

18-D-0109_Conan Flowdowns_09-18-2024

U.S. GOVERNMENT CLAUSES

Prime Contract Number: 18-D-0109

Date of Creation: 09-18-2024

The following customer contract requirements apply to any Purchase Order referencing the above U.S. Government prime contract number and are hereby incorporated into the Purchase Order by full text or by reference with the same force and effect as if they were given in full text. The terms and conditions of the versions of the “Flowdown of U.S. Government Contract Clauses Under U.S. Government Contracts” and “Flowdown Updates” documents in effect on the date of the particular Order shall also apply. These documents are made available at the RTX Supplier Site. The full text of FAR/DFARS clauses may be accessed at <https://www.acquisition.gov/>.

In all provisions and clauses listed herein, terms shall be revised to suitably identify the party to establish Supplier's obligations to Buyer and to the Government, and to enable Buyer to meet its obligations under the prime contract. Without limiting the generality of the foregoing, and except where further clarified or modified below, the term “Government” and equivalent phrases shall mean “Buyer”, the term “Contracting Officer” shall mean “Buyer's Purchasing Representative”, the term “Contractor” or “Offeror” shall mean “Supplier”, “Subcontractor” shall mean “Supplier's Subcontractor” under this Purchase Order, and the term “Contract” shall mean this “Purchase Order”. For the avoidance of doubt, 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, such as in FAR 52.227- 1 and FAR 52.227- 2 or (2) when title to property is to be transferred directly to the Government. Supplier shall incorporate into each lower tier contract issued in support of this Purchase Order all applicable FAR and DFARS provisions and clauses in accordance with the flow down requirements specified in such clauses. Nothing in this Purchase Order grants Supplier a direct right of action against the Government. If any of the following FAR or DFARS clauses do not apply to this Purchase Order, such clauses are considered to be self-deleting.

Buyer or Buyer Affiliates reserve the right to add or update any FAR or DFAR clause or special contract provision based on customer contract directives.

Capitalized words used herein and not otherwise defined shall have the meanings ascribed to them in the Terms and Conditions.

The requirements below are in accordance with the U.S. Government prime contract and are not modified by Buyer for each individual Supplier. Supplier will remain at all times responsible for providing to any government agency, Buyer, or Buyer's customer, evidence of compliance with the requirements herein or that such requirements are not applicable to the extent satisfactory to the requesting party.

CLAUSES INCORPORATED BY REFERENCE:**1. FAR CLAUSES**

52.203-6 RESTRICTIONS ON SUBCONTRACTOR SALES TO THE GOVERNMENT (JUN 2020) (Applies if this Contract exceeds the threshold specified in FAR 3.808 on the date of award of this Contract).

52.203-12 LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (JUN 2020) (Applies if this Contract exceeds the threshold specified in FAR 3.808 on the date of award of this Contract).

52.203-13 CONTRACTOR CODE OF BUSINESS ETHICS AND CONDUCT (NOV 2021) (Applies if this Contract exceeds the threshold specified in FAR 3.1004(b)(1) on the date of this Contract and has a period of performance of more than 120 days. Disclosures made under this clause shall be made directly to the Government entities identified in the clause.)

52.203-14 DISPLAY OF HOTLINE POSTER(S) (NOV 2021) (Applies if this Contract exceeds threshold specified in FAR 3.1004(b)(1) on the date of award of this Contract. Contact the Contractor Procurement Representative for the location where posters may be contained if not indicated elsewhere in the Contract.

52.203-15 WHISTLEBLOWER PROTECTIONS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (JUN 2010). (Applicable to all subcontracts funded in whole or in part with Recovery Act funds.)

52.203-16 PREVENTING PERSONAL CONFLICTS OF INTEREST (JUN 2020). (Applies if this Contract exceeds the simplified acquisition threshold in FAR 2.101. Not applicable to Commercial Items as defined in FAR Part 2.101.)

52.203-17 CONTRACTOR EMPLOYEE WHISTLEBLOWER RIGHTS AND REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS (JUN 2020) Applies if this Contract exceeds the simplified acquisition threshold in effect on the date of award of this Contract.)

52.203-19 PROHIBITION ON REQUIRING CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS (JAN 2017)

52.204-21 BASIC SAFEGUARDING OF COVERED CONTRACTOR INFORMATION SYSTEMS (JUN 2016). (Applies unless Supplier is furnishing commercially available off-the-shelf items.)

52.204-23 PROHIBITION ON CONTRACTING FOR HARDWARE, SOFTWARE, AND SERVICES DEVELOPED OR PROVIDED BY KASPERSKY LAB AND OTHER COVERED (NOV 2021). (Supplier shall provide Contractor copies of any reports provided under this clause which relate to the performance of this contract.)

52.204-25 PROHIBITION ON CONTRACTING FOR CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (AUG 2020) ("Government" in paragraph (b) means "Government or Contractor." Reports required by this clause will be made to Contractor. Paragraph (b)(2) is deleted.)

52.204-27 PROHIBITION ON A BYTEDANCE COVERED APPLICATION. (JUN 2023)

52.209-6 PROTECTING THE GOVERNMENT'S INTEREST WHEN SUBCONTRACTING WITH CONTRACTORS DEBARRED, SUSPENDED, OR PROPOSED FOR DEBARMENT (NOV 2021) (Applies if this Contract exceeds the threshold specified in FAR 9.405-2(b) on the date of award of this Contract except does not apply if this Contract is for commercially available off-the-shelf (COTS) items. Copies of notices provided by SUPPLIER to the Contracting Officer shall be provided to CONTRACTOR.)

