

HQ0727-16-D-0006\_ATSP4 Flowdowns\_10-24-2023

**U.S. GOVERNMENT CLAUSES**

**Prime Contract Number: HQ0727-16-D-0006**  
**Date of Creation: 10-24-2023**

***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.

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**CLAUSES INCORPORATED BY REFERENCE:**

**FAR CLAUSES**

Clause	Date	Reference
52.204-24	Nov 2021	Representation Regarding Certain Telecommunication and Video Surveillance Services or Equipment
52.204-25	Nov 2021	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment
52.215-19	Oct 2023	Notification of Ownership Changes
52.216-18	Oct 2023	Ordering
52.215-11 (Dev)	Oct 2021	Price Reduction for Defective Certified Cost or Pricing Data— Modifications (DEVIATION 2022-O0001)
52.215-12 (Dev)	Oct 2021	Subcontractor Certified Cost or Pricing Data (DEVIATION 2018-O0015)
52.215-13 (Dev)	Oct 2021	Subcontractor Certified Cost or Pricing Data - Modifications (Deviation 2018-O0015)
52.216-19	Oct 2023	Order Limitations
52.216-22	Oct 2023	Indefinite Quantity
52.217-8	Oct 2023	Option to Extend Services
52.217-9	Oct 2023	Option to Extend the Term of the Contract
52.219-9 (Dev)	Oct 2023	Small Business Subcontracting Plan (Deviation 2018-O0018)
52.219-16	Oct 2023	Liquidated Damages – Subcontracting Plan
52.222-29	Oct 2023	Notification of Visa Denial
52.222-43	Oct 2023	Fair Labor Standards Act and Service Contract Labor Standards -- Price Adjustment (Multiple Year and Option Contracts)
52.223-6	Oct 2023	Drug-Free Workplace
52.223-7	Oct 2023	Notice of Radioactive Materials
52.225-3	Oct 2023	Buy American –Free Trade Agreements – Israeli Trade Act
52.225-5	Oct 2023	Trade Agreements
52.226-1	Oct 2023	Utilization of Indian Organizations and Indian-Owned Economic Enterprises
52.227-16	Oct 2023	Additional Data Requirements
52.227-21	Oct 2023	Technical Data Declaration, Revision, and Withholding of Payment -- Major Systems
52.229-3	Oct 2023	Federal, State And Local Taxes
52.229-6	Oct 2023	Taxes—Foreign Fixed-Price Contracts
52.229-8	Oct 2023	Taxes—Foreign Cost-Reimbursement Contracts
52.229-10	Oct 2023	State of New Mexico Gross Receipts and Compensating Tax
52.230-1 (Dev)	Oct 2023	Cost Accounting Standards Notices and Certification (Deviation 2018-O0015)
52.230-2 (Dev)	Oct 2023	Cost Accounting Standards (DEVIATION 2018-O0015)
52.230-4 (Dev)	Oct 2023	Disclosure and Consistency of Cost Accounting Practices – Foreign Concerns (DEVIATION 2018-O0015)
52.232-9	Oct 2023	Limitation On Withholding Of Payments
52.232-16, Alt I, Alt III	Oct 2023	Progress Payments

Clause	Date	Reference
52.232-32	Oct 2023	Performance-Based Payments
52.237-3	Oct 2023	Continuity Of Services
52.237-7	Oct 2023	Indemnification and Medical Liability Insurance
52.239-1	Oct 2023	Privacy or Security Safeguards
52.242-1	Oct 2023	Notice of Intent to Disallow Costs
52.242-2	Oct 2023	Production Progress Reports
52.242-3	Oct 2023	Penalties for Unallowable Costs
52.242-4	Oct 2023	Certification of Final Indirect Costs
52.243-7	Oct 2023	Notification Of Changes
52.247-1	Oct 2023	Commercial Bill of Lading Notations
52.251-1	Oct 2023	Government Supply Sources
52.252-2	Oct 2023	Clauses Incorporated by Reference
52.252-6	Oct 2023	Authorized Deviations in Clauses
52.253-1	Oct 2023	Computer Generated Forms

