

**Mandatory Federal Acquisition Regulation (FAR)
Flow-down Clauses for Commercial Items under
United States Government Prime Contracts**



This procurement, including Purchase Orders, Consulting Agreements, Subcontracts, Professional Services Agreements (hereinafter “Agreement” or “Award”) is issued to Vendor, Supplier, Consultant, or Subcontractor (hereinafter “Subcontractor”) in support of the performance of a federally funded Prime Contract, or Subcontract issued thereunder. This Agreement incorporates one or more clauses by reference, below, with the same force and effect as if they were given in full text. Upon request, the Abt Associates Subcontracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at <http://www.acquisition.gov>.

In addition to terms, conditions, and clauses incorporated by reference elsewhere in the Agreement, mandatory FAR clauses are hereby made a part of this Agreement by reference and are applicable to it with the following modifications:

Where necessary to make the language of the FAR clause applicable to the Agreement, the term “Contractor” shall mean “Supplier”, “Vendor”, “Consultant”, or “Subcontractor” as appropriate; the term “Contract” shall mean the “Purchase Order” “Consulting Agreement” or “Subcontract” as appropriate; the terms “Government,” “Covered Entity,” “Contracting Officer,” and equivalent terms and phrases shall mean “Abt Associates”.

The following instances are exceptions to the general rules as provided above:

1. Where it is clear, by the context of the provision itself or the conditions under which it is being applied, that the reference is intended to refer to the Government, its officers or agents, or the prime contractor specifically;
2. Where an explicit provision of the Agreement states a contrary intent;
3. Where access to proprietary financial information or other proprietary data is required; or
4. Where interpretation in accordance with the rules stated above would place the prime contractor in a position of violating the equivalent or related provisions of the Prime Contract whereas construction of the terms without modification would not.

Subcontractor shall incorporate these requirements into all lower-tier procurements to the extent required by the terms of the clauses.

No provision contained in a FAR clause shall be taken to imply any direct access on the part of the Subcontractor to the Disputes process as defined in the terms of Abt’s Prime Contract, but rather shall be governed by the “Disputes” provision included in this Agreement.

Clause	Title	Year	Applicability
52.203-13	Contractor Code of Business Ethics and Conduct	Nov 2021	Awards > \$6,000,000 with performance period > 120 days
52.203-16	Preventing Personal Conflicts of Interest	Jun 2020	Service Subcontracts (other than Construction) that exceed \$250,000 and require performance of acquisition functions closely associated with inherently government functions
52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements	Jan 2017	All Awards
52.204-2	Security Requirements	Mar 2021	All Awards involving access to classified information
52.204-9	Personal Identity Verification of Contractor Personnel	Jan 2011	All Awards where it is required to have routine physical access to a Federally-controlled facility and/or routine access to a Federally-controlled information system
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards.	Jun 2020	Awards > \$30,000
52.204-21	Basic Safeguarding of Covered Contractor Information Systems	Nov 2021	All awards in which Subcontractor may have Federal contract information residing in or transition through its information systems

Clause	Title	Year	Applicability
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities	Nov 2021	All Awards
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment	Nov 2021	All Awards
52.219-8	Utilization of Small Business Concerns	Oct 2018	Awards > \$750,000
52.222-21	Prohibition of Segregated Facilities	Apr 2015	Awards > \$10,000
52.222-26	Equal Opportunity	Sep 2016	Awards > \$10,000
52.222-35	Equal Opportunity for Veterans	Jun 2020	Awards > \$150,000
52.222-36	Equal Employment for Workers with Disabilities	Jun 2020	Awards > \$15,000
52.222-37	Employment Reports on Veterans	Jun 2020	Awards > \$150,000
52.222-40	Notification of Employee Rights Under the National Labor Relations Act	Dec 2010	Awards > \$10,000 performed in whole or in part in the United States
52.222-41	Service Contract Labor Standards	Aug 2018	All Awards subject to the Service Contract Labor Standards statute
52.222-50	Combating Trafficking in Persons	Nov 2021	Awards > \$550,000 for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States.
52.222-54	Employment Eligibility Verification	Nov 2021	All Awards > \$3,500
52.222-55	Minimum Wages Under Executive Order 13658	Nov 2020	All Awards subject to the Service Contract Labor Standards statute, or the Wage Rate requirements (Construction) statute, and are to be performed in whole or in part in the United States
52.222-62	Paid Sick Leave Under Executive Order 13706	Jan 2017	All Awards subject to the Service Contract Labor Standards statute, or the Wage Rate requirements (Construction) statute, and are to be performed in whole or in part in the United States
52.223-99	Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors	Oct 2021	Awards >\$250k for services, including construction, performed in whole or in part within the United States or its outlying areas.
52.224-3	Privacy Training	Jan 2017	Review paragraph (f) of clause for applicability
52.225-13	Restrictions on Certain Foreign Purchases	Feb 2021	All Awards
52.225-26	Contractors Performing Private Security Functions Outside the U.S.	Oct 2016	Review paragraph (f) of clause for applicability
52.226-6	Promoting Excess Food Donation to Nonprofit Organizations	Jun 2020	>\$30,000 involving the provision, service, or sale of food
52.227-14	Rights in Data—General.	May 2014	All Awards
52.232-40	Providing Accelerated Payments to Small Business Subcontractors	Nov 2021	Awards to small business concerns
52.233-3	Protest After Award	Aug 1996	All Awards
52.236-13	Accident Prevention	Nov 1991	All Awards for construction, dismantling, demolition, or removal if improvements
52.242-15	Stop-Work Order	Aug 1989	All Awards
52.243-1	Changes Fixed-Price	Aug 1987	All Supplies

Clause	Title	Year	Applicability
52.243-1	Changes Fixed-Price, Alt I	Aug 1987	All Services
52.243-1	Changes Fixed-Price, Alt II	Aug 1987	All Supplies and Services
52.244-6	Subcontracts for Commercial Products and Commercial Services	Nov 2021	All Awards
52.245-1	Government Property	Sep 2021	All Awards when property is acquired, furnished, or provided
52.247-64	Preference for Privately Owned U.S. Flag Commercial Vessels	Nov 2021	All Awards
52.249-2	Termination for Convenience of the Government (Fixed Price)	Apr 2012	All Fixed Price Awards