

**Clause Matrix for Department Of Energy
Management and Operating Contracts
Part II—DEAR Clauses (Parts 952 and 970)
(Through DEAR Final Rule dated 7/22/2009)
(2009)**

KEY:

R = Required
A = Required when applicable
O = Optional

M&O = Management and Operating contract
UCF = Uniform Contract Format

General instruction: Set forth below are clauses prescribed in DEAR Parts 952 and 970 to be used in addition to the FAR Part 52 contract clauses set forth in Part I. Prior to incorporating a clause identified below, the clause prescription and the "FAR/DEAR Clause Secondary Citation" should be reviewed.

This listing does not include solicitation provisions.

DEAR Clause Number Title	FAR/DEAR 952 Secondary Clause Citation	Prescribed In	M&O For Profit	M&O Non-Profit	UCF	DEAR Prescription/Notes
952.202-1 Definitions Mar 2002						This is obsolete. A new paragraph replaced the old FAR section which the DEAR made a change in. This is being removed by a technical amendment.
952.203-70 Whistleblower Protection for Contractor Employees Dec 2000		903.971	A	A	I	The contracting officer shall insert the clause at 952.203-70, Whistleblower Protection for Contractor Employees, in contracts that involve work to be done on behalf of DOE directly related to activities at DOE-owned or leased sites.
952.204-2 Security Jun 2009		904.404(d)(1)	A	A	I	The contracting officer shall insert the clause at 952.204-2 in all contracts which involve access to classified information, nuclear material, or access authorizations.
952.204-70 Classification/Declassification Sep 1997		904.404(d)(2)	A	A	I	The contracting officer shall insert the clause at 952.204-70 in all contracts which involve access to classified information, nuclear material, or access authorizations.
952.204-71 Sensitive Foreign Nations Controls Apr 1994		904.404(d)(3)	A	A	I	The contracting officer shall insert the clause at 952.204-71 in unclassified research contracts, which may involve making unclassified information about nuclear technology available to certain sensitive foreign nations. The contractor shall be provided at the time of award the listing of nations included in DOE 1240.2, (see current version) Attachment 3, and any subsequent changes. (The attachment referred to in the clause shall set forth the applicable requirements of the DOE regulations on dissemination of unclassified published and unpublished technical information to foreign nations.)
952.204-72 Disclosure of Information Apr 1994		904.404(d)(4)	A	A	I	This clause should be used in place of the clauses entitled "Security" and "Classification" in contracts with educational institutions for research work performed in their own institute facilities that are not likely to produce classified information.
952.204-73 Facility clearance May 2002		904.404(d)(5)	A	A	I	As prescribed in 904.404(d)(5), insert the following provision in all solicitations which require the use of Standard Form 328, Certificate Pertaining to Foreign Interests, for contracts or subcontracts subject to the provisions of 904.70.
952.204-75 Public Affairs Dec 2000		904.7201	A	A	I	The contracting officer shall insert the clause at 952.204-75 in solicitations and contracts that require the contractor to release unclassified information related to efforts under its contract regarding DOE policies, programs, and activities.

