

Appendix C: List of NASA SBIR Phase II Clauses, Regulations, and Certifications

Introduction

Offerors who plan to submit a completed proposal package to this solicitation will be required to meet specific rules and regulations as part of the submission and if awarded a contract. Offerors should ensure that they understand these rules and requirements before submitting a completed proposal package to NASA.

Below are all the clauses, regulations, and certifications that apply to Phase II submissions and contracts. Each clause, regulation, and certification contains a hyperlink to the webpages from the NASA FAR Supplement, SBIR/STTR Policy Directive, and www.acquisition.gov where you can read about the requirements.

Federal Acquisition Regulations (FAR) Provisions and Clauses

[52.203-19 PROHIBITION ON REQUIRING CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS.](#)

[52.204-6 UNIQUE ENTITY IDENTIFIER.](#)

[52.204-7 SYSTEM FOR AWARD MANAGEMENT.](#)

[52.204-8 ANNUAL REPRESENTATIONS AND CERTIFICATIONS \(DEVIATION 20-02A\)](#)

[52.204-10 REPORTING EXECUTIVE COMPENSATION AND FIRST-TIER SUBCONTRACT AWARDS.](#)

[52.204-13 SYSTEM FOR AWARD MANAGEMENT MAINTENANCE.](#)

[52.204-16 COMMERCIAL AND GOVERNMENT ENTITY CODE REPORTING.](#)

[52.204-18 COMMERCIAL AND GOVERNMENT ENTITY CODE MAINTENANCE.](#)

[52.204-19 INCORPORATION BY REFERENCE OF REPRESENTATIONS AND CERTIFICATIONS.](#)

[52.204-22 ALTERNATIVE LINE ITEM PROPOSAL.](#)

[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](#)

[52.204-25 PROHIBITION ON CONTRACTING FOR CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT.](#)

[52.204-26 COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES - REPRESENTATION.](#)

[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.](#)

[52.215-1 INSTRUCTIONS TO OFFERORS—COMPETITIVE ACQUISITION.](#)

[52.215-8 ORDER OF PRECEDENCE—UNIFORM CONTRACT FORMAT.](#)

[52.216-1 TYPE OF CONTRACT.](#)

[52.219-6 NOTICE OF TOTAL SMALL BUSINESS SET-ASIDE](#)

[52.219-28 POST-AWARD SMALL BUSINESS PROGRAM REPRESENTATION.](#)

[52.222-3 CONVICT LABOR.](#)

[52.222-21 PROHIBITION OF SEGREGATED FACILITIES.](#)

[52.222-26 EQUAL OPPORTUNITY.](#)

[52.222-36 EQUAL OPPORTUNITY FOR WORKERS WITH DISABILITIES.](#)

[52.222-37 EMPLOYMENT REPORTS ON VETERANS](#)

[52.222-50 COMBATING TRAFFICKING IN PERSONS.](#)

[52.223-6 DRUG-FREE WORKPLACE.](#)

[52.223-18 ENCOURAGING CONTRACTOR POLICIES TO BAN TEXT MESSAGING WHILE DRIVING.](#)

[52.223-99 ENSURING ADEQUATE COVID-19 SAFETY PROTOCOLS FOR FEDERAL CONTRACTORS \(DEVIATION 21-03\)](#)

[52.225-1 Buy American-Supplies \(NOV 2021\)](#)

[52.225-13 RESTRICTIONS ON CERTAIN FOREIGN PURCHASES.](#)

[52.227-1 AUTHORIZATION AND CONSENT.](#)

[52.227-11 PATENT RIGHTS—OWNERSHIP BY THE CONTRACTOR.](#)

[52.227-20 RIGHTS IN DATA—SBIR PROGRAM.](#)

[52.232-2 PAYMENTS UNDER FIXED-PRICE RESEARCH AND DEVELOPMENT CONTRACTS.](#)

[52.232-9 LIMITATION ON WITHHOLDING OF PAYMENTS.](#)

[52.232-12 ADVANCE PAYMENTS.](#)

[52.232-23 ASSIGNMENT OF CLAIMS.](#)

[52.232-25 PROMPT PAYMENT.](#)

[52.232-33 PAYMENT BY ELECTRONIC FUNDS TRANSFER—SYSTEM FOR AWARD MANAGEMENT.](#)

[52.232-39 UNENFORCEABILITY OF UNAUTHORIZED OBLIGATIONS.](#)

[52.232-40 PROVIDING ACCELERATED PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS. \(DEVIATION 20-03A\)](#)

[52.233-1 DISPUTES.](#)

[52.233-3 PROTEST AFTER AWARD.](#)

[52.233-4 APPLICABLE LAW FOR BREACH OF CONTRACT CLAIM.](#)

[52.242-15 STOP-WORK ORDER.](#)

[52.243-1 CHANGES—FIXED PRICE.](#)

