

FA8102-22-D-004_P00002_HFCGS Program Flowdowns_05-16-2024

U.S. GOVERNMENT CLAUSES

Prime Contract Number: FA8102-22-D-004

Modification Number: P00002

Date of Creation: 05-16-2024

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:

FAR CLAUSES

Reference	Date	Clause
52.246-1	APR 1984	CONTRACTOR INSPECTION REQUIREMENTS
52.246-4	AUG 1996	INSPECTION OF SERVICES--FIXED-PRICE
52.246-5	APR 1984	INSPECTION OF SERVICES--COST-REIMBURSEMENT
52.246-16	APR 1984	RESPONSIBILITY FOR SUPPLIES
FAR 46.401(b), FAR 46.503	SEP 1999	INSPECTION AND ACCEPTANCE
52.211-8	JUN 1997	TIME OF DELIVERY
52.242-15	AUG 1989	STOP-WORK ORDER
52.242-15	APR 1984	STOP-WORK ORDER Alt 1
52.242-17	APR 1984	GOVERNMENT DELAY OF WORK
52.202-1	JUN 2020	DEFINITIONS
52.203-3	APR 1984	GRATUITIES
52.203-5	MAY 2014	COVENANT AGAINST CONTINGENT FEES
52.203-6	JUN 2020	RESTRICTIONS ON SUBCONTRACTOR SALES TO THE GOVERNMENT
52.203-7	JUN 2020	ANTI-KICKBACK PROCEDURES
52.203-8	MAY 2014	CANCELLATION, RESCISSION, AND RECOVERY OF FUNDS FOR ILLEGAL OR IMPROPER ACTIVITY
52.203-10	MAY 2014	PRICE OR FEE ADJUSTMENT FOR ILLEGAL OR IMPROPER ACTIVITY
52.203-12	JUN 2020	LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS
52.203-13	NOV 2021	CONTRACTOR CODE OF BUSINESS ETHICS AND CONDUCT
52.203-19	JAN 2017	PROHIBITION ON REQUIRING CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS
52.204-4	MAY 2011	PRINTED OR COPIED DOUBLE-SIDED ON RECYCLED PAPER
52.204-9	JAN 2011	PERSONAL IDENTITY VERIFICATION OF CONTRACTOR PERSONNEL
52.204-13	OCT 2018	SYSTEM FOR AWARD MANAGEMENT MAINTENANCE
52.204-18	AUG 2020	COMMERCIAL AND GOVERNMENT ENTITY CODE MAINTENANCE
52.204-19	DEC 2014	INCORPORATION BY REFERENCE OF REPRESENTATIONS AND CERTIFICATIONS
52.204-21	NOV 2021	BASIC SAFEGUARDING OF COVERED CONTRACTOR INFORMATION SYSTEMS
52.204-23	NOV 2021	PROHIBITION ON CONTRACTING FOR HARDWARE, SOFTWARE, AND SERVICES DEVELOPED OR PROVIDED BY KASPERSKY LAB AND OTHER COVERED ENTITIES
52.204-25	NOV 2021	PROHIBITION ON CONTRACTING FOR CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT
52.209-6	NOV 2021	PROTECTING THE GOVERNMENT'S INTEREST WHEN SUBCONTRACTING WITH CONTRACTORS DEBARRED, SUSPENDED, OR PROPOSED FOR DEBARMENT
52.209-9	OCT 2018	UPDATES OF PUBLICLY AVAILABLE INFORMATION REGARDING RESPONSIBILITY MATTERS
52.209-10	NOV 2015	PROHIBITION ON CONTRACTING WITH INVERTED DOMESTIC CORPORATIONS
52.210-1	NOV 2021	MARKET RESEARCH

