

Guide to Judiciary Policy

Vol. 14: Procurement

Ch. 1: Overview

Appx. 1C: Matrix of Solicitation Provisions and Clauses (Including Key)

Key to Matrix

Prov or Cls	Provision or Clause
IBR?	Incorporation by Reference authorized or not
UCF Sec	Uniform Contract Format Section (open market over \$100,000 or certain special delegated programs)
FP PROD	Fixed-Price Product (open market over \$100,000)
CR PROD	Cost-Reimbursement Product (open market over \$100,000)
FP SERV	Fixed-Price Service (open market over \$100,000)
CR SERV	Cost-Reimbursement Service (open market over \$100,000)
T&M LH	Time & Material/Labor Hours
A&E	Architect-Engineering
IND DEL	Indefinite Delivery
SM PUR	Small Purchase (open market under \$100,000)
OFAC	Other Federal Agency Contract — Include in delivery/task orders at any dollar level that are issued using contracts awarded by federal agencies outside of the judiciary, e.g., GSA schedule orders, orders under NASA SEWP contracts, orders under a BATF weapons contract, etc.
R	Required
A	Required when Applicable (See Provision or Clause prescription)
*	See Clause 3-3 (Provision or Clause is already included when Clause 3-3 is used for open market small purchases)

Note 1: The following clauses are required for Experts or Consulting Services in addition to all other Required and Required When Applicable clauses:

- Clause 1-5, Conflict of Interest
- Clause 2-65, Key Personnel

- Clause 5-1, Payments under Personal and Professional Services Contracts
- Clause 5-5, Nondisclosure (Professional Services)
- Clause 5 10, Inspection of Professional Services
- Clause 5-20, Records Ownership
- Provision 5-25, Identification of Uncompensated Overtime
- Clause 6-70, Work for Hire
- Clause 7-125 Invoices, Alternate I

Note 2: The following clauses are required for Letter Contracts in addition to all other Required and Required When Applicable clauses:

- Clause 4-35, Execution and Commencement of Work (Letter Contract)
- Clause 4-40, Limitation of Judiciary Liability (Letter Contract)
- Clause 4-45, Contract Definitization
- Clause 4-50, Payment of Allowable Costs Before Definitization

Matrix of Solicitation Provisions and Clauses														
Clause or Provision #	Title	Presc. (all references are to Volume 14)	Prov or Cls	IBR ?	UCF Sec	Open Market over \$100,000				T&M LH	A & E	IND DEL	SM PUR	OFAC
						FP PROD	CR PROD	FP SVC	CR SVC					
Provisions and Clauses (Appx. 1B and Chapter 1)														
B-1	Solicitation Provisions Incorporated by Reference	Appx. B, § B.2.1.(a)	P	No	L	R	R	R	R	R	R	R	R	R
B-5	Clauses Incorporated by Reference	Appx. B, § B.2.1.(b)	C	No	I	R	R	R	R	R	R	R	R	R
B-10	RESERVED													
B-15	RESERVED													
B-20	Computer Generated Forms	Appx. B, § B.2.1(c)	C	Yes	I	A	A	A	A	A	A	A	*	A
1-1	Employment by the Government	§ 150.30.40	C	Yes	H			R	R	R	A	A	*	A

