

# 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 Samll 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 Modeerization 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) 252.225-7014	Preference for Domestic Specialty Metals (Major Programs)
9) 252.225-7028	Exclusionary Policies and Practices of Foreign Governments
10) 252.227-7013	Rights in Technical Data and Computer Software
11) 252.227-7018	Restrictive Markings on Technical Data
12) 252.227-7033	Rights in Shop Drawings
13) 252.227-7034	Patents - Subcontract
14) 252.227-7037	Validation of Restrictive Markings on Technical Data
15) 252.228-7001	Ground and Flight Risk
16) 252.228-7005	Accident Reporting and Investigation Involving Aircraft, Missiles and Space Launch Vehicle
17) 252.234-7000	Notice of Cost/Schedule Control Systems
18) 252.234-7001	Cost/Schedule Control Systems
19) 252.235-7003	Frequency Authorization
20) 252.239-7010	Audit and Records - Common Carriers

## PROCUREMENT TERMS AND CONDITIONS

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- 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 the Seller has no direct appeal rights against the Government. Any claims against the Government must be asserted through Purchaser).

<b>II. DOD FAR</b>	<b>Title</b>
<b>Supplement Section</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 Software
4) 252.227-7027	Deferred Ordering of Technical Data or Computer 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