

# PROCUREMENT TERMS AND CONDITIONS

## CONDITIONS APPLICABLE TO ORDERS PLACED UNDER UNITED STATES GOVERNMENT CONTRACTS / SUBCONTRACTS

A. If this order is placed under a United States Government contract, or a subcontract under any United States Government contract, the following conditions are applicable:

The following provisions of the Federal Acquisition Regulation ("FAR"), 48 C.F.R. Ch. a, and, if applicable, the Department of Defense FAR Supplement, are incorporated by reference herein

(i) to the extent made applicable to this contract by the terms of each clause as written in the FAR or by federal regulation, or

(ii) if the clause is included in the Prime Contract, and shall be of like effect as if fully set forth herein, except that, whenever necessary to render a provision compatible with this contract, the terms "Government" and "Contracting Officer" shall mean "Purchaser", the term "Contractor" shall mean "Seller", and the term "Contract" shall mean this contract. Unless otherwise specified in the clause or in regulations applicable thereto, the dates of the applicable clauses shall be those in effect on the date of the Prime Contract.

### I. FAR Section

### Title

- 1) 52.203-6 Restrictions on Subcontractor Sales to the Government
- 2) 52.203-7 Anti-Kickback Procedures
- 3) 52.203-12 Limitation on Payments to influence Certain Federal Transactions
- 4) 52.204-2 Security Requirements
- 5) 52.208-1 Required Sources for Jewel Bearings and Related Items
- 6) 52.209-6 Protecting the Governments Interest when Subcontracting with Contractors Debarred, Suspended or Proposed for Debarment
- 7) 52.214-26 Audit-Sealed Bidding (Only for subcontracts exceeding \$10,000)
- 8) 52.214-28 Subcontractor Cost or Pricing Data-Modifications-Sealed Bidding (Only for subcontracts exceeding \$100,000)
- 9) 52.215-1 Examination of Records By Comptroller General (Only subcontracts exceeding \$10,000 or more)
- 10) 52.215-2 Audit-Negotiation (Only subcontracts exceeding \$10,000)
- 11) 52.215-24 Subcontractor Cost or Pricing Data (Only subcontracts exceeding \$100,000)
- 12) 52.215-25 Subcontractor Cost or Pricing Data-Modifications (Only subcontracts exceeding \$100,000)
- 13) 52.215-26 Integrity of Unit Prices (less paragraph(c))
- 14) 52.216-5 Price Redetermination-Prospective
- 15) 52.216-6 Price Redetermination-Retroactive
- 16) 52.216-17 Incentive Price Revision-Firm Target
- 17) 52.216-17 Incentive Price Revision-Successive Targets
- 18) 52.219-8 Utilization of Small Business Concerns and Small Disadvantaged Business Concerns
- 19) 52.219-9 Small Business and Small Disadvantaged Business Subcontracting Plan
- 20) 52.220-3 Utilization of Labor Surplus Area Concerns
- 21) 52.220-4 Labor Surplus Area Subcontracting Program (Only for subcontracts exceeding \$500,000)
- 22) 52.22-1 Notice to the Government of Labor Disputes
- 23) 52.22-4 Contract Work Hours and Safety Standards Act-Overtime Compensation
- 24) 52.222-11 Subcontracts (Labor Standards)
- 25) 52.222-26 Equal Opportunity
- 26) 52.222-27 Affirmative Action for Compliance Requirements for Construction (Only for subcontracts in excess of \$10,000)
- 27) 52.222-35 Affirmative Action for Special Disabled and Vietnam Era Veterans (Only for subcontracts of \$10,000 or more)
- 28) 52.222-36 Affirmative Action for Handicapped Workers (Only for Subcontracts exceeding \$2,500)
- 29) 52.222-37 Employment Reports on Special Disabled Veterans and Veterans of the Vietnam Era (Only for subcontracts exceeding \$10,000)
- 30) 52.223-1 Clean Air and Water Certification(Only Subcontracts exceeding \$100,000)
- 31) 52.223-2 Clean Air and Water (Only subcontracts exceeding \$100,000)