Matrix of Solicitation Provisions and Clauses														
Clause or Provision #	Title	Presc. (all references are to Volume 14)	Prov or Cls	IBR ?	UCF Sec	Open Market over \$100,000				T&M LH	A & E	IND DEL	SM PUR	OFAC
						FP PROD	CR PROD	FP SVC	CR SVC					
1-5	Conflict of Interest (See Note 1)	§ 150.30.40 and § 520.75(a)	C	Yes	I			R	R	R	A	A	*	A
1-10	Gratuities or Gifts	§ 150.50.50	C	Yes	I	R	R	R	R	R	R	R		R
1-15	Disclosure of Contractor Information to the Public	§ 170.70	C	Yes	I	R	R	R	R	R	R	R	*	R
Provisions and Clauses (Chapter 2)														
2-1	Request for Information or Solicitation for Planning Purposes	§ 210.60.40	P	No	L	A	A	A	A	A	A	A		
2-5A	Inspection of Products	§ 220.10.70(a)	C	Yes	E	R	R			A	A	A		
2-5B	Inspection of Services	§ 220.10.70(b)	C	Yes	E			R	R	R	A	A		
2-10	Responsibility for Products	§ 220.10.70(c)	C	Yes	E	R		A				A		
2-15	Warranty Information	§ 220.20.40(a)	P	Yes	L	A	A	A	A	A	A	A		
2-20A	Incorporation of Warranty	§ 220.20.40(b)	C	Yes	I	A	A	A	A	A	A	A		
2-20B	Contractor Warranty (Products)	§ 220.20.40(c)	C	Yes	I	A	A	A	A	A	A	A		
2-20C	Warranty of Services	§ 220.20.40(d)	C	No	I			A	A	A	A	A		
2-25A	Delivery Terms and Contractor's Responsibilities	§ 220.25.70(a)	C	Yes	F	R	R			A		A	*	
2-25B	Commercial Bill of Lading Notations	§ 220.25.70(b)	C	No	F	A	A			A		A		
2-30A	Time of Delivery	§ 220.25.70(c)	C	No	F	A	A			A		A	A	
2-30B	Desired and Required Time of Delivery	§ 220.25.70(d)	C	No	F	A	A			A		A	A	
2-35	F.o.b. Destination, Within Judiciary's Premises	§ 220.25.70(e)	C	Yes	F	A	A					A	A	A

Matrix of Solicitation Provisions and Clauses														
Clause or Provision #	Title	Presc. (all references are to Volume 14)	Prov or Cls	IBR ?	UCF Sec	Open Market over \$100,000				T&M LH	A & E	IND DEL	SM PUR	OFAC
						FP PROD	CR PROD	FP SVC	CR SVC					
2-40A	Variation in Quantity	§ 220.25.70(f)	C	No	F	A						A	A	
2-40B	Delivery of Excess Quantities	§ 220.25.70(g)	C	Yes	F	A						A	A	
2-45	Packaging and Marking	§ 220.25.70(h)	C	Yes	D	R	R	A	A	A		A	*	A
2-50	Continuity of Services	§ 220.25.80(a)	C	Yes	I			A	A	A		A	A	A
2-55	Privacy or Security Safeguards	§ 220.25.80(b)	C	Yes	I	A	A	A	A	A		A	A	A
2-57	Protecting, Reporting, and Responding to Incident Involving Sensitive Information	§ 220.25.80(c)	C	Yes	I	A	A	A	A	A		A	A	A
2-60	Stop-Work Order	§ 220.25.80(d)	C	Yes	F	R	R	R	R	R	R	R	*	A
2-65	Key Personnel (See Note 1)	§ 220.25.80(e) and § 520.75(b)	C	No	H			A	A	A		A	A	A
2-70	Site Visit	§ 220.25.80(f)	P	Yes	L			A	A	A	A	A	A	
2-75	Liquidated Damages	§ 220.30.50	C	No	F	A	A	A	A	A	A	A		A
2-80	Judiciary Property	§ 220.35(c)	C	Yes	I			A	A	A	A	A	A	A
2-85A	Evaluation Inclusive of Options	§ 220.40.60(a)(1)	P	Yes	M	A	A	A	A	A		A	A	
2-85B	Evaluation Exclusive of Options	§ 220.40.60(a)(2)	P	Yes	M	A	A	A	A	A		A	A	
2-85C	Evaluation of Options Exercised at Time of Contract Award	§ 220.40.60(a)(3)	P	Yes	M	A	A	A	A	A		A	A	
2-90A	Option for Increased Quantity	§ 220.40.60(b)(1)	C	Yes	I	A		A				A	A	
2-90B	Option for Increased Quantity – Separately Priced Line Item	§ 220.40.60(b)(2)	C	No	I	A	A			A		A	A	
2-90C	Option to Extend Services	§ 220.40.60(b)(3)	C	No	I			A	A	A		A	A	A