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952.204-76 Conditional Payment of Fee or Profit—Safeguarding Restricted Data and Other Classified Information Jan 2004		904.404(d)(6)	A	A	I	Except as prescribed in 48 CFR 970.1504-5(c), the contracting officer shall insert the clause at 48 CFR 952.204-76, Conditional Payment of Fee or Profit—Safeguarding Restricted Data and Other Classified Information, in all contracts that contain the clause at 48 CFR 952.204-2, Security, but that do not contain the clause at 48 CFR 952.250-70, Nuclear hazards indemnity agreement.
952.208-7 Tagging of Leased Vehicles Apr 1984		908.1104(e)	A	A	I	The clause at 48 CFR 952.208-7, Tagging of Leased Vehicles, shall be inserted whenever a vehicle(s) is to be leased over 60 days, except for those vehicles exempted by (FPMR) 41 CFR 101-38.6.
952.209-72 Organizational Conflicts of Interest Jun 1997		970.0905 ----- 909.507-2 (a)(1)	A	A	I	Management and operating contracts shall contain an organizational conflict of interest clause substantially similar to the clause at 48 CFR 952.209-72, Organizational Conflicts of Interest, and which is appropriate to the statement of work of the individual contract. In addition, the contracting officer shall assure that the clause contains appropriate restraints on intra-corporate relations between the contractor's organization and personnel operating the Department's facility and its parent corporate body and affiliates. Such restraints shall include personnel access to the facility, technical transfer of information from the facility, and the availability from the facility of other advantages flowing from performance of the contract. The contracting officer is responsible for ensuring that M&O contractors adopt policies and procedures in the award of subcontracts that will meet the Department's need to safeguard against a biased work product and an unfair competitive advantage. To this end, the organizational conflicts of interest clause in management and operating contracts shall include Alternate I. ----- The contracting officer shall insert the clause at 48 CFR 952.209-72, Organizational Conflicts of Interest, in each solicitation and contract for advisory and assistance services expected to exceed the simplified acquisition threshold. Note: Contracting officers may make appropriate modifications where necessary to address the potential for organizational conflicts of interest in individual contracts. Contracting officers shall determine the appropriate term of the bar of paragraph (b)(1)(i) of the clause at 48 CFR 952.209-72 and enter that term in the blank provided. In the usual case of a contract for advisory and assistance services a period of three, four, or five years is appropriate; however, in individual cases the contracting officer may insert a term of greater or lesser duration.
952.211-71 Priorities and Allocations (Atomic Energy) Apr 2008		911.604(b)	A	A	I	The contracting officer shall insert the clause at 952.211-71, Priorities and Allocations (Atomic Energy), in contracts that are placed in support of authorized DOE atomic energy programs.
952.215-70 Key Personnel Dec 2000		915.408-70	A	A	I	The contracting officer (after deleting "under the clause at 48 CFR 970.5203-3, Contractor's Organization" from paragraph (a) if not a management and operating contract) shall insert the clause at 952.215-70, Key Personnel, in contracts under which performance is largely dependent on the expertise of specific key personnel.

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952.216-7 Allowable cost and payment Aug 2009		916.307(a),	A	A	I	Insert the clause at FAR 52.216-15 , Predetermined Indirect Cost Rates, modified as specified in 952.216-15 in solicitations and contracts when a cost-reimbursement research and development contract with a State or local government is contemplated and predetermined indirect cost rates are to be used.
952.216-15 Predetermined indirect cost rates Alternate Aug 2009		916.307(g),	A	A	I	Insert the clause at FAR 52.216-15 , Predetermined Indirect Cost Rates, modified as specified in 952.216-15 in solicitations and contracts when a cost-reimbursement research and development contract with a State or local government is contemplated and predetermined indirect cost rates are to be used.
952.217-70 Acquisition of Real Property Apr 1984		917.7403	A	A	I	The clause at 48 CFR 952.217-70 shall be included in contracts or modifications where contractor acquisitions are expected to be made.
952.223-72 Radiation Protection and Nuclear Criticality Apr 1984		970.2303-2(b)	A	A	I	The clause set forth in 952.223-72, Radiation Protection and Nuclear Criticality, shall be included in those contracts or subcontracts for, and be made applicable to, work to be performed at a facility where DOE does not elect to assert its statutory authority to enforce occupational safety and health standards applicable to the working conditions of contractor and subcontractor employees, but does need to enforce radiological safety and health standards pursuant to provisions of the contract or subcontract rather than by reliance upon Nuclear Regulatory Commission licensing requirements (including agreements with States under section 274 of the Atomic Energy Act).
952.223-75 Preservation of Individual Occupational Radiation Exposure Records Apr 1984		952.223-75	A	A	I	The contracting officer shall insert this clause in contracts containing 952.223-71, Integration of environment, safety, and health into work planning and execution, or 952.223-72, Radiation protection and nuclear criticality.
952.223-76 Conditional payment of fee or profit—safeguarding restricted data and other classified information and protection of worker safety and health Aug 2009		923.7003(f)	A	A	I	Except as prescribed in 970.1504-8(c), the contracting officer shall insert the clause at 952.223-76, Conditional Payment of Fee or Profit—Safeguarding Restricted Data and Other Classified Information and Protection of Worker Safety and Health, in all contracts that contain both the clause at 952.204-2, Security Requirements, and the clause at 952.250-70, Nuclear Hazards Indemnity Agreement.
952.223-77 Conditional Payment of Fee or Profit—Protection of Worker Safety and Health Aug 2009		923.7003(g)	A	A	I	Except as prescribed in 48 CFR 970.1504-5(c), the contracting officer shall insert the clause at 48 CFR 952.223-77, Conditional Payment of Fee or Profit—Protection of Worker Safety and Health, in all contracts that do not contain the clause at 48 CFR 952.204-2, Security, but that do contain the clause at 48 CFR 952.250-70, Nuclear hazards indemnity agreement.
952.225-70 Subcontracting for Nuclear Hot Cell Services Mar 1993		925.7004	A	A	I	The contracting officer shall insert the clause at 952.225-70 in solicitations and contracts involving nuclear hot cell services. This clause does not flow down to second-tier subcontracts.
952.226-71 Utilization of Energy Policy Act Target Entities Jun 1996		926.7007(b)	A	A	I	The contracting officer shall insert this clause in contracts containing 952.223-71, Integration of environment, safety, and health into work planning and execution, or 952.223-72, Radiation protection and nuclear criticality.

