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## **Supplemental Terms And Conditions**

FEDERAL ACQUISITION REGULATIONS (FAR), DEPARTMENT OF DEFENSE 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. The Seller shall include the following clauses in its lower-tier purchase orders as required. Except as may be expressly set forth in this document and with the U.S. Government Contracting Officer's express consent, the Seller shall not acquire any direct claim of direct course of action against the U.S. Government. Any disputes involving the Federal Government shall be governed solely by federal law. Nothing in these Terms and Conditions shall be construed or interpreted to limit or in any way restrict the rights of the Government in regard to data, tooling, and other information it owns or has a right to use, including the right to authorize the Seller's use of such data, tooling, or other information in direct contacts between the Seller's use of such data, tooling, or other information in direct contracts between the Seller and the Government. If any of the following FAR or DFARS clauses do not apply to a particular purchase order, such clauses are self-deleting. Section headings for the monetary thresholds are for convenience of reference and do not limit any of the terms of the clauses referenced.

FAR Clauses at: <https://www.acquisition.gov/browse/index/far>

DFARS and NASA FAR Supplement Clauses at: <https://www.acquisition.gov/content/supplemental-regulations>

**All Orders****Federal Acquisition Regulation and DFARS Clauses**

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| 52.203-15 | Whistleblower Protections Under the American Recovery and Reinvestment Act (Jun 2010)  |
| 52.203-19 | Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017)  |
| 52.204-2  | Security Requirements (Mar 2021)   |
| 52.204-9  | Personal Identity Verification of Contractor Personnel (Jan 2011)  |
| 52.204-18 | Commercial and Government Entity Code Maintenance (Aug 2020)   |
| 52.204-21 | Basic Safeguarding of Covered Contractor Information Systems (Nov 2021)  |
| 52.204-23 | Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (Dec 2023) |
| 52.204-25 | Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (Nov 2021)                            |
| 52.204-27 | Prohibition on a ByteDance Covered Application (Jun 2023)  |
| 52.204-30 | Federal Acquisition Supply Chain Security Act Order – Prohibition (Dec 2023)   |
| 52.211-5  | Material Requirements (Aug 2000)   |
| 52.211-15 | Defense Priority and Allocation Requirements (Apr 2008)  |
| 52.215-15 | Pension Adjustment 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)   |
| 52.219-8  | Utilization of Small Business Concerns (Feb 2024)  |
| 52.219-28 | Post-Award Small Business Program Representation (Feb 2024)  |
| 52.222-4  | Contract Work Hours and Safety Standards – Overtime Compensation (Mar 2018)  |
| 52.222-11 | Subcontracts (Labor Standards)   |
| 52.222-21 | Prohibition of Segregated Facilities (Apr 2015)  |
| 52.222-22 | Previous Contracts and Compliance Reports  |
| 52.222-25 | Affirmative Action Compliance  |
| 52.222-26 | Equal Opportunity (Sep 2016)   |
| 52.222-41 | Service Contract Labor Standards (Aug 2018)  |
| 52.222-50 | Combating Trafficking in Persons (Nov 2021)  |
| 52.223-3  | Hazardous Material Identification and Material Safety Data (Alt I applies if this order is for other than DoD) (Feb 2021)                    |
| 52.223-5  | Pollution Prevention and Right-to-Know Information (May 2011)  |
| 52.223-7  | Notice of Radioactive Materials (Jan 1997)   |
| 52.223-11 | Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (Jun 2016)   |
| 52.224-1  | Privacy Act Notification (Apr 1984)  |
| 52.224-2  | Privacy Act (Apr 1984)   |
| 52.225-1  | Buy American Act – Supplies (Oct 2022)   |
| 52.225-2  | Buy American Act Certificate (Oct 2022)  |
| 52.225-3  | Buy American Act – Free Trade Agreements – Israel Trade Act (Nov 2023)   |
| 52.225-5  | Trade Agreements (Nov 2023)  |
| 52.225-8  | Duty-free Entry (Oct 2010)   |
| 52.225-13 | Restrictions on Certain Foreign Purchases (Feb 2021)   |
| 52.227-3  | Patent Indemnity   |
| 52.227-9  | Refund of Royalties (Apr 1984)   |
| 52.227-10 | Filing of Patent Applications - Classified Subject Matter (Dec 2007)   |