Matrix of Solicitation Provisions and Clauses														
Clause or Provision #	Title	Presc. (all references are to Volume 14)	Prov or Cls	IBR ?	UCF Sec	Open Market over \$100,000				T&M LH	A & E	IND DEL	SM PUR	OFAC
						FP PROD	CR PROD	FP SVC	CR SVC					
3-105	Audit and Records	§ 330.10.30(p)	C	Yes	I	R	R	R	R	R	R	R		
3-115	Facsimile Offers	§ 330.10.30(q)	P	No	L	A	A	A	A	A	A	A		A
3-120	Order of Precedence	§ 330.10.30(r)	C	Yes	I	R	R	R	R	R	R	R		
3-130	Authorized Negotiators	§ 330.10.30(s)	P	No	K	R	R	R	R	R	R	R		
3-135	Single or Multiple Awards	§ 330.10.30(t)	P	Yes	L	A	A	A	A	A		A		
3-140	Notice to the Judiciary of Labor Disputes	§ 330.10.30(u)	C	Yes	I	A	A	A	A	A	A	A		
3-145	Payment for Overtime Premiums	§ 330.10.30(v)	C	No	I		R		R	A	A	A		
3-150	Contract Work Hours and Safety Standards Act – Overtime Compensation	§ 330.10.30(w)	C	Yes	I			A	A	A		A		
3-155	Walsh-Healey Public Contracts Act	§ 330.10.30(x)	C	Yes	I	A	A			A		A	*	
3-160	Service Contract Labor Standards	§ 332.50(a) and § 332.30(b) and § 332.40.20(b)	C	Yes	I			A	A	A	A	A	*	
3-175	Fair Labor Standards Act and Service Contract Labor Standards – Price Adjustment (Multi-Year and Option Contracts)	§ 332.50(b) and § 410.75.60(c)	C	Yes	I			A		A	A	A		
3-180	Fair Labor Standards Act and Service Contract Labor Standards – Price Adjustment	§ 332.50(c)	C	Yes	I			A		A	A	A		
3-185	Evaluation of Compensation for Professional Employees	§ 330.10.30(z)	P	Yes	L			A	A	A		A		
3-195	Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment – Certification	§ 332.50(d)	P	No	K			A	A	A		A	A	

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						FP PROD	CR PROD	FP SVC	CR SVC					
3-200	Service Contract Labor Standards – Place of Performance Unknown	§ 332.50(e)	C	No	I			A	A	A		A	A	
3-205	Protest after Award	§ 330.10.30(aa)	C	Yes	I	R	R	R	R	R	R	R	*	
3-210	Protests	§ 330.10.30(bb)	P	Yes	L	R	R	R	R	R	R	R	*	
3-215	Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment – Requirements	§ 332.50(f)	C	Yes	I			A	A	A	A	A	*	
3-220	Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services – Certification	§ 332.50(g)	P	No	L			A	A	A	A	A	*	
3-225	Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services – Requirements	§ 332.50(h)	C	Yes	I			A	A	A	A	A	*	
3-300	Registration in the System for Award Management (SAM)	§ 330.10.30(dd)(1)	C	Yes	I	A	A	A	A	A	A	A		
3-305	Payment by Electronic Funds Transfer – System for Award Management (SAM) Registration	§ 330.10.30(dd)(2)	C	Yes	G	A	A	A	A	A	A	A		
3-310	Payment by Electronic Funds Transfer – Other Than System for Award Management (SAM) Registration	§ 330.10.30(dd)(3)	C	Yes	G	A	A	A	A	A	A	A		
3-315	Submission of Electronic Funds Information with Offer	§ 330.10.30(dd)(4)	P	Yes	L	A	A	A	A	A	A	A		
Provisions and Clauses (Chapter 4)														
4-1	Type of Contract	§ 410.15.20(a)	P	No	L	R	R	R	R	R	R	R		A
4-5	Ordering	§ 410.30.64(a)	C	Yes	I	A	A	A	A	A	A	R		

