

## 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\(b\)\(1\)\(xviii\)\(B\)](#) 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.](#)