FAR 52.211-5 MATERIAL REQUIREMENTS (AUG 2000)

52.215-2 AUDIT AND RECORDS-NEGOTIATION (JUN 2020) (Applies if this Contract exceeds the simplified acquisition threshold in effect at the time of award of this Contract and if: (1) SUPPLIER is required to furnish cost or pricing data, or (2) the Contract requires SUPPLIER to furnish cost, funding, or performance reports, or (3) this is an incentive or redeterminable type contract. Alternate II applies if SUPPLIER is an educational or non-profit institution.) Limit audit rights to US Government officials only.

52.215-10 PRICE REDUCTION FOR DEFECTIVE CERTIFIED COST OR PRICING DATA (AUG 2011) (Applies if submission of certified cost or pricing data is required. "However, audit of SUPPLIER proprietary financial data shall be limited to the US Government". Rights and obligations under this clause shall survive for three (3) years after final payment under the prime.)

52.215-11 PRICE REDUCTION FOR DEFECTIVE CERTIFIED COST OR PRICING DATA - MODIFICATIONS (JUN 2020) (Applies if submission of certified cost or pricing data is required for modifications. "Government" means "CONTRACTOR" in paragraph (e)(1). Rights and obligations under this clause shall survive completion of the Work and final payment under this Contract.)

52.215-12 SUBCONTRACTOR CERTIFIED COST OR PRICING DATA (JUN 2020) (Applies if this contract exceeds the threshold for submission of certified cost or pricing data at FAR 15.403-4 and is not otherwise exempt from the requirement to provide cost or pricing data.)

52.215-13 SUBCONTRACTOR CERTIFIED COST OR PRICING DATA-MODIFICATIONS (JUN 2020) (Applies if this contract exceeds the threshold for submission of cost or pricing data at FAR 15.403-4 and modifications are not otherwise exempt from the requirement to provide certified cost or pricing data.)

52.215-14 INTEGRITY OF UNIT PRICES (NOV 2021) (Applies if this Contract exceeds the simplified acquisition threshold. Delete paragraph (b) of the clause.)

52.215-15 PENSION ADJUSTMENTS AND ASSET REVERSIONS (OCT 2010) (Applies if this Contract meets the applicability requirements of FAR 15.408(g).)

52.215-16 FACILITIES CAPITAL COST OF MONEY (JUN 2003) (Applies only if this Contract is subject to the Cost Principles at FAR Subpart 31.2 and SUPPLIER proposed facilities capital cost of money in its offer.)

52.215-17 WAIVER OF FACILITIES CAPITAL COST OF MONEY (OCT 1997) (Applies only if this Contract is subject to the Cost Principles at FAR Subpart 31.2 and SUPPLIER did not propose facilities capital cost of money in its offer.)

52.215-18 REVERSION OR ADJUSTMENT OF PLANS FOR POSTRETIREMENT BENEFITS (PRB) OTHER THAN PENSIONS (JUL 2005) (Applicable if this Contract meets the applicability requirements of FAR 15.408(j).)

52.215-19 NOTIFICATION OF OWNERSHIP CHANGES (OCT 1997) (Applies if this Contract meets the applicability requirements of FAR 15.408(k).)

52.215-20 REQUIREMENTS FOR CERTIFIED COST OR PRICING DATA AND DATA OTHER THAN CERTIFIED COST OR PRICING DATA (NOV 2021) Access to SUPPLIER's proprietary and confidential financial, proposal, and procurement records shall be limited to the US Government only.

52.215-21 REQUIREMENTS FOR CERTIFIED COST OR PRICING DATA AND DATA OTHER THAN CERTIFIED COST OR PRICING DATA - MODIFICATIONS (NOV 2021) Access to SUPPLIER's proprietary and confidential financial, proposal, and procurement records shall be limited to the US Government only.

52.215-23 LIMITATIONS ON PASS-THROUGH CHARGES. (JUN 2020).

52.216-2 ECONOMIC PRICE ADJUSTMENT STANDARD SUPPLIES. (JAN 1997)

52.216-16 INCENTIVE PRICE REVISION FIRM TARGET. (OCT 1997). (Applies to incentive type subcontracts. "Contracting Officer," "contract administrative office," and "Government" means "Contractor." Paragraph (i) is deleted. The blanks in the clause are completed with the amounts specified in the contract.)

52.216-17 INCENTIVE PRICE REVISION SUCCESSIVE TARGETS. (OCT 1997). (Applies to subcontracts with successive targets. "Contracting officer," "contract administrative office" and "Government" means "Contractor." Paragraph (k) is deleted. The blanks in the clause are completed with the amounts specified in the contract.)

52.219-8 UTILIZATION OF SMALL BUSINESS CONCERNS (OCT 2022)

52.219-9 ALT III - SMALL BUSINESS SUBCONTRACTING PLAN. (JAN 2017). (Applies if this contract exceeds \$700,000. Does not apply if Supplier is a small business concern. "Contracting Officer" means "Contractor" in paragraph (c). Supplier's subcontracting plan is incorporated herein by reference.)

52.222-4 CONTRACT WORK HOURS AND SAFETY STANDARDS - OVERTIME COMPENSATION (MAY 2018)
(Applies if the Contract may require or involve the employment of laborers and mechanics.)

52.222-21 PROHIBITION OF SEGREGATED FACILITIES (APR 2015)

52.222-26 EQUAL OPPORTUNITY (SEP 2016)

52.222-35 EQUAL OPPORTUNITY FOR VETERANS (JUN 2020) (Applies if this Contract is valued at or above the threshold specified in FAR 22.1303(a) on the date of this Contract.)

