

FAR and DFARS Requirements

The clauses in Section 52 of the FAR and the DFARS herein below set forth and in effect on the date of this Order are each incorporated herein by this reference and made a part of this Order. In all such clauses, the term “Contractor” shall mean “Seller,” the term “Contract” shall mean this “Order,” and the term “Government Contracting Officer” or equivalent phrases, shall mean “Buyer” as applicable; except 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, for example in FAR 52.227-1 or FAR 52.227-2, or when title to property is to be transferred directly to the Government, in which case the term “Government” or “Contracting Officer” retains its literal meaning and is not to be construed as “Buyer.” It is intended that the FAR and DFARS clauses as listed herein shall apply to Seller in such manner as is necessary to reflect the position of Seller as a subcontractor to Buyer, to ensure Seller’s obligations to Buyer and to the Government, and to enable Buyer to meet its obligations under its Prime Contract or subcontract. Seller shall incorporate into each lower tier contract issued in support of this Order all applicable FAR provisions and clauses in accordance with the flow down requirements specified in such clause(s).

If any of the following standard clauses or any FAR/DFARS clauses contained herein do not apply to a particular Order due to the nature of the work performed (e.g., FAR 52.246-2 “Inspection of Supplies – Fixed Price” does not apply if the Order is solely for Services), or the products supplied (e.g., COTS items as defined by FAR 2.101) such clauses are considered not applicable to that Order. Any Seller asserting commerciality (COTS and/or Commercial Product or Commercial Service), must provide Buyer with a completed Commercial Product Determination form with Seller’s proposal.

When the products or services furnished are for use in connection with a U.S. Government prime contract or subcontract, in addition to the General Purchase Order Terms and Conditions, the following clauses shall apply, as required by the terms of the prime contract, or by operation of law or regulation. The effective version of each Federal Acquisition Regulation (hereinafter “FAR”) clause shall be the same version as that which appears in Buyer’s prime contract (as amended) or higher tier subcontract (as amended) under which this Order is a subcontract.

The full text of a FAR provision or clause may be accessed electronically at: <https://www.acquisition.gov/far/>.

Clauses	Title	Applicability
52.202-1	Definitions	All Orders
52.203-3	Gratuities	All Orders
52.203-5	Covenant Against Contingent Fees	Orders equal to or greater than \$250,000
52.203-6	Restrictions on Subcontracts Sales to the Government	Orders equal to or greater than \$250,000
52.203-7	Anti-Kickback Procedures — <i>Except that subparagraph (c)(1) does not apply.</i>	Orders equal to or greater than \$150,000
52.203-8	Cancellation, Rescission and Recovery of Funds for Illegal or Improper Activity	Orders equal to or greater than \$250,000
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity	Orders equal to or greater than \$250,000
52.203-11	Certification and Disclosure Regarding Payment to Influence Certain Federal Transactions	Orders equal to or greater than \$150,000
52.203-12	Limitation on Payments to Influence Certain Federal Transactions	Orders equal to or greater than \$150,000
52.203-13	Contractor Code of Business Ethics and Conduct	Orders equal to or greater than \$5,500,000 and with a period of performance greater than 120 days
52.203-14	Display of Hotline Posters	Orders equal to or greater than \$6,000,000
52.203-16	Preventing Personal Conflicts of Interest	Orders equal to or greater than \$250,000

