited to Uniform Guidance (2 CFR Part 200) and Debarment and Suspension (45 CFR 620). The following provisions are incorporated into the Agreement by reference where applicable and form a part of the terms and conditions of the Agreement. Supplier agrees to flow down all applicable clauses to lower-tier entities.

The following provisions are from the Federal Acquisition Regulations (FAR), which are available online. (NOTE: These FAR clauses may have applicability only when the Purchase Order is at or in excess of a certain dollar threshold, shown in parentheses.)

FAR Citation	Title
52.203-6	Restrictions on Subcontractor Sales to the Government (\$150,000)
52.203-7	Anti-Kickback Procedures except Subparagraph (c)(1) (\$150,000)
52.203-12	Limitation on Payments to Influence Certain Federal Transactions (\$150,000)
52.203-13	Contractor Code of Business Ethics and Conduct (\$6,000,000)
52.203-14	Display of Hotline Poster(s) (\$6,000,000)
52.203-15	Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009
52.203-16	Preventing Personal Conflicts of Interest (\$150,000)
52.203-17	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (\$150,000)
52.204-2	Security Requirements (applicable if access to classified material is involved) (\$0)
52.204.8	Annual Representations and Certifications.
52.204.10	Reporting Executive Compensation and First-Tier Subcontract Awards (\$30,000)
52.204-13	System for Award Management Maintenance
52.204-19	Incorporation by Reference of Representations and Certifications.



52.204-21	Basic Safeguarding of Covered Contractor Information Systems
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities
52.204-24	Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment
52.204-26	Covered Telecommunications Equipment or Services Representation
52.209-6	Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended or Proposed for Debarment (\$35,000)
52.209-10	Prohibition on Contracting with Inverted Domestic Corporations
52.211-15	Defense Priority and Allocation Requirements
52.215-2	Audit and Records -- Negotiation (\$150,000)
52.215-10	Price Reduction for Defective Cost or Pricing Data (\$2 million)
52.215-12	Subcontractor Cost or Pricing Data (\$2 million)
52.215-13	Subcontractor Cost or Pricing Data -- Modifications (\$2 million)
52.215-14	Integrity of Unit Prices (\$150,000)
52.215-15	Pension Adjustments and Asset Reversions
52.215-18	Reversion or Adjustment for Plans for Postretirement Benefits (PBR) Other Than Pensions (\$2 million)
52.215-19	Notification of Ownership Changes (\$2 million)
52.219-8	Utilization of Small Business Concerns (\$150,000)
52.219-9	Small Business and Small Disadvantaged Business Subcontracting Plans (Large Businesses) (\$750,000)
52.219-16	Liquidated Damages -- Subcontracting Plan (\$750,000)
52.219-28	Post-Award Small Business Program Representation
52.222-1	Notice to the Government of Labor Disputes
52.222-3	Convict Labor
52.222-4	Contract Work Hours and Safety Standards Act -- Overtime Compensation
52.222-18	Certification Regarding Knowledge of Child Labor for Listed End Products
52.222-19	Child Labor – Cooperation with Authorities and Remedies
52.222-20	Contracts for Materials, Supplies, Articles, and Equipment
52.222-21	Prohibition of Segregated Facilities
52.222-22	Previous Contracts & Compliance Reports
52.222-26	Equal Opportunity
52.222-35	Equal Opportunity for Veterans (\$150,000)
52.222-36	Equal Opportunity for Workers with Disabilities (\$150,000)
52.222-37	Employment Reports on Veterans (\$150,000)
52.222-41	Service Contract Labor Standards
52.22-50	Combating Trafficking in Persons (\$550,000)
52.223-3	Hazardous Material Identification and Material Safety Data
52.223-6	Drug-Free Workplace
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving
52.225-1	Buy American – Supplies (\$10,000)



52.225-2	Buy American – Certificate (\$10,000)
52.225-13	Restrictions on Certain Foreign Purchases
52.225-25	Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran—Representation and Certifications.
52.227-1	Authorization and Consent
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement
52.227-11	Patent Rights -- Retention by the Contractor (Short Form) (\$0)
52.227-13	Patent Rights - Ownership by the Government (\$0)
52.227-14	Rights in Data - General (\$0)
52.230-3	Disclosure and Consistency of Cost Accounting Practices (\$750,000)
52.230-5	Cost Accounting Standards -- Educational Institutions (\$2 million)
52.230-6	Administration of Cost Accounting Standards (\$750,000)
52.232-40	Providing Accelerated Payments to Small Business Subcontractors
52.244-5	Competition in Subcontracting
52.244-6	Subcontract for Commercial Items and Commercial Components (\$0; non-commercial supplies or services)
52.245-1	Government Property

The following Department of Defense Federal Acquisition Regulations (DFAR) clauses apply. DFAR clauses are available online.

(NOTE: These DFAR clauses may have applicability only when the Purchase Order is at or in excess of a certain dollar threshold, shown in parentheses, or under certain circumstances.)

DFAR Citation	Title
252.203-7001	Prohibition on Persons Convicted of fraud or Other Defense-Contract Related Felonies (not applicable for commercial items or components)
252.203-7002	Requirement to Inform Employees of Whistleblower Rights
252.203-7004	Display of Hotline Posters
252.204-7000	Disclosure of Information
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting
252.211.7003	Item Unique Identification and Valuation
252.225-7013	Duty-Free Entry
252.225-7048	Export-Controlled Items
252.227-7013	Rights in Technical Data -- Noncommercial Items
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation
252.227-7037	Validation of Restrictive Markings on Technical Data
252.227-7038	Patent Rights - Ownership
252.231-7000	Supplemental Cost Principles
252.244-7000	Subcontracts for Commercial Items
252.247-7023	Transportation of Supplier by Sea

