



SUPPLEMENTAL TERMS AND CONDITIONS

FEDERAL ACQUISITION REGULATIONS (FAR), DEPARTMENT OF DEFENCE FAR SUPPLEMENT (DFARS), NATIONAL AERONAUTICS and SPACE ADMINISTRATION (NASA) FAR SUPPLEMENT.

The following clauses set forth in the FAR and DFARS as in effect on the date of this purchase order are incorporated herein by reference. Where necessary to make the clauses applicable to this purchase order, "Contractor" shall mean "Seller," "Contracting Officer" shall mean "Buyer," and the "Government" shall mean "Buyer" or the "Government" whenever appearing in the clauses. Seller shall include the following clauses in its lower-tier purchase orders as required. If any of the following FAR or DFARS clauses do not apply to a particular purchase order, such clauses are considered to be self-deleting.

FAR and DFARS Clauses at <http://farsite.hill.af.mil>; and
NASA FAR Supplement Clauses at <http://farsite.hill.af.mil/vfnasa1.htm>

1. All Orders

52.203-3	Gratuities
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity
52.203-15	Whistleblower Protections Under the American Recovery Act of 2009
52.204-2	Security Requirements
52.204-9	Personal Identity Verification of Contractor Personnel
52.208-8	Required Sources for Helium and Helium Usage Data
52.211-5	Material Requirements
52.215-15	Pension Adjustment and Asset Reversions
52.215-18	Reversions or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions
52.215-19	Notification of Ownership Changes
52.219-28	Post-Award Small Business Program Representation
52.222-21	Prohibition of Segregated Facilities
52.222-22	Previous Contracts and Compliance Reports
52.222-26	Equal Opportunity
52.222-41	Service Contract Act of 1965
52.222-50	Combating Trafficking in Persons
52.223-3	Hazardous Material Identification and Material Safety Data (Alt I applies if this order is for other than DoD)
52.223-4	Recovered Material Certification
52.223-5	Pollution Prevention and Right-to-Know Information
52.223-7	Notice of Radioactive Materials (subsection (a) shall read "15 days")
52-223-11	Ozone-Depleting Substances
52.223-15	Energy Efficiency in Energy-Consuming Products



52.224-1	Privacy Act Notification
52.224-2	Privacy Act
52.225-1	Buy American Act – Supplies
52.225-2	Buy American Act Certificates
52.225-3	Buy American Act – Free Trade Agreements – Israeli Trade Act
52.225-5	Trade Agreements
52.225-8	Duty-free Entry
52.225-13	Restrictions on Certain Foreign Purchases
52.227-1	Authorization and Consent
52.227-9	Refund of Royalties
52.227-10	Filing of Patent Applications - Classified Subject Matter
52.227-11	Patent Rights – Ownership by the Contractor (references to “Government”, “Contracting Officer” and “Contractor” as contained in this clause remain unchanged)
52.227-13	Patent Rights-Ownership by the Government
52.227-14	Rights in Data –General
52.229-3	Federal, State, and Local Taxes
52.232-39	Unenforceability of Unauthorized Obligations
52.232-40	Providing Accelerated Payments to Small Business Subcontractors
52.233-3	Protest After Award
52.234-1	Industrial Resources Developed Under Defense Production Act Title III
52.236-13	Accident Prevention
52.244-6	Subcontracts for Commercial Items
52.245-1, Alt. I	Government Property (except in clauses (e)(1), (e)(2)(ii), (e)(3)(i), (f)(1)(ii), the term “Government” shall remain)
52.245-9	Use and Charges
52.246-2	Inspection of Supplies – Fixed Price
52.246-4	Inspection of Services – Fixed Price
52.246-16	Responsibility for Supplies
52.247-63	Preference for U.S. Flag Air Carriers
52.247-64	Preference for Privately Owned U.S. Flag Commercial Vessels
52.249-2	Termination for Convenience of the Government (Fixed-Price)
52.249-8	Default (Fixed-Price Supply and Service)