52.222-36 EQUAL OPPORTUNITY FOR WORKERS WITH DISABILITIES (JUN 2020) (Applies if this contract exceeds the threshold specified in FAR 22.1408(a) on the date of award of this Contract.)

52.222-37 EMPLOYMENT REPORTS ON VETERANS (JUN 2020) (Applies if this Contract is valued at or above the threshold specified in FAR 22.1303(a) on the date of this Contract.)

52.222-40 NOTIFICATION OF EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT (DEC 2010) (Applies if this Contract exceeds \$10,000.)

52.222-41 SERVICE CONTRACT LABOR STANDARDS (AUG 2018) (Applies if this Contract is for services subject to the Service Contract Act. The clause does not apply if this Contract has been administratively exempted by the Secretary of Labor or exempted by 41 U.S.C. 356, as interpreted in Subpart C of 29 CFR Part 4.)

52.222-50 COMBATING TRAFFICKING IN PERSONS (NOV 2021)

52.222-54 EMPLOYMENT ELIGIBILITY VERIFICATION (MAY 2022) (Applies if this Contract exceeds \$3,500 except for commercial services that are part of the purchase of a COTS item (or an item that would be a COTS item, but for minor modifications), performed by the COTS provider, and are normally provided for that COTS item.)

52.222-55 MINIMUM WAGES FOR CONTRACTOR WORKERS UNDER EXECUTIVE ORDER 14026 (JAN 2022)
(Applies if this Contract is subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute and is to be performed in whole or in part in the United States. "Contracting Officer" means "CONTRACTOR.")

52.222-62 PAID SICK LEAVE UNDER EXECUTIVE ORDER 13706 (JAN 2022) (Applies if this Contract is subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute and are to be performed in whole or in part in the United States.)

52.222-99 ESTABLISHING A MINIMUM WAGE FOR CONTRACTORS (DEVIATION 2014-O0017) (JUN 2014). ("Contracting Officer" means "Contractor.")

52.223-3 HAZARDOUS MATERIAL IDENTIFICATION AND MATERIAL SAFETY DATA (FEB 2021) (Applies if this Contract involves hazardous material.

52.223-7 NOTICE OF RADIOACTIVE MATERIALS (JAN 1997) (Applies to Work containing covered radioactive material. In the blank insert "30".

52.223-11 OZONE-DEPLETING SUBSTANCES AND HIGH GLOBAL WARMING POTENTIAL HYDROFLUORCARBONS (JUN 2016) (Applies if the Work was manufactured with or contains ozone-depleting substances.)

52.223-15 ENERGY EFFICIENCY IN ENERGY-CONSUMING PRODUCTS. (MAY 2020).

52.223-18 ENCOURAGING CONTRACTOR POLICIES TO BAN TEXT MESSAGING WHILE DRIVING (JUN 2020) (Applies if this Contract exceed the micro-purchase threshold as defined in FAR 2-101 on the date of award of this Contract.

52.224-2 PRIVACY ACT. (Applies if this contract is for the design, development, or operation of such a system of records.) (APR 1984).

52.224-3 PRIVACY TRAINING (JAN 2017) (Applies if SUPPLIER will (1) have access to a system of records; (2) create, collect, use, process, store, maintain, disseminate, disclose, dispose, or otherwise handle personally identifiable information; or (3) design, develop, maintain, or operate a system of records.

52.225-1 BUY AMERICAN - SUPPLIES (OCT 2022) (Applies if the Work contains other than domestic components.

52.225-3 BUY AMERICAN-FREE TRADE AGREEMENTS-ISRAELI TRADE ACT. (MAY 2014).

52.225-5 TRADE AGREEMENTS (DEC 2022) (Applies if the Work contains other than U.S. made or designated country end products as specified in the clause.)

52.225-8 DUTY FREE ENTRY (OCT 2010) (Applies if Work will be imported into the Customs Territory of the United States.

52.225-13 RESTRICTIONS ON CERTAIN FOREIGN PURCHASES (FEB 2021)

52.227-1 AUTHORIZATION AND CONSENT (JUN 2020) (Applies only if the Prime Contract contains this clause.)

52.227-1 ALT I AUTHORIZATION AND CONSENT. (Applies if subcontract exceeds \$25,000.) (APR 1984).

52.227-2 NOTICE AND ASSISTANCE REGARDING PATENT AND COPYRIGHT INFRINGEMENT (JUN 2020) (Applies if this Contract exceeds the simplified acquisition threshold.

52.227-9 REFUND OF ROYALTIES (APR 1984) (Applies when reported royalty exceeds \$250.

52.227-10 FILING OF PATENT APPLICATIONS-CLASSIFIED SUBJECT MATTER (DEC 2007) (Applies if the Work or any patent application may cover classified subject matter.)

52.227-14 RIGHTS IN DATA - GENERAL (MAY 2014) (Does not apply if DFARS 252.227-7013 applies).

52.227-21 TECHNICAL DATA DECLARATION, REVISION, AND WITHHOLDING OF PAYMENT-MAJOR SYSTEMS. (MAY 2014). ("Contracting Officer" means "Contractor." "Government" means "Contractor" in paragraph (b)(2) and "Contractor or Government" in paragraph (d).)

52.228-5 INSURANCE -- WORK ON A GOVERNMENT INSTALLATION (JAN 1997) (Applies if this Contract involves Work on a Government installation.)