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952.226-72 Energy Policy Act Subcontracting Goals and Reporting Requirements Jun 1996		926.7007(c)	A	A	I	The contracting officer shall insert the clause at 952.226-72, Energy Policy Act Subcontracting Goals and Reporting Requirements, in contracts for Energy Policy Act requirements with an award value in excess of \$500,000 (\$1,000,000 in the case of construction). Note: The clause requires the incorporation of percentage goals by the contracting officer.
952.226-74 Displaced Employee Hiring Preference Jun 1997		926.7104	A	A	I	The contracting officer shall insert the clause at 952.226-72, Energy Policy Act Subcontracting Goals and Reporting Requirements, in contracts for Energy Policy Act requirements with an award value in excess of \$500,000 (\$1,000,000 in the case of construction).
952.227-9 Refund of Royalties Feb 1995		927.206-2	A	A	I	The contracting officer shall insert the clause at 952.227-9 in solicitations and contracts for experimental, research, developmental, or demonstration work or other solicitations and contracts in which the contracting officer believes royalties will have to be paid by the contractor or a subcontractor of any tier.
952.231-70 Date of Incurrence of Cost Apr 1984		931.205-32(a)	A	A	I	To the extent practical, known expenditures of precontract costs under DOE contracts should be governed by establishing advance understandings as contemplated by FAR 31.109. Contracts that include authorized precontract costs shall include the "Date of Incurrence of Cost" clause specified at 952.231-70.
952.235-71 Research Misconduct Jul 2005		935.071	A	A	I	The contracting officer must insert the clause at 952.235-71, Research Misconduct, in contracts, including management and operating contracts, that involve research.
952.236-71 Inspection in Architect- Engineer contracts Apr 1994		936.609-3	A	A	E	In addition to the clause at FAR 52.236-24, the contracting officer shall insert the clause at 952.236-71 in architect-engineer contracts.
952.237-70 Collective Bargaining Agreements—Protective Services Aug 1993		937.7040	A	A	I	The contracting officer shall insert the clause at 952.237-70 in all protective services solicitations and contracts involving DOE-owned facilities requiring continuity of services for public safety and national defense reasons. See also, 922.103-5, Contract clauses, which prescribes use of the clause at FAR 52.222-1, Notice to the Government of Labor Disputes.
952.242-70 Technical Direction Dec 2000		942.270-2	O	O	I	The clause at 952.242-70, or a clause substantially the same, may be inserted in solicitations and contracts when a designated Contracting Officer's Representative will issue technical direction to the contractor under the contract.
952.247-70 Foreign Travel Dec 2009		947.7002	A	A	I	When foreign travel may be required under the contract, the contracting officer shall insert the clause at 48 CFR 952.247-70, Foreign Travel.