### **DFARS CLAUSES**

Clause	Date	Reference
252.203-7004	Oct 2023	Display of Fraud Hotline Poster(s)
252.204-7002	Oct 2023	Payment For Subline Items Not Separately Priced
252.204-7003	Oct 2023	Control Of Government Personnel Work Product
252.204-7005	Oct 2023	Oral Attestation of Security Responsibilities
252-204-7012	Oct 2023	Safeguarding Covered Defense Information and Cyber Incident Reporting
252.204-7016	Dec 2019	Covered Defense Telecommunications Equipment or Services—Representation
252.204-7017	May 2021	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services—Representation
252.204-7018	Jan 2023	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services
252.204-7019	Mar 2022	Notice of NIST SP 800-171 DoD Assessment Requirements
252.204-7020	Jan 2023	NIST SP 800-171 DoD Assessment Requirements
252.205-7000	Oct 2023	Provision of Information to Cooperative Agreement Holders
252.215-7002	Oct 2023	Cost Estimating System Requirements
252.219-7003	Oct 2023	Small Business Subcontracting Plan (DOD Contracts)
252.222-7002	Oct 2023	Compliance with Local Labor Laws (Overseas)
252.223-7004	Oct 2023	Drug-Free Work Force
252.225-7003	Oct 2023	Report of Intended Performance Outside the United States and Canada—Submission with Offer
252.225-7004	Oct 2023	Report of Intended Performance Outside the United States and Canada—Submission after Award
252.225-7011	Oct 2023	Restriction on Acquisition of Supercomputers
252.225-7041	Oct 2023	Correspondence in English
252.225-7043	Oct 2023	Antiterrorism/Force Protection for Defense Contractors Outside the United States
252.225-7048	Oct 2023	Export-Controlled Items
252.225-7052	Oct 2023	Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten (Deviation 2020-O0006)

<b>Clause</b>	<b>Date</b>	<b>Reference</b>
252.225-7974	Oct 2023	Representation Regarding Business Operations With the Maduro Regime (Deviation 2020-O0005)
252.232-7010	Oct 2023	Levies on Contract Payments
252.234-7001	Oct 2023	Notification of Earned Value Management System (Deviation 2015-O0017)
252.234-7002	Oct 2023	Earned Value Management System (Only If Contracting Officer Designates Subcontractor Participation) (Deviation 2015-O0017)
252.235-7004	Oct 2023	Protection of Human Subjects
252.239-7000	Oct 2023	Protection Against Compromising Emanations
252.245-7001	Oct 2023	Tagging, Labeling, and Marking of Government-Furnished Property
252.245-7002	Oct 2023	Reporting Loss of Government Property (Deviation 2020-O0004)
252.245-7003	Oct 2023	Contractor Property Management System Administration
252.245-7004 (Dev)	Nov 2021	Reporting, Reutilization, and Disposal (DEVIATION 2022-O0006)
252.251-7000	Oct 2023	Ordering From Government Supply Sources

**CLAUSES INCORPORATED IN FULL TEXT:****Section H****APPROVAL OF CONTRACTOR ACQUIRED PROPERTY (NOT APPLICABLE TO FPIF and FFP ORDERS) (DMEA A16-004)**

Contractor purchases of supplies or equipment in support of this contract shall require prior approval by the Administrative Contracting Officer (ACO) for purchases of items with unit cost of \$5,000.00 or greater. Unless otherwise stated in the task order/modifications, Contractor Acquired Property (CAP) that was identified during the proposal/negotiation process and subsequently made part of the award is considered to be approved and does not require further approval. All purchases shall be subject to the applicable policies and procedures prescribed in FAR Part 45, Government Property.

**PERSONNEL QUALIFICATIONS (DMEA #A16-005)**

The contract personnel (contractor and subcontractor) qualification standards are as follows: The Contractor shall use personnel who possess more than three years of current directly related experience and a degree in a directly related discipline for work on this contract. Specifically, all engineering and scientific skill categories require a minimum of a 4-year degree from an accredited college or university in a directly related discipline. Additionally, all technician categories require a minimum of a 2-year degree in a directly related discipline. Clerical skill categories are exempt from these requirements. On a task by task basis, equivalent qualification standards can be substituted for these standards when approved in advance by the Contracting Officer. The Contracting Officer may audit personnel qualification for compliance at any time. The Contractor must flow down this requirement to all subcontractors, of all tiers, performing task-specific engineering and scientific efforts.

**PAYMENT FOR TRAVEL/PER DIEM COSTS (CPFF, CPIF, and FPI) (DMEA #A16-006)**

(a) Contractor furnished domestic and/or overseas travel during performance of individual task orders is considered negotiated and accepted upon issuance of a task order or modification.

(b) Additional/changed travel requiring an increase in task order funding shall be forwarded to the Contracting Officer (PCO) for processing a task order modification prior to travel in accordance with Section H DMEA #A16-001(n) and should be considered unapproved until a modification is issued. FAR 52.232-20 and FAR 52.232-22 apply.

(c) If an increase in task order funding is not required, additional/significantly changed travel shall be reviewed by the contractor's ATSP4 program manager, in coordination with the DMEA project engineer/customer.

Additional/significantly changed travel deemed appropriate and necessary for task accomplishment is considered accepted and shall be briefed at Program Management Reviews (PMRs).

(d) In accordance with far 31.205-46(a)(2), costs incurred by the contractor for accepted travel in direct support of a specific task order issued under CLINs 0002 - 0004, 0009 - 0011, 0016 - 0018, 0023 - 0025, and 0030 - 0032 shall be reimbursed to the extent that they do not exceed on a daily basis per diem rates set forth in the joint travel regulations.

**NIST SP 800-171 REVISION 1**

With regards to DFARS 252.204-7012, the government authorizes the application of NIST SP 800-171 Revision 1, dated December 2016, for this basic IDIQ arrangement and all orders issued thereunder.