

N00019-20-C-0037_JSF Flowdowns_11-14-2023

U.S. GOVERNMENT CLAUSES

Prime Contract Number: N00019-20-C-0037

Date of Creation: 11-14-2023

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.

CLAUSES INCORPORATED BY REFERENCE:

FAR CLAUSES

Clause	Date	Reference
52.203-6	JUN 2020	Restrictions on Subcontractor Sales to the Government
52.203-11	SEP 2007	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions
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
52.203-14	NOV 2021	Display of Hotline Poster(s)
52.203-15	JUN 2010	Whistleblower Protections Under The American Recovery And Reinvestment Act of 2009
52.203-17	JUN 2020	Contractor Employee Whistleblower Rights and Requirements to Inform
52.203-19	JAN 2017	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements
52.204-2	MAR 2021	Security Requirements
52.204-9	JAN 2011	Personal Identity Verification of Contractor Personnel
52.204-10	JUN 2020	Reporting Executive Compensation and First-Tier Subcontract Awards
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
52.209-5	AUG 2020	Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters
52.209-6	NOV 2021	Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment
52.211-5	AUG 2000	Material Requirements
52.215-2	JUN 2020	Audit and Records—Negotiation
52.215-10	AUG 2011	Price Reduction for Defective Cost or Pricing Data
52.215-11	JUN 2020	Price Reduction for Defective Cost or Pricing Data—Modifications
52.215-12	JUN 2020	Subcontractor Cost or Pricing Data
52.215-13	JUN 2020	Subcontractor Cost or Pricing Data—Modifications
52.215-14	NOV 2021	Integrity of Unit
52.215-15	OCT 2010	Pension Adjustments and Asset Reversions
52.215-16	JUN 2003	Facilities Capital Cost of Money
52.215-17	OCT 1997	Waiver of Facilities Capital Cost of Money
52.215-18	JUL 2005	Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions
52.215-19	OCT 1997	Notification of Ownership Changes
52.215-20	NOV 2021	Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data
52.215-21	NOV 2021	Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data - Modifications
52.215-23	JUN 2020	Limitations on Pass-Through Charges
52.216-7	AUG 2018	Allowable Cost and Payment
52.216-8	JUN 2011	Fixed Fee
52.216-10	JUN 2011	Incentive Fee
52.216-11	APR 1984	Cost Contract—No Fee
52.219-8	OCT 2018	Utilization of Small Business Concerns
52.219-9	NOV 2021	Small Business Subcontracting Plan
52.222-2	JUL 199	Payment for Overtime Premiums
52.222-4	MAR 2018	Contract Work Hours and Safety Standards—Overtime Compensation

Clause	Date	Reference
52.222-21	APR 2015	Prohibition of Segregated Facilities
52.222-22	FEB 1999	Previous Contracts and Compliance Reports
52.222-25	APR 1984	Affirmative Action Compliance
52.222-26	SEP 2016	Equal Opportunity
52.222-35	JUN 2020	Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans
52.222-36	JUN 2020	Affirmative Action for Workers with Disabilities
52.222-37	JUN 2020	Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans
52.222-40	DEC 2010	Notification of Employee Rights Under the National Labor Relations Act
52.222-50	NOV 2021	Combating Trafficking in Persons
52.222-54	NOV 2021	Employment Eligibility Verification
52.222-55	JAN 2022	Minimum Wages Under Executive Order 13658
52.222-62	JAN 2022	Paid Sick Leave Under Executive Order 13706
52.223-3	FEB 2021	Hazardous Material Identification and Material Safety Data
52.223-7	JAN 1997	Notice of Radioactive Materials
52.223-18	JUN 2020	Encouraging Contractor Policies to Ban Text Messaging While Driving
52.225-1	NOV 2021	Buy American—Supplies
52.225-5	OCT 2019	Trade Agreements
52.225-8	OCT 2010	Duty-Free Entry
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
52.227-9	APR 1984	Refund of Royalties
52.227-10	DEC 2007	Filing of Patent Applications—Classified Subject Matter
52.227-11	MAY 2014	Patent Rights—Ownership by the Contractor
52.227-14	MAY 2014	Rights in Data—General
52.228-5	JAN 1997	Insurance—Work on a Government Installation
52.230-2	JUN 2020	Cost Accounting Standards
52.230-3	JUN 2020	Disclosure and Consistency of Cost Accounting Practices
52.230-4	JUN 2020	Consistency in Cost Accounting Practices
52.230-6	JUN 201	Administration of Cost Accounting Standards
52.232-7	NOV 2021	Payments under Time-and-Materials and Labor-Hour Contracts.
52.232-17	MAY 2014	Interest.
52.232-20	APR 1984	Limitation of Cost.
52.232-22	APR 1984	Limitation of Funds.
52.232-39	JUN 2013	Unenforceability of Unauthorized Obligations
52.232-40	NOV 2021	Providing Accelerated Payment to Small Business Subcontractors
52.233-3	AUG 1996	Protest after Award.
52.234-1	SEP 2016	Industrial Resources Developed Under Defense Production Act Title III.
52.237-2	APR 1984	Protection of Government Buildings, Equipment, and Vegetation
52.242-13	JUL 1995	Bankruptcy.
52.242-15	AUG 1989	Stop-Work Order
52.243-1	AUG 1987	Changes—Fixed Price.
52.243-2	AUG 1987	Changes—Cost Reimbursement.
52.243-3	SEP 2000	Changes—Time-and-Materials or Labor-Hours.
52.244-5	DEC 1996	Competition in Subcontracting.
52.244-6	JAN 2022	Subcontracts for Commercial Products and Commercial Services
52.245-1	JAN 2017	Government Property
52.245-9	APR 2012	Use and Charges.
52.246-2	AUG 1996	Inspection of Supplies—Fixed-Price.
52.246-3	MAY 2001	Inspection of Supplies—Cost-Reimbursement.
52.246-4	AUG 1996	Inspection of Services—Fixed-Price.