52.230-2 COST ACCOUNTING STANDARDS (JUN 2020) (Applies when the Contract states that it is subject to full CAS coverage. "United States or Contractor." Paragraph (b) is deleted. The following is added as a new paragraphs (e): "Supplier shall communicate and otherwise deal directly with the cognizant Contracting Officer to the extent practicable and permissible as to all matters related to Cost Accounting Standards. Supplier shall provide Contractor with copies of all communications concerning CAS between the Contracting Officer if such are relevant to this Contract; provided however, Supplier shall not be required to disclose to Contractor such communications containing information which is privileged and confidential to Supplier."

52.230-3 DISCLOSURE AND CONSISTENCY OF COST ACCOUNTING PRACTICES (JUN 2020) (Applies only when referenced in this Contract that modified CAS coverage applies. "United States" means "United States or CONTRACTOR." Delete paragraph (b) of the clause.) However, audit of and access to SUPPLIER's proprietary financial data shall be limited to the US Government and SUPPLIER's disclosure statement shall only be released to the US Government.

52.230-4 DISCLOSURE AND CONSISTENCY OF COST ACCOUNTING PRACTICES -- FOREIGN CONCERNS (JUN 2020) (Applies only when referenced in this Contract, modified CAS coverage applies.)

52.230-5 COST ACCOUNTING STANDARDS -- EDUCATIONAL INSTITUTIONS (JUN 2020) (Applies only when referenced in this Contract that this CAS clause applies. "United States" means "United States or CONTRACTOR." Delete paragraph (b) of the clause.) However, audit of and access to SUPPLIER's proprietary financial data shall be limited to the US Government and SUPPLIER's disclosure statement shall only be released to the US Government.

52.230-6 ADMINISTRATION OF COST ACCOUNTING STANDARDS (JUN 2010) (Applies if FAR 52.230-2, FAR 52.230-3, FAR 52.230-4 or FAR 52.230-5 applies.)

52.232-7 PAYMENTS UNDER TIME-AND-MATERIALS AND LABOR-HOUR CONTRACTS. (AUG 2012). (Applies to Time and Materials subcontracts. "Government" and "Contracting Officer" mean "Contractor." The third sentence of paragraph (a)(8) is deleted. In paragraph (f) "one year" is changed to "six months," and in paragraph (g)(2) "6 years" is changed to "five years." Paragraphs (c) and (i) are deleted. The reference to the Allowable Cost and Payment clause in paragraph (b)(4) means FAR 52.216-7 which is incorporated into this contract by reference.)

52.232-16 PROGRESS PAYMENTS. (Applicable if progress payments are to be paid to subcontractors. (NOV 2021). "Contracting Officer" means "Contractor" except in paragraph (g) where it means "Contractor or Contracting Officer." "Government" means "Contractor" except: (1) in paragraphs (d), (e) and (j)(5) where the term is unchanged and (2) in paragraphs (g) and (i) where it means "Contractor and the Government.")

52.232-17 INTEREST. (MAY 2014) (Does not apply to subcontracts for Commercial Items as defined by FAR 2.101. "Government" means "Contractor.")

52.232-39 UNENFORCEABILITY OF UNAUTHORIZED OBLIGATIONS. (JUN 2013)

52.232-40 PROVIDING ACCELERATED PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS (MAR 2023) (Applies if SUPPLIER is a small business concern. This clause does not apply if CONTRACTOR does not receive accelerated payments under the prime contract. Not all agencies provide accelerated payments.)

52.233-3 PROTEST AFTER AWARD (AUG 1996) (In the event CONTRACTOR's customer has directed CONTRACTOR to stop performance of the Work under the Prime Contract under which this Contract is issued pursuant to FAR 33.1, CONTRACTOR may, by written order to SUPPLIER, direct SUPPLIER to stop performance of the Work called for by this Contract. "30 days" means "20 days" in paragraph (b)(2).

52.234-1 INDUSTRIAL RESOURCES DEVELOPED UNDER TITLE III, DEFENSE PRODUCTION ACT (SEP 2016)

52.234-4 EARNED VALUE MANAGEMENT SYSTEM. (NOV 2016). (Applicable to subcontractors identified by name in subsection (g) of the clause. Subsection (g) is completed as follows _____ *****
_____ Not applicable to Commercial Items as defined in FAR 2.101. The terms "Contracting Officer" and "Government" include Contractor.)

52.237-2 PROTECTION OF GOVERNMENT BUILDINGS, EQUIPMENT AND VEGETATION (APR 1984) (Applies if Work is performed on a Government installation.

52.242-13 BANKRUPTCY (JUL 1995)

52.242-15 STOP-WORK ORDER (AUG 1989)

52.243-1 CHANGES - FIXED PRICE (AUG 1987) Alternate I applies if this Contract is for services. Alternate II applies if this contract is for supplies and services.)

52.243-2 ALT II CHANGES-COST-REIMBURSEMENT. (APR 1984). ("Contracting Officer" and "Government" mean "Contractor." In paragraph (a) add as subparagraph (4) "Delivery schedule." In paragraph (d) the reference to the disputes clause is deleted. Does not apply to subcontracts for Commercial Items as defined by FAR 2.101.)

52.243-1 ALT V CHANGES-FIXED-PRICE. (APR 1984). ("Contracting Officer" and "Government" mean "Contractor." In paragraph (a) add as subparagraph (4) "Delivery schedule." In paragraph (e) the reference to the disputes clause is deleted.)

52.243-6 CHANGE ORDER ACCOUNTING (APR 1984) (Applies if the Prime Contract requires Change Order Accounting.

