SECTION II: GOVERNMENT SUBCONTRACT PROVISIONS

If this order is a subcontract under a U.S. Government Prime Contract, 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 and any other provision of this order, the terms and conditions of this Section shall prevail. The term "FAR" means the Federal Acquisition Regulations, including revision in effect on the date of this order. The term "DFAR" means the Department of Defense Supplement to the Federal Acquisition Regulations, including revision in effect on the date of this order. The terms "Contractor," "Government," and "Contracting Officer" as used in these clauses incorporated by this reference shall be deemed to refer to the "Seller," "Buyer," and "The University of Texas at Austin" (UT Austin), respectively. Any reference to a "Disputes" clause in any of the clauses listed below shall be deemed to refer to the "Disputes" clause contained in the Prime Contract. In no event shall such reference to a "Disputes" clause be construed to allow the Seller, without the concurrence or approval of UT Austin, to prosecute and appeal either directly or in the name of UT Austin to the Contracting Officer for such Prime Contract.

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

1. Prohibition of Segregated Facilities
   \[ \text{FAR 52.222-21} \]
2. Previous Contracts & Compliance Reports
   \[ \text{FAR 52.222-22} \]
3. Hazardous Material Identification and Material Safety Data (when applicable)
   \[ \text{FAR 52.223-3} \]
4. Restrictions on Certain Foreign Purchases
   \[ \text{FAR 52.225-13} \]
5. Rights in Technical Data – Noncommercial Items (when applicable)
   \[ \text{DFAR 52.227-7013} \]

The following provisions apply if the amount of this order exceeds $3,000:

1. Encouraging Contractor Policies to Ban Text Messaging While Driving
   \[ \text{FAR 52.223-18} \]

The following provisions apply if the amount of this order exceeds $10,000.00:

1. Equal Opportunity
   \[ \text{FAR 52.222-26} \]
The following provisions apply if the amount of this order exceeds $15,000.00:

1. Walsh-Healey Public Contracts Act
   FAR 52.222-20
2. Affirmative Action for Workers with Disabilities
   FAR 52.222-36

The following provisions apply if the amount of this order exceeds $30,000.00:

1. Certification Regarding Responsibility Matters (obtained prior to award)
   FAR 52.209-5
2. Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment
   FAR 52.209-6

By accepting this Purchase Order, Vendor certifies that, to the best of its knowledge, Vendor and/or any of its Principals are not suspended or debarred per FAR provisions.

The following provisions apply if the amount of this order exceeds $100,000.00:

1. Equal Opportunity for Veterans
   FAR 52.222-35
2. Employment Reports Veterans
   FAR 52.222-37

The following provisions apply if the amount of this order exceeds $150,000.00:

1. Anti-Kickback Procedures
   FAR 52.203-7
2. Limitation on Payments to Influence Certain Federal Transactions
   FAR 52.203-12
3. Audit and Records – Negotiation (if order was entered into by negotiation)
   FAR 52.215-2
4. Utilization of Small Business Concerns
   FAR 52.219-8
5. Drug-Free Workplace
   FAR 52.223-6
6. Authorization and Consent
   FAR 52.227-1
7. Notice and Assistance Regarding Patent and Copyright Infringement
   FAR 52.227-2
8. Responsibility for Supplies
   FAR 52.246-16
9. Affirmative Procurement of Biobased Products Under Service and Construction Contracts (when applicable)  
   FAR 52.223-2

The following provision applies if the amount of this order exceeds $650,000.00:

1. Small Business Subcontracting Plan (does not apply to small business concerns)  
   FAR 52.219-9

The following provisions apply if the amount of this order exceeds $700,000.00:

1. Price Reduction for Defective Certified Cost or Pricing Data (if order was entered into by negotiation, when applicable)  
   FAR 52.215-10, FAR 52.215-11
2. Subcontractor Certified Cost or Pricing Data  
   FAR 52.215-12, FAR 52.215-13

THIS ORDER IS ISSUED UNDER AND GOVERNED BY  
THE LAWS OF THE STATE OF TEXAS.

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