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						FP PROD	CR PROD	FP SVC	CR SVC					
4-10	Order Limitations	§ 410.30.64(b)	C	No	I	A	A	A	A	A	A	R		
4-20	Requirements	§ 410.30.64(c)	C	Yes	I							A		
4-25	Indefinite Quantity	§ 410.30.64(d)	C	Yes	I							A		
4-27	Time-and-Materials/Labor-Hour Proposal Requirements – Competitive Pricing	§ 410.45.50(a)	P	No	L					R		A		
4-28	Time-and-Materials/Labor-Hour Proposal Requirements – Non-Competitive Pricing	§ 410.45.50(b)	P	No	L					R		A		
4-30	Payment (Time-and-Materials and Labor-Hour Contracts)	§ 410.45.50(c)	C	Yes	I					A		A	A	
4-30, Alt I		§ 410.45.50(c)	C	Yes	I					A		A	A	
4-35	Execution and Commencement of Work (Letter Contract) (See Note 2)	§ 410.50.80(a)	C	No	I	A	A	A	A	A	A	A		
4-40	Limitation of Judiciary Liability (Letter Contract) (See Note 2)	§ 410.50.80(b)	C	No	I	A	A	A	A	A	A	A		
4-45	Contract Definitization (See Note 2)	§ 410.50.80(c)	C	No	I	A	A	A	A	A	A	A		
4-50	Payment of Allowable Costs Before Definitization (See Note 2)	§ 410.50.80(d)	C	Yes	I	A	A	A	A	A	A			
4-55	Economic Price Adjustment – Standard Products	§ 410.65.50 and § 410.75.60(b)	C	No	I	A	A					A		
4-60	Allowable Cost and Payment	§ 410.70.80(a)	C	Yes	I		A		A	A	A	A		
4-65	Fixed Fee	§ 410.70.80(b)	C	Yes	I		A		A	A	A	A		
4-70	Incentive Fee	§ 410.70.80(c)	C	No	I		A		A	A	A	A		
4-75	Cost Contract – No Fee	§ 410.70.80(d)	C	Yes	I		A		A	A	A	A		

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						FP PROD	CR PROD	FP SVC	CR SVC					
4-80	Cost-Sharing Contract – No Fee	§ 410.70.80(e)	C	Yes	I		A		A	A	A			
4-85	Limitation of Cost	§ 410.70.80(f)	C	Yes	I		A		A	A	A			
4-90	Limitation of Funds	§ 410.70.80(g)	C	Yes	I		A		A	A	A			
4-150	Cancellation under Multi-Year Contracts	§ 410.75.60(a)	C	Yes	I	A	A	A	A	A			A	
4-155	Alternate Awards	§ 410.75.60(d)	P	Yes	M	A	A	A	A	A			A	
4-160	Cancellation Ceilings	§ 410.75.60(e)	C	No	H	A	A	A	A	A				
4-165	Price Proposal Instruction – Multi-Year Contract	§ 410.75.60(f)	P	Yes	L	A	A	A	A	A			A	
4-170	Limitation of Judiciary’s Obligation	§ 410.25.10(b)	C	No	I	A		A			A	A	A	
Provisions and Clauses (Chapter 5)														
5-1	Payments under Personal and Professional Services Contracts (See Note 1)	§ 510.50 and § 520.75(c)	C	Yes	I			A	A	A	A	A		
5-5	Non-disclosure (Professional Services) (See Note 1)	§ 520.75(d)	C	Yes	I			A	A	A	A	A		
5-10	Inspection of Professional Services (See Note 1)	§ 520.75(e)	C	Yes	E			A	A	A	A	A		
5-15	RESERVED													
5-20	Records Ownership (See Note 1)	§ 520.75(g)	C	Yes	I			A	A	A	A	A		
5-25	Identification of Uncompensated Overtime (See Note 1)	§ 520.75(h)	P	Yes	L			A	A	A	A	A		
5-30	Authorization and Consent	§ 330.10.30(cc), § 530.70.60(a) and § 660.10(a)	C	Yes	I						A			

