

NASA GCC

(Government Contract Clauses)

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Effective Date of Contract: 1 Feb 2001
Contract Number: NAS4-00041 (Basic)
Program: Dryden Flight Research Center (DFRC)
Engineering and technical support for flight research or flight operations

The following contract clauses are incorporated by reference from the NASA FAR Supplement and apply to the extent indicated. Unless otherwise noted, in the following clauses, "Contractor" and "Offeror" mean Seller. Clauses in this GCC may not be the most recent versions. The clauses and dates in this GCC are those in the prime contract.

FAR/DFARS CLAUSE	CLAUSE DESCRIPTION
52.203-6	Restrictions on Subcontractor Sales to the Government (JUL 95). This clause applies only if this contract exceeds \$100,000.
52.203-7	Anti-Kickback Procedures (JUL 95) [excluding subparagraph (c)(1)]. This clause applies only if this contract exceeds \$100,000. Buyer may withhold from sums owed Seller the amount of any kickback paid by Seller or its subcontractors at any tier if (a) the Contracting Officer so directs, or (b) the Contracting Officer has offset the amount of such kickback against money owed Buyer under the prime contract.
52.203-8	Cancellation, Rescission and Recovery of Funds for Illegal or Improper Activity (JAN 97). This clause applies to this contract if Seller, its employees, officers, directors or agents participated personally and substantially in any part of the preparation of a proposal for this contract. Seller shall indemnify Buyer for any and all losses suffered by Buyer due to violations of the Act (as set forth in this clause) by Seller or its subcontractors at any tier.
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity (JAN 97). This clause applies only if this contract exceeds the FAR simplified acquisition threshold. If the Government reduces Buyer's price or fee for violations of the Act by Seller or its subcontractors at any tier, Buyer may withhold from sums owed Seller the amount of the reduction.
52.203-11	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (APR 91). This clause applies only if this contract exceeds \$100,000. Seller's signing of its offer, proposal or quotation shall constitute the certification required by this clause. In subparagraph (c)(4), "prime Contractor" shall mean Buyer.
52.203-12	Limitation on Payments to Influence Certain Federal Transactions (JAN 90). This clause applies only if this contract exceeds \$100,000.
52.204-2	Security Requirements (AUG 96). This clause applies only if this contract requires access to classified information. "Changes clause" shall mean the changes clause of this contract. "Government" shall mean Buyer or the Government.
52.215-2	Audit and Records-Negotiation (JUN 99). This clause applies only if this contract exceeds the FAR simplified acquisition threshold and (i) is cost-reimbursement, incentive, time-and-materials, labor-hour, or price-redeterminable type or any combination of these types; (ii) Seller was required to provide cost or pricing data; or (iii) Seller is required to furnish reports as discussed in paragraph (e) of the referenced clause.
52.219-8	Utilization of Small Business Concerns (OCT 99). This clause is applicable if this contract exceeds the FAR simplified acquisition threshold.
52.222-1	Notice to the Government of Labor Disputes (FEB 97). "Contracting Officer" shall mean Buyer.
52.222-4	Contract Work Hours and Safety Standards Act – Overtime Compensation (JUL 95). This clause applies only if this contract exceeds \$100,000. Buyer may withhold or recover from Seller the amount of any sums the Contracting Officer withholds or recovers from Buyer because of liabilities of Seller or its subcontractors at any tier under this clause.
52.222-21	Prohibition of Segregated Facilities (FEB 99).
52.222-26	Equal Opportunity (FEB 99) [subparagraphs (b)(1) through (11)].
52.222-35	Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era. (APR 98). This clause applies only if this contract is for \$10,000 or more.
52.222-36	Affirmative Action for Workers with Disabilities. (JUN 98). This clause applies only if this contract exceeds \$10,000.
52.222-37	Employment Reports on Disabled Veterans and Veterans of the Vietnam Era (JAN 99). This clause applies only if this contract exceeds \$10,000.
52.223-13	Certification of Toxic Chemical Release Reporting (OCT 96). This clause applies only if this contract is expected to exceed \$100,000 in value and is being competitively awarded.
52.225-1	Buy American Act-Balance of Payments-Supplies (DEC 89). This clause does not apply if this contract is placed under a Department of Defense (DoD) contract.
52.225-6	<u>Contract Reflects:</u> Balance of payments Program Certificate (APR 85). Note: Renumbered. Formerly known as: 52.225-2
52.225-8	<u>Contract Reflects:</u> Buy American Act-Trade Agreements-Balance of Payments Program certificate (JAN 94). Note: Renumbered. Now known as: 52.225-6
52.225-13	Restrictions on Certain Foreign Purchases (FEB 00). "Contracting Officer" shall mean Buyer.

