

UNIVERSITY OF MARYLAND, COLLEGE PARK

U.S. GOVERNMENT CONTRACT PROVISIONS

The order to be awarded is issued under a U.S. Government Prime Contract and the applicable clauses listed below are incorporated by reference into and form a part of the terms and conditions of this award with the same force and effect as if set forth in full text. In the event of any conflict between these terms and conditions and any other provisions of the award, these terms and conditions shall prevail. If a more recently dated version of a clause exists, but is not updated below, that recently dated version of the clause hereby replaces the outdated one listed below. 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. If a more recent version of clause exists

For purposes of this award, in the following clauses, the term "contract" shall mean the resulting purchase order(s); the term "Contractor" shall mean "Seller"; and the term "Government" and "Contracting Officer" shall mean the "University of Maryland" and the "Director of Procurement and Strategic Sourcing" respectively. The University reserves all administrative, contractual, and legal remedies against the contractor who breaches any of the contract terms. 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 Contracts Disputes Act shall have no application to this purchase order, and nothing in this purchase order grants Seller a direct claim or cause of action against the U.S. Government. Any reference to a "Disputes" clause shall mean the "Disputes" clause of this purchase order. Seller shall include in each lower-tier subcontract the appropriate flow down clauses as required by the FAR and agency supplement clauses included in this purchase order.

The applicable dollar amount listed in FAR or agency supplement clauses indicates the dollar threshold at which the subject FAR or agency supplement clause becomes applicable to the contract and does not preclude other applicable FAR or agency supplement clauses. If a clause is not applicable based on dollar threshold it is hereby agreed that the clause will be unenforceable until such time as the threshold is reached.

FEDERAL ACQUISITION REGULATION (FAR)

Clause Number	Clause Title
52.203-19	Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements (JAN 2017)
52.204-2	Security Requirements (AUG 1996)
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)
52.204.24	Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (OCT 2020)
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (AUG 2020)
52.204-26	Covered Telecommunications Equipment or Services-Representation (OCT 2020)
52.208-8	Required Sources of Helium and Helium Usage Data (AUG 2018)
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)
52.222-3	Convict Labor (JUN 2003)
52.222-19	Child Labor – Cooperation with Authorities and Remedies (JAN 2020)
52.222-21	Prohibition of Segregated Facilities (APR 2015)
52.222-22	Previous Contracts & Compliance Reports (FEB 1999)
52.222-25	Affirmative Action Compliance (APR 1984)
52.222-26	Equal Opportunity (SEP 2016)
52.222-40	Notification of Employee Rights Under the National Labor Relations Act (Dec 2010)
52.222-41	Service Contract Labor Standards (Aug 2018)
52.222-50	Combating Trafficking in Persons (OCT 2020)
52.222-51	Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment - Requirements (MAY 2014)
52.222-53	Exemption from Application of the Service Contract Act to Contracts for Certain

	Services - Requirements (May 2014)
52.222-54	Employment Eligibility Verification (OCT 2015)
52.222-55	Minimum Wages Under Executive Order 13658 (DEC 2015)
52.222-62	Paid Sick Leave Under Executive Order 13706 (JAN 2017)
52.223-1	Biobased Product Certification (MAY 2012))
52.223-3	Hazardous Material Identification and Material Safety Data (JAN 1997)
52.223-6	Drug-Free Workplace (MAY 2001)
52.223-7	Notice of Radioactive Materials (JAN 1997)
52.223-10	Waste Reduction Program (MAY 2011)
52.223-11	Ozone Depleting Substances and High Global Warming Potential Hydrofluorocarbons (JUN 2016)
52.223-12	Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (JUN 2016)
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving (JUN 2020)
52.224-2	Privacy Act (APR 1984)
52.225-1	Buy American Act - Supplies (May 2014)
52.225-2	Buy American Act Certificate (MAY 2014)
52.225-5	Trade Agreements (OCT 2019)
52.225-6	Trade Agreements Certificate (MAY 2014)
52.225-8	Duty-Free Entry (OCT 2010)
52.225-13	Restrictions on Certain Foreign Purchases (JUN 2008)
52.225-25	Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran - Representations and Certifications (JUN 2020)
52.227-9	Refund of Royalties (APR 1984)
52.227-13	Patent Rights - Ownership by the Government (DEC 2007)
52.227-14	Rights in Data - General (MAY 2014)
52.227-16	Additional Data Requirements (JUN 1987)
52.227-17	Rights in Data - Special Works (DEC 2007)

