



## SUPPLEMENTAL PROVISIONS FOR ORDERS UNDER U.S. GOVERNMENT CONTRACTS

If this Order shows on its face that it is placed in support of a U.S. Government funded prime contract or subcontract, or if the Buyer otherwise notifies the Seller that this Order is placed under a U.S. Government prime contract or subcontract, the following clauses of the Federal Acquisition Regulations (FAR) and the Department of Defense FAR Supplement (DFARS) apply and are incorporated herein by reference with the same force and effect as if set forth below in full text. These clauses apply to all firm-fixed price, cost-reimbursable, and time & material/labor hour purchase orders as appropriate.

Full text versions of these clauses are available from the U.S. Government-managed websites:  
<http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/Far1toc.htm#TopOfPage>  
and  
<http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/dfars/DfarTOC.htm#TopOfPage>

The following changes to the FAR and DFARS clauses are made for incorporation of these clauses into this Order:

“Contractor” or “prime contractor” shall mean “Seller”  
“Government” shall mean “Buyer”  
“Contracting Officer” shall mean “Buyer’s Purchasing Representative”  
“Contract” or “Schedule” shall mean this “Order”

Seller agrees to flow-down, as required, all applicable FAR and DFARS clauses to its lower-tier suppliers. Seller further agrees that all notifications and other communications required by these clauses shall be made through the Buyer’s Purchasing Representative, unless this Order specifically provides otherwise.



## SUPPLEMENTAL PROVISIONS FOR ORDERS UNDER U.S. GOVERNMENT CONTRACTS

- 1. COMMERCIAL ITEM PROCUREMENTS: In accordance with FAR 52.244-6, Subcontracts for Commercial Items and DFARS 252.244-7000, Subcontracts for Commercial Items and Commercial Components (DoD Contracts), the following FAR and DFARS provisions are incorporated herein by reference as applicable for all items being procured under this order that meet the definition of “Commercial item” found in FAR 2.101.**

All Orders	
52.203-11	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (Sep 2007)
52.204-4	Printed or Copied Double-Sided on Postconsumer Fiber Content Paper (May 2011)
52.204-7	System for Award Management (Oct 2016)
52.204-8	Annual Representations and Certifications (Jan 2017)
52.204-13	System for Award Management Maintenance (Oct 2016)
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards (Oct 2016)
52.204-19	Incorporation by Reference of Representations and Certifications (Dec 2014)
52.204-21	Basic Safeguarding of Covered Contractor Information Systems (Jun 2016)
52.209-5	Certification Regarding Responsibility Matters (Oct 2015)
52.209-10	Prohibition on Contracting With Inverted Domestic Corporations (Nov 2015)
52.212-2	Evaluation -- Commercial Items (Oct 2014)
52.212-5	Contract Terms and Conditions Required to Implement Statutes or Executive Orders -- Commercial Items (Jan 2017)
52.215-2	Audit and Records -- Negotiation (Oct 2010)
52.222-19	Child Labor—Cooperation With Authorities and Remedies (Oct 2016)
52.222-25	Affirmative Action Compliance (Apr 1984)
52.222-50	Combating Trafficking in Persons (Mar 2015)
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving (Aug 2011)
52.225-13	Restrictions on Certain Foreign Purchases (Jun 2008)
52.225-1	Buy American-Supplies (May 2014)
52.225-5	Trade Agreements (Feb. 2016)
52.229-3	Federal, State, and Local Taxes (Feb. 2013)
52.232-39	Unenforceability of Unauthorized Obligations (Jun 2013)



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52.232-40	Providing Accelerated Payments to Small Business Subcontracts (Dec 2013)
52.233-3	Protest After Award (Aug 1996)
52.233-4	Applicable Law for Breach of Contract Claim (Oct 2004)
52.242-13	Bankruptcy (Jul. 1995)
52.246-16	Responsibility for Supplies (Apr. 1984)
52.247-34	FOB Destination (Nov. 1991)
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006)
52.251-1	Government Supply Sources (Apr. 2012)
252.203-7002	Requirement to Inform Employees of Whistleblower Rights (Sep 2013)
252.204-7012	Safeguarding of Unclassified Controlled Technical Information (Oct 2016)
252.223-7008	Prohibition of Hexavalent Chromium (Jun 2013)
252.225-7048	Export-Controlled Items (Jun 2013)
252.227-7037	Validation of Restrictive Markings on Technical Data (Sep 2016)
252.203.7000	Requirements Relating to Compensation of Former DoD Officials (Sep. 2011)
252.204-7004	Alternate A, System for Award Management
252.225-7012	Preference for Certain Domestic Commodities (Feb. 2013)
252.241.701	Government Access (Dec. 1991)
252.244-7000	Subcontracts for Commercial Items (Jun 2013)
252.246-7003	Notification of Potential Safety Issues (Jun 2013)
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System (Aug 2016)
252.247-7023	Transportation of Supplies by Sea (Apr 2014)
252.247-7024	Notification of Transportation of Supplies by Sea (Mar 2000)
352.204-9001	Disclosure of Information (Oct. 2005)
352.204-9010	Notice: Contract Administration and Closeout Guidance (Jun. 2005)
352.204-9011	Notice: Use of a FOCI Source for Supplies and Services (Oct. 2011)
352.204-9014	Notification of Non-U.S. Citizen Participation (Oct. 2011)
352.204-9017	Public Health Emergency Requirements (Sep. 2009)
352.211-9000	Deliveries (Apr. 1989)
352.211-9002	Notice: Government Closures, Delayed Openings, and Early Dismissals (Nov 2016)



