

## 13.302-5 Clauses.

(a) Each *purchase order* (and each *purchase order* modification (see [13.302-3](#))) shall incorporate all clauses prescribed for the particular *acquisition*.

(b) The *contracting officer* shall insert the clause at [52.213-2](#), *Invoices*, in *purchase orders* that authorize advance payments (see [31 U.S.C.3324\(d\)\(2\)](#)) for subscriptions or other charges for newspapers, magazines, periodicals, or other publications (*i.e.*, any publication printed, microfilmed, photocopied, or magnetically or otherwise recorded for auditory or visual usage).

(c) The *contracting officer* shall insert the clause at [52.213-3](#), *Notice to Supplier*, in unpriced *purchase orders*.

(d)

(1) The *contracting officer* may use the clause at [52.213-4](#), *Terms and Conditions-Simplified Acquisitions (Other Than Commercial Products and Commercial Services)*), in simplified *acquisitions* exceeding the *micro-purchase threshold* that are for other than *commercial products* or *commercial services* (see [12.301](#)).

(2) The clause-

(i) Is a compilation of the most commonly used clauses that apply to simplified *acquisitions*; and

(ii) *May* be modified to fit the individual *acquisition* to add other needed clauses, or those clauses *may* be added separately. Modifications (*i.e.*, additions, deletions, or substitutions) *must* not create a void or internal contradiction in the clause. For example, do not add an *inspection* and acceptance or *termination for convenience* requirement unless the existing requirement is deleted. Also, do not delete a paragraph without providing for an appropriate substitute.

(3)

(i) When an *acquisition* for *supplies* for use within the *United States* cannot be set aside for small business concerns and trade agreements apply (see [subpart 25.4](#)), substitute the clause at [52.225-3](#), *Buy American-Free Trade Agreements-Israeli Trade Act*, used with the appropriate *Alternate* (see [25.1101\(b\)\(1\)](#)), instead of the clause at [52.225-1](#), *Buy American-Supplies*.

(ii) When acquiring *supplies* for use outside the *United States*, delete clause [52.225-1](#) from the clause list at [52.213-4\(b\)](#).

(4) When the *senior procurement executive* allows for application of an *alternate* domestic content test for the contract in accordance with [25.101\(d\)](#), so that the initial domestic content threshold will apply to the entire period of performance, the *contracting officer* shall fill in the [52.213-4\(b\)\(1\)\(xvii\)\(B\)](#) for [52.225-1](#) *Alternate* I as follows: For contracts that the *contracting officer* estimates will be awarded in calendar year 2022 or 2023, the *contracting officer* shall insert "60" in paragraph (1)(ii)(A) of the definition of domestic *end product*. For contracts that the *contracting officer* estimates will be awarded in calendar year 2024, 2025, 2026, 2027, or 2028, the *contracting officer* shall insert "65". For contracts that the *contracting officer* estimates will be awarded after

calendar year 2028 the *contracting officer shall* insert "75".

**Parent topic:** 13.302 Purchase orders.