Cluses	Title	Applicability
52.203-17	Contractor Employee Whistleblower Rights and Requirement To Inform Employees of Whistleblower Rights	Orders equal to or greater than \$250,000
52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements	All Orders
52.204-2	Security Requirements	All Orders that may require access to classified information
52.204-4	Printed or Copied Double-Sided on Postconsumer Fiber Content Paper	Orders equal to or greater than \$250,000
52.204-9	Personal Identity Verification of Contractor Personnel	All Orders
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards – <i>Except that subparagraphs (c)(1) and (c)(3) do not apply.</i>	Orders equal to or greater than \$30,000
52.204-21	Basic Safeguarding of Covered Contractor Information Systems	All Orders that receive Federal contract information
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities	All Orders
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment	All Orders
52.209-6	Protecting the Government’s Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment	Orders equal to or greater than \$35,000
52.211-5	Material Requirements	All Orders
52.211-15	Defense Priority and Allocation Requirements	All Orders
52.212-4	Contract Terms and Conditions--Commercial Products and Commercial Services	Commercial Products / Commercial Services ONLY
52.215-2	Audit and Records – Negotiation	Orders equal to or greater than \$150,000
52.215-10	Price Reduction for Defective Cost or Pricing Data – <i>In paragraph (c)(1) the term “Contracting Officer” does not change.</i>	Orders equal to or greater than \$2,000,000
52.215-11	Price Reduction for Defective Cost or Pricing Data – Modifications	Orders equal to or greater than \$2,000,000
52.215-12	Subcontractor Cost or Pricing Data	Orders equal to or greater than \$2,000,000
52.215-13	Subcontractor Cost or Pricing Data – Modifications	Orders equal to or greater than \$2,000,000
52.215-14	Alt. 1 Integrity of Unit Prices	Orders equal to or greater than \$250,000
52.215-15	Pension Adjustments and Asset Reversions	Orders equal to or greater than \$2,000,000
52.215-16	Facilities Capital Cost of Money	Orders equal to or greater than \$2,000,000 when facilities cost of money is proposed
52.215-18	Reversion or Adjustment of Plans for Post Retirement Benefits Other than Pensions (PRB)	Orders equal to or greater than \$2,000,000
52.215-19	Notification of Ownership Changes	Orders equal to or greater than \$2,000,000
52.215-20	Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data	Orders equal to or greater than \$2,000,000
52.215-21	Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data – Modifications	Orders equal to or greater than \$2,000,000

Clauses	Title	Applicability
52.215-23	Limitations on Pass-Through Charges	Civilian agency cost reimbursement Orders equal to or greater than \$250,000 and Defense Agency Orders equal to or greater than \$2,000,000
52.216-7	Allowable Cost and Payment	Cost-reimbursement Orders and time-and-material orders (other than for a Commercial Product)
52.219-1	Alt I Small Business Program Representations	Orders equal to or greater than \$10,000
52.219-8	Utilization of Small Business Concerns	Orders equal to or greater than \$250,000
52.219-9	Small Business Subcontracting Plan	Orders to large businesses equal to or greater than \$700,000 that offer further subcontracting opportunities - Not applicable to small businesses
52.219-16	Liquidated Damages — Subcontracting Plan	Orders equal to or greater than \$700,000 - Not applicable to small businesses
52.222-1	Notice to the Government of Labor Disputes	All Orders
52.222-3	Convict Labor	All Orders
52.222-4	Contract Work Hours and Safety Standards Act — Overtime Compensation	Orders equal to or greater than \$150,000
52.222-19	Child Labor — Cooperation with Authorities and Remedies	Orders equal to or greater than \$10,000
52.222-20	Contracts for Materials, Supplies, Articles, and Equipment	All Orders
52.222-21	Prohibition of Segregated Facilities	All Orders
52.222-24	Pre-Award On-Site Equal Opportunity Compliance Evaluation	Orders equal to or greater than \$10,000,000
52.222-26	Equal Opportunity	Orders equal to or greater than \$10,000
52.222-35	Equal Opportunity for Veterans	Orders equal to or greater than \$150,000
52.222-36	Equal Opportunity for Workers with Disabilities	Orders equal to or greater than \$15,000
52.222-37	Employment Reports on Veterans	Orders equal to or greater than \$150,000
52.222-40	Notification of Employee Rights Under the National Labor Relations Act	Orders equal to or greater than \$10,000
52.222-50	Combating Trafficking in Persons	Orders equal to or greater than \$550,000 for items acquired, or services performed, outside the U.S.
52.222-54	Employment Eligibility Verification	All Orders
52.223-3	Hazardous Material Identification and Material Data Safety	All Orders if delivery of hazardous material is required
52.223-5	Pollution Prevention and Right-to-Know Information	All Orders where performance may occur at a Federal Facility
52.223-6	Drug-Free Workplace	All Orders
52.223-7	Notice of Radioactive Materials	All Orders for supplies which contain radioactive materials
52.223-11	Ozone – Depleting Substances and High Global Warming Potential Hydrofluorocarbons	All Orders for supplies which contain ozone depleting substances
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving	Orders equal to or greater than \$10,000
52.224-3	Privacy Training	All Orders
52.225-8	Duty Free Entry	All Orders for foreign supplies greater than \$15,000