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952.250-70 Nuclear Hazards Indemnity Agreement Jun 1996		970.5070-3 (a)	A	A	I	The clause at 48 CFR 952.250-70, Nuclear Hazards Indemnity Agreement, shall be included in all management and operating contracts involving the risk of public liability for the occurrence of a nuclear incident or precautionary evacuation arising out of or in connection with the contract work, including such events caused by a product delivered to a DOE-owned, facility for use by DOE or its contractors. The clause at 48 CFR 952.250-70 also shall be included in any management and operating contract for the design of a DOE facility, the construction or operation of which may involve the risk of public liability for a nuclear incident or a precautionary evacuation. Note: The clause at 48 CFR 952.250-70 shall not be included in contracts in which the contractor is subject to Nuclear Regulatory Commission (NRC) financial protection requirements under section 170b of the Act or NRC agreements of indemnification under section 170 c or k of the Act for activities to be performed under the contract.
952.251-70 Contractor Employee Travel Discounts Dec 2009		951.7002	A	A	I	The contracting officer shall insert the clause at 952.251-70, Contractor employee travel discounts, in all cost-reimbursable solicitations and contracts when significant costs for rail travel, car rental, or lodging will be required to perform the contract. The contracting officer may furnish the contractor with appropriate identification letters.
970.5203-1 Management controls Dec 2007		970.0370-2(a) 970.3270(a)(4)	R	R	I	The contracting officer shall insert the clause at 970.5203-1, Management Controls, in all management and operating contracts.
970.5203-2 Performance improvement and collaboration May 2006		970.0370-2(b)	R	R	I	The contracting officer shall insert the clause at 970.5203-2, Performance Improvement and Collaboration, in all management and operating contracts.
970.5203-3 Contractor's organization Dec 2000		970.0371-9	R	R	I	The contracting officer shall insert the clause at 970.5203-3, Contractor's Organization, in all management and operating contracts. The approval authority of the Secretary of Energy required in paragraph (c) may not be delegated. In paragraph (a) the words "and managerial personnel (see 48 CFR 970.5245-1(j))" may be inserted after "(see 48 CFR 952.215-70)".
970.5204-1 Counterintelligence Dec 2000		970.0404-4(a)	A	A	I	The contracting officer shall insert the clause at 970.5204-1, Counterintelligence, into all management and operating contracts and other contracts for the management of DOE-owned facilities which include the security and classification/declassification clauses. Note: The contracting officer shall refer to 904.404 and 904.7103 for the prescription of solicitation provisions and contract clauses relating to safeguarding classified information and foreign ownership, control, or influence over contractors.
970.5204-2 Laws, regulations, and DOE directives Dec 2000		970.0470-2	R	R	I	The contracting officer shall insert the clause at DEAR 970.5204-2, Laws, Regulations, and DOE Directives, in management and operating contracts. The contracting officer may modify the clause to indicate the location in the contract of List A, List B, or both.
970.5204-3 Access to and ownership of records Jul 2005		970.0407-1-3	R	R	I	The contracting officer shall insert the clause at 48 CFR 970.5204-3, Access to and Ownership of Records, in management and operating contracts.