52.244-5 COMPETITION IN SUBCONTRACTING (DEC 1996)

52.244-6 SUBCONTRACTS FOR COMMERCIAL ITEMS (JUN 2020)

52.245-1 GOVERNMENT PROPERTY (SEPT 2021) ("Contracting Officer" means "CONTRACTOR" except in the definition of Property Administrator and in paragraphs (h)(1)(iii) where it is unchanged, and in paragraphs (c) and (h)(4) where it includes CONTRACTOR. "Government" is unchanged in the phrases "Government property" and "Government furnished property" and where elsewhere used except in paragraph (d)(1) where it means "CONTRACTOR" and except in paragraphs (d)(2) and (g) where the term includes CONTRACTOR. The following is added as paragraph (n) "SUPPLIER shall provide to CONTRACTOR immediate notice if the Government or other customers (i) revokes its assumption of loss under any direct contracts with SUPPLIER, or (ii) makes a determination that SUPPLIER's property management practices are inadequate, and/or present an undue risk, or that SUPPLIER has failed to take corrective action when required.")

52.245-9 USE AND CHARGES. (APR 2012). (Applicable where subcontract will involve the use of government property. Communications with the Government under this clause will be made through Contractor.)

52.246-2 INSPECTION OF SUPPLIES - FIXED PRICE (AUG 1996)

52.246-4 INSPECTION OF SERVICES - FIXED PRICE (AUG 1996)

52.246-6 INSPECTION TIME-AND-MATERIAL AND LABOR-HOUR. (MAY 2001)

52.246-7 INSPECTION OF RESEARCH AND DEVELOPMENT FIXED-PRICE. (AUG 1996) ("Government" means "Contractor and the Government " in paragraphs (a), (b) and (c). "Government" means "Contractor" in paragraphs (d), (e), and (f). "Contracting Officer" means "Contractor." Not applicable to Commercial Items as defined in FAR 2.101.)

52.246-8 INSPECTION OF RESEARCH AND DEVELOPMENT COST-REIMBURSEMENT. (MAY 2001). ("Government" means "Contractor" except (1) in paragraphs (b), (c) and (d) where it means "Contractor and the Government." and (2) in paragraph (k) where the term is unchanged. Not applicable to Commercial Items as defined in FAR 2.101.)

52.246-11 HIGHER-LEVEL CONTRACT QUALITY REQUIREMENT. (DEC 2014)

52.246-24 LIMITATION OF LIABILITY – HIGH VALUE ITEMS (FEB 1997) (Applies to the F-35, F-22, F-16, C-130 and C-5 Programs only. Paragraph F.(2) Additional Provisions applies to all new programs and ADP programs. Applies to high value line items only. For the purpose of this clause an item is a high value item if the unit cost of the item exceeds \$100,000. The reference to Government acceptance shall mean "acceptance by the Government of the Prime Contract end item containing SUPPLIER's items.")

52.246-25 LIMITATION OF LIABILITY – SERVICES (FEB 1997) (Applies to the F-35, F-22, F-16, C-130 and C-5 Programs only. Paragraph F.(2) Additional Provisions applies to all new programs and ADP programs. In paragraph (a) the phrase "services delivered under this contract" means "services delivered under the Prime Contract.")

52.246-26 REPORTING NONCONFORMING ITEMS. (NOV 2021). (Applies if this contract is for the items listed in paragraph (g) of the clause. Copies of reports provided under this clause shall be provided to Contractor as well as the Contracting Officer. Supplier shall notify Contractor when it issues a GIDEP report pursuant to this clause.)

52.247-63 PREFERENCE FOR U.S.-FLAG AIR CARRIERS (JUN 2003) (Applies if this Contract involves international air transportation.)

52.247-64 PREFERENCE FOR PRIVATELY OWNED U.S.-FLAG COMMERCIAL VESSELS (NOV 2021)

FAR 52.248-1 VALUE ENGINEERING (JUN 2020) (Applies if this Contract exceeds the simplified acquisition threshold, as defined in FAR 2.101 on the date of award of this Contract.

52.249-2 TERMINATION FOR CONVENIENCE OF THE GOVERNMENT (FIXED-PRICE) (APR 2012)

52.249-5 TERMINATION FOR CONVENIENCE OF THE GOVERNMENT (EDUCATIONAL AND OTHER NONPROFIT INSTITUTIONS) (AUG 2016) (Applies in lieu of FAR 52.249-2 if this Contract is for research and development work with an educational or nonprofit institution on a no-profit or no-fee basis.

52.249-8 DEFAULT (FIXED-PRICE SUPPLY AND SERVICE) (APR 1984)

52.249-9 DEFAULT (Fixed-Price Research and Development). (APR 1984). ("Government" and "Contracting Officer" mean "Contractor" except in paragraph (c) where the term "Government" is unchanged.)

2. DFAR CLAUSES

252.203-7001 PROHIBITION ON PERSONS CONVICTED OF FRAUD OR OTHER DEFENSE CONTRACT-RELATED FELONIES (JAN 2023) (Applies if this Contract exceeds the simplified acquisition threshold. The terms "contract," "contractor," and "subcontract" shall not change in meaning in paragraphs (a) and (d). Delete paragraph

(g). In paragraph (e), the remedies described in subparagraphs (2) and (3) are available to Contractor not the Government.

252.203-7002 REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS (DEC 2022)

252.203-7003 AGENCY OFFICE OF THE INSPECTOR GENERAL (AUG 2019) (Applies when FAR 52.203-13 applies to this Contract.)

252.203-7004 DISPLAY OF HOTLINE POSTERS (JAN 2023) (Applies in lieu of FAR 52.203-14. Applies if this Contract exceeds the threshold at DFARS 203.1004(b)(2)(ii)).

