1652.370 Use of the matrix.

(a) The matrix in this section lists the FAR and FEHBAR clauses to be used with contracts based on cost analysis and contracts based on a combination of cost and price analysis. Carriers shall submit initial applications and requests for renewals on the basis that the new contract or contract renewal will include the clauses indicated.

(b) Certain contract clauses are mandatory for FEHBP contracts. Other clauses are to be used only when made applicable by pertinent sections of the FAR or FEHBAR. An “M” in the “Use Status” column indicates that the clause is mandatory. An “A” indicates that the clause is to be used only when the applicable conditions are met.

(c) Clauses are incorporated in the contract either in full text or by reference. If the full text is to be used, the matrix indicates a “T”. If the clause is incorporated by reference, the matrix indicates an “R”.

FEHBP Clause Matrix

Clause	Title	Use status	Use with experience rated contracts	Use with community rated contracts
FAR 52.202-1	Definitions	M	T	T
FAR 52.203-3	Gratuities	M	T	T
FAR 52.203-5	Covenant Against Contingent Fees	M	T	T
FAR 52.203-7	Anti-Kickback Procedures	M	T	T
FAR 52.203-12	Limitation on Payments to Influence Certain Federal Transactions	M	T	T
FAR 52.203-13	Contractor Code of Business Ethics and Conduct	M	T	T

Clause	Title	Use status	Use with experience rated contracts	Use with community rated contracts
FAR 52.203-17	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights	M	T	T
FAR 52.203-19	Prohibition Requiring Internal Confidentiality Agreements or Statements	M	T	T
FAR 52.204-7	System For Award Management	M	T	T
FAR 52.204-9	Personnel Identity Verification of Contractor Personnel	M	T	
FAR 52.204-21	Basic Safeguarding of Contractor Information Systems	M	T	T
FAR 52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities	M	T	T
FAR 52.209-9	Updates of Publicly Available Information Regarding Responsibility Matters	M	T	
1652.203-70	Misleading, Deceptive, or Unfair Advertising	M	T	T
1652.204-70	Contractor Records Retention	M	T	T
1652.204-71	Coordination of Benefits	M	T	T
1652.204-72	Filing Health Benefit Claims/Court Review of Disputed Claims	M	T	T

Clause	Title	Use status	Use with experience rated contracts	Use with community rated contracts
1652.204-73	Taxpayer Identification Number	M	T	T
1652.204-74	Large Provider Agreements	M	T	
FAR 52.209-6	Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment	M	T	T
FAR 52.215-2	Audit & Records—Negotiation	M	T	T
FAR 52.215-10	Price Reduction for Defective Cost or Pricing Data	M	T	
FAR 52.215-12	Subcontractor Certified Cost or Pricing Data	M	T	
FAR 52.215-15	Pension Adjustments and Asset Reversions	M	T	
FAR 52.215-18	Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions	M	T	
1652.215-70	Rate Reduction for Defective Pricing or Defective Cost or Pricing Data	M	T	T
1652.215-71	Investment Income	M	T	
1652.216-70	Accounting and Price Adjustment	M		T
1652.216-71	Accounting and Allowable Cost	M	T	

Clause	Title	Use status	Use with experience rated contracts	Use with community rated contracts
FAR 52.219-8	Utilization of Small Business Concerns	M	T	T
FAR 52.222-1	Notice to the Government of Labor Disputes	M	T	T
FAR 52.222-3	Convict Labor	M	T	T
FAR 52.222-4	Contract Work Hours and Safety Standards Act—Overtime Compensation	M	T	T
FAR 52.222-21	Prohibition of Segregated Facilities	M	T	T
FAR 52.222-26	Equal Opportunity	M	T	T
FAR 52.222-29	Notification of Visa Denial	A	T	T
FAR 52.222-35	Equal Opportunity for Veterans	M	T	T
FAR 52.222-36	Equal Opportunity for Workers With Disabilities	M	T	T
FAR 52.222-37	Employment Reports on Veterans	M	T	T
FAR 52.222-50	Combating Trafficking in Persons	M	T	T
FAR 52.222.54	Employment Eligibility Verification	M	T	T
1652.222-70	Notice of Significant Events	M	T	T

Clause	Title	Use status	Use with experience rated contracts	Use with community rated contracts
FAR 52.223-6	Drug-Free Workplace	A	T	T
FAR 52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving	M	T	T
1652.224-70	Confidentiality of Records	M	T	T
FAR 52.227-1	Authorization and Consent	M	T	T
FAR 52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement	M	T	T
FAR 52.229-4	Federal, State and Local Taxes (State and local Adjustments	M	T	T
1652.229-70	Taxes—Foreign Negotiated Benefits Contracts	A	T	T
FAR 52.232-8	Discounts for Prompt Payment	M	T	T
FAR 52.232-17	Interest	M	T	T
FAR 52.232-23	Assignment of Claims	A	T	T
FAR 52.232-33	Payment by Electronic Funds Transfer—System for Awards Management	M	T	T
1652.232-70	Payments—Community-Rated Contracts	A		T

Clause	Title	Use status	Use with experience rated contracts	Use with community rated contracts
1652.232-71	Payments—Experience-Rated Contracts	A	T	
1652.232-72	Non-Commingling of FEHBP Funds	M	T	
1652.232-73	Approval for Assignment of Claims	M	T	T
FAR 52.233-1	Disputes	M	T	T
FAR 52.233-4	Applicable Law for Breach of Contract Claim	M	T	T
FAR 52.239-1	Privacy or Security Safeguards	M	T	T
FAR 52.242-1	Notice of Intent to Disallow Costs	M	T	
FAR 52.242-3	Penalties for Unallowable Costs	M	T	
FAR 52.242-13	Bankruptcy	M	T	T
1652.243-70	Changes—Negotiated Benefits Contracts	M	T	T
FAR 52.244-5	Competition in Subcontracting	M	T	
FAR 52.244-6	Subcontracts for Commercial Items	M	T	
1652.244-70	Subcontracts	M	T	

Clause	Title	Use status	Use with experience rated contracts	Use with community rated contracts
1652.245-70	Government Property (Negotiated Benefits Contracts)	M	T	T
FAR 52.246-25	Limitation of Liability—Services	M	T	
1652.246-70	FEHB Inspection	M	T	T
FAR 52.247-63	Preference for U.S.-Flag Air Carriers	M	T	T
1652.249-70	Renewal and Withdrawal of Approval	M	T	T
1652.249-71	FEHBP Termination for Convenience of the Government—Negotiated Benefits Contracts	M	T	T
1652.249-72	FEHBP Termination for Default—Negotiated Benefits Contracts	M	T	T
FAR 52.251-1	Government Supply Sources	A	T	
FAR 52.252-4	Alterations in Contract	A	T	T
FAR 52.252-6	Authorized Deviations in Clauses	M	T	T

Parent topic: Subpart 1652.3—FEHBP Clause Matrix