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970.5208-1 Printing Dec 2000		970.0808-3	R	R	I	The contracting officer shall insert the clause at 970.5208-1, Printing, in all management and operating contracts.
970.5211-1 Work authorization May 2007		970.1170-2	R	R	I	The Contracting Officer shall insert the clause at 970.5211-1, Work authorization, in each solicitation and contract for the management and operation of a DOE site or facility and in other contracts designated by the DOE or NNSA Senior Procurement Executive.
970.5215-1 Total Available Fee: Base fee amount and performance fee amount Dec 2000		970.1504-5(a)	A	A	I	(a) The contracting officer shall insert the clause at 48 CFR 970.5215-1, Total Available Fee: Base Fee Amount and Performance Fee Amount, in management and operating contracts, and other contracts determined by the Procurement Executive, or designee, that include cost-plus-award-fee arrangements. (1) The contracting officer shall include the clause with its Alternate I when the award fee cycle consists of two or more evaluation periods. (2) The contracting officer shall include the clause with its Alternate II when the award fee cycle consists of one evaluation period. (3) The contracting officer shall include the clause with its Alternate III when the DOE Operations/Field Office Manager, or designee, requires the contractor to submit a self-assessment. (4) The contracting officer shall include the clause with its Alternate IV when the DOE Operations/Field Office Manager, or designee, permits the contractor to submit a self-assessment at the contractor's option.
970.5215-3 Conditional payment of fee, profit, or incentives Aug 2009		970.1504-5(c)	A	A	I	The contracting officer shall insert the clause at 48 CFR 970.5215-3, Conditional Payment of Fee, Profit, or Incentives, in management and operating contracts, and other contracts determined by the Procurement Executive, or designee.
970.5215-4 Cost reduction Aug 2009		970.1504-5(d)	A	A	I	The contracting officer shall insert the clause at 48 CFR 970.5215-4, Cost Reduction, in management and operating contracts, and other contracts determined by the Procurement Executive, or designee, if cost savings programs are contemplated.
970.5217-1 Work for Others Program (Non-DOE Funded Work) Jan 2005		970.1707-4	A	A	I	Insert the clause at 970.5217-1, Work for Others Program (Non-DOE Funded Work), in any contract that may involve work under the Work for Others Program, pursuant to 970.1707-3(b).
970.5222-1 Collective bargaining agreements-management and operating contracts Dec 2000		970.2201-1-3	R	R	I	In addition to the clause at 48 CFR 52.222-1, Notice to the Government of Labor Disputes, the contracting officer shall insert the clause at 970.5222-1, Collective Bargaining Agreements-Management and Operating Contracts, in all management and operating contracts.
970.5222-2 Overtime management Dec 2000		970.2201-2-2	R	R	I	The contracting officer shall insert the clause at 48 CFR 970.5222-2, Overtime Management, in management and operating contracts.

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970.5223-1 Integration of environment, safety, and health into work planning and execution Dec 2000		970.2303-2(a)	A	A	I	When work under management and operating contracts and subcontracts thereunder is to be performed at a facility where DOE will exercise its statutory authority to enforce occupational safety and health standards applicable to the working conditions of the contractor and subcontractor employees at such facility, the clause at 48 CFR 970.5223-1, Integration of Environment, Safety and Health into Work Planning and Execution, shall be used in such contract or subcontract and made applicable to the work if conditions in paragraphs (a)(1) through (3) of this section, are satisfied: (1) DOE work is segregated from the contractor's or subcontractor's other work; (2) The operation is of sufficient size to support its own safety and health services; and (3) The facility is government-owned, or leased by or for the account of the government.
970.5223-2 Affirmative Procurement Program Mar 2003		970.2304-2	R	R	I	The contracting officer shall insert the clause at 970.5223-2, Affirmative Procurement Program, in contracts for the management of DOE facilities, including national laboratories.
970.5223-4 Workplace Substance Abuse Programs at DOE sites Dec 2000		970.2305-4(b)	A	A	I	The contracting officer shall insert the clause at 970.5223-4, Workplace Substance Abuse Programs at DOE Sites, in contracts for the management and operation of DOE-owned or-controlled sites operated under the authority of the Atomic Energy Act of 1954, as amended.
970.5223-5 DOE Motor Vehicle Fleet Fuel Efficiency Oct 2003		970.2307-2				This is obsolete and is being removed. It is superseded by DOE O 430.2B which has a CRD requiring its use in all management and operating contracts.
970.5226-1 Diversity plan Dec 2000		970.2671-2	R	R	I	The contracting officer shall insert the clause at 48 CFR 970.5226-1, Diversity Plan, in all management and operating contracts.
970.5226-2 Workforce restructuring under Section 3161 of the National Defense Authorization Act for Fiscal Year 1993. Dec 2000		970.2672-3	A	A	I	The contracting officer shall insert the clause at 48 CFR 970.5226-2, Workforce Restructuring Under Section 3161 of the National Defense Authorization Act for Fiscal Year 1993, in contracts for the management and operation of Department of Energy Defense Nuclear Facilities and, as appropriate, in other contracts that include site management responsibilities at a Department of Energy Defense Nuclear Facility.
970.5226-3 Community commitment Dec 2000		970.2673-2	R	R	I	The contracting officer shall insert the clause at 48 CFR 970.5226-3, Community Commitment, in all management and operating contracts.
970.5227-1 Rights in data-facilities Dec 2000		970.2704-3(a)	A	A	I	The contracting officer shall insert the clause at 48 CFR 970.5227-1, Rights in Data-Facilities, in management and operating contracts which do not contain the clause at 48 CFR 970.5227-2, Rights in Data-Technology Transfer. The contracting officer shall include the clause with its Alternate I in contracts where access to Category C-24 restricted data, as set forth in 10 CFR part 725, is to be provided to contractors.