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352.211-9005	Notice: Special Provision for Late Delivery (Oct. 1993)
352.229-9000	Notice of Taxation (Sep. 1994)
352.229-9001	Contractor Liability for State and Local Texas (Sep. 1994)
352.246-9001	Inspection and Acceptance at Destination (Apr. 1989)
352.246-9003	Notice: New Material and Workmanship (May 2015)
352.247-9002	Packaging and Packing (Nov. 2015)
352.247-9000	Notice: FOB Destination (Oct. 1993)
352.247-9003	Marking of Documents (Sep. 1994)
352.247-9012	Prohibition on Drop Shipments (Oct. 2012)
<b>All Orders that Exceed \$2,500</b>	
52.222-41	Service Contract Act of 1965 (Nov 2007)
352.211-9006	Notice: Elimination of Use of Class I-Ozone Depleting Substances (Aug. 1993)
<b>All Orders that Exceed \$3,000</b>	
52.222-54	Employment Eligibility Verification (Oct 2015)
52.225-2	Buy American Certificate (May 2014)
252-204-7008	Compliance with Safeguarding Covered Defense Information Controls (Oct 2016)
352.215-9000	Notice: Incorporation of Section K by Reference (Aug. 1998)
<b>All Orders that Exceed \$10,000</b>	
52.222-21	Prohibition of Segregated Facilities (Apr 2015)
52.222-22	Previous Contracts and Compliance Reports (Feb 1999)
52.222-26	Equal Opportunity (Sep 2016)
52.222-40	Notification of Employee Rights Under the National Labor Relations Act (Dec 2010)
352.209-9007	Notification Regarding an Unpaid Delinquent Tax Liability or a Felony Conviction under any Federal Law
352.239-9008	Prohibition of Procurement of Portable Computing Devices (Mar. 2010)
352.244-9000	Subcontracting with Canadian Contractors (Oct. 1993)



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352.245-9006	Notice: Reports on Government Property (Sep. 2016)
352.245-9008	Government Property Inventory Report and Disposition Instructions (Jun. 2015)
<b>All Orders that Exceed \$15,000</b>	
52.222-36	Equal Opportunity for Workers With Disabilities (Jul 2014)
352.245-9009	Contractor Acquired Property Tag Number/Barcode Label (Sep. 2016)
<b>All Orders that Exceed \$100,000</b>	
52.202-1	Definitions (Nov. 2013)
52.222-35	Equal Opportunity for Veterans (Oct 2015)
52.222-37	Employment Reports on Veterans (Feb 2016)
352.247-9011	Shipment of Unclassified Cargo to U.S. Government Facilities Outside the Continental United States (Jun. 2011)
352.290-9017	Protection of Unclassified DoD Information on Non-DoD Systems (Sep. 2009)
<b>All Orders that Exceed \$150,000 or Simplified Acquisition Threshold</b>	
52.203-6 (Alt I)	Restrictions on Subcontractor Sales to the Government (Sep 2006)
52.203-17	Contractor Employee Whistleblower Rights and Requirements to Inform Employees of Whistleblower Rights (Oct 2017)
52.219-8	Utilization of Small Business Concerns (Nov 2016)
52.225-8	Duty Free Entry (Oct 2010)
352.290-9020	Access to Training or Informational Sessions Provided by the Government (Jan. 2015)
<b>All Orders that Exceed \$650,000</b>	
52.219-9	Small Business Subcontracting Plan (Jan 2017)
252.219-7003	Small Business Subcontracting Plan (DoD Contracts) (Mar 2016)
<b>All Orders that Exceed \$5,000,000</b>	
52.203-13	Contractor Code of Business Ethics and Conduct (Oct 2015)



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**NON-COMMERCIAL ITEM PROCUREMENTS:** The following FAR and DFARS Provisions are incorporated herein by reference as applicable for all items being procured under this order that do NOT meet the definition of “Commercial item” found in FAR 2.101.

