

## Federal Required and Other Model Contract Clauses

TYPES OF CONTRACTS	Consultant Services	Goods	Professional Services	Flow Down	FTA BPPM links
Fly America (air transportation only)				1st Tier	<a href="http://www.fta.dot.gov/12831_6195.html#BM1">http://www.fta.dot.gov/12831_6195.html#BM1</a>
Buy America		>\$100k		1st Tier	<a href="http://www.fta.dot.gov/12831_6195.html#BM2">http://www.fta.dot.gov/12831_6195.html#BM2</a>
Charter Bus and School Bus				1st Tier	<a href="http://www.fta.dot.gov/12831_6195.html#BM3">http://www.fta.dot.gov/12831_6195.html#BM3</a>
Cargo Preference (ocean transport only)				All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM4">http://www.fta.dot.gov/12831_6195.html#BM4</a>
Seismic Safety (new bldgs + additions)				1st Tier	<a href="http://www.fta.dot.gov/12831_6195.html#BM5">http://www.fta.dot.gov/12831_6195.html#BM5</a>
Energy Conservation	Yes	Yes	Yes	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM6">http://www.fta.dot.gov/12831_6195.html#BM6</a>
Clean Water	>\$100k	>\$100k	>\$100k	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM7">http://www.fta.dot.gov/12831_6195.html#BM7</a>
Bus Testing				Turnkey Only	<a href="http://www.fta.dot.gov/12831_6195.html#BM8">http://www.fta.dot.gov/12831_6195.html#BM8</a>
Pre-Award & Post Delivery Audit				Turnkey Only	<a href="http://www.fta.dot.gov/12831_6195.html#BM9">http://www.fta.dot.gov/12831_6195.html#BM9</a>
Lobbying	Yes	Yes	Yes	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM10">http://www.fta.dot.gov/12831_6195.html#BM10</a>
Access to Records & Reports				1st Tier	<a href="http://www.fta.dot.gov/12831_6195.html#BM11">http://www.fta.dot.gov/12831_6195.html#BM11</a>
Federal Changes	Yes	Yes	Yes	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM12">http://www.fta.dot.gov/12831_6195.html#BM12</a>
Bonding				1st Tier	<a href="http://www.fta.dot.gov/12831_6195.html#BM13">http://www.fta.dot.gov/12831_6195.html#BM13</a>
Clean Air	>\$100k	>\$100k	>\$100k	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM14">http://www.fta.dot.gov/12831_6195.html#BM14</a>
Recycled Products (items designated by EPA - 40 CFR Part 247)	>\$10k	>\$10k	>\$10k	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM15">http://www.fta.dot.gov/12831_6195.html#BM15</a>
Davis Bacon & Copeland Anti-Kickback Acts				All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM16">http://www.fta.dot.gov/12831_6195.html#BM16</a>
Contract Work Hours & Safety Standards Act	>\$100k			All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM17">http://www.fta.dot.gov/12831_6195.html#BM17</a>
No Government Obligation to Third Parties	Yes	Yes	Yes	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM18">http://www.fta.dot.gov/12831_6195.html#BM18</a>
Program Fraud & False or Fraudulent Statements and Related Acts	Yes	Yes	Yes	*All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM20">http://www.fta.dot.gov/12831_6195.html#BM20</a>
Termination	>\$10k	>\$10k	>\$10k	**All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM21">http://www.fta.dot.gov/12831_6195.html#BM21</a>
Government-wide Debarment & Suspension (Nonprocurement)	>25k	>25k	>25k	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM22">http://www.fta.dot.gov/12831_6195.html#BM22</a>
Privacy Act	Yes	Yes	Yes	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM23">http://www.fta.dot.gov/12831_6195.html#BM23</a>
Civil Rights	Yes	Yes	Yes	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM24">http://www.fta.dot.gov/12831_6195.html#BM24</a>
Breaches and Dispute Resolution	>\$100k	>\$100k	>\$100k	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM25">http://www.fta.dot.gov/12831_6195.html#BM25</a>
Patent and Rights in Data				All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM26">http://www.fta.dot.gov/12831_6195.html#BM26</a>
Transit Employee Protective Agreements				All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM27">http://www.fta.dot.gov/12831_6195.html#BM27</a>
Disadvantaged Business Enterprise (DBE)	Yes	Yes	Yes	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM28">http://www.fta.dot.gov/12831_6195.html#BM28</a>
Incorporation of Federal Transit Administration Terms	Yes	Yes	Yes	All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM30">http://www.fta.dot.gov/12831_6195.html#BM30</a>
Drug and Alcohol Testing				***All Tiers	<a href="http://www.fta.dot.gov/12831_6195.html#BM31">http://www.fta.dot.gov/12831_6195.html#BM31</a>

\*Requirements flow down to contractors and subcontractors who make, present, or submit covered claims and statements.

\*\*For contracts with nonprofit organizations and institutions of higher education the threshold is \$100,000.

\*\*\*Anyone who performs a safety-sensitive function for the recipient or subrecipient is required to comply with 49 CFR 653 and 654, with certain exceptions for contracts involving maintenance services. Maintenance contractors for non-