

**THE UNIVERSITY OF TEXAS AT TYLER**  
**Section II – Purchase Order Terms and Conditions**  
**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 Tyler" (UT Tyler), 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 Tyler, to prosecute and appeal either directly or in the name of UT Tyler to the Contracting Officer for such Prime Contract.

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

1. Equal Opportunity  
[FAR 52.222-26](#)
2. Hazardous Material Identification and Material Safety Data (when applicable)  
[FAR 52.223-3](#)
3. Restrictions on Certain Foreign Purchases  
[FAR 52.225-13](#)
4. Restrictive Markings on Technical Data (when applicable)  
[DFAR 52.227-7013](#)

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

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 \$25,000.00:**

1. Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters  
[FAR 52.209-5](#) obtained prior to award
2. Affirmative Action for Special Disabled and Vietnam Era Veterans  
[FAR 52.222-35](#)
3. Employment Reports on Disabled Veterans and Veterans of the Vietnam Era  
[FAR 52.222-37](#)
4. Clean Air and Water  
[FAR 52.223-2](#)

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

1. Anti-Kickback Procedures  
[FAR 52.203-7](#)
2. Limitations 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](#)

**The following provision applies if the amount of this order exceeds \$500,000.00:**

Small Business Subcontracting Plan (does not apply to small business concerns)  
[FAR 52.219-9](#)

**The following provision applies if the amount of this order exceeds \$550,000.00:**

Price Reduction for Defective Cost or Pricing Data (if order was entered into by negotiation, when applicable)  
[FAR 52.215-12](#), [FAR 52.215-13](#)

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