52.227-1	Authorization and Consent (JUL 95).
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement (AUG 96). This clause applies only if this contract exceeds the FAR simplified acquisition threshold. A copy of each notice sent to the Government will be sent to Buyer. "Contracting Officer" shall mean Buyer.
52.242-15	Stop Work Order (AUG 89). Change "90 days" and "30 days" to "100 days" and "20 days" respectively. The "Termination for Convenience" clause shall refer to the Termination for Convenience clause of this contract. "Contracting Officer" and "Government" shall mean Buyer.
52.244-5	Competition in Subcontracting (DEC 96).
52.244-6	Subcontracts for Commercial Items and Commercial Components (OCT 98).
52.246-25	Limitation of Liability – Services (FEB 97).
52.247-64	Preference for Privately Owned U.S. Flag Commercial Vessels (JUN 97). This clause applies if this contract exceeds the FAR Simplified Acquisition Threshold. In subparagraph (c)(2), "20" and "30" are changed to "10" and "20" respectively.
52.248-1	Value Engineering (FEB 00) [excluding paragraph (f)]. This clause applies if this contract is for \$100,000 or more. Share percentages are stated elsewhere in this order. "Contracting Officer" shall mean Buyer. If a Value Engineering Change Proposal is accepted by the Government, Seller's share will be 50% of the instant concurrent and future contract net acquisition savings and collateral savings that Buyer receives from the Government. Seller's negotiated share of net acquisition savings or collateral savings shall not reduce the Government's share of concurrent or future savings or collateral savings. Buyer's payments to Seller under this clause are conditioned upon Buyer's receipt of authorization for such payments from the Government.

NASA FAR SUPPLEMENT CLAUSE	CLAUSE DESCRIPTION
1852.204-76	Security Requirements for Unclassified Automated Information Resources (Jul 00). This clause applies only if this contract requires unescorted or unsupervised physical access or electronic access to limited or controlled areas, systems, programs and data.
1852.208-81	Restrictions on Printing and Duplicating (AUG 93)
1852.215-84	Ombudsman (JUN 00)
1852.216-89	Assignment and Release Forms (JUL 97). Ease of administration
1852.219-74	Use of Rural Area Small Businesses (SEP 90)
1852.219-75	Small business Subcontracting Reporting (MAY 99). This clause applies only if FAR 52.219-9 is included in this contract.
1852.219-76	NASA 8 Percent Goal (JUL 97). This clause applies only if Seller is not a small business.
1852.223-70	Safety and Health (JUL 00). This clause applies only if this contract exceeds \$1M or construction, repairs or alteration in excess of the simplified acquisition threshold, or it involves the use of hazardous materials or operations.
1852.223-73	Safety and Health Plan (DEC 88)
1852.223-74	Drug- and Alcohol-Free Workforce (MAR 96). This clause applies only if work is performed by an employee in a sensitive position, except if this contract is for commercial items.
1852.227-14	Rights in Data -- General (OCT 95). This clause applies only if data will be produced, furnished, or acquired under this contract except contracts for basic or applied research with universities or colleges.
1852.227-70	New Technology (NOV 98). This clause applies only if the contract involves experimental, developmental or research work and Seller is other than a small business firm or nonprofit organization.
1852.227-70	New Technology (NOV 98)
1852.227-72	Designation of New Technology Representative and Patent Representative (JUL 97). Identify representatives in the subcontract.
1852.228-71	Aircraft Flight Risks (DEC 88).
1852.237-70	Emergency Evacuation Procedures (DEC 88). This clause applies only if this contract requires work on a government installation.
1852.242-70	Technical Direction (SEP 93)
1852.242-72	Alternate I - Observance of Legal Holidays (AUG 92). This clause applies only if work is on a government installation is required. This clause applies if on-site work is required.
1852.242-73	NASA Contractor Financial Management Reporting (JUL 00). This clause applies only if the contract is a cost-type, price redetermination or FFI contract. "Contracting Officer" shall mean Buyer's Purchasing Representative.
1852.243-70	Engineering Change Proposal (FEB 98)
1852.244-70	Geographic Participation in the Aerospace Program (APR 85). This clause applies only if this contract is for \$100,000 or more.
1852.245-70	Contractor Request for Government Owned Equipment (JUL 97). "Contracting Officer" shall mean Buyer. If the equipment is to be acquired as Special Test Equipment (STE), Seller shall submitted the applicable request 75 days in advance of the date Seller intends to acquire the equipment. No later than 30 September of each year, Seller will provide Buyer a list of all property acquired under this clause. The list will include at a minimum: (1) part number; (2) serial number; (3) modification number, if any; (4) nomenclature; (5) acquisition cost; (6) acquisition date; and (7) the date of the prior year's list.
1852.245-71	Installation-Accountable Government Property (JUN 98)
1852.245-73	Financial Reporting of NASA Property in the Custody of Contractors (SEP 00). Seller will submit annual reports no later than October 15.
1852.245-77	List of Installation-Accountable Property and Services (JUL 97)
1852.245-79	Use of Government Owned Property (MAR 89)
1852.245-80	Use of Government Production and Research Property on a No-Charge Basis (MAR 89)

REVISION TABLE

Revision Number	Original Issue Date	Revision Date	Remarks