Matrix of Solicitation Provisions and Clauses														
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						FP PROD	CR PROD	FP SVC	CR SVC					
7-55	Contractor Use of Judiciary Networks	§ 715.55(l)	C	Yes	H	A	A	A	A	A	A	A	A	A
7-60	Judiciary-Furnished Property or Services	§ 720.10.40(a)	P	Yes	L	R	R	R	R	R	R	R	*	A
7-65	Protection of Judiciary Buildings, Equipment, and Vegetation	§ 720.10.40(b)	C	Yes	I			A	A	A	A	A	*	A
7-70	Judiciary Property Furnished "As Is"	§ 720.10.40(c)	C	Yes	I	A	A	A	A	A	A	A	A	A
7-75	Subcontracts	§ 725.10.40(a)	C	No	I	A	R	A	R	R	A	A		
7-80	Competition in Subcontracting	§ 725.10.40(b)	C	Yes	I	A	R	A	R			A		
7-85	Examination of Records	§ 730.20.20	C	Yes	I	R	R	R	R	R	R	R	*	
7-95	Contractor Inspection Requirements	§ 220.10.70(d)	C	Yes	I								A	
7-100A	Limitation of Liability (Products)	§ 220.10.70(e)	C	Yes	I	R	R				A	A		
7-100B	Limitation of Liability (Services)	§ 220.10.70(f)	C	Yes	I			R	R	R	R	A		
7-105	RESERVED													
7-110	Bankruptcy	§ 735.60.40	C	Yes	I	R	R	R	R	R	R	R		
7-115	Availability of Funds	§ 220.50.90(a)	C	Yes	I	A	A	A	A	A	A	A	A	A
7-120	Availability of Funds for the Next Fiscal Year	§ 220.50.90(b)	C	No	I			A	A			A		A
7-125	Invoices	§ 740.20.30	C	Yes	G	R	R	R	R	R	R	R		A
7-125, Alt I		§ 520.75(f)	C	Yes	G				A	A	A	A		A
7-130	Interest (Prompt Payment)	§ 740.30.30	C	Yes	I	R	R	R	R	R	R	R	*	R
7-135	Payments	§ 740.30.50(a)	C	Yes	I	R		R		A	A	A	*	A
7-140	Discounts for Prompt Payment	§ 740.30.50(b)	C	Yes	I	R		R		A	A	A	*	A

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						FP PROD	CR PROD	FP SVC	CR SVC					
7-145	Government Purchase Card	§ 740.30.50(c)	C	Yes	I	A	A	A	A	A	A	A	*	A
7-150	Extras	§ 740.30.50(d)	C	Yes	I	R		R		A	A	A	*	
7-155	Certification of Final Indirect Costs	§ 740.30.50(e)	C	No	I		A		A	A	A	A		
7-160	Limitation on Withholding of Payments	§ 740.40.50(a)	C	Yes	I	A	A	A	A	A		A		
7-165	Penalties for Unallowable Costs	§ 740.40.50(b)	C	Yes	I	A	A	A	A	A	A	A		
7-170	Notice of Intent to Disallow Costs	§ 740.40.50(c)	C	Yes	I	A	R	A	R	A	A	A		
7-175	Assignment of Claims	§ 740.50.40(a)	C	Yes	I	A	A	A	A	A	A	A		
7-180	Prohibition of Assignment of Claims	§ 740.50.40(b)	C	Yes	I	A	A	A	A	A	A	A		
7-185	Changes	§ 745.40.40(a)	C	Yes	I	R		R				R	*	
7-185, Alt I		§ 745.40.40(b)	C	Yes	I		R		R			A		
7-185, Alt II		§ 745.40.40(c)	C	Yes	I					R		A		
7-185, Alt III		§ 745.40.40(d)	C	Yes	I						R	A		
7-190	Change Order Accounting	§ 745.40.40(b)	C	Yes	I	A	A				A	A		
7-195	Excusable Delays	§ 745.45.55(a)	C	Yes	I	A	A	A	A	A		A		
7-200	Judiciary Delay of Work	§ 745.45.55(b)	C	Yes	F	R	R	A					*	A
7-205	Payment for Judiciary Holidays	§ 745.45.55(c)	C	Yes	I			A	A	R		A	*	A
7-210	Payment for Emergency Closures	§ 745.45.55(d)	C	Yes	I	R	R	R	R	R	R	R	*	A
7-215	Notification of Ownership Changes	§ 745.55.40(i)	C	Yes	I	R	R	R	R	R	R	R		
7-220	Termination for Convenience of the Judiciary (Fixed- Price)	§ 755.20.60(a)	C	Yes	I	R		R		A		A		