252.203-7002	Requirement to Inform Employees of Whistleblower Rights
252.204-7000	Disclosure of Information
252.204-7008	Compliance with Safeguarding Covered Defense Information Controls
252.204-7009	Limitations on the Use and Disclosure of Third-Party Contractor Reported Cyber Incident Information
252.204-7012	Safeguarding of unclassified Controlled Technical information (in subparagraph (d)(1), Seller shall report to Buyer any cyber incident to Buyer's Authorized Purchasing Representative within thirty six (36) hours of discovery)
252.204-7014	Limitations on the Use of Disclosure of Information by Litigation Support Contractors
252.204-7015	Disclosure of Information to Litigation Support Contractors
252.208-7000	Intent to Furnish Precious Metals as Government-Furnished Material
252.222-7000	Restrictions On Employment of Personnel
252.223-7006	Prohibition on Storage and Disposal of Toxic and Hazardous Materials
252.223-7008	Prohibition of Hexavalent Chromium
252.225-7000	Buy American Act-Balance of Payments Program Certificate
252.225-7001	Buy American Act and Balance of Payments Program
252.225-7007	Prohibition on Acquisition of United States Items From Communist Chinese Military Companies
252.225-7008	Restriction on Acquisition of Specialty Metals
252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals
252.225-7013	Duty-Free Entry
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings
252.225-7021	Trade Agreements
252.225-7025	Restrictions on Acquisition of Forgings
252.225-7028	Exclusionary Policies and Practices of Foreign Governments
252.225-7030	Restriction on Acquisition of Carbon Alloy and Armor Steel Plate
252.225-7036	Buy American Act – Free Trade Agreements – Balance of Payments Program
252.225-7043	Anti-Terrorism/Force Protection Policy for Defense Contractors Outside the United States



252.227-7013	Rights in Technical Data - Noncommercial Items (the term "Government" shall remain throughout this clause, the term "Contracting Officer" shall mean both "Contracting Officer and Buyer")
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (the term "Government" shall remain throughout this clause, the term "Contracting Officer" shall mean both "Contracting Officer and Buyer")
252.227-7015	Technical Data - Commercial Items
252.227-7016	Rights in Bid or Proposal Information
252.227-7019	Validation of Asserted Restrictions - Computer Software
252.227-7025	Limitations on the Use or Disclosure of Government Furnished Information Marked with Restrictive Legends
252.227-7030	Technical Data - Withholding of Payment
252.227-7037	Validation of Restrictive Markings of Technical Data (the terms throughout this clause shall remain unchanged)
252.228-7001	Ground and Flight Risk
252.228-7005	Accident Reporting and Investigation Involving Aircraft, Missiles and Space Launch Vehicles
252.229-7011	Reporting of Foreign Taxes – US Assistance Programs
252.235-7003	Frequency Authorization
252.235-7004	Protection of Human Subjects
252.239-7018	Supply Chain Risk
252.243-7001	Pricing of Contract Modifications
252.244-7000	Subcontracts for Commercial Items
252.246-7001, Alt I	Warranty of Data
252.246-7003	Notification of Potential Safety Issues
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System (for paragraphs (a)-(e) the term "Contractor" shall mean "Seller" and the term "Contracting Officer" shall mean both "Contracting Officer" and "Buyer")
252.247-7023	Transportation of Supplies by Sea (paragraphs (a) through (e) apply to all orders; all paragraphs apply to transactions greater than \$100,000)
252.247-7024	Notification of Transportation of Supplies by Sea



2. **All Orders Greater than \$3,500**

- 52.222-54 Employment Eligibility Verification
- 52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving

3. **All Orders Greater than \$10,000**

- 52.222-40 Notification of Employee Rights Under the National Labor Relations Act

4. **All Orders Greater than \$15,000**

- 52.222-20 Contracts for Materials, Supplies, Articles and Equipment Exceeding \$15,000
- 52.222-36 Equal Opportunity for Workers With Disabilities

5. **All Orders Greater than \$30,000**

- 52.204-10 Reporting Executive Compensation and First-Tier Subcontract Awards
- 52.209-6 Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment

6. **All Orders of \$75,000 or Greater**

- 52.211-15 Defense Priority and Allocation Requirements

7. **All Orders of \$100,000 or Greater**

- 52.222-35 Equal Opportunity for Veterans

8. **All Orders Greater than \$150,000**

- 52.203-5 Covenant Against Contingent Fees
- 52.203-6 Restrictions on Subcontractor Sales to the Government
- 52.203-7 Anti-Kickback Procedures
- 52.203-8 Cancellation, Recession, and Recovery of Funds for Illegal or Improper Activity
- 52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions



52.203-12	Limitation on Payments to Influence Certain Federal Transactions
52.203-16	Preventing Conflicts of Interest
52.203-17	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights
52.215-2	Audit and Records – Negotiation
52.215-14	Integrity of Unit Prices (except for paragraph (b) of this clause)
52.215-22	Limitations on Pass-Through Charges – Identification of Subcontract Effort (DoD Only)
52.215-23	Limitations on Pass-Through Charges
52.219-8	Utilization of Small Business Concerns
52.222-4	Contract Work Hours and Safety Standards Act – Overtime Compensation
52.222-35	Equal Opportunity for Veterans
52.222-37	Employment Reports on Special Veterans
52.223-14	Toxic Chemical Release Reporting (except its subparagraph (e))
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement
52.248-1	Value Engineering
252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies
252.225-7006	Acquisition of the American Flag
252.225-7012	Preference For Certain Domestic Commodities
252.249-7002	Notification of Anticipated Contract Termination or Reduction

