

# Addendum A to Purchase Order

## Terms & Conditions for Federal Grants, Cooperative Agreements and Contracts

### **I. Flow-down Clauses for Grants and for Cooperative Agreements that are subject to Office of Management and Budget (OMB) Guidance for Federal Financial Assistance**

The contract provisions required by OMB Guidance for Federal Financial Assistance, Appendix II, are hereby incorporated by reference into the contractual agreements governing this transaction with the same force and effect as if set forth therein in full text. OMB Guidance for Federal Financial Assistance is available at 2 CFR Part 200, [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl). The contract provisions that govern a particular federal assistance award are those in effect at the time the federal assistance award is made to the University. Supplier agrees to include all applicable contract provisions in its contractual agreements with lower-tier entities.

### **II. Flow-down Clauses for Federal Contracts**

The contract clauses contained in the current issue of the Federal Acquisition Regulations (FAR) and supplements thereto, which the U.S. government mandates for a contractor under a U.S. government funded contract to include in all its lower-tier subcontracts thereunder, shall apply to this Purchase Order.

The following are references to the typical contract clauses which, where applicable by their terms, are hereby incorporated by reference into the contractual agreements governing this transaction with the same force and effect as if set forth therein in full text. Clauses and references below are to the Federal Acquisition Regulations (FAR), available at <https://www.acquisition.gov/browsefar> by reference, and the Defense Federal Acquisition Regulations (DFAR), available at <https://www.acq.osd.mil/dpap/dars/dfarspgi/current/> by reference.

Certain clauses may not be applicable due, for example, to the type of purchase order issued, dollar thresholds under the requirements of the FAR, DFARS and/or the Mandatory Flow Down requirements of a particular prime contract. Clauses that are inapplicable are deemed self-deleting. It is solely the Supplier's obligation to contact the University with questions regarding applicability of the contract clauses.

When interpreting applicable FAR and DFAR provisions, "Government," or "Government Representative," or "Contracting Officer" will refer to Louisiana State University's Chief Procurement Officer. The term "Contractor" will refer to Supplier. Supplier agrees to include all applicable contract clauses in its contractual agreements with lower-tier entities.

#### **Federal Acquisition Regulations (FAR) as applicable:**

52.202-1	Definitions
52.203-3	Gratuities
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
52.203-13	Contractor Code of Business Ethics and Conduct
52.203-17	Contractor Employee Whistleblower Rights
52.204-2	Security Requirements
52.204-21	Basic Safeguarding of Covered Contractor Information Systems
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment
52.209-6	Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, Proposed for Debarment or Voluntarily Excluded
52.211-15	Defense Priority and Allocation Requirements
52.214-27	Price Reduction for Defective Certified Cost or Pricing Data – Modifications – Sealed Bidding
52.215-1	Instructions to Offerors—Competitive Acquisition
52.215-2	Audit and Records - Negotiation
52.215-12	Subcontractor Certified Cost or Pricing Data
52.215-13	Subcontractor Certified Cost or Pricing Data – Modifications
52.215-14	Integrity of Unit Prices
52.219-8	Utilization of Small Business Concerns
52.219-9	Small Business Subcontracting Plan

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52.222-1	Notice to the Government of Labor Disputes
52.222-4	Contract Work Hours and Safety Standards - Overtime Compensation
52.222-6	Construction Wage Rate Requirements
52.222-20	Contracts for Materials, Supplies, Articles, and Equipment
52.222-21	Prohibition of Segregated Facilities
52.222-26	Equal Opportunity
52.222-35	Equal Opportunity for Veterans
52.222-36	Equal Opportunity for Workers with Disabilities
52.222-37	Employment Reports on Veterans
52.222-40	Notification of Employee Rights Under the National Labor Relations Act
52.222-41	Service Contract Labor Standards
52.222-50	Combating Trafficking in Persons
52.222-54	Employment Eligibility Verification
52.222-55	Minimum Wages for Contractor Workers Under Executive Order 14026
52.223-3	Hazardous Material Identification and Material Safety Data
52.225-1	Buy American – Supplies
52.225-13	Restrictions on Certain Foreign Purchases
52.227-1	Authorization and Consent (Alternate I in all Research and Development)
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement
52.227-3	Patent Indemnity
52.227-10	Filing of Patent Applications - Classified Subject Matter
52.227-11	Patent Rights – Ownership by the Contractor (Alternates I-V, as applicable)
52.227-13	Patent Rights - Ownership by the Government
52.227-14	Rights in Data – General
52.233-1	Disputes
52.242-1	Notice of Intent to Disallow Costs
52.242-15	Stop-Work Order
52.243-1	Changes - Fixed Price (43.205 (a) (1) Alternates may apply)
52.243-2	Changes - Cost Reimbursement (43.205 (b) (1) Alternates may apply)
52.244-2	Subcontracts
52.244-5	Competition in Subcontracting
52.244-6	Subcontracts for Commercial Products and Commercial Services
52.245-2	Government Property Installation Operation Services
52.246-15	Certificate of Conformance
52.247-63	Preference for U.S.-Flag Air Carriers
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels
52.249-2	Termination for Convenience of the Government (Fixed Price)
52.249-5	Termination for the Convenience of the Government (Educational and Other Nonprofit Institutions)
52.249-14	Excusable Delays

**Defense Federal Acquisition Regulations (DFAR) as applicable:**

252.203-7001	Prohibition on Persons convicted of Fraud or Other Defense-Contract-Related Felonies
252.222-7000	Restrictions on Employment of Personnel
252.225-7000	Buy American - Balance of Payments Program Certificate
252.227-7013	Rights in Technical Data – Other than Commercial Products and Commercial Services
252.227-7016	Rights in Bid or Proposal Information
252.227-7018	Rights in Other Than Commercial Technical Data and Computer Software – Small Business Innovation Research Program and Small Business Technology Transfer Program
252.227-7019	Validation of Asserted Restrictions – Computer Software
252.227-7037	Validation of Asserted Restrictions on Technical Data
252.243-7001	Pricing of Contract Modifications
252.244-7000	Subcontracts for Commercial Products or Commercial Services

**III. Conflicts Among Clauses Applicable to the Purchase Order**

In the event of any conflict among the contract clauses applicable to the Purchase Order, the most stringent contract clause will apply.