252.203-7004 DISPLAY OF HOTLINE POSTERS. (OCT 2016). (Applicable to subcontracts in excess of \$5.5M except subcontracts performed entirely outside the United States. Contact the Contractor Authorized Procurement Representative for the identity of the location specified in subparagraph (b)(2) of the clause.)

252.204-7000 DISCLOSURE OF INFORMATION. (OCT 2016). (In paragraph (b) "Contracting Officer" means "Contractor" and "10 days" means "20 days.")

252.204-7004 ANTITERRORISM AWARENESS TRAINING FOR CONTRACTORS. (JAN 2023). (Applicable to all all subcontracts where performance requires routine physical access to a Federally-controlled facility or military installation.)

252.204-7009 LIMITATIONS ON THE USE AND DISCLOSURE OF THIRD-PARTY CONTRACTOR REPORTED CYBER INCIDENT INFORMATION (JAN 2023) (Applies if this Contract involves services that include support for the Government's activities related to safeguarding covered defense information and cyber incident reporting.)

252.204-7012 SAFEGUARDING COVERED DEFENSE INFORMATION AND CYBER INCIDENT REPORTING (JAN 2023) (Applies if this Contract is for operationally critical support or for which performance will involve covered defense information. SUPPLIER shall furnish CONTRACTOR copies of cyber incident notices provided to the Contracting Officer at the time such cyber incident notices are sent. SUPPLIER shall also furnish CONTRACTOR copies of any reports SUPPLIER receives from its lower tier subcontractors.)

252.204-7015 NOTICE OF AUTHORIZED DISCLOSURE OF INFORMATION FOR LITIGATION SUPPORT (JAN 2023) (SUPPLIER's disclosure of proprietary and confidential financial, proposal, and procurement records shall only be released to the US Government.

252.204-7018 PROHIBITION ON THE ACQUISITION OF COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES (DEC 2020). (Copies if reports provided by Supplier under this clause will be provided to Contractor.)

252.204-7020 NIST SP 800-171 DOD ASSESSMENT REQUIREMENTS (Individual Deviation 2022-NA) (JUN 2022) (Applies except if this Contract is for commercial off the shelf items.)

252.208-7000 INTENT TO FURNISH PRECIOUS METALS AS GOVERNMENT-FURNISHED MATERIAL. (DEC 1991). (Applies if this contract involves precious metals.)

252.209-7010 CRITICAL SAFETY ITEMS. (AUG 2011)

252.211-7003 ITEM UNIQUE IDENTIFICATION AND VALUATION (JAN 2023) (Applies if this Contract requires the Work to contain unique item identification." Items subject to unique item identification are identified elsewhere in this Contract. All reports required to be submitted under this clause shall be submitted to CONTRACTOR. "Government" means "CONTRACTOR" except in the definition of "issuing agency" in paragraph (a).)

252.211-7007 REPORTING OF GOVERNMENT-FURNISHED PROPERTY. (AUG 2012). (Applies if Supplier will be in possession of Government property for the performance of this contract.)

252.211-7008 USE OF GOVERNMENT-ASSIGNED SERIAL NUMBERS. (SEP 2010). (Applies if Supplier will be in possession of Government property for the performance of this contract.)

252.215-7008 ONLY ONE OFFER (DEC 2022) (Applies if this subcontract exceeds the simplified acquisition threshold.)

252.215-7010 REQUIREMENTS FOR CERTIFIED COST OR PRICING DATA AND DATA OTHER THAN CERTIFIED COST OR PRICING DATA (JAN 2023) This clause applies in lieu of FAR 52.215-20. Contracting Officer means "CONTRACTOR" except in paragraph (b)(ii)(E).

252.216-7004 AWARD FEE REDUCTION OR DENIAL FOR JEOPARDIZING THE HEALTH OR SAFETY OF GOVERNMENT PERSONNEL. (SEP 2011) (Supplier shall reimburse Contractor for any reduction in fees under the prime contract to the extent Supplier's acts or omissions are responsible for covered incidents pursuant to this clause.)

252.216-7009 ALLOWABILITY OF LEGAL COSTS INCURRED IN CONNECTION WITH A WHISTLEBLOWER PROCEEDING. (SEP 2013). (Does not apply to subcontracts for Commercial Items as defined by FAR 2.101.)

252.219-7004 SMALL BUSINESS SUBCONTRACTING PLAN (test program). (OCT 2014).

252.222-7006 RESTRICTIONS ON THE USE OF MANDATORY ARBITRATION AGREEMENTS (JAN 2023) (The certification in paragraph (b)(2) applies to both SUPPLIER in its own capacity and to SUPPLIER's covered subcontractors.)

252.223-7001 HAZARD WARNING LABELS (DEC 1991) (Applies if this Contract requires the delivery of hazardous materials.)

252.223-7002 SAFETY PRECAUTIONS FOR AMMUNITION AND EXPLOSIVES (MAY 1994) (Applies only if the articles furnished under this Contract contain ammunition or explosives, including liquid and solid propellants.)

252.223-7003 CHANGE IN PLACE OF PERFORMANCE - AMMUNITION AND EXPLOSIVES (DEC 1991) (Applies if DFARS 252.223-7002 applies to this Contract.)

252.223-7006 PROHIBITION ON STORAGE, TREATMENT, AND DISPOSAL OF TOXIC OR HAZARDOUS MATERIALS. (SEP 2014). (Applicable to subcontracts that require, may require, or permit the subcontractor to treat or dispose of non-DoD-owned toxic or hazardous materials as defined in the clause. "Government" means "Contractor and Government." Not applicable to Commercial Items as defined in FAR 2.101.)