Cluses	Title	Applicability
52.225-13	Restrictions on Certain Foreign Purchases	All Orders
52.225-25	Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran--Representation and Certifications.	All Orders
52.227-1	Authorization and Consent	Orders equal to or greater than \$250,000
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement	Orders equal to or greater than \$250,000
52.227-10	Filing Patent Applications – Classified Subject Matter	All Orders that may cover classified subject matter.
52.227-11	Patent Rights	All Orders for experimental, developmental, or research work or construction that includes experimental, development or research work except for those performed by a large business for a Defense agency.
52.228-5	Insurance – Work on a Government Installation	Fixed Price Orders equal to or greater than \$250,000
52.229-3	Federal State and Local Taxes	Fixed Price Orders equal to or greater than \$250,000
52.230-2	(Dev) Cost Accounting Standards (DEVIATION 2018-O0015)	Orders equal to or greater than \$2,000,000 (unless an exemption applies)
52.230-3	(Dev) Disclosure and Consistency of Cost Accounting Practices (DEVIATION 2018-O0015)	Orders equal to or greater than \$2,000,000 (unless an exemption applies)
52.230-6	Administration of Cost Accounting Standards	Orders where any of the following Cost Accounting Standards FAR clauses may apply: 52.230-2; 52.230-3; 52.230-4, or 52.230-5
52.232-7	Payments under Time-and-Materials and Labor-Hour Contracts	Time-and-Materials and Labor-Hour Orders
52.232-11	Extras	All Orders
52.232-16	Progress Payments	Orders which the Government may provide progress payments based on costs
52.232-39	Unenforceability of Unauthorized Obligations	All Orders
52.232-40	Providing Accelerated Payments to Small Business Subcontractors	All Orders to small businesses
52.233-3	Protest After Award	All Orders
52.234-1	Industrial Resources Developed Under Defense Production Act Title III	All Orders
52.239-1	Privacy or Security Safeguards	All Orders
52.242-2	Production Progress Reports	All Orders
52.242-3	Penalties for Unallowable Costs	Orders equal to or greater than \$2,000,000
52.242-5	Payments to Small Business Subcontractors	Orders equal to or greater than \$700,000
52.242-13	Bankruptcy – <i>Except replace “a listing of Government contract numbers and contracting offices for all Government contracts “with “a listing of all Buyer Orders.”</i>	Orders equal to or greater than \$250,000
52.242-15	Stop Work Order - <i>Except in subparagraph (b)(2), replace the reference to 30 days with 15 days.</i>	All Orders
52.243-1	Changes - Fixed Price - <i>Except in subparagraph (c) replace the reference to 30 days with 15 days.</i>	Fixed Price Orders

