

52.101 Using Part 52.

(a) *Definition.* "Modification," as used in this subpart, means a minor change in the details of a provision or clause that is specifically authorized by the FAR and does not alter the substance of the provision or clause (see [52.104](#)).

(b) *Numbering—*

(1) *FAR provisions and clauses.* [subpart 52.2](#) sets forth the text of all FAR provisions and clauses, each in its own separate subsection. The subpart is arranged by subject matter, in the same order as, and keyed to, the parts of the FAR. Each FAR provision or clause is uniquely identified. All FAR provision and clause numbers begin with "52.2," since the text of all FAR provisions and clauses appear in [subpart 52.2](#). The next two digits of the provision or clause number correspond to the number of the FAR subject part in which the provision or clause is prescribed. The FAR provision or clause number is then completed by a hyphen and a sequential number assigned within each section of [subpart 52.2](#). The following example illustrates the makeup of the FAR provision or clause number (see Figure 1 below).

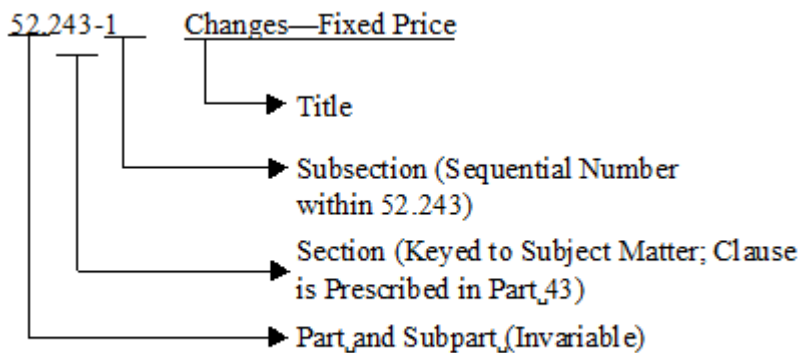


Figure 1

(2) *Provisions or clauses that supplement the FAR.*

(i) Provisions or clauses that supplement the FAR are-

(A) Prescribed and included in authorized agency *acquisition* regulations issued within an agency to satisfy the specific needs of the agency as a whole;

(B) Prescribed and included in a regulation issued by a suborganization of an agency to satisfy the needs of that particular suborganization; or

(C) Developed for use at a suborganizational level of an agency, not meant for repetitive use, but intended to meet the needs of an individual *acquisition* and, thus, impractical to include in either an agency or suborganization *acquisition* regulation. (See [1.301\(c\)](#).)

(ii) Supplemental provisions or clauses published in agency *acquisition* regulations *shall* be in full text and the prescription for the use of each *shall* be included. Supplemental provisions or clauses published in agency *acquisition* regulations *shall* be numbered in the same manner in which FAR provisions and clauses are numbered except that-

(A) If it is included in an agency *acquisition* regulation that is published in the *Federal Register* and is codified in Title 48, *Code of Federal Regulations* (48 CFR), the number *shall* be preceded by the chapter number within 48 CFR assigned by the CFR staff; and

(B) The sequential number *shall* be "70" or a higher number (see [1.303](#)).

(iii) The sequential number at the end of the number of a provision or clause that supplements the FAR, like its counterpart at the end of any FAR provision or clause number, indicates the subsection location of the provision or clause in [subpart 52.2](#) of the agency *acquisition* regulation that contains its full text. If, for example, an agency *acquisition* regulation contains only one provision followed by only one clause supplementing the FAR in its section [52.236](#) (*Construction and Architect-Engineer Contracts*), then the sequential numbers would be "70" for the provision and "71" for the clause.

(c) *Prescriptions*. Each provision or clause in [subpart 52.2](#) is prescribed at that place in the FAR text where the subject matter of the provision or clause receives its primary treatment. The prescription includes all conditions, requirements, and instructions for using the provision or clause and its *alternates*, if any. The provision or clause *may* be referred to in other FAR locations.

(d) *Introductory text*. Within [subpart 52.2](#), the introductory text of each provision or clause includes a cross-reference to the location in the FAR subject text that prescribes its use.

(e) Matrix.

(1) The matrix in [subpart 52.3](#) contains a column for each principal type and/or purpose of contract (*e.g.*, fixed-price supply, cost reimbursement research and development). The matrix lists the-

(i) Required *solicitation* provisions;

(ii) Required-when-applicable *solicitation* provisions;

(iii) Optional *solicitation* provisions;

(iv) Required *contract clauses*;

(v) Required-when-applicable *contract clauses*; and

(vi) Optional *contract clauses*.

(2) For each provision or clause listed, the matrix provides information on-

(i) Whether incorporation by reference is or is not authorized (see [52.102](#));

(ii) The section of the Uniform Contract Format (UCF) in which it is to be located, if it is used in an *acquisition* that is subject to the UCF;

(iii) Its number;

(iv) The citation of the FAR text that prescribes its use; and

(v) Its title.

(3) Since the matrix does not provide sufficient information to determine the applicability of a

provision or clause in the "required-when-applicable" and "optional" categories, *contracting officers shall* refer to the FAR text (cited in the matrix) that prescribes its use.

(4) The FAR matrix *may* be reproduced at agency levels, and at subordinate levels, for the purpose of supplementing it with agency-developed provisions and clauses. The resulting consolidated matrices *may* be included in agency *acquisition* regulations.

(f) *Dates*. Since they are subject to revision from time to time, all provisions, clauses, and *alternates* are dated; *e.g.*, (Dec 1983). To avoid questions concerning which version of any provision, clause, or *alternate* is operative in any given *solicitation* or contract, its date *shall* be included whether it is incorporated by reference or in full text.

Parent topic: Subpart 52.1 - Instructions for Using Provisions and Clauses