All Orders	
52.211-5	Material Requirements (Aug 2000)
52.211-15	Defense Priority and Allocation Requirement (Apr 2008)
52.222-1	Notice to the Government of Labor Disputes (Feb 1997)
52.222-50	Combating Trafficking in Persons (Mar 2015)
52.223-3	Hazardous Material Identification and Material Safety Data (Jan 1997)
52.223-7	Notice of Radioactive Materials (Jan 1997)
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving (Aug 2011)
52.225-13	Restriction on Certain Foreign Purchases (Jun 2008)
52.227-14	Rights in Data -- General (May 2014)
52.232-39	Unenforceability of Unauthorized Obligations (Jun 2013)
52.232-40	Providing Accelerated Payments to Small Business Subcontractors (Dec 2013)
52.233-3	Protest after Award (Aug. 1996)
52.233-4	Applicable Law For Breach Of Contract Claim (OCT 2004)
52.242-15	Stop-Work Order (Aug. 1989)
52.243-1	Changes -- Fixed Price (Aug 1987)
52.244-6	Subcontracts for Commercial Items (Jan 2017)
52.245-1	Government Property (Jan 2017)
52.245-9	Use and Charges (Apr 2012)
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006)
252.203-7002	Requirement to Inform Employees of Whistleblower Rights (Sep 2013)
252.204-7000	Disclosure of Information (Oct 2016)
252.204-7012	Safeguarding of Unclassified Controlled Technical Information (Oct 2016)
252.211-7003	Item Unique Identification and Valuation (Mar 2016)
252.215-7000	Pricing Adjustments (Dec 2012)
252.223-7008	Prohibition of Hexavalent Chromium (Jun 2013)



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252.225-7007	Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies (Sep 2006)
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings (Jun 2011)
252.225-7021	Trade Agreements (Dec 2016)
252.225-7028	Exclusionary Policies and Practices of Foreign Governments (Apr 2003)
252.225-7048	Export Controlled Items (Jun 2013)
252.227-7013	Rights in Technical Data—Noncommercial Items (Feb 2014)
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (Feb 2014)
252.227-7015	Technical Data Commercial Items (Feb 2014)
252.227-7016	Rights in Bid or Proposal Information (Jan 2011)
252.227-7019	Validation of Asserted Restrictions – Computer Software (Sep 2016)
252.227-7027	Deferred Ordering of Technical Data or Computer Software (Apr 1988)
252.227-7030	Technical Data – Withholding of Payment (Mar 2000)
252.228-7005	Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles (Dec 1991)
252.231-7000	Supplemental Cost Principles (Dec 1991)
252.243-7001	Pricing of Contract Modifications (Dec 2012)
252.244-7000	Subcontracts for Commercial Items and Commercial Components (DoD Contracts) (Jun 2013)
252.246-7001	Warranty of Data (Mar 2014)
252.246-7003	Notification of Potential Safety Issues (Jun 2013)
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System (Aug 2016)
252.247-7023	Transportation of Supplies by Sea (Apr 2014)
252.247-7024	Notification of Transportation of Supplies by Sea (Mar 2000)
<b>All Orders that Exceed \$2,500</b>	
52.222-41	Service Contract Labor Standards (May 2014) Service Contract Act of 1965
<b>All Orders that Exceed \$3,000</b>	
52.222-3	Convict Labor (Jun 2003)



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52.222-54	Employment Eligibility Verification (Oct 2015)
252.225-7001	Buy American Act and Balance of Payments Program (Dec 2016)
<b>All Orders that Exceed \$10,000</b>	
52.222-21	Prohibition of Segregated Facilities (Apr 2015)
52.222-26	Equal Opportunity (Sep 2016)
52.222-40	Notification of Employee Rights Under the National Labor Relations Act (Dec 2010)
<b>All Orders that Exceed \$15,000</b>	
52.222-20	Walsh-Healey Public Contracts Act (may 2014)
52.222-36	Equal Opportunity for Workers With Disabilities (Jul 2014)
<b>All Orders that Exceed \$30,000</b>	
52.209-6	Protecting the Governments Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (Oct 2015)
<b>All Orders that Exceed \$100,000</b>	
52.222-35	Equal Opportunity for Veterans (Oct 2015)
52.222-37	Employment Reports on Veterans (Feb 2016)
<b>All Orders that Exceed \$150,000 or Simplified Acquisition Threshold</b>	
52.203-3	Gratuities (Apr 1984)
52.203-5	Covenant Against Contingent Fees (May 2014)
52.203-6	Restrictions on Subcontractor Sales to the Government (Sep 2016)
52.203-7	Anti-Kickback Procedures (May 2014)
52.203-8	Cancelation, Rescission, and Recovery of Funds for Illegal or Improper Activity (May 2014)
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity (May 2014)
52.203-12	Limitation on Payments to Influence Certain Federal Transactions (Oct 2010)
52.203-17	Contractor Employee Whistleblower Rights and Requirements to Inform Employees of