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| 52.227-11       | Patent Rights – Ownership by the Contractor (references to “Government”, “Contracting Officer” and “Contractor” as contained in this clause remain unchanged) (May 2014) |
| 52.227-13       | Patent Rights-Ownership by the Government (Dec 2007)   |
| 52.227-14       | Rights in Data – General (May 2014)  |
| 52.229-3        | Federal, State, and Local Taxes (Feb 2013)   |
| 52.232-16       | Progress Payments  |
| 52.232-39       | Unenforceability of Unauthorized Obligations (Jun 2013)  |
| 52.232-40       | Providing Accelerated Payments to Small Business Subcontractors (Mar 2023)   |
| 52.233-1        | Disputes (May 2014)  |
| 52.233-3        | Protest After Award (Aug 1996)   |
| 52.234-1        | Industrial Resources Developed Under Title III, Defense Production Act (Sep 2016)  |
| 52.236-13       | Accident Prevention (Nov 1991)   |
| 52.244-6        | Subcontracts for Commercial Products and Commercial Services (Feb 2024)  |
| 52.245-1, Alt 1 | Government Property (Sep 2021), Alternate I (Apr 2012) (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 (Apr 2012)   |
| 52.246-2        | Inspection of Supplies – Fixed Price (Aug 1996)  |
| 52.246-3        | Inspection of Supplies-Cost-Reimbursement  |
| 52.246-4        | Inspection of Services – Fixed Price (Aug 1996)  |
| 52.246-5        | Inspection of Service-Cost-Reimbursement   |
| 52.246-6        | Inspection-Time-and-Material and Labor-Hour  |
| 52.246-16       | Responsibility for Supplies (Apr 1984)   |
| 52.246-26       | Reporting Nonconforming Items (Nov 2021)   |
| 52.247-63       | Preference for U.S. Flag Air Carriers (June 2003)  |
| 52.247-64       | Preference for Privately Owned U.S. Flag Commercial Vessels (Nov 2021)   |
| 52.248-1        | Value Engineering (Jun 2020)   |
| 52.249-2        | Termination for Convenience of the Government (Fixed-Price) (Apr 2012)   |
| 52.249-8        | Default (Fixed-Price Supply and Service) (Apr 1984)  |
| 252.203-7002    | Requirement to Inform Employees of Whistleblower Rights (Dec 2022)   |
| 252.204-7000    | Disclosure of Information (Oct 2016)   |
| 252.204-7008    | Compliance with Safeguarding Covered Defense Information Controls (Oct 2016)   |
| 252.204-7009    | Limitations on the Use and Disclosure of Third-Party Contractor Reported Cyber Incident Information (Jan 2023)   |
| 252.204-7012    | Safeguarding Covered Defense Information and Cyber Incident (Jan 2023)   |
| 252.204-7014    | Limitations on the Use of Disclosure of Information by Litigation Support Contractors (Jan 2023)   |
| 252.204-7015    | Notice of Authorized Disclosure of Information for Litigation Support (Jan 2023)   |
| 252.204-7018    | Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services (Jan 2023)  |
| 252.204-7019    | Notice of NIST SP 800-171 DoD Assessment Requirements (Nov 2023)   |
| 252.204-7020    | NIST SP 800-171 DoD Assessment Requirements (Nov 2023)   |
| 252.204-7021    | Contractor Compliance with the Cybersecurity Maturity Model Certification Level Requirement (Jan 2023)   |
| 252.208-7000    | Intent to Furnish Precious Metals as Government-Furnished Material (Dec 1991)  |
| 252.211-7003    | Item Unique Identification and Valuation (Jan 2023)  |
| 252.222-7000    | Restrictions on Employment of Personnel (Mar 2000)   |
| 252.223-7006    | Prohibition on Storage and Disposal of Toxic and Hazardous Materials (Sep 2014)  |
| 252.223-7007    | Safeguarding Sensitive Conventional Arms, Ammunition, and Explosives (Nov 2023)  |