Clauses	Title	Applicability
52.243-2	Changes – Cost-Reimbursement - <i>Except in subparagraph (c), replace the reference to 30 days with 15 days.</i>	Cost Reimbursement Orders
52.243-3	Changes - Time-and-Materials or Labor-Hours - <i>Except in subparagraph (c), replace the reference to 30 days with 15 days.</i>	Time-and-Materials and Labor-Hour Orders
52.243-6	Change Order Accounting	All Orders
52.244-5	Competition in Subcontracting	All Orders
52.244-6	Subcontracts for Commercial Items	All Orders
52.245-1	Government Property — <i>In which “Government” means Buyer except: (1) in the terms “Government furnished property” and “Government property, “ and — (2) in subparagraph (d)(3)(i)(B), paragraph (e), subparagraph (f)(1)(ii), and subparagraph (j)(1) “Government” means Government and/or Buyer: In paragraph (g), and subparagraphs (h)(3), (j)(4), and (i).</i>	Orders where Government property will/may be furnished or acquired
52.245-9	Use And Charges	Orders which Government Furnished Property is utilized
52.246-1	Contractor Inspection Requirements – <i>Except that this clause shall not take precedence over any specified inspection and/or testing required in the contract. This clause is intended to supplement contract requirements.</i>	Orders equal to or less than \$250,000
52.246-2	Inspection of Supplies – Fixed Price	Fixed Price Orders
52.246-3	Inspection of Supplies – Cost-Reimbursement	Cost Reimbursement Orders
52.246-4	Inspection of Services – Fixed Price	Fixed Price Orders
52.246-5	Inspection of Services – Cost-Reimbursement	Cost Reimbursement Orders
52.246-6	Inspection – Time-and-Materials or Labor-Hours	Time-and-Materials and Labor-Hour Orders
52.246-11	Higher-Level Contract Quality Requirement	All Orders
52.246-16	Responsibility for Supplies	Fixed Price Orders equal to or greater than \$250,000
52.246-24	Limitation of Liability – High-Value Items	Orders equal to or less than \$250,000
52.247-63	Preference for U.S. Flag Air Carriers	All Orders involving international air transportation
52.247-64	Preference for Privately Owned U.S.-Flagged Commercial Vessels	All Orders involving ocean transportation of supplies
52.247-68	Report of Shipment (REPSHIP) – <i>Any notice required by this clause shall be sent to the Buyer. Disregard address in paragraph (b)(3)</i>	All Orders
52.248-1	Value Engineering	Orders equal to or greater than \$250,000
52.249-1	Termination for Convenience of the Government (Fixed Price) (Short Form)	Fixed Price Orders less than \$250,000

Clauses	Title	Applicability
52.249-2	Termination for Convenience of the Government (Fixed Price) – <i>Paragraph (c) is modified to state, “termination inventory schedule shall be submitted no later than “60 days from the effective date of termination”. Paragraph (d) is deleted. Paragraph (e) is modified to state “the Seller shall submit the termination settlement proposal within 6 months”, and “in paragraph (l), “a request for an equitable adjustment shall be requested within 45 days”.</i>	Fixed Price Orders equal to or greater than \$250,000
52.249-6	Termination (Cost-Reimbursement) – <i>Except that paragraph (d), termination inventory schedule shall be submitted no later than “60 days from the effective date of termination”, paragraph (e) is deleted, and in paragraph (f) “the Seller shall submit the termination settlement proposal within 6 months”. Paragraph (j) is deleted.</i>	Cost Reimbursement Orders. Alternate I applies if the Order is for construction. Alternate IV applies if the Order is a Time- and-Materials or Labor-Hour Order.
52.249-8	Default (Fixed-Price Supply and Service)	Fixed Price Orders equal to or greater than \$250,000
52.249-10	Default (Fixed-Price Construction)	Fixed Price Orders equal to or greater than \$250,000 for construction
52.249-14	Excusable Delays	Cost Reimbursement, Time-and-Materials and Labor Hour Orders
252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies - <i>Except that paragraph (g) does not apply.</i>	Orders equal to or greater than \$250,000
252.203-7002	Requirement to Inform Employees of Whistleblower Rights	All Orders
252.203-7003	Agency Office of the Inspector General	Orders equal to or greater than \$5,500,000
252.203-7004	Display of Fraud Hotline Poster(s)	Orders equal to or greater than \$5,500,000
252.204-7000	Disclosure of Information	All Orders
252.204-7004	Antiterrorism Awareness Training for Contractors	All Orders involving routine physical access to a Federally-controlled facility or military installation.
252.204-7008	Compliance With Safeguarding Covered Defense Information Controls	All Orders
252.204-7009	Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information	All Orders
252.204-7012	Safeguarding of Unclassified Controlled Technical Information	All Orders
252.204-7015	Notice of Authorized Disclosure of Information for Litigation Support	All Orders
252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services	All Orders
252.204-7019	Notice of NIST SP 800-171 DoD Assessment Requirements	Orders exceeding \$10,000 including commercial items (per FAR 2.101), but excluding COTS items
252.204-7021	Contractor Compliance with the Cybersecurity Maturity Model Certification Level Requirement	Orders exceeding \$10,000 including commercial items (per FAR 2.101), but excluding COTS items