252.223-7007 SAFEGUARDING SENSITIVE CONVENTIONAL ARMS, AMMUNITION, AND EXPLOSIVES (SEP 1999) (Applies if this Contract is for the development, production, manufacture, or purchase of arms, ammunition, and explosives or when arms, ammunition, and explosives will be provided to SUPPLIER as Government Furnished Property.)

252.223-7008 PROHIBITION OF HEXAVALENT CHROMIUM (JAN 2023)

252.225-7001 BUY AMERICAN AND BALANCE OF PAYMENTS PROGRAM (JAN 2023) (Applies if the Work contains other than domestic components. Applies in lieu of FAR 52.225-1.)

252.225-7007 PROHIBITION ON ACQUISITION OF CERTAIN ITEMS FROM COMMUNIST CHINESE MILITARY COMPANIES (DEC 2018) Applies if this contract is for an item on the United States Munitions List or the 600 series of the Commerce Control List.)

252.225-7009 RESTRICTION ON ACQUISITION OF CERTAIN ARTICLES CONTAINING SPECIALTY METALS (JAN 2023) (Applies if the Work to be furnished contains specialty metals. Paragraph (d) is deleted.)

252.225-7012 PREFERENCE FOR CERTAIN DOMESTIC COMMODITIES (APR 2022)

252.225-7013 DUTY-FREE ENTRY (DEC 2022)

252.225-7016 RESTRICTION ON ACQUISITION OF BALL AND ROLLER BEARINGS (JAN 2023) (Applies if Work supplied under this Contract contains ball or roller bearings.)

252.225-7021 TRADE AGREEMENTS (JAN 2023) (Applies if the Work contains other than U.S.-made, qualifying country, or designated country end products. Applies in lieu of FAR 52.225-5.)

252.225-7033 WAIVER OF UNITED KINGDOM LEVIES (APR 2003) (Applies if this Contract is with a United Kingdom firm.)

252.225-7043 ANTITERRORISM/FORCE PROTECTION FOR DEFENSE CONTRACTORS OUTSIDE THE UNITED STATES (JUN 2015) (Applies where SUPPLIER will be performing or traveling outside the U.S. under this Contract. For paragraph (c), see applicable information cited in DFARS 225.7401.)

252.225-7047 EXPORTS BY APPROVED COMMUNITY MEMBERS IN PERFORMANCE OF THE CONTRACT. (JUN 2013). (Applicable to subcontracts that may require exports or transfers of qualifying defense articles in connection with deliveries under the contract.)

252.225-7048 EXPORT-CONTROLLED ITEMS (JUN 2013)

252.225-7052 RESTRICTION ON THE ACQUISITION OF CERTAIN MAGNETS, TANTALUM, AND TUNGSTEN. (JAN 2023). (Applicable to all all subcontracts that are for items containing a covered material, as defined by the clause.)

252.225-7056 PROHIBITION REGARDING BUSINESS OPERATIONS WITH THE MADURO REGIME (JAN 2023)

252.225-7058 POSTAWARD DISCLOSURE OF EMPLOYMENT OF INDIVIDUALS WHO WORK IN THE PEOPLE'S REPUBLIC OF CHINA. (JAN 2023). (Applies to all subcontracts that meet the definition of a covered contract. Insert this clause, including this paragraph (c), without alteration other than to identify the appropriate parties.)

252.225-7060 PROHIBITION ON CERTAIN PROCUREMENTS FROM THE XINJIANG UYGHUR AUTONOMOUS REGION (JAN 2023)

252.225-7972 PROHIBITION ON THE PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYATEMS (Deviation 2020-O0015) (May 2020)

252.226-7001 UTILIZATION OF INDIAN ORGANIZATIONS, INDIAN-OWNED ECONOMIC ENTERPRISES AND NATIVE HAWAIIAN SMALL BUSINESS CONCERNS (JAN 2023) (Applies if this Contract exceeds \$500,000.)

252.227-7013 RIGHTS IN TECHNICAL DATA -- NONCOMMERCIAL ITEMS (JAN 2023) (Applies in lieu of FAR 52.227-14.)

252.227-7014 RIGHTS IN NONCOMMERCIAL COMPUTER SOFTWARE AND NONCOMMERCIAL COMPUTER SOFTWARE DOCUMENTATION (JAN 2023) (Applies in lieu of FAR 52.227-14.)

DFARS 252.227-7015 TECHNICAL DATA -- COMMERCIAL ITEMS (JAN 2023) (Applies to commercial items delivered under this Contract)

252.227-7016 RIGHTS IN BID OR PROPOSAL INFORMATION (JAN 2023)**252.227-7019 VALIDATION OF ASSERTED RESTRICTIONS - COMPUTER SOFTWARE (JAN 2023)****252.227-7025 LIMITATIONS ON THE USE OR DISCLOSURE OF GOVERNMENT-FURNISHED INFORMATION MARKED WITH RESTRICTIVE LEGENDS (JAN 2023)**

252.227-7026 DEFERRED DELIVERY OF TECHNICAL DATA OR COMPUTER SOFTWARE (APR 1988) This clause, if included in CONTRACTOR's prime contract, applies to technical data or computer software identified as deferred delivery data or computer software in Contractor's prime contract and included in Supplier's contract with CONTRACTOR and such deferred delivery data or computer software pertains to this Contract. CONTRACTOR may require delivery of deferred delivery data or computer software only on behalf of the US Government and, at SUPPLIER's request, CONTRACTOR shall provide evidence of such request from the US Government.