252.223-7008 Prohibition of Hexavalent Chromium (Jan 2023)

252.225-7000 Buy American Act-Balance of Payments Program Certificate (Feb 2024)

252.225-7001 Buy American Act and Balance of Payments Program (Feb 2024)

252.225-7006 Acquisition of the American Flag (Dec 2022)

252.225-7007 Prohibition on Acquisition of United States Items from Communist Chinese Military Companies (Dec 2018)

252.225-7008 Restriction on Acquisition of Specialty Metals (Mar 2013)

252.225-7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals (Jan 2023) (excluding paragraph (d) and (e)(1))

252.225-7012 Preference for Certain Domestic Commodities (Apr 2022)

252.225-7013 Duty-Free Entry (Nov 2023)

252.225-7016 Restriction on Acquisition of Ball and Roller Bearings (Jan 2023)

252.225-7021 Trade Agreements (Feb 2024)

252.225-7025 Restrictions on Acquisition of Forgings (Dec 2009)

252.225-7028 Exclusionary Policies and Practices of Foreign Governments (Apr 2003)

252.225-7030 Restriction on Acquisition of Carbon Alloy and Armor Steel Plate (Dec 2006)

252.225-7036 Buy American Act – Free Trade Agreements – Balance of Payments Program (Feb 2024)

252.225-7043 Anti-Terrorism/Force Protection Policy for Defense Contractors Outside the United States (Jun 2015)

252.225-7048 Export-Controlled Items (Jun 2013)

252.225-7052 Restriction on the Acquisition of Certain Magnets and Tungsten (Jan 2023)

252.225-7056 Prohibition Regarding Business Operations with the Maduro Regime (Jan 2023)

252.225-7058 Post award Disclosure of Employment of Individuals Who Work in the People’s Republic of China (Jan 2023)

252.225-7060 Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region (Jun 2023)

252.227-7013 Rights in Technical Data – Other Than Commercial Products and Commercial Services (the term “Government” shall remain throughout this clause, the term “Contracting Officer” shall mean both “Contracting Officer and Buyer”) (Mar 2023)

252.227-7014 Rights in Other Than Commercial Computer Software and Other Than Commercial Computer Software Documentation (the term “Government” shall remain throughout this clause, the term “Contracting Officer” shall mean both “Contracting Officer and Buyer”) (Mar 2023)

252.227-7015 Technical Data - Commercial Products and Commercial Services (Mar 2023)

252.227-7016 Rights in Bid or Proposal Information (Jan 2023)

252.227-7019 Validation of Asserted Restrictions - Computer Software (Jan 2023)

252.227-7025 Limitations on the Use or Disclosure of Government Furnished Information Marked with Restrictive Legends (Jan 2023)

252.227-7030 Technical Data - Withholding of Payment (Mar 2000)

252.227-7033 Rights in Shop Drawings

252.227-7037 Validation of Restrictive Markings of Technical Data (the terms throughout this clause shall remain unchanged) (Jan 2023)

252.228-7001 Ground and Flight Risk (Mar 2023)

252.228-7005 Mishap Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles (Nov 2019)

252.229-7011 Reporting of Foreign Taxes – US Assistance Programs (Sep 2005)

252.235-7003 Frequency Authorization (Mar 2014)

252.235-7004 Protection of Human Subjects (Jul 2009)

252.239-7016 Telecommunications Security Equipment, Devices, Techniques, and Services

252.239-7018 Supply Chain Risk (Dec 2022)

