52.102 Incorporating provisions and clauses.

(a) Provisions and clauses *should* be incorporated by reference to the maximum practical extent, rather than being incorporated in full text, even if they-

(1) Are used with one or more *alternates* or on an optional basis;

(2) Are prescribed on a "*substantially as follows*" or "substantially the same as" basis, provided they are used verbatim;

(3) Require modification or the insertion by the Government of fill-in material (see 52.104); or

(4) Require completion by the *offeror* or prospective contractor. This instruction also applies to provisions completed as annual representations and certifications.

(b) Except for provisions and clauses prescribed in 52.107, any provision or clause that can be accessed electronically by the *offeror* or prospective contractor *may* be incorporated by reference in *solicitations* and/or contracts. However, the *contracting officer*, upon request, *shall* provide the full text of any provision or clause incorporated by reference.

(c) Agency approved provisions and clauses prescribed in agency *acquisition* regulations, and FAR provisions and clauses not authorized to be incorporated by reference as shown in the matrix at https://www.acquisition.gov/smart-matrix, need not be incorporated in full text, provided the *contracting officer* includes in the *solicitation* and contract a statement that—

(1) Identifies all provisions and clauses that require completion by the *offeror* or prospective contractor;

(2) Specifies that the provisions and clauses *must* be completed by the *offeror* or prospective contractor and *must* be submitted with the quotation or *offer*; and

(3) Identifies to the *offeror* or prospective contractor at least one electronic address where the full text *may* be accessed.

(d) An agency *may* develop a group listing of provisions and clauses that apply to a specific category of contracts. An agency group listing *may* be incorporated by reference in *solicitations* and/or contracts in lieu of citing the provisions and clauses individually, provided the group listing is made available electronically to *offerors* and prospective contractors.

(e) A provision or clause that is not available electronically to *offerors* and prospective contractors *shall* be incorporated in *solicitations* and/or contracts in full text if it is-

(1) A FAR provision or clause that otherwise is not authorized to be incorporated by reference (see sub part 52.3); or

(2) A provision or clause prescribed for use in an agency *acquisition* regulation.

(f) Provisions or clauses *may* not be incorporated by reference by being listed in the-

(1) Provision at 52.252-3, Alterations in *Solicitations*; or

(2) Clause at 52.252-4, Alterations in Contract.

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