Clauses	Title	Applicability
252.204-7022	Expediting Contract Closeout	All Orders
252.208-7000	Intent to Furnish Precious Metal as Government-Furnished Material	Orders equal to or greater than \$250,000
252.209-7004	Subcontracting With Firms That Are Owned or Controlled By The Government of a Country that is a State Sponsor of Terrorism	Orders equal to or greater than \$150,000
252.209-7009	Organizational Conflict of Interest-Major Defense Acquisition Program	Orders equal to or greater than (a) \$2,000,000 and greater than 10% of the value of the prime contract or (b) \$50 million
252.211-7003	Item Identification and Valuation	All Orders
252.211-7007	Reporting of Government-Furnished Property	All Orders when Government Furnished Property is utilized
252.215-7002	Cost Estimating Systems Requirements	Orders equal to or greater than \$2,000,000
252.219-7003	Small Business Subcontracting Plan (DOD Contracts)	Orders equal to or greater than \$2,000,000
252.222-7006	Restrictions on the Use of Mandatory Arbitration Agreements	Orders equal to or greater than \$1,000,000
252.223-7001	Hazard Warning Labels (Applicable if this Order requires the delivery of hazardous materials)	All Orders
252.223-7004	Drug Free Work Force	Orders equal to or greater than \$250,000
252.223-7006	Prohibition on Storage and Disposal of Toxic and Hazardous Materials	All Orders
252.223-7008	Prohibition of Hexavalent Chromium	All Orders (does not apply to legacy systems and their related parts which was previously approved)
252.225-7001	Buy American Act and Balance of Payments Program — <i>“Government” is not changed in this clause.</i>	All Orders
252.225-7002	Qualifying Country Sources as Subcontractors	All Orders
252.225-7004	Report of Intended Performance Outside the United States and Canada- Submission after Award	Orders equal to or greater than \$700,000
252.225-7006	Acquisition of the American Flag	Orders equal to or greater than \$250,000
252.225-7007	Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies	All Orders
252.225-7008	Restriction on Acquisition of Specialty Metals	All Orders
252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals	All Orders
252.225-7012	Preference For Certain Domestic Commodities	All Orders
252.225-7013	(Dev) Duty-Free Entry (DEVIATION 2020-O0019)	All Orders
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings	All Orders
252.225-7030	Restriction on Acquisition of Carbon, Alloy, and Armor Steel Plate	All Orders
252.225-7048	Export Controlled Items	All Orders
252.225-7052	Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten	Orders equal to or greater than \$250,000
252.225-7052	(Dev) Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten (DEVIATION	Orders equal to or greater than \$250,000