Reference	Date	Clause
52.211-5	AUG 2000	MATERIAL REQUIREMENTS
52.211-15	APR 2008	DEFENSE PRIORITY AND ALLOCATION REQUIREMENTS
52.215-2	JUN 2020	AUDIT AND RECORDS--NEGOTIATION
52.215-8	OCT 1997	ORDER OF PRECEDENCE--UNIFORM CONTRACT FORMAT
52.215-23	JUN 2020	LIMITATIONS ON PASS-THROUGH CHARGES
52.216-7	AUG 2018	ALLOWABLE COST AND PAYMENT
52.216-8	JUN 2011	INCENTIVE FEE
52.216-11	APR 1984	COST CONTRACT--NO FEE
52.216-16	JAN 2022	INCENTIVE PRICE REVISION--FIRM TARGET
52.216-18	AUG 2020	ORDERING
52.216-19	OCT 1995	ORDER LIMITATIONS
52.216-22	OCT 1995	INDEFINITE QUANTITY
52.217-2	OCT 1997	CANCELLATION UNDER MULTIYEAR CONTRACTS
52.217-8	NOV 1999	OPTION TO EXTEND SERVICES
52.217-9	MAR 2000	OPTION TO EXTEND THE TERM OF THE CONTRACT
52.219-4	SEP 2021	NOTICE OF PRICE EVALUATION PREFERENCE FOR HUBZONE SMALL BUSINESS CONCERNS
52.219-8	OCT 2018	UTILIZATION OF SMALL BUSINESS CONCERNS
52.219-9	NOV 2021	SMALL BUSINESS SUBCONTRACTING PLAN
52.219-16	SEP 2021	LIQUIDATED DAMAGES--SUBCONTRACTING PLAN
52.219-28	SEP 2021	POST-AWARD SMALL BUSINESS PROGRAM REREPRESENTATION
52.222-1	FEB 1997	NOTICE TO THE GOVERNMENT OF LABOR DISPUTES
52.222-3	JUN 2003	CONVICT LABOR
52.222-21	APR 2015	PROHIBITION OF SEGREGATED FACILITIES
52.222-26	SEP 2016	EQUAL OPPORTUNITY
52.222-35	JUN 2020	EQUAL OPPORTUNITY FOR VETERANS
52.222-36	JUN 2020	EQUAL OPPORTUNITY FOR WORKERS WITH DISABILITIES
52.222-37	JUN 2020	EMPLOYMENT REPORTS ON VETERANS
52.222-40	DEC 2010	NOTIFICATION OF EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT
52.222-41	AUG 2018	SERVICE CONTRACT LABOR STANDARDS
52.222-42	MAY 2014	STATEMENT OF EQUIVALENT RATES FOR FEDERAL HIRES
52.222-43	AUG 2018	FAIR LABOR STANDARDS ACT AND SERVICE CONTRACT LABOR STANDARDS--PRICE ADJUSTMENT (MULTIPLE YEAR AND OPTION CONTRACTS)
52.222-50	Nov 2021	COMBATING TRAFFICKING IN PERSONS
52.222-54	May 2022	EMPLOYMENT ELIGIBILITY VERIFICATION
52.222-55	JAN 2022	MINIMUM WAGES FOR CONTRACTOR WORKERS UNDER EXECUTIVE ORDER
52.222-62	JAN 2022	AID SICK LEAVE UNDER EXECUTIVE ORDER 13706
52.223-5	MAY 2011	POLLUTION PREVENTION AND RIGHT-TO-KNOW INFORMATION
52.223-6	MAY 2001	DRUG-FREE WORKPLACE
52.223-18	JUN 2020	ENCOURAGING CONTRACTOR POLICIES TO BAN TEXT MESSAGING WHILE DRIVING
52.225-13	FEB 2021	RESTRICTIONS ON CERTAIN FOREIGN PURCHASES
52.227-1	JUN 2020	AUTHORIZATION AND CONSENT
52.227-2	JUN 2020	NOTICE AND ASSISTANCE REGARDING PATENT AND COPYRIGHT INFRINGEMENT
52.228-5	JAN 1997	INSURANCE--WORK ON A GOVERNMENT INSTALLATION
52.228-7	MAR 1996	INSURANCE--LIABILITY TO THIRD PERSONS
52.229-4	FEB 2013	FEDERAL, STATE, AND LOCAL TAXES (STATE AND LOCAL ADJUSTMENTS
52.229-12	FEB 2021	TAX ON CERTAIN FOREIGN PROCUREMENTS