252.227-7028 TECHNICAL DATA OR COMPUTER SOFTWARE PREVIOUSLY DELIVERED TO THE GOVERNMENT (JUN 1995) (The definitions for "contract" and "subcontract" shall not apply herein, except for the first reference to contract.)

252.227-7030 TECHNICAL DATA - WITHHOLDING OF PAYMENT (MAR 2000)**252.227-7037 VALIDATION OF RESTRICTIVE MARKINGS ON TECHNICAL DATA (JAN 2023)**

252.227-7038 PATENT RIGHTS - OWNERSHIP BY THE CONTRACTOR (LARGE BUSINESS) (JUN 2012) (Applies if (1) SUPPLIER is not small business or nonprofit organization subject to FAR 52.227-11, and (2) the Contract is for experimental, developmental, or research work. FAR 52.227-13 applies in lieu of this clause if SUPPLIER is not located in the United States or does not have a place of business located in the United States or is subject to the control of a foreign government.)

252.228-7001 GROUND AND FLIGHT RISK. (JUN 2010). (In paragraph (a)(1)(i) "this contract" means "the prime contract." The following is added at the beginning of the clause: "Communications between Supplier and the Government shall be made through Contractor. Any equitable adjustment provided for this clause shall be implemented in this contract to the extent such adjustment is implemented in the prime contract." Subparagraphs (d)(2)(ii), (d)(3)(ii) and the last sentence of subparagraph (j)(2) are deleted.)

252.228-7005 MISHAP REPORTING AND INVESTIGATION INVOLVING AIRCRAFT, MISSILES, AND SPACE LAUNCH VEHICLES (NOV 2019)**252.231-7000 SUPPLEMENTAL COST PRINCIPLES (DEC 1991)**

252.232-7017 ACCELERATING PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS - PROHIBITION ON FEES AND CONSIDERATION. (JAN 2023). (Applicable to all subcontracts with small business concerns.)

252.234-7002A EARNED VALUE MANAGEMENT SYSTEM. (DEVIATION 2015-O0017) ("Government" means "Contractor and Government." Paragraphs (i) and (j) are deleted.)

252.234-7004 COST AND SOFTWARE DATA REPORTING SYSTEM. (NOV 2014). (Applicable to subcontracts at any tier in excess of \$50,000,000. Not applicable to Commercial Items as defined in FAR 2.101. In paragraph (b), "Government" means Contractor.)

252.235-7003 FREQUENCY AUTHORIZATION - BASIC (MAR 2014). (Applies if this Contract requires developing, producing, constructing, testing, or operating a device requiring a frequency authorization.)

252.235-7003 ALT I (MAR 2014). Frequency Authorization. (Applies if this contract requires the development, production, construction, testing, or operation of a device for which a radio frequency authorization is required. "Contracting Officer" means "Contractor." Does not apply to subcontracts for Commercial Items as defined by FAR 2.101.)

252.235-7004 PROTECTION OF HUMAN SUBJECTS. (JUL 2009). (Applies to subcontracts that may include research involving human subjects in accordance with 32 CFR Part 219, DoD Directive 3216.02, and 10 U.S.C. 980, including research that meets exemption criteria under 32 CFR 219.101(b). This clause does not apply to subcontracts that involve only the use of cadaver materials.)

252.239-7001 INFORMATION ASSURANCE CONTRACTOR TRAINING AND CERTIFICATION. (JAN 2008)

252.243-7001 PRICING OF CONTRACT MODIFICATIONS (DEC 1991) (Applies if this is a fixed price contract).

252.243-7002 REQUESTS FOR EQUITABLE ADJUSTMENT. (DEC 2012). (Applies to subcontracts over \$150,000. Not applicable to subcontracts for Commercial Items as defined by FAR 2.101. "Government" means "Contractor.")

252.244-7000 SUBCONTRACTS FOR COMMERCIAL ITEMS (JAN 2023)

252.244-7001 CONTRACTOR PURCHASING SYSTEM ADMINISTRATION. (MAY 2014)

252.245-7001 TAGGING, LABELING, AND MARKING OF GOVERNMENT-FURNISHED PROPERTY. (APR 2012). (Applies if Supplier will be in possession of Government property for the performance of this contract and items are subject to serialized tracking.)

252.245-7004 REPORTING, REUTILIZATION, AND DISPOSAL. (SEP 2016). (Applies if Supplier will be in possession of Government property for the performance of this contract. "Contracting Officer" means Contractor.)

252.246-7003 NOTIFICATION OF POTENTIAL SAFETY ISSUES (JAN 2023) (Applies if this Contract is for (i) parts identified as critical safety items; (ii) systems and subsystems, assemblies, and subassemblies integral to a system; or (iii) repair, maintenance, logistics support, or overhaul services for systems and subsystems, assemblies, subassemblies, and parts integral to a system. SUPPLIER shall provide notifications to CONTRACTOR and the contracting officer identified to SUPPLIER.)

252.246-7007 CONTRACTOR COUNTERFEIT ELECTRONIC PART DETECTION AND AVOIDANCE SYSTEM (JAN 2023) (Paragraphs (a) through (e) apply.

252.246-7008 SOURCES OF ELECTRONIC PARTS (JAN 2023) (Applies if this contract is for electronic parts or assemblies containing electronic parts, unless SUPPLIER is the original manufacturer.

252.247-7023 TRANSPORTATION OF SUPPLIES BY SEA - BASIC (JAN 2023) (Applies in lieu of FAR 52.247-64 in all Contracts for ocean transportation of supplies. In the first sentence of paragraph (g), insert a period after "Contractor" and delete the balance of the sentence. Paragraph (f) and (g) shall not apply if this Contract is at or below the simplified acquisition threshold.