Clause	Date	Reference
52.246-5	APR 1984	Inspection of Services—Cost-Reimbursement.
52.246-6	MAY 2001	Inspection—Time-and-Material and Labor-Hour
52.246-26	NOV 2021	Reporting Nonconforming Items.
52.247-63	JUN 2003	Preference for U.S.-Flag Air Carriers.
52.247-64	NOV 2021	Preference for Privately Owned U.S.-Flag Commercial Vessels
52.247-67	FEB 2006	Submission of Transportation Documents for Audit.
52.248-1	JUN 2020	Value Engineering.
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.

DFARS CLAUSES

Clause	Date	Reference
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	AUG 2019	Display of fraud hotline poster(s)
252.204-7004	FEB 2019	Antiterrorism Awareness Training for Contractors
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 of Unclassified Controlled Technical Information
252.204-7015	MAY 2016	Disclosure of Information to Litigation Support Contractors
252.204-7018	JAN 2021	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services
252.209-7010	AUG 2011	Critical Safety Items
252.211-7006	DEC 2019	Passive Radio Frequency Identification
252.211-7007	AUG 2012	Reporting of Government-Furnished Property
252.211-7008	SEP 2010	Use of Government-Assigned Serial Numbers
252.215-7010	JUL 2019	Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data
252.219-7003	DEC 2019	Small Business Subcontracting Plan (DoD Contracts)
252.222-7006	DEC 2010	Restrictions on the Use of Mandatory Arbitration Agreements
252.223-7001	DEC 1991	Hazard Warning Labels
252.223-7006	SEP 2014	Prohibition on Storage and Disposal of Toxic and Hazardous Materials
252.223-7008	JUN 2013	Prohibition Of Hexavalent Chromium
252.225-7001	DEC 2017	Buy American Act and Balance of Payments Program
252.225-7007	DEC 2018	Prohibition on Acquisition of Certain Items from Communist Chinese Military Companies
252.225-7009	DEC 2019	Restriction on Acquisition of Certain Articles Containing Specialty Metals
252.225-7012	DEC 2017	Preference for Certain Domestic Commodities
252.225-7013	JUL 2020	Duty Free Entry
252.225-7016	JUN 2011	Restriction on Acquisition of Ball and Roller Bearings
252.225-7021	JUL 2020	Trade Agreements-Basic
252.225-7028	APR 2003	Exclusionary Policies and Practices of Foreign Governments
252.225-7033	APR 2003	Waiver of United Kingdom Levies
252.225-7040	OCT 2015	Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States
252.225-7048	JUN 201	Export-Controlled Items.

Clause	Date	Reference
252.225-7052	OCT 2020	Restriction on the Acquisition of Certain Magnets and Tungsten.
252.226-7001	APR 2019	Utilization of Indian Organizations and 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
252.227-7015	FEB 2014	Technical Data--Commercial Items
252.227-7016	JAN 2011	Rights in Bid or Proposal Information
252.227-7019	SEP 2016	Validation of Asserted Restrictions--Computer Software
252.227-7025	MAY 2013	Limitations on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends
252.227-7028	JUN 1995	Technical Data or Computer Software Previously Delivered to the Government
252.227-7030	MAR 2000	Technical Data--Withholding of Payment
252.227-7037	APR 2022	Validation of Restrictive Markings on Technical Data
252.227-7038	JUN 2012	Patent Rights—Ownership by the Contractor (Large Business).
252.228-7001	JUN 2010	Ground and Flight Risk
252.228-7005	NOV 2019	Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles
252.231-7000	DEC 1991	Supplemental Cost Principles
252.239-7016	DEC 1991	Telecommunications Security Equipment, Devices, Techniques, and Services
252.243-7001	DEC 1991	Pricing of Contract Modifications
252.243-7002	DEC 2012	Requests for Equitable Adjustment
252.244-7000	JAN 2021	Subcontracts for Commercial Items and Commercial Components (DoD Contracts)
252.245-7001	APR 2012	Tagging, Labeling, and Marking of Government-Furnished Property
252.245-7004	NOV 2021	Reporting, Reutilization and Disposal
252.246-7003	JUN 2013	Notification of Potential Safety Issues
252.246-7007	AUG 2016	Contractor Counterfeit Electronic Part Detection and Avoidance System
252.246-7008	MAY 2018	Sources of Electronic Parts
252.247-7023	FEB 2019	Transportation of Supplies by Sea