Reference	Date	Clause
52.230-6	JUN 2010	ADMINISTRATION OF COST ACCOUNTING STANDARDS
52.232-1	DEC 1991	SUPPLEMENTAL COST PRINCIPLES
52.232-8	FEB 2002	DISCOUNTS FOR PROMPT PAYMENT
52.232-11	APR 1984	EXTRAS
52.232-17	MAY 2014	INTEREST
52.232-18	APR 1984	AVAILABILITY OF FUNDS
52.232-20	APR 1984	LIMITATION OF COST
52.232-22	APR 1984	LIMITATION OF FUNDS
52.232-23	MAY 2014	ASSIGNMENT OF CLAIMS
52.232-25	JAN 2017	PROMPT PAYMENT
52.232-33	OCT 2018	PAYMENT BY ELECTRONIC FUNDS TRANSFER--SYSTEM FOR AWARD MANAGEMENT
52.232-39	JUN 2013	UNENFORCEABILITY OF UNAUTHORIZED OBLIGATIONS
52.232-40	NOV 2021	PROVIDING ACCELERATED PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS
52.233-1	MAY 2014	DISPUTES
52.233-3	AUG 1996	PROTEST AFTER AWARD
52.233-3	JUN 1985	PROTEST AFTER AWARD -- ALTERNATE I
52.233-4	OCT 2004	APPLICABLE LAW FOR BREACH OF CONTRACT CLAIM
52.237-2	APR 1984	PROTECTION OF GOVERNMENT BUILDINGS, EQUIPMENT, AND VEGETATION
52.237-3	JAN 1991	CONTINUITY OF SERVICES
52.242-1	APR 1984	NOTICE OF INTENT TO DISALLOW COSTS
52.242-4	JAN 1997	CERTIFICATION OF FINAL INDIRECT COSTS
52.242-5	JAN 2017	PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS
52.242-13	JUL 1995	BANKRUPTCY
52.243-1	AUG 1987	CHANGES--FIXED-PRICE
52.243-1	APR 1984	CHANGES--FIXED-PRICE -- ALTERNATE II
52.243-2	AUG 1987	CHANGES--COST-REIMBURSEMENT
52.243-2	APR 1984	CHANGES--COST-REIMBURSEMENT -- ALTERNATE I
52.243-2	APR 1984	CHANGES--COST-REIMBURSEMENT -- ALTERNATE II
52.244-2	JUN 2020	SUBCONTRACTS
52.244-5	DEC 1996	COMPETITION IN SUBCONTRACTING
52.244-6	JAN 2022	SUBCONTRACTS FOR COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES
52.245-1	SEP 2021	GOVERNMENT PROPERTY
52.245-9	APR 2012	USE AND CHARGES
52.246-23	FEB 1997	LIMITATION OF LIABILITY
52.246-24	FEB 1997	LIMITATION OF LIABILITY--HIGH-VALUE ITEMS
52.246-25	FEB 1997	LIMITATION OF LIABILITY--SERVICES
52.249-2	APR 2012	TERMINATION FOR CONVENIENCE OF THE GOVERNMENT (FIXED-PRICE)
52.249-6	MAY 2004	TERMINATION (COST-REIMBURSEMENT)
52.249-8	APR 1984	DEFAULT (FIXED-PRICE SUPPLY AND SERVICE)
52.249-14	APR 1984	EXCUSABLE DELAYS
52.252-2	FEB 1998	CLAUSES INCORPORATED BY REFERENCE
52.253-1	JAN 1991	COMPUTER GENERATED FORMS

