

1. FOH EMPLOYEE ASSISTANCE PROGRAM FEDERAL ACQUISITION REGULATION (FAR) AND HHSAR FLOWDOWN PROVISIONS

The following clauses set forth in the FAR and HHSAR clauses will be in effect on the date of the purchase order, subcontract or other agreement, unless otherwise noted, are incorporated herein by reference. The listed FAR and Agency clauses are incorporated herein as if set forth in full text unless made inapplicable by its corresponding note, if any. Vendor shall include the appropriate FAR and Agency clauses as required in any lower-tier subcontract. Whenever said clauses include a requirement for the resolution of disputes between the Parties in accordance with the FAR

“Disputes” clause, the dispute shall instead be disposed of in accordance with the clause entitled “Disputes” in these terms and conditions. Where necessary to derive proper meaning in a subcontract situation from these clauses, “Contractor” means “Vendor,” “Contracting Officer” means “Magellan,” “Contract” means this Order and “Government” means “Magellan or the Government.” However, the words “Government” and “Contracting Officer” do not change: (1) when a right, act, authorization or obligation can be granted or performed only by the Government or the Prime Contract Contracting Officer or duly authorized representative, (2) when title to property is to be transferred directly to the Government, and (3) in FAR 52.227-1, 52.227-2.

FAR	Clause
52.203-6	Restrictions on Subcontractor Sales to the Government
52.203-13	Contractor Code of Business Ethics and Conduct
52.203-15	Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 <i>NOTE: Applies to contracts funded by the American Recovery and Reinvestment Act of 2009</i>
52.204-9	Personal Identity Verification of Contractor Personnel
52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements <i>NOTE: Applicable in all solicitations and resultant contracts, other than personal services contracts with individuals.</i>
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards
52.204-15	Service Contract Reporting Requirements for Indefinite-Delivery Contracts
52.204-21	Basic Safeguarding of Covered Contractor Information Systems <i>NOTE: Applicable to all Orders at any tier for other than commercially available off-the-shelf items.</i>
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities
52.204-24	Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment <i>NOTE: Not including (b)(2) or (d)(2).</i>
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment <i>NOTE: Pursuant to (e), not including (b)(2)..</i>
52.204-27	Prohibition on a ByteDance Covered Application
52.209-6	Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended or Proposed for Debarment
52.209-9	Updates of Publicly Available Information Regarding Responsibility Matters
52.209-10	Prohibition on Contracting with Inverted Domestic Corporations
52.219-8	Utilization of Small Business Concerns <i>Note: If the subcontract (except subcontracts to small business concerns) exceeds the applicable threshold</i>
52.219-9	Small Business Subcontracting Plan, Alternate II
52.222-3	Convict Labor
52.222-19	Child Labor-Cooperation with Authorities and Remedies
52.222-21	Prohibition of Segregated Facilities
52.222.26	Equal Opportunity

FAR	Clause
52.222-35	Equal Opportunity for Veterans
52.222-36	Equal Opportunity for Workers with Disabilities
52.222-37	Employment Reports on Veterans
52.222-40	Notification of Employee Rights Under the National Labor Relations Act
52.222-41	Service Contract Labor Standards
52.222-42	Statement of Equivalent Rates for Federal Hires
52.222-50	Combating Trafficking in Persons
52.222-54	Employment Eligibility Verification (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial products or commercial services as prescribed in FAR 22.1803.)
52.222-55	Minimum Wages for Contractor Workers under Executive Order 14026
52.222-62	Paid Sick Leave Under Executive Order 13706
52.223-6	Drug Free Workplace
52.224-1	Privacy Act Notification
52.224-3	Privacy Training
52.245-1	Government Property
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels

Health and Human Services Acquisition Regulation (HHSAR) (48 CFR Chapter 3) Clauses

HHSAR	Clause
352.203-70	Anti-Lobbying
352.208-70	Printing and Duplication
352.222-70	Contractor Cooperation in Equal Employment Opportunity Investigations
352.224-70	Privacy Act
352.224-71	Confidential Information (To be filled in at the Task Order level)
352.237-75	Key Personnel
352.239-74	Electronic and Information Technology Accessibility