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970.5227-2 Rights in data-technology transfer Dec 2000		970.2704-3(b)	A	A	I	The contracting officer shall insert the clause at 970.5227-2, Rights in Data-Technology Transfer, in management and operating contracts which contain the clause at 970.5227-3, Technology Transfer Mission. The contracting officer shall include the clause with its Alternate I in contracts where access to Category C-24 restricted data, as set forth in 10 CFR part 725, is to be provided to contractors.
970.5227-3 Technology transfer mission Aug 2002		970.2770-4(a)	A	A	I	The contracting officer shall insert the clause at 970.5227-3, Technology Transfer Mission, in each solicitation for a new or an extension of an existing laboratory or weapon production facility management and operating contract.
970.5227-4 Authorization and consent Aug 2002		970.2702-1	R	R	I	Contracting officers must use the clause at 970.5227-4, Authorization and Consent, instead of the clause at 48 CFR 52.227-1.
970.5227-5 Notice and assistance regarding patent and copyright infringement Aug 2002		970.2702-2	R	R	I	Contracting officers must use the clause at 970.5227-5, Notice and Assistance Regarding Patent and Copyright Infringement, instead of the clause at 48 CFR 52.227-2.
970.5227-6 Patent indemnity- subcontracts Dec 2000		970.2702-3	R	R	I	Contracting officers must use the clause at 970.5227-6, Patent Indemnity-Subcontracts to assure that subcontracts appropriately address patent indemnity.
970.5227-8 Refund of royalties Dec 2002		970.2702-4	R	R	I	Contracting officers must use the solicitation provision at 970.5227-7, Royalty Information, and the clause at 970.5227-8, Refund of Royalties instead of the provision at 48 CFR 52.227-8 and the clause at 48 CFR 52.227-9, respectively.
970.5227-10 Patent rights-management and operating contracts, nonprofit organization or small business firm contractor Aug 2000		970.2703-1(b)(2) 970.2703-2(g)	A	A	I	If the M&O contractor is a nonprofit organization or small business firm having technology transfer authority, the following clauses are inserted into the M&O contract: 970.5227-3 and 970.5227-10. Alternate I—Weapons Related Research or Production. If DOE grants technology transfer authority to a DOE facility, pursuant to Public Law 101-189, section 3133(d), and the DOE owned facility is involved in weapons related research and development, or production, then Alternate 1 of the patent rights clauses must be inserted into the M&O contract. Alternate I defines weapons related subject inventions and restricts the contractor's rights with respect to such inventions.
970.5227-11 Patent rights-management and operating contracts, for- profit contractor, non- technology transfer Dec 2000		970.2703-1(b)(4)	A	-	I	If the M&O contract does not have a technology transfer mission and is to be performed by a for-profit, large business firm and does not have advance class waiver under 10 CFR part 784, the patent rights clause at 970.5227-11 is inserted into the M&O contract, and the Technology Transfer Mission clause is inapplicable.