DFARS CLAUSES

Reference	Date	Clause
252.201-7000	DEC 1991	CONTRACTING OFFICER'S REPRESENTATIVE
252.203-7000	SEP 2011	REQUIREMENTS RELATING TO COMPENSATION OF FORMER DOD OFFICIALS
252.203-7001	DEC 2008	PROHIBITION ON PERSONS CONVICTED OF FRAUD OR OTHER DEFENSE-CONTRACT-RELATED FELONIES
252.203-7002	SEP 2013	REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS
252.203-7003	AUG 2019	AGENCY OFFICE OF THE INSPECTOR GENERAL
252.203-7004	MAY 2019	DISPLAY OF HOTLINE POSTERS
252.204-7000	OCT 2016	DISCLOSURE OF INFORMATION
252.204-7002	APR 2020	PAYMENT FOR SUBLINE ITEMS NOT SEPARATELY PRICED
252.204-7003	APR 1992	CONTROL OF GOVERNMENT PERSONNEL WORK PRODUCT
252.204-7009	OCT 2016	LIMITATIONS ON THE USE OR DISCLOSURE OF THIRD-PARTY CONTRACTOR REPORTED CYBER INCIDENT INFORMATION
252.204-7012	DEC 2019	SAFEGUARDING COVERED DEFENSE INFORMATION AND CYBER INCIDENT REPORTING
252.204-7015	MAY 2016	NOTICE OF AUTHORIZED DISCLOSURE OF INFORMATION FOR LITIGATION SUPPORT
252.204-7018	JAN 2021	PROHIBITION ON THE ACQUISITION OF COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES
252.204-7020	MAR 2022	NIST SP 800-171 DOD ASSESSMENT REQUIREMENTS
252.204-7022	MAY 2021	EXPEDITING CONTRACT CLOSEOUT
252.205-7000	DEC 1991	PROVISION OF INFORMATION TO COOPERATIVE AGREEMENT HOLDERS
252.209-7004	MAY 2019	SUBCONTRACTING WITH FIRMS THAT ARE OWNED OR CONTROLLED BY THE GOVERNMENT OF A COUNTRY THAT IS A STATE SPONSOR OF TERRORISM
252.211-7003	MAR 2022	ITEM UNIQUE IDENTIFICATION AND VALUATION
252.211-7007	MAR 2022	REPORTING OF GOVERNMENT-FURNISHED PROPERTY
252.217-7028	DEC 1991	OVER AND ABOVE WORK
252.219-7003	DEC 2019	SMALL BUSINESS SUBCONTRACTING PLAN (DoD CONTRACTS)
252.219-7003	DEC 2019	SMALL BUSINESS SUBCONTRACTING PLAN (DoD CONTRACTS) ALT
252.219-7004	MAY 2019	SMALL BUSINESS SUBCONTRACTING PLAN (TEST PROGRAM)
252.222-7006	DEC 2010	RESTRICTIONS ON THE USE OF MANDATORY ARBITRATION AGREEMENTS
252.223-7006	SEP 2014	PROHIBITION ON STORAGE, TREATMENT, AND DISPOSAL OF TOXIC OR HAZARDOUS MATERIALS--BASIC
252.223-7008	JUN 2013	PROHIBITION OF HEXAVALENT CHROMIUM
252.225-7004	OCT 2020	REPORT OF INTENDED PERFORMANCE OUTSIDE THE UNITED STATES AND CANADA -- SUBMISSION AFTER AWARD
252.225-7009	DEC 2019	RESTRICTION ON ACQUISITION OF CERTAIN ARTICLES CONTAINING SPECIALTY METALS
252.225-7012	APR 2022	PREFERENCE FOR CERTAIN DOMESTIC COMMODITIES
252.225-7039	JUN 2016	DEFENSE CONTRACTORS PERFORMING PRIVATE SECURITY FUNCTIONS OUTSIDE THE UNITED STATES
252.225-7040	OCT 2015	CONTRACTOR PERSONNEL SUPPORTING U.S. ARMED FORCES DEPLOYED OUTSIDE THE UNITED STATES
252.225-7048	JUN 2013	EXPORT-CONTROLLED ITEMS
252.225-7052	OCT 2020	RESTRICTION ON THE ACQUISITION OF CERTAIN MAGNETS, TANTALUM, AND TUNGSTEN

Reference	Date	Clause
252.225-7972	MAY 2020	PROHIBITION ON THE PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS (DEVIATION 2020-O0015)
252.226-7001	APR 2019	UTILIZATION OF INDIAN ORGANIZATIONS, INDIAN-OWNED ECONOMIC ENTERPRISES, AND NATIVE HAWAIIAN SMALL BUSINESS CONCERNS
252.227-7013	FEB 2014	RIGHTS IN TECHNICAL DATA--NONCOMMERCIAL ITEMS
252.227-7014	FEB 2014	RIGHTS IN NONCOMMERCIAL COMPUTER SOFTWARE AND NONCOMMERCIAL COMPUTER SOFTWARE DOCUMENTATION
252.227-7016	JAN 2011	RIGHTS IN BID OR PROPOSAL INFORMATION
252.227-7019	SEP 2016	VALIDATION OF ASSERTED RESTRICTIONS--COMPUTER SOFTWARE
252.227-7030	MAR 2000	TECHNICAL DATA--WITHHOLDING OF PAYMENT
252.227-7037	APR 2022	VALIDATION OF RESTRICTIVE MARKINGS ON TECHNICAL DATA
252.228-7000	DEC 1991	REIMBURSEMENT FOR WAR-HAZARD LOSSES
252.231-7000	DEC 1991	SUPPLEMENTAL COST PRINCIPLES
252.232-7003	DEC 2018	ELECTRONIC SUBMISSION OF PAYMENT REQUESTS AND RECEIVING REPORTS
252.232-7007	APR 2014	LIMITATION OF GOVERNMENT'S OBLIGATION
252.232-7009	MAY 2018	MANDATORY PAYMENT BY GOVERNMENTWIDE COMMERCIAL PURCHASE CARD
252.232-7010	DEC 2006	LEVIES ON CONTRACT PAYMENTS
252.232-7017	APR 2020	ACCELERATING PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS -PROHIBITION ON FEES AND CONSIDERATION
252.235-7003	MAR 2014	FREQUENCY AUTHORIZATION
252.237-7010	JUN 2013	PROHIBITION ON INTERROGATION OF DETAINEES BY CONTRACTOR
252.239-7000	OCT 2019	PROTECTION AGAINST COMPROMISING EMANATIONS
252.239-7001	JAN 2008	INFORMATION ASSURANCE CONTRACTOR TRAINING AND CERTIFICATION
252.242-7004	MAY 2011	MATERIAL MANAGEMENT AND ACCOUNTING SYSTEM
252.242-7005	FEB 2012	CONTRACTOR BUSINESS SYSTEMS
252.243-7001	DEC 1991	PRICING OF CONTRACT MODIFICATIONS
252.243-7002	DEC 2012	REQUESTS FOR EQUITABLE ADJUSTMENT
252.243-7999	AUG 2020	SECTION 3610 REIMBURSEMENT (DEVIATION 2020-O0021)
252.244-7000	JAN 2021	SUBCONTRACTS FOR COMMERCIAL ITEMS AND COMMERCIAL COMPONENTS (DOD CONTRACTS)
252.244-7001	MAY 2014	CONTRACTOR PURCHASING SYSTEM ADMINISTRATION--BASIC
252.245-7001	APR 2012	TAGGING, LABELING, AND MARKING OF GOVERNMENT-FURNISHED PROPERTY
252.245-7002	JAN 2021	REPORTING LOSS OF GOVERNMENT PROPERTY
252.245-7003	APR 2012	CONTRACTOR PROPERTY MANAGEMENT SYSTEM ADMINISTRATION
252.245-7004	NOV 2021	REPORTING, REUTILIZATION, AND DISPOSAL (DEVIATION 2022-O0006)
252.247-7023	FEB 2019	TRANSPORTATION OF SUPPLIES BY SEA--BASIC