[52.246-7 INSPECTION OF RESEARCH AND DEVELOPMENT—FIXED PRICE.](#)

[52.246-16 RESPONSIBILITY FOR SUPPLIES.](#)

[52.244-6 SUBCONTRACTS FOR COMMERCIAL ITEMS. \(DEVIATION 20-03A\)](#)

[52.249-1 TERMINATION FOR CONVENIENCE OF THE GOVERNMENT \(FIXED-PRICE\) \(SHORT FORM\).](#)

[52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE.](#)

[52.252-5 AUTHORIZED DEVIATIONS IN PROVISIONS.](#)

[52.253-1 COMPUTER-GENERATED FORMS.](#)

[52.252-2 CLAUSES INCORPORATED BY REFERENCE.](#)

[52.252-6 AUTHORIZED DEVIATIONS IN CLAUSES.](#)

NASA Provisions and Clauses

[1852.216-78 FIRM FIXED PRICE.](#)

[1852.203-71 REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS](#)

[1852.204-76 SECURITY REQUIREMENTS FOR UNCLASSIFIED INFORMATION TECHNOLOGY RESOURCES. \(DEVIATION 21-01\)](#)

[1852.215-84 OMBUDSMAN.](#)

[1852.219-80 LIMITATION ON SUBCONTRACTING – SBIR PHASE I PROGRAM. \(OCT 2006\)](#)

[1852.219-83 LIMITATION OF THE PRINCIPAL INVESTIGATOR – SBIR PROGRAM. \(OCT 2006\)](#)

[1852.225-70 EXPORT LICENSES](#)

[1852.225-71 RESTRICTION ON FUNDING ACTIVITY WITH CHINA](#)

[1852.225-72 RESTRICTION ON FUNDING ACTIVITY WITH CHINA – REPRESENTATION. \(DEVIATION 12-01A\)](#)

[1852.215-81 PROPOSAL PAGE LIMITATIONS.](#)

[1852.227-72 DESIGNATION OF NEW TECHNOLOGY REPRESENTATIVE AND PATENT REPRESENTATIVE.](#)

[1852.232-80 SUBMISSION OF VOUCHERS FOR PAYMENT.](#)

[1852.233-70 PROTESTS TO NASA.](#)

[1852.235-70 CENTER FOR AEROSPACE INFORMATION.](#)

[1852.239-74 INFORMATION TECHNOLOGY SYSTEM SUPPLY CHAIN RISK ASSESSMENT. \(DEVIATION 15-03D\)](#)

[1852.235-73 FINAL SCIENTIFIC AND TECHNICAL REPORTS.](#)

[1852.235-74 ADDITIONAL REPORTS OF WORK - RESEARCH AND DEVELOPMENT.](#)

[1852.237-73 RELEASE OF SENSITIVE INFORMATION.](#)

[PCD 21-02 FEDERAL ACQUISITION REGULATION \(FAR\) CLASS DEVIATION – PROTECTION OF DATA UNDER THE SMALL BUSINESS INNOVATIVE RESEARCH/SMALL TECHNOLOGY TRANSFER RESEARCH \(SBIR/STTR\) PROGRAM](#)

[PCD 21-04A CLASS DEVIATION FROM THE FEDERAL ACQUISITION REGULATION \(FAR\) AND NASA FAR SUPPLEMENT \(NFS\) REGARDING REQUIREMENTS FOR NONAVAILABILITY DETERMINATIONS UNDER THE BUY AMERICAN STATUTE](#)

Additional Regulations

[SOFTWARE DEVELOPMENT STANDARDS](#)

[HUMAN AND/OR ANIMAL SUBJECT](#)

[HOMELAND SECURITY PRESIDENTIAL DIRECTIVE 12 \(HSPD-12\)](#)

[RIGHTS IN DATA DEVELOPED UNDER SBIR FUNDING AGREEMENT](#)

[INVENTION REPORTING, ELECTION OF TITLE, PATENT APPLICATION FILING, AND PATENTS](#)

SBA Certifications required for Phase II

[\(1\) CERTIFICATIONS.](#)

[\(2\) PERFORMANCE OF WORK REQUIREMENTS.](#)

[\(3\) EMPLOYMENT OF THE PRINCIPAL INVESTIGATOR/PROJECT MANAGER.](#)

[\(4\) LOCATION OF THE WORK.](#)

[\(5\) NOVATED/SUCCESSOR IN INTERESTED/REVISED FUNDING AGREEMENTS.](#)

[\(6\) MAJORITY-OWNED BY MULTIPLE VCOCS, HEDGE FUNDS, OR PRIVATE EQUITY FIRMS \[SBIR ONLY\].](#)

[\(7\) AGENCY BENCHMARKS FOR PROGRESS TOWARDS COMMERCIALIZATION.](#)

[\(8\) LIFE CYCLE CERTIFICATIONS](#)