- 252.243-7001 Pricing of Contract Modifications (Dec 1991)
- 252.244-7000 Subcontracts for Commercial Products or Commercial Services (Nov 2023)
- 252.246-7001 Warranty of Data (Alt 1) (Mar 2014)
- 252.246-7003 Notification of Potential Safety Issues (Jan 2023)
- 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”) (Jan 2023)
- 252.246-7008 Sources of Electronic Parts (Jan 2023)
- 252.247-7023 Transportation of Supplies by Sea (paragraphs (a) through (e) apply to all orders; all paragraphs apply to transactions greater than \$250,000) (Jan 2023)
- 252.249-7002 Notification of Anticipated Contract Termination or Reduction (Dec 2022)
- Orders over \$3,500**
- 52.222-54 Employment Eligibility Verification (May 2022)
- Orders over \$10,000**
- 52.222-40 Notification of Employee Rights Under the National Labor Relations Act (Dec 2010)
- 52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving (Jun 2020)
- Orders over \$15,000**
- 52.222-20 Contracts for Materials, Supplies, Articles and Equipment Exceeding \$15,000 (Jun 2020)
- 52.222-36 Equal Opportunity for Workers with Disabilities (Jun 2020)
- Orders over \$30,000**
- 52.204-10 Reporting Executive Compensation and First-Tier Subcontract Awards (Jun 2020)
- Orders over \$35,000**
- 52.209-6 Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (Nov 2021)
- Orders over \$150,000**
- 52.203-7 Anti-Kickback Procedures (Jun 2020)
- 52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (Sep 2007)
- 52.203-12 Limitation on Payments to Influence Certain Federal Transactions (Jun 2020)
- 52.222-35 Equal Opportunity for Veterans (Jun 2020)
- 52.222-37 Employment Reports on Special Veterans (Jun 2020)
- Orders over \$250,000**
- 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 (Jun 2020)
- 52.203-8 Cancellation, 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)
- 52.203-16 Preventing Conflicts of Interest (Jun 2020)
- 52.203-17 Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Nov 2023)
- 52.215-2 Audit and Records – Negotiation (Jun 2020)
- 52.215-14 Integrity of Unit Prices (except for paragraph (b) of this clause) (Nov 2021)

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| 52.215-22    | Limitations on Pass-Through Charges – Identification of Subcontract Effort (DoD Only) (Oct 2009) |
| 52.215-23    | Limitations on Pass-Through Charges (Jun 2020)   |
| 52.227-1     | Authorization and Consent (Jun 2020)   |
| 52.227-2     | Notice and Assistance Regarding Patent and Copyright Infringement (Jun 2020)                     |
| 52.248-1     | Value Engineering (Jun 2020)   |
| 252.203-7001 | Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies (Jan 2023)  |

**All Orders**

**NASA FAR Supplemental Clauses**

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|-------------|--|
| 1852.203-71 | Requirement to Inform Employees of Whistleblower Rights  |
| 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  |
| 1852.219-75 | Individual Subcontracting Reports  |
| 1852.223-70 | Safety and Health Measures and Mishap Reporting  |
| 1852.223-71 | Authorization for Radio Frequency Use  |
| 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—Ownership by the Contractor (APR 2015)   |
| 1852.227-14 | Rights In Data—General (APR 2015)  |
| 1852.227-19 | Commercial Computer Software-Restricted Rights (Jul 1997)  |
| 1852.227-70 | New Technology (Apr 2015)  |
| 1852.227-71 | Requests for Waiver of Rights to Inventions (Apr 2015)   |
| 1852.227-72 | Designation of New Technology Representative and Patent Representative (Apr 2015)  |
| 1852.227-85 | Invention Reporting and Rights—Foreign (Apr 2015)  |
| 1852.228-76 | Cross-Waiver of Liability for International Space Station Activities (Oct 2012)  |
| 1852.228-78 | Cross-Waiver of Liability for Science and Space Exploration Activities Unrelated to the International Space Station (Oct 2012) |
| 1852.237-71 | Pension Portability (Jan 1997)   |
| 1852.237-72 | Access to Sensitive Information (Jun 2005)   |
| 1852.238-73 | Release of Sensitive Information (Jun 2005)  |
| 1852.242-72 | Denied Access to NASA Facilities   |
| 1852.242-73 | NASA contractor financial management reporting   |
| 1852.245-72 | Liability for Government Property Furnished for Repair or Other Services (Jan 2011)  |
| 1852.245-73 | Financial Reporting of NASA Property in the Custody of Contractors (Jan 2017)  |
| 1852.245-74 | Identification and Marking of Government Equipment (Jan 2011)  |

1852.245-78 Physical inventory of capital personal property

**Orders Over \$100,000**

1852.244-70 Geographic participation in the aerospace program