

SUBCHAPTER H—CLAUSES AND FORMS

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AUTHORITY: 5 U.S.C. 8716; 40 U.S.C. 486(c), 48 CFR 1.301.

SOURCE: 58 FR 40381, July 28, 1993, unless otherwise noted.

2152.070 Applicable clauses.

The clauses of FAR subpart 52.2 specified below shall be applicable to FEGLI Program contracts. The most recent edition of the clause in the FAR shall be applied unless otherwise provided in the contract.

SECTION AND CLAUSE TITLE

52.202-1 Definitions
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52.203-5 Covenant against Contingent Fees
52.203-6 Restrictions on Subcontractor Sales to the Government
52.203-7 Anti-Kickback Procedures
52.203-12 Limitation on Payments to Influence Certain Federal Transactions
52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment
52.215-2 Audit and Records—Negotiation
52.215-10 Price Reduction for Defective Cost or Pricing Data
52.215-12 Subcontractor Cost or Pricing Data
52.215-15 Pension Adjustments and Asset Reversions
52.215-16 Facilities Capital Cost of Money
52.215-17 Waiver of Facilities Capital Cost of Money
52.215-18 Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions
52.219-8 Utilization of Small Business Concerns
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
52.222-21 Prohibition of Segregated Facilities
52.222-22 Previous Contracts and Compliance Reports
52.222-25 Affirmative Action Compliance
52.222-26 Equal Opportunity
52.222-29 Notification of Visa Denial
52.222-35 Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans
52.222-36 Affirmative Action for Workers with Disabilities
52.222-37 Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans
52.223-6 Drug-Free Workplace
52.227-1 Authorization and Consent
52.227-2 Notice and Assistance regarding Patent and Copyright Infringement
52.228-7 Insurance—Liability to Third Persons
52.232-9 Limitation on Withholding of Payments
52.232-17 Interest
52.232-23 Assignment of Claims
52.232-33 Payment by Electronic Funds Transfer—Central Contractor Registration
52.233-1 Disputes (Alternate I)
52.242-1 Notice of Intent to Disallow Costs
52.242-3 Penalties for Unallowable Costs
52.242-13 Bankruptcy
52.244-5 Competition in Subcontracting

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- 52.245-2 Government Property (Fixed-Price Contracts)
- 52.246-4 Inspection of Services—Fixed Price
- 52.246-25 Limitation of Liability—Services
- 52.247-63 Preference for U.S.-Flag Air Carriers
- 52.249-2 Termination for Convenience of the Government (Fixed Price)
- 52.249-8 Default (Fixed Price Supply and Service)
- 52.249-14 Excusable Delays
- 52.251-1 Government Supply Sources
- 52.252-4 Alterations in Contract
- 52.252-6 Authorized Deviations in Clauses

[58 FR 40381, July 28, 1993, as amended at 70 FR 41154, July 18, 2005]

Subpart 2152.2—Text of Provisions and Clauses

2152.203-70 Misleading, deceptive, or unfair advertising.

As prescribed in 2103.571, insert the following clause:

MISLEADING, DECEPTIVE, OR UNFAIR ADVERTISING (OCT 2005)

The Contractor agrees that any advertising material authorized and released by the Contractor which mentions the FEGLI Program must be truthful and not misleading and must present an accurate statement of FEGLI Program benefits. The Contractor is prohibited from making incomplete and/or incorrect comparisons or using disparaging or minimizing techniques to compare its other products or services to those of the FEGLI Program. The Contractor agrees to use reasonable efforts to assure that agents selling its other products are aware of and abide by this provision. The Contractor agrees to incorporate this clause in all subcontracts as defined at LIFAR 2102.101.

(End of Clause)

[70 FR 41154, July 18, 2005]

2152.204-70 Taxpayer Identification Number.

As prescribed in 2104.9001, insert the following clause:

TAXPAYER IDENTIFICATION NUMBER (OCT 2005)

(a) Definitions.

Common parent, as used in this provision, means that corporate entity that owns or controls an affiliated group of corporations that files its Federal income tax returns on a consolidated basis, and of which the Contractor is a member.

Taxpayer Identification Number (TIN), as used in this provision, means the number required by the Internal Revenue Service (IRS) to be used by the Contractor in reporting income tax and other returns. The TIN is the Contractor's Social Security Number.

(b) The Contractor must submit the information required in paragraphs (d) through (f) of this clause to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the IRS. The Contractor is subject to the payment reporting requirements described in FAR 4.904. The Contractor's failure or refusal to furnish the information will result in payment being withheld until the TIN is provided.

(c) The Government may use the TIN to collect and report on any delinquent amounts arising out of the Contractor's relationship with the Government (31 U.S.C. 7701(c)(3)). The TIN provided hereunder may be matched with IRS records to verify its accuracy.

(d) Taxpayer Identification Number (TIN).
TIN: _____

(e) Type of organization.

Corporate entity (tax-exempt);

Other _____

(f) Common parent.

Contractor is not owned or controlled by a common parent as defined in paragraph (a) of this clause.

Name and TIN of common parent:

Name _____

TIN _____

(End of Clause)

[70 FR 41154, July 18, 2005]

2152.209-70 Certification regarding debarment, suspension, proposed debarment and other responsibility matters during negotiations.

As prescribed in 2109.409(a), the contracting officer may require a potential contractor to provide the following certification:

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT, AND OTHER RESPONSIBILITY MATTERS (OCT 1993)

(a)(1) The undersigned certifies, to the best of its knowledge and belief, that—

(i) The undersigned and/or any of its Principals—

(A) Are () are not () presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;