9. All Orders Greater than \$500,000

252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns
--------------	---



10. All Orders Greater than \$550,000

52.209-7 Information Regarding Responsibility Matters

11. All Orders Greater than \$700,000

52.219-9 Small Business Subcontracting Plan

252.219-7003 Small Business Subcontracting Plan (DoD Contracts)

12. All Orders Greater than \$750,000

52.214-26 Audit and Records – Sealed Bidding

52.214-27 Price Reduction for Defective Cost or Pricing Data –
Modifications – Sealed Bidding

52.214-28 Subcontractor Cost or Pricing Data – Modifications –
Sealed Bidding

52.215-10 Price Reduction for Defective Cost or Pricing Data

52.215-11 Price Reduction for Defective Cost or Pricing Data –
Modifications

52.215-12 Subcontractor Cost or Pricing Data

52.215-13 Subcontractor Cost or Pricing Data – Modifications

52.215-20 Requirements for Cost or Pricing Data Other Than Cost
or Pricing Data

52.215-21 Requirements for Cost or Pricing Data Other Than Cost
or Pricing Data – Modifications

52.215-22 Limitations on Pass-Through Charges – Identification of
Subcontract Effort

52.215-23 Limitations on Pass-Through Charges

52.230-2 Cost Accounting Standards

52.230-3 Disclosure and Consistency of Cost Accounting
Practices

52.230-5 Cost Accounting Standards – Educational Institution

52.230-6 Administration of Cost Accounting Standards



13. **All Orders Greater than \$1 Million**

252.222-7006	Restrictions on the Use of Mandatory Arbitration Agreements
252.225-7033	Waiver of United Kingdom Levies

14. **All Orders Greater than \$1.5 Million**

252.211-7000	Acquisition Streamlining
--------------	--------------------------

15. **All Orders of \$5.5 Million or Greater**

52.203-14	Display of Hotline Poster(s)
-----------	------------------------------

16. **Orders of \$5.5 Million or Greater and a Period of Performance of 120 days or greater**

52.203-13	Contractor Code of Business Ethics and Conduct (Notwithstanding any alterations to this clause to reflect the relationship between Buyer and Seller, all disclosures of violation of the civil False Claims Act or of federal criminal law shall be directed to the Office of the Inspector General of the agency issuing the prime contract, with a copy to the Contracting Officer of the prime contract.)
-----------	--



17. **NASA FAR Supplement Clauses (applicable under NASA contracts)**

1852.204-76	Security Requirements for Unclassified Information Technology Resources
1852.208-81	Restrictions on Printing and Duplicating
1852.211-70	Packaging, Handling, and Transportation
1852.219-74	Use of Rural Area Small Businesses
1852.219-75	Small Business Subcontracting Reporting
1852.219-76	NASA 8 Percent Goal
1852.223-70	Protests to NASA
1852.223-71	Frequency Authorization
1852.223-72	Safety and Health (Short Form)
1852.223-73	Safety and Health Plan
1852.223-74	Drug- and Alcohol-Free Workforce
1852.223-75	Major Breach of Safety or Security
1852.225-70	Export Licenses
1852.227-11	Patent Rights--Retention by the Contractor (Short Form)
1852.227-14	Rights in Data--General
1852.227-19	Commercial Computer Software--Restricted Rights
1852.227-70	New Technology
1852.227-71	Requests for Waiver of Rights to Inventions
1852.227-72	Designation of New Technology Representative and Patent Representative
1852.227-85	Invention Reporting and Rights--Foreign
1852.228-72	Cross-Waiver of Liability for Space Shuttle Services
1852-228-76	Cross-Waiver of Liability for Space Station Activities
1852.228-78	Cross-Waiver of Liability for NASA Expendable Launch Vehicle Launches
1852.231-71	Determination of Compensation Reasonableness
1852.237-71	Pension Portability
1852.237-72	Access to Sensitive Information
1852.237-73	Release of Sensitive Information
1852.242-72	Observance of Legal Holidays
1852.244-70	Geographic Participation in the Aerospace Program
1852.245-72	Liability for Government property furnished for repair or other services



1852.245-73	Financial reporting of NASA property in the custody of contractors
1852.245-78	Physical Inventory of Capital Personal Property
1852.246-70	Mission Critical Space System Personnel Reliability Program
1852.246-73	Bills of Lading