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970.5227-12 Patent rights-management and operating contracts, for- profit contractor, advance class waiver Aug 2002		970.2703-1(b)(3) 970.2703-2(g)	A	-	I	If the M&O contract has technology transfer as a mission and is to be performed by a for-profit, large business firm that has been granted an advance class waiver, the following clauses are inserted into the M&O contract: 970.5227-3 and 970.5227-12. The terms of the clause at 970.5227-12 are subject to modification to conform to the terms of the class waiver. Alternate I—Weapons Related Research or Production. If DOE grants technology transfer authority to a DOE facility, pursuant to Public Law 101-189, section 3133(d), and the DOE owned facility is involved in weapons related research and development, or production, then Alternate 1 of the patent rights clauses must be inserted into the M&O contract. Alternate I defines weapons related subject inventions and restricts the contractor's rights with respect to such inventions.
970.5228-1 Insurance-Litigation and claims Aug 2009		970.2803-2	R	R	I	The contracting officer shall insert the clause at 48 CFR 970.5228-1, Insurance-Litigation and Claims, in all management and operating contracts. Paragraphs (h)(3) and (j)(2) of that clause apply to a nonprofit contractor only to the extent specifically provided in the individual contract.
970.5229-1 State and local taxes Dec 2000		970.2904-1(b)	R	R	I	Pursuant to 48 CFR 29.401-6(b), the clause at 48 CFR 52.229-10, State of New Mexico Gross Receipts and Compensating Tax, is applicable to management and operating contracts that meet the three conditions stated. The contracting officer shall modify paragraph (b) of the clause to replace the phrase "Allowable Cost and Payment clause" with the phrase "Payments and advances."
970.5231-4 Preexisting conditions Dec 2000		970.3170	R	R	I	The contracting officer shall insert the clause at 48 CFR 970.5231-4, Preexisting Conditions, in all management and operating contracts. (a) The contracting officer shall include the clause with its Alternate I in contracts with incumbent management and operating contractors. (b) The contracting officer shall include the clause with its Alternate II in contracts with management and operating contractors not previously working at that particular site or facility.
970.5232-1 Reduction or suspension of advance, partial, or progress payments upon finding of substantial evidence of fraud Dec 2000		970.3200-1-1	R	R	I	The contracting officer shall insert the clause at 48 CFR 970.5232-1, Reduction or suspension of contract payments, in management and operating contracts.
970.5232-2 Payments and advances Dec 2000		970.3270(a)(1)	R	R	I	The following DEAR clause is a standard financial management clause. The contracting officer shall insert the clause at 48 CFR 970.5232-2, Payments and Advances, in all management and operating contracts: (i) The contracting officer shall insert the basic clause with its Alternate I if a separate fixed-fee is provided for a separate item of work. (ii) The contracting officer shall insert the basic clause with its Alternate II when total available fee provisions in the basic clause are used. (iii) The contracting officer shall insert the basic clause with its Alternate III in management and operating contracts with integrated accounting systems. (iv) The contracting officer shall insert the basic clause with its Alternate IV in management and operating contracts without integrated accounting systems.