52.227-18	Rights in Data - Existing Works (DEC 2007)
52.227-19	Commercial Computer Software License (DEC 2007)
52.229-10	State of New Mexico Gross Receipts and Compensating Tax (APR 2003)
52.232-16	Progress Payments (JUN 2020)
52.232-17	Interest (MAY 2014)
52.232-23	Assignment of Claims (MAY 2014)
52.232-25	Prompt Payment (JAN 2017)
52.232-39	Unenforceability of Unauthorized Obligations (JUN 2013)
52.233-3	Protest After Award (AUG 1996)
52.233-4	Applicable Law for Breach of Contract Claim (OCT 2004)
52.236-13	Accident Prevention (NOV 1991)
52.243-1	Changes – Fixed Price (AUG 1987)
52.244-6	Subcontracts for Commercial Items (OCT 2020)
52.245-1	Government Property (JAN 2017)
52.246-2	Inspection of Supplies-Fixed Price (AUG 1996)
52.246-4	Inspection of Services-Fixed Price (AUG 1996)
52.246-6	Inspection-Time-and-Material and Labor-Hour (MAY 2001)
52.246-16	Responsibility for Supplies (APR 1984)
52.247-63	Preference for U.S.-Flag Air Carriers (JUN 2003)
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels (FEB 2006)
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)

**FAR clauses applicable to all purchase orders for Items
and/or Services over \$15,000**

Clause Number	Clause Title
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52.222-20	Contracts for Materials, Supplies, Articles and Equipment Exceeding \$15,000 (JUN 2020)
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52.222-36	Equal Opportunity for Workers with Disabilities (JUN 2020)
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FAR clauses applicable to all purchase orders for Items and/or Services over \$30,000

Clause Number	Clause Title
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52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards (JUN 2020)
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FAR clauses applicable to all purchase orders for Items and/or Services over \$35,000

Clause Number	Clause Title
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52.209-6	Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (JUN 2020)
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FAR clauses applicable to all purchase orders for Items and/or Services over the SIMPLIFIED ACQUISITION THRESHOLD

Clause Number	Clause Title
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52.202-1	Definitions (JUN 2020)
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52.203-3	Gratuities (APR 1984)
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52.203-5	Covenant Against Contingent Fees (MAY 2014)
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52.203-6	Restrictions on Subcontractor Sales to the Government (JUN 2020)
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52.203-7	Anti-Kickback Procedures (JUN 2020)
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52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity (MAY 2014)
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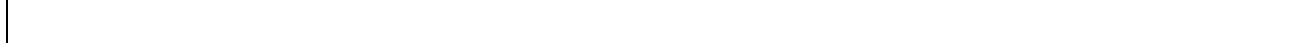
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity (MAY 2014)
52.203-11	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (SEP 2007)
52.203-12	Limitation on Payments to Influence Certain Federal Transactions (JUN 2020)
52-203-17	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (JUN 2020)
52.209-5	Certification Regarding Responsibility Matters (AUG 2020)
52.215-2	Audit and Records - Negotiation (JUN 2020)
52.215-14	Integrity of Unit Prices (JUN 2020)
52.219-8	Utilization of Small Business Concerns (OCT 2018)
52.222-4	Contract Work Hours and Safety Standards Act - Overtime Compensation (MAY 2018)
52.222-35	Equal Opportunity for Veterans (JUN 2020)
52.222-37	Employment Reports on Veterans (JUN 2020)
52.222-38	Compliance with Veterans' Employment Reporting Requirements (FEB 2016)
52.227-1	Authorization and Consent (JUN 2020)
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement (JUN 2020)
52.232.17	Interest (MAY 2014)
52.242-13	Bankruptcy (JUL 1995)
52.244-2	Subcontracts (JUN 2020)
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)
52.248-1	Value Engineering (JUN 2020)
52.249-2	Termination for Convenience of the Government (Fixed Price) (APR 2012)



FAR clauses applicable to all purchase orders for Items and/or Services over \$750,000

Clause Number	Clause Title
15-406-2	Certificate of Current Cost or Pricing Data

52.215-10	Price Reduction for Defective Cost or Pricing Data (AUG 2011)
52.215-12	Subcontractor Certified Cost or Pricing Data (JUN 2020)
52.215-13	Subcontractor Certified Cost or Pricing Data – Modifications (JUN 2020)
52.215-15	Pension Adjustment and Asset Revisions (OCT 2010)
52.215-18	Reversion or Adjustment of Plans for Postretirement Benefits (PRB) other than Pensions (PRB) (JUL 2005)
52.215-19	Notification of Ownership Changes (OCT 1997)
52.215-20	Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data (OCT 2010)
52.215-21	Requirement for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data - Modifications (JUN 2020)
52.219-9	Small Business Subcontracting Plan (JUN 2020)
52.219-16	Liquidated Damages - Subcontracting Plan (JAN 1999)
52.230-2	Cost Accounting Standards (JUN 2020)
52.230-3	Disclosure and Consistency of Cost Accounting Practices (JUN 2020)
52.230-5	Cost Accounting Standards - Educational Institution (JUN 2020)
52.230-6	Administration of Cost Accounting Standards (JUN 2010)