OTHER:

Reference	Date	Clause
5352.201-9101	OCT 2019	OMBUDSMAN
5352.209-9000	OCT 2019	ORGANIZATIONAL CONFLICT OF INTEREST PERSONNEL
5352.209-9000	OCT 2019	ORGANIZATIONAL CONFLICT OF INTEREST ALT 1
5352.209-9000	OCT 2019	ORGANIZATIONAL CONFLICT OF INTEREST--ALT IV
5352.223-9000	OCT 2019	ELIMINATION OF USE OF CLASS I OZONE DEPLETING SUBSTANCES (ODS)
5352.223-9001	OCT 2019	HEALTH AND SAFETY ON GOVERNMENT INSTALLATIONS
5352.242-9000	OCT 2019	CONTRACTOR ACCESS TO AIR FORCE INSTALLATIONS
5352.242-9001	OCT 2019	COMMON ACCESS CARDS (CAC) FOR CONTRACTOR PERSONNEL

FAR CLAUSES INCORPORATED BY FULL TEXT:

52.204-27 PROHIBITION ON A BYTEDANCE COVERED APPLICATION

(a) Definitions. As used in this clause—

Covered application means the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited.

Information technology, as defined in 40 U.S.C. 11101(6)—

(1) Means any equipment or interconnected system or subsystem of equipment, used in the automatic acquisition, storage, analysis, evaluation, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information by the executive agency, if the equipment is used by the executive agency directly or is used by a contractor under a contract with the executive agency that requires the use—

(i) Of that equipment; or

(ii) Of that equipment to a significant extent in the performance of a service or the furnishing of a product;

(2) Includes computers, ancillary equipment (including imaging peripherals, input, output, and storage devices necessary for security and surveillance), peripheral equipment designed to be controlled by the central processing unit of a computer, software, firmware and similar procedures, services (including support services), and related resources; but

(3) Does not include any equipment acquired by a Federal contractor incidental to a Federal contract.

(b) Prohibition. Section 102 of Division R of the Consolidated Appropriations Act, 2023 (Pub. L. 117-328), the No TikTok on Government Devices Act, and its implementing guidance under Office of Management and Budget (OMB) Memorandum M-23-13, dated February 27, 2023, “No TikTok on Government Devices” Implementation Guidance, collectively prohibit the presence or use of a covered application on executive agency information technology, including certain equipment used by Federal contractors. The Contractor is prohibited from having or using a covered application on any information technology owned or managed by the Government, or on any information technology used or provided by the Contractor under this contract, including equipment provided by the Contractor’s employees; however, this prohibition does not apply if the Contracting Officer provides written notification to the Contractor that an exception has been granted in accordance with OMB Memorandum M-23-13.

(c) Subcontracts. The Contractor shall insert the substance of this clause, including this paragraph (c), in all subcontracts, including subcontracts for the acquisition of commercial products or commercial services.

(End of clause)