Clauses	Title	Applicability
252.225-7975	(Dev) Additional Access to Contractor and Subcontractor Records (DEVIATION 2020-O0022)	Orders equal to or greater than \$50,000 and performed outside the United States
252.225-7993	(Dev) Prohibition on Providing Funds to the Enemy (Deviation 2020-O0022)	Orders equal to or greater than \$50,000 and performed outside the United States
252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises and Native Hawaiian Small Concerns	Orders equal to or greater than \$500,000
252.227-7013	Rights in Technical Data — Noncommercial Items — <i>Except delete “[T]o the Contractor” from (b)(1)(vi); delete “contract or” and “thereunder” have from (b)(1)(ix); add “Buyer or” before “Government” in (c) and (i); change second and third occurrences of “Contracting Officer” to “Government” in (e)(4); add “And the Government” after “parties” in (h)(1); and change In (h) (2) “sixty (60) “ to “fifty (50) “ days. No substitutions for “Government” shall be made.</i>	All Orders
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation — <i>Except add “Buyer or” before “Government” in (b)(1)(i); delete “[T]o the Contractor” from (b)(1)(iii); delete “contract or “ and “thereunder “ from (b) (1) (vi); change the second and third occurrences of “Contracting Officer” to “Government” in (e)(4); add “And the Government” after “parties” in (h)(1); and change In (h) (2) “sixty (60) “ to “fifty (50) “ days. No substitutions for “Government” shall be made.</i>	All Orders
252.227-7015	Technical Data – Commercial Items	All Commercial Product Orders
252.227-7016	Rights in Bid or Proposal Information	All Orders
252.227-7017	Identification and Assertion of Use, Release or Disclosure Restrictions	Orders where technical data and computer software will be delivered with less than unlimited rights
252.227-7019	Validation of Asserted Restrictions — Computer Software	Orders where computer software will be delivered with less than unlimited rights
252.227-7025	Limitations on the Use or Disclosure of Government- Furnished Information Marked With Restrictive Legends <i>Except in paragraph (c), “Government” means “Government and Buyer”</i>	Orders involving Government-furnished information with restrictive legends
252.227-7026	Deferred Delivery of Technical Data or Computer Software	All Orders
252.227-7027	Deferred Ordering of Technical Data or Computer Software	All Orders
252.227-7028	Technical Data or Computer Software Previously Delivered to the Government	All Orders
252.227-7030	Technical Data – Withholding of Payment	All Orders
252.227-7032	Rights in Technical Data and Computer Software (Foreign)	All Orders with foreign contractors to be performed overseas except Canada

Clauses	Title	Applicability
252.227-7037	Validation of Restrictive Markings on Technical Data	All Orders
252.227-7038	Patent Rights – Ownership by the Contractor	All Orders for experimental, developmental, or research work or construction that includes experimental, development or research work to be performed by a large business for a Defense agency.
252.227-7039	Patents – Reporting of Subject Inventions	All Orders for experimental, developmental, or research work or construction that includes experimental, development or research work.
252.231-7000	Supplemental Costs Principles	Orders equal to or greater than \$2,000,000
252.234-7003	Notice of Cost and Software Data Reporting System	Orders equal to or greater than \$50,000,000
252.234-7004	Cost and Software Data Reporting System	Orders equal to or greater than \$50,000,000
252.235-7003	Frequency Authorization	Orders involving devices for which radio frequency authorization is required
252.237-7010	Prohibition on Interrogation of Detainees by Contractor Personnel	All Orders
252.239-7018	(Dev) Supply Chain Risk (DEVIATION 2018-O0020)	All Orders
252.242-7004	Material Management and Accounting System	Orders equal to or greater than \$250,000
252.242-7006	Accounting System Administration	All Orders with progress payments made on the basis of costs incurred
252.243-7001	Pricing of Contract Modifications	Fixed Price Orders
252.243-7002	Requests for Equitable Adjustment	Orders equal to or greater than \$250,000
252.244-7000	Subcontracts for Commercial Items and Commercial Components (DoD Contracts)	All Orders
252.245-7001	Tagging, Labeling, and Marking of Government Furnished Property	All Orders
252.245-7002	Reporting Loss of Government Property	All Orders
252.245-7004	Reporting, Reutilization, and Disposal	All Orders
252.246-7001	Warranty of Data	All Orders
252.246-7003	Notification of Potential Safety Issues	All Orders
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System	All Orders
252.247-7023	Transportation of Supplies by Sea	Orders equal to or greater than \$250,000
252.249-7002	Notification of Anticipated Contract Termination or Reduction	Orders equal to or greater than \$150,000