

## Federal Acquisition Regulations

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

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:

Anti-Kickback Procedure	52.203-7
Buy American Act – Supplies	52.225
Contract Work Hours and Safety Stds. Act – Overtime Compensation	52.222-4
Equal Opportunity	52.222-26
Integrity of Unit Prices	52.215-14
Notice to the Government of Labor Disputes	52-222-1
Preference for U.S. Flag Air Carriers	52.247-63
Restrictions on Subcontractor Sales to the Government	52.203-6
Service Contract Act of 1965 Reserved Termination for Convenience of Gov’t (Education and other Nonprofit institutions)	52.249-5(a)-(f)
Restrictions on Certain Foreign Purchases	52.225-13
Limitations on Payments to Influence Certain Federal Transactions	52.203-12

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

Equal Opportunity for Workers with Disabilities	52.222-36
Walsh-Healey Public Contracts Act – Contracts for Materials, Supplies, Articles, and Equipment	52.222-20

- c. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$25,000:

Preference for Privately Owned U.S. Flag Commercial Vessels	52.247-64
Women-Owned Businesses	52.204-5
Audit and Records – Negotiation	52.215-2
Instruction to Offerors – Competitive Acquisition	52.215-1

- d. The following provisions of the Federal Acquisition Regulations (FAR) also applies if the amount of this order exceeds \$30,000:

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 \$100,000:

Employment Reports on Veterans 52.222-37  
 Equal Opportunity for Veterans 52.222-35  
 Refrigeration Equipment and Air Conditioners – Clean Air Act 52.223.12

- f. 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):

Utilization of Small Business Concerns 21.219-8  
 Authorization and Consent 52.227-1  
 Notice and Assistance re: Patent and Copyright Infringement 52.227-2

- g. The following provisions of the Federal Acquisition Regulations (FAR) apply when noted:

Small Business Subcontracting Plan 52.219-9  
 Hazardous Material Identification and Material Safety Data when  
     Subcontract involves hazardous material 52.223-3  
 Oral Attestation of Security Responsibilities 252.204-7005  
 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  
 Rights in Technical Data – Noncommercial items when subcontractor  
     Includes technical data or software acquisition requirements,  
     (DOD only) 252.227-7013  
 Rights in Noncommercial Technical Data & Computer Software –  
     SBIR Programs 252.227-7018  
 Validation of Restrictive Markings on Technical Data 252.227-7037  
 Security Requirements – when the subcontract involves access to  
     classified information 52.204-2  
 Prohibition on Persons Convicted of Fraud or other Defense –  
     Contract – Related Felonies 252.203-7001

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

Prohibition on Persons Convicted of fraud or Other Defense-  
 Contract Related Felonies (not applicable for commercial items)  
 (applicable if at or in excess of the simplified acquisition threshold) 252.203-7001

Acquisition from Subcontractors Subject to On-Site Inspection  
 Under the Intermediate Range Nuclear Forces (INF) Treaty  
 (applicable if at or in excess of The simplified acquisition threshold)  
 (not applicable for commercial items) 252.209-7000

Rights in Technical Data – Noncommercial Items (\$0) 252.227-7013

Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	252.227-7014
Patents – Subcontracts (\$0, for experimental, developmental, or Research work to be performed by other than a small business firm or non-profit organization)	252.227-7034
Supplemental Cost Principles (\$0)	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 apply. (NOTE: These NASA clauses may have applicability only when the Purchase Order/Contract is at or in excess of a certain dollar threshold, shown in parentheses, or under certain circumstances).

Restrictions on Printing and Duplicating, Oct. 2001 (\$0)	1852.208-81
Use of Rural Area Small Businesses, Sept 1990 (\$0)	1852.219-74
Small Business Subcontracting Reporting, May 1999 (\$500,000)	1852.219-75
Safety and Health, April 2002 ((1) Amount to \$1,000,000 or more (unless Contracting Officer makes a written determination, after Consultation with installation safety and health representatives, that this is not required); (2) Require construction, repair, or alteration in excess of \$25,000; or (3) Regardless of dollar amount, involve the use of hazardous materials or operations.)	1852.223-70
New Technology, May 2002 (\$0, for the performance of Experimental, developmental, or research work)	1852.227-70
Designation of New Technology Representative and Patent Representative, July 1997 (\$0)	1852.227-71
Geographic Participation in the Aerospace Program, Apr 1985 (\$100,000)	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.**