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970.5232-3 Accounts, records, and inspection Aug 2009		970.3270(a)(2)	R	R	I	The following DEAR clause is a standard financial management clause. The contracting officer shall insert the clause at 48 CFR 970.5232-3, Accounts, records, and inspection, in all management and operating contracts. (i) If the contract includes the clause at 48 CFR 52.215-11, Price Reduction for Defective Cost or Pricing Data, the contracting officer shall use the clause with its Alternate I. (ii) If the contract is a cost-reimbursement contract involving an estimated cost exceeding \$5 million and expected to run for more than 2 years, or any other cost-reimbursement contract determined by the Head of the Contracting Activity in which the contractor has an established internal audit organization, the contracting officer shall insert the clause with its Alternate II.
970.5232-4 Obligation of funds Dec 2000		970.3270(a)(3)	R	R	I	The following DEAR clause is a standard financial management clause. The contracting officer shall insert the clause at 48 CFR 970.5232-4, Obligation of Funds, in all management and operating contracts. Note: The contracting officer may use the clause with its Alternate I in contracts which, expressly or otherwise, provide a contractual basis for equivalent controls in a separate clause.
970.5232-5 Liability with respect to cost accounting standards Dec 2000			R	R	I	The following DEAR clause is a standard financial management clause. The contracting officer shall insert the clause at 48 CFR 970.5232-5, Liability with respect to cost accounting standards, in all management and operating contracts.
970.5232-6 Work for others funding authorization Dec 2000		970.3270(a)(6)	R	R	I	The following DEAR clause is a standard financial management clause. The contracting officer shall insert the clause at 48 CFR 970.5232-6, Work for others funding authorization, in all management and operating contracts.
970.5232-7 Financial management system Dec 2000		970.3270(b)(1)	A	A	I	The following DEAR clause is a standard financial management clause. The contracting officer shall insert the clause at 48 CFR 970.5232-7, Financial management system, in all management and operating contracts with integrated accounting systems.
970.5232-8 Integrated accounting Dec 2000		970.3270(b)(2)	A	A	I	The following DEAR clause is a standard financial management clause. The contracting officer shall insert the clause at 48 CFR 970.5232-8, Integrated accounting, in all management and operating contracts with integrated accounting systems.
970.5235-1 Federally funded research and development center sponsoring agreement Dec 2000		970.3501-4	A	A	I	The contracting officer shall insert the clause at 48 CFR 970.5235-1, Federally Funded Research and Development Center Sponsoring Agreement, in all solicitations and contracts for the management and operation of an FFRDC sponsored by the Department of Energy.
970.5236-1 Government facility subcontract approval Dec 2000		970.3605-2	A	A	I	The clause in 48 CFR 970.5236-1, Government Facility Subcontract Approval, shall be used in management and operating contracts when the contractor will not perform covered work with its own forces but may procure construction by subcontract.
970.5237-2 Facilities management Dec 2000		970.3770-2	R	R	I	The contracting officer shall insert the clause at 48 CFR 970.5237-2, Facilities Management, in all management and operating contracts.

DEAR Clause Number Title	FAR/DEAR 952 Secondary Clause Citation	Prescribed In	M&O For Profit	M&O Non- Profit	UCF	DEAR Prescription/Notes
970.5242-1 Penalties for unallowable costs Aug 2009		970.4207-03-70	R	R	I	The contracting officer shall insert the clause at 48 CFR 970.5242-1, Penalties for unallowable costs, in all management and operating solicitations and contracts.
970.5243-1 Changes Dec 2000		970.4302-1	R	R	I	The contracting officer shall insert the clause at 48 CFR 970.5243-1, Changes, in all management and operating contracts.
970.5244-1 Contractor purchasing system Aug 2009		970.4403	R	R	I	The contracting officer shall insert the clause at 970.5244-1, Contractor Purchasing System, in all management and operating contracts.
970.5245-1 Property Aug 2009		970.4501-1(a)	R	R	I	<p>The contracting officer shall insert the clause at 970.5245-1, Property, in management and operating contracts.</p> <p>Paragraph (f)(1)(i)(c) of the clause applies to a non-profit contractor only to the extent specifically provided in the individual contract. Specific managerial personnel may be listed in paragraph (j), provided their listing is consistent with the clause and the DEAR.</p> <p>The contracting officer shall insert the basic clause with its Alternate I in contracts with nonprofit contractors</p>