FAR clauses applicable to all purchase orders for Items and/or Services over \$1,000,000

Clause Number	Clause Title
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52.243-7	Notification of Changes (JAN 2017) (Note: Paragraph (b) - 30 days; paragraph (d) - 60 days) (JAN 2017)
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FAR clauses applicable to all purchase orders for Items and/or Services over \$2,000,000

Clause Number	Clause Title
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52.215-12	Subcontractor Certified Cost or Pricing Data (Deviation 2018-O0015) (JUN 2020)
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52.215-13	Subcontractor Certified Cost or Pricing Data – Modifications (Deviation 2018-O0015) (JUN 2020)
52.215-21	Requirement for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data - Modifications (Deviation 2018-O0015) (JUN 2020)
52.230-2	Cost Accounting Standards (Deviation 2018-O0015) (MAY 2018)
52.230-3	Disclosure and Consistency of Cost Accounting Practices (Deviation 2018-O0015) (MAY 2018)
52.230-5	Cost Accounting Standards - Educational Institution (Deviation 2018-O0015) (MAY 2018)

FAR clauses applicable to all purchase orders for Items and/or Services over \$5,500,000

Clause Number	Clause Title
52.203-13	Contractor Code of Business Ethics and Conduct (JUN 2020)
52.203-14	Display of Hotline Posters (JUN 2020)

In addition to the FAR Clauses referenced above, if the Prime Contract is funded by the U.S. Department of Defense, the following Defense Federal Acquisition Regulation Supplement (DFARS) flowdown provisions are applicable.

**DEFENSE FEDERAL ACQUISITION
REGULATION SUPPLEMENT (DFARS)**

Clause Number	Clause Title
252.203-7002	Requirement to Inform Employees of Whistleblower Rights (SEP 2013)
252.204-7000	Disclosure of Information (OCT 2016)
252.204-7003	Control of Government Personnel Work Product (APR 1992)

252.223-7001	Hazard Warning Labels (DEC 1991)
252.223-7002	Safety Precautions for Ammunition and Explosives (MAY 1994)
252.223-7003	Change in Place of Performance – Ammunition and Explosives (DEC 1991)
252.225-7001	Buy American Act and Balance of Payments Program (DEC 2017)
252.225-7002	Qualifying Country Sources as Subcontractors (DEC 2017)
252.225-7007	Prohibition on Acquisition of Certain Items from Communist Chinese Military Companies (DEC 2018)
252.225-7009	Restrictions on Acquisition of Certain Articles Containing Specialty Metals (DEC 2019)
252.225-7013	Duty-Free Entry (APR 2020)
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings (JUN 2011)
252.227-7013	Rights in Technical Data – Noncommercial Items (FEB 2014)
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (FEB 2014)
252.227-7015	Technical Data – Commercial Items (FEB 2014)
252.227-7017	Identification and Assertion of Use, Release, or Disclosure Restrictions (JAN 2011)
252.227-7019	Validation of Asserted Restrictions – Computer Software (SEP 2016)
252.227-7030	Technical Data - Withholding of Payment (MAR 2000)
252.227-7037	Validation of Restrictive Markings on Technical Data (SEP 2016)
252.231-7000	Supplemental Cost Principles (DEC 1991)
252.244-7000	Subcontracts for Commercial Items (SEP 2020)
252.251-7000	Ordering from Government Supply Sources (AUG 2012)

**DFARS clauses applicable to all purchase orders for
Items and/or Services over the
SIMPLIFIED ACQUISITION THRESHOLD**

Clause Number	Clause Title
252.203-7000	Requirements Relating to Compensation of Former DoD Officials (SEP 2011)
252.203-7001	Prohibition on Persons Convicted on Fraud or Other Defense Contract Related Felonies (DEC 2008)

252.209-7004	Subcontracting with Firms that are owned or Controlled by the Government of a Country that is a State Sponsor of Terrorism (MAY 2019)
252.242-7004	Material Management and Accounting System (MAY 2011)
252.247-7023	Transportation of Supplies by Sea (FEB 2019)
DFARS clauses applicable to all purchase orders for Items and/or Services over \$750,000	
Clause Number	Clause Title
252.219-7003	Small Business Subcontracting Plan (DOD Contracts) (DEC 2019)
DFARS clauses applicable to all purchase orders for Items and/or Services over \$1,000,000	
252-205-7000	Provision of Information to Cooperative Agreement Holders (DEC 1991)