- 32) 52.223-3 Hazardous Material Identification and Materials Safety Data
- 33) 52.224-2 Privacy Act
- 34) 52.225-10 Duty-Free Entry
- 35) 52.225-11 Restrictions on Certain Foreign Purchases
- 36) 52.227-1 Authorization and Consent (Only for subcontracts exceeding \$25,000)
- 37) 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement (Only for subcontractors exceeding \$25,000)
- 38) 52.227-6 Royalty Information
- 39) 52.227-9 Refund of Royalties (Only for subcontracts in which royalties exceed \$250)
- 40) 52.227-10 Filing of Patent Applications - Classified Subject Matter
- 41) 52.227-1 Patent Rights - Retention by the Contractor (Short Form)
- 42) 52.227-12 Patent Rights - Retention by the Contractor (Long Form)
- 43) 52.227-13 Patent Rights - Acquisition by the Government
- 44) 52.228-3 Worker's Compensation Insurance (Defense Base Act)
- 45) 52.228-4 Worker's Compensation and War-Hazard Insurance Overseas
- 46) 52.228-5 Insurance-Work on a Government Installation
- 47) 52.236-21 Specifications and Drawings for Construction
- 48) 52.244-2 Subcontracts (Cost-Reimbursement and Letter Contracts)
- 49) 52.245-2 Government Property (Fixed Price Contracts)
- 50) 52.245-5 Government Property (Cost-Reimbursement, Time-and-Material, or Labor-Hour Contracts)
- 51) 52.245-8 Liability for the Facilities
- 52) 52.245-17 Special Tooling
- 53) 52.245-18 Special Test Equipment
- 54) 52.246-23 Limitation of Liability
- 55) 52.246-24 Limitation of Liability - High Value Items
- 56) 52.246-25 Limitation of Liability - Services (Only for subcontracts exceeding \$25,000)
- 57) 52.247-63 Preference for U.S. - Flag Air Carriers
- 58) 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels
- 59) 52.248-1 Value Engineering (Only for subcontracts of \$100,000 or more)
- 60) 52.248-3 Value Engineering - Construction

### II. DOD FAR Supplement Section Title

- 1) 252.203-7001 Special Prohibition on Employment (Only for subcontracts exceeding \$25,000)
- 2) 252.208-7000 Intent to Furnish Precious Metals as Government Furnished Material
- 3) 252.209-7000 Acquisition from Subcontractors Subject to On-Site Inspection Under the Intermediate-Range Nuclear Forces (INF) Treaty
- 4) 252.215-7003 Industrial Modernization Incentive Program
- 5) 252.223-7002 Safety Precautions for Ammunition and Explosives
- 6) 252.225-7008 Duty-Free Entry - Qualifying Country End Products and Supplies
- 7) 252.225-7010 Duty-Free Entry - Additional Provisions
- 8) 252.225-7028 Exclusionary Policies and Practices of Foreign Governments
- 9) 252.227-7013 Rights in Technical Data and Computer Software
- 10) 252.227-7018 Restrictive Markings on Technical Data
- 11) 252.227-7033 Rights in Shop Drawings
- 12) 252.227-7034 Patents - Subcontract
- 13) 252.227-7037 Validation of Restrictive Markings on Technical Data
- 14) 252.228-7001 Ground and Flight Risk
- 15) 252.228-7005 Accident Reporting and Investigation Involving Aircraft, Missiles and Space Launch Vehicle
- 16) 252.234-7000 Notice of Cost/Schedule Control Systems
- 17) 252.234-7001 Cost/Schedule Control Systems
- 18) 252.235-7003 Frequency Authorization
- 19) 252.239-7010 Audit and Records - Common Carriers

# PROCUREMENT TERMS AND CONDITIONS

CONDITIONS APPLICABLE TO ORDERS PLACED UNDER  
UNITED STATES GOVERNMENT CONTRACTS / SUBCONTRACTS

B. The following additional clauses are hereby incorporated by reference:

- | <b>I. FAR Section</b> | <b>Title</b>  |
|-----------------------|---|
| 1) 52.203-3           | Gratuities  |
| 2) 52.203-5           | Covenant Against Contingent Fees  |
| 3) 52.210-5           | New Material  |
| 4) 52.212-13          | Stop-Work Order   |
| 5) 52.215-22          | Price Reduction for Defective Cost or Pricing Data  |
| 6) 52.215-23          | Price Reduction for Defective Cost or Pricing Data-<br>Modification   |
| 7) 52.225-3           | Buy American Act - Supplies   |
| 8) 52.227-3           | Patent Indemnity  |
| 9) 52.243-6           | Change Order Accounting   |
| 10) 52.245-2          | Government Property (Fixed Price Contracts)   |
| 11) 52.246-2          | Inspection of Supplies - Fixed Price  |
| 12) 52.249-2          | Termination for Convenience of the Government   |
| 13) 52.249-8          | Default (Fixed Price Supply and Service except that<br>the Seller has no direct appeal rights against the Government. Any<br>claims against the Government must be asserted through Purchaser). |
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- | <b>II. DOD FAR Supplement Section</b> | <b>Title</b>  |
|---------------------------------------|---|
| 1) 252.215-7000                       | Pricing of Adjustments                                      |
| 2) 252.225-7002                       | Qualifying Country Sources as Subcontractors                |
| 3) 252.227-7026                       | Deferred Delivery of Technical Data or Computer<br>Software |
| 4) 252.227-7027                       | Deferred Ordering of Technical Data or Computer<br>Software |
| 5) 252.227-7029                       | Identification of Technical Data                            |
| 6) 252.227-7030                       | Technical Data - Withholding of Payment                     |
| 7) 252.246-7001                       | Warranty of Data  |