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	Whistleblower Rights (Apr 2014)
52.215-14	Integrity of Unit Prices (Oct 2010)
52.219-8	Utilization of Small Business Concerns (Nov 2016)
52.222-4	Contract Work Hours and Safety Standards Act – Overtime Compensation (May 2014)
52.223-6	Drug-Free Workplace (May 2001)
52.225-8	Duty-Free Entry (Oct 2010)
52.227-1	Authorization and Consent (Dec 2007)
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement (Dec 2007)
52.246-2	Inspection of Supplies – Fixed-Price (Aug 1996)
52.247-63	Preference for U.S.-Flag Air Carriers (Jun 2003)
52.248-1	Value Engineering (Oct 2010)
52.249-2	Termination for Convenience of the Government (Fixed-Price) (Apr 2012)
52.249-8	Default (Fixed-Price Supply and Service) (Apr 1984)
252.208-7000	Intent to Furnish Precious Metals as Government-Furnished Material (Dec 1991)
252.209-7004	Subcontracting with Firms That Are Owned or Controlled by the Government of a Terrorist Country (Oct 2015)
252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals (Oct 2014)
252.225-7012	Preference for Certain Domestic Commodities (Dec 2016)
252.225-7013	Duty-Free Entry (May 2016)
252.249-7002	Notification of Anticipated Contract Termination or Reduction (Oct 2015)
<b>All Orders that Exceed \$500,000</b>	
252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns (Sep 2004)
<b>All Orders that Exceed \$650,000</b>	
52.219-9	Small Business Subcontracting Plan (Jan 2017)
252.219-7003	Small Business Subcontract Plan (DoD Contracts) (Mar 2016)
<b>All Orders that Exceed \$700,000</b>	



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52.215-10	Price Reduction for Defective Cost or Pricing Data (Aug 2011)
52.215-12	Subcontractor Certified Cost or Pricing Data (Oct 2010)
52.215-15	Pension Adjustments and Asset Reversions (Oct 2010)
52.215-18	Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions (Jul 2005)
52.215-19	Notification of Ownership Changes (Oct 1997)
52.215-20	Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data (Oct 2010)
52.230-2	Cost Accounting Standards (Oct 2015)
52.230-3	Disclosure and Consistency of Cost Accounting Practices (Oct 2015)
52.230-6	Administration of Cost Accounting Standards (Jun 2010)
<b>All Orders that Exceed \$1,500,000</b>	
252.211-7000	Acquisition Streamlining (Oct 2010)
<b>All Orders that Exceed \$5,000,000</b>	
52.203-13	Contractor Code of Business Ethics and Conduct (Oct 2015)
52.203-14	Display of Hotline Poster(s) (Oct 2015)
252.203-7004	Display of Fraud Hotline Poster(s) (Oct 2016)

### **ALL ORDERS**

#### **52.234-1 Industrial Resources Developed Under Defense Production Act Title III (Dec 1994)**

(a) *Definitions.* “Title III industrial resource” means materials, services, processes, or manufacturing equipment (including the processes, technologies, and ancillary services for the use of such equipment) established or maintained under the authority of Title III, Defense Production Act (50 U.S.C. App. 2091-2093).

“Title III project contractor” means a contractor that has received assistance for the development or manufacture of an industrial resource under 50 U.S.C. App. 2091-2093, Defense Production Act.



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(b) The Contractor shall refer any request from a Title III project contractor for testing and qualification of a Title III industrial resource to the Contracting Officer.

(c) Upon the direction of the Contracting Officer, the Contractor shall test Title III industrial resources for qualification. The Contractor shall provide the test results to the Defense Production Act Office, Title III Program, located at Wright Patterson Air Force Base, Ohio 45433-7739.

(d) When the Contracting Officer modifies the contract to direct testing pursuant to this clause, the Government will provide the Title III industrial resource to be tested and will make an equitable adjustment in the contract for the costs of testing and qualification of the Title III industrial resource.

(e) The Contractor agrees to insert the substance of this clause, including paragraph (e), in every subcontract issued in performance of this contract.