



## Special Terms and Conditions Government Subcontract Provisions

If this order is a subcontract under a U.S. Government Prime Contract/Grant, the applicable clauses listed below are incorporated into, and form a part of, the terms and conditions of this order. In the event of any conflict between the terms and conditions of this Section 2 and any other provisions of this order the terms and conditions of this Section 2 shall prevail. The clauses contained in the following paragraphs of the Federal Acquisition Regulations are incorporated herein by reference. For purposes of this Purchase Order, in the following clauses, the term "contract" shall mean "this order"; the term "Contractor" shall mean "Seller"; and the term "Government" and "Contracting Office" shall mean University of Denver and the Director of Purchasing Services respectively. Copies of all references are available from the Office of Sponsored Programs, University of Denver, Phone 1-303-871-2121.

The following provisions apply regardless of the amount of this order:

1. Equal Opportunity - FAR 52.222-26
2. Preference of U.S. Flag Air Carriers - FAR 52.247-63
3. Use of U.S. Flag Commercial Vessels - FAR 52.247-64
4. Anti-Kickback Procedures - 52.203-7
5. Restriction on subcontractor sales to the Government - FAR 52.203-6
6. Integrity of Unit Prices - FAR 52.215-26

The following provisions apply if the amount of this order exceeds \$2,500.

1. Contract Work Hours & Safety Standards Act-Overtime Compensation - FAR 52.222-4
2. Affirmative Action for Handicapped Workers - FAR 52.222-36

The following provisions apply if the amount of this order exceeds \$10,000.

1. Utilization of Small Business and Small Disadvantaged Business Concerns - FAR 52.219-8
2. Examination of Records by Comptroller General - FAR 52.215-1
3. Affirmative Action for Special Disabled and Vietnam Era Veterans - FAR 52.222-35
4. Audit-Negotiation - FAR 52.215-2

The following provisions apply if the amount of this order exceeds \$25,000.

1. Utilization of Women Owned Business Concerns - FAR 52.219-13
2. Utilization of Labor Surplus Area Concerns - FAR 52.220-3
3. Authorization and Consent - FAR 52.227-1
4. Notice and Assistant Regarding Patent and Copyright Infringement - FAR 52.227-2
5. Special Prohibition on Employment - DFAR 52.203-7001

The following provisions apply if the amount of this order exceeds \$100,000.

1. Subcontractor Cost or Pricing Data - FAR 52.215-24
2. Subcontractor Cost or Pricing Data - Modifications - FAR 52.215-25
3. Clean Air and Water - Certification - FAR 52.223-1
4. Clean Air and Water - FAR 52.223-2

5. Audit - Formal Advertising - FAR 52.214-26
6. Overseas Distribution of Defense Subcontracts - DFARS 52.204-7005
7. Price Reduction for Defective Cost or Pricing - FAR 52.215-22

The following provisions apply if the amount of this order exceeds \$500,000.

1. Subcontracting Plan for Small Business and Small Disadvantaged Business Concerns - FAR 52.219-9
2. Labor Surplus Area Subcontracting Program - FAR 52.220-4

The following provisions apply if the order involves Research, Development and Experimental Work Contracts.

1. Rights in Technical Data and Computer Software - DOD FAR Supp. 52.227-7013
2. Restrictive Marking on Technical Data - DOD FAR Supp. 52.227-7018
3. 52.227-11 Patent Rights -- Retention by the Contractor (Short Form) or 52.227-12 Patent Rights -- Retention by the Contractor (Long Form) or 52.227-13 Patent Rights -- Acquisition by the Government.

(If the subcontract/purchase order involves experimental or research and development work. Unless otherwise noted in schedule, short-form applies to nonprofit, educational and small business concerns. Long-form applies to other concerns.)

#### 4. Acknowledgment of Sponsorship:

The Contractor agrees that in the release of information relating to this contract such release shall include a statement to the effect that the project or effort depicted was or is sponsored by the agency set forth in the Schedule of this contract, and that the content of the information does not necessarily reflect the position or the policy of the government and no official endorsement should be inferred. For the purpose of this clause, information includes but is not limited to news releases, articles, manuscripts, brochures, advertisements, still and motion pictures, speeches, trade association meetings, symposia, etc. Nothing in the foregoing shall affect compliance with the requirements of the clause of this contract entitled "Military Securing Requirements." The Contractor further agrees to include this provision in any subcontract awarded as a result of this contract.

#### Publication of Results under DOE Prime Contracts:

Research results obtained under this contract shall be made available to all through normal and accepted channels without restriction except that no Restricted Data as defined in the Atomic Energy Act of 1954, as amended, or other classified information shall be disclosed to unauthorized persons. Published results shall indicate that the research was supported by the DOE. A copy of each article submitted by the Contractor for publications shall be promptly sent to the DOE. The Contractor shall also inform the DOE when the article is published and furnish six copies of the article as finally published. It is recognized that during the course of the work hereunder or subsequent thereto, the Contractor, its employees, or its subcontractors, may from time to time, desire to publish, within the limit of security requirements, information regarding technical or scientific developments arising in the course of the contract. In order that public disclosure of such information will not adversely affect the patent interest of the DOE, such information shall be withheld from public disclosure if it discloses an invention, or discovery, such invention or discovery shall be promptly reported to the DOE for patent review and possible filing of a patent application, and such information shall

thereafter be withheld from public disclosure for a period of four months unless the DOE approves earlier release.

5. Validation of Restrictive Markings on Technical Data DFAR 52.27-7037

The following provisions apply if classified material is involved:

1. Filing Patent applications - FAR 52.227-10
2. Military Security requirements - FAR 52.204-2