

The following US Government FARs and DFARs are applicable
to all purchase orders referencing
Prime Contract N00024-21-C-2103.

Please visit

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

for full text of Part 52

<https://www.acquisition.gov/dfars>

for full text of Part 252

requirements to Buyer's customer.

15. Naval Criminal Investigative Service Cooperation and Monitoring

- a. In the event of a cyber incident or at any time the Government has indication of a vulnerability or potential vulnerability, the Contractor shall cooperate with the Naval Criminal Investigative Service (NCIS), which may include cooperation related to: threat indicators; pre-determined incident information derived from the Contractor's infrastructure systems; and the continuous provision of all Contractor, subcontractor or vendor logs that show network activity, including any additional logs the contractor, subcontractor or vendor agrees to initiate as a result of the cyber incident or notice of actual or potential vulnerability.

16. Federal Acquisition Regulations (FAR) and Defense Federal Acquisition Regulations Supplement (DFARS) Clauses

The Federal Acquisition Regulations (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) clauses cited below are incorporated by reference herein as if set forth in full text, and are applicable, including any notes or other language following the clause citation, to this Order.

The full text of clauses incorporated by reference is available at <http://www.acquisition.gov/>.

Unless the text in these clauses clearly reserves rights in the Government only, or as otherwise noted, the terms:

"Purchase Order" shall be substituted for "Contract";

"Purchaser" or "BUYER" for "Government" or "Contracting Officer" or equivalent phrases;

"SELLER" for "Contractor"; and

"SELLER's lower-tier subcontractor" for "Subcontractor" when it can so reasonably be interpreted and it is not obvious that the words refer to BUYER's prime contract, the Government or Contracting Officer, the BUYER, or the SELLER itself.

SELLER agrees to flow down the FAR and DFARS clauses invoked herein, as well as those clauses and provisions contained in the Order requiring inclusion in Seller's subcontracts, to its lower-tier subcontractors, and to require further flow down where required and applicable.

SELLER is responsible for determining and complying with all clause flow down requirements.

Buyer's Terms and Conditions shall govern in the event of a conflict between these FAR and DFARS clauses and the provisions set forth in Buyer's Terms and Conditions.

Terms, Conditions, Requirements, and/or Clauses set forth in these terms and conditions may not be applicable to this Order, due to, for example, the type of Order (subcontract), the scope of work, and/or dollar/value thresholds under requirements of the FAR, DFARS or Public Law, or Mandatory Flow Down requirements of a particular prime contract. Clauses that are not applicable are deemed self-deleting, shall not be removed from this document, and will be considered by all parties to be without force and effect.

It is the Seller's obligation to contact Buyer regarding any confusion, ambiguity, or questions of applicability of any clause, provision or requirement.

The abbreviation "SAT" utilized below stands for Simplified Acquisition Threshold, as defined at FAR 2.101, on the date of award of this Order.

Clause Reference ID	Clause Name	Revision	Applicability Notes
52.202-1	Definitions	Nov 2013	
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 2006	
52.203-7	Anti-Kickback Procedures *Subpart (c)(1) does not apply to this Order.	May 2014	Applies if this Order exceeds \$150,000

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	
52.203-12	Limitation On Payments To Influence Certain Federal Transactions	Oct 2010	Applies if this Order exceeds \$150,000
52.203-13	Contractor Code of Business Ethics and Conduct	Oct 2015	Applies to orders over \$5.5 million dollars
52.203-17	Contractor Employee Whistleblower Rights and Requirement To Inform Employees of Whistleblower Rights	Apr 2014	Applies if this Order exceeds the SAT
52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements	Jan 2017	
52.204-2	Security Requirements	Aug 1996	
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards	Oct 2018	
52.204-21	Basic Safeguarding of Covered Contractor Information Systems	Jun 2016	See Note 1
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities	Jul 2018	
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment	Aug 2020	
52.216-7	Allowable Cost and Payment	Jun 2013	
52.209-6	Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment *This clause shall be considered modified as follows: Subpart (b) remove "in excess of the threshold....subcontract award" Subpart (c) remove "whose subcontract will exceed....subcontract award"	Oct 2015	Applies to all Orders regardless of value
52.209-10	Prohibition on Contracting With Inverted Domestic Corporations	Nov 2015	Applies to all Orders
52.211-15	Defense Priority And Allocation Requirements	Apr 2008	Applies to all Orders
52.215-2	Audit and Records – Negotiation	Oct 2010	Applies to Orders over the SAT and only if the Order meets the conditions of subpart (g)(1), (g)(2) or (g)(3)
52.215-10	Price Reduction for Defective Certified Cost or Pricing Data	Aug 2011	
52.215-11	Price Reduction for Defective Certified Cost or Pricing Data – Modifications	Aug 2011	
52.215-12	Subcontractor Certified Cost or Pricing Data	Oct 2010	
52.215-14 & Alt I	Integrity of Unit Prices (and Alternate I)	Oct 2010 (Oct 1997)	
52.215-15	Pension Adjustments and Asset Reversions	Oct 2010	Applies to orders meeting the applicability requirements of FAR 15.408(g).
52.215-18	Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions	Jul 2005	Applies to orders meeting the applicability requirements of FAR 15.408(j).
52.215-21 &	Requirements for Certified Cost or Pricing Data and	Oct 2010	

Alt II & Alt III	Data Other than Certified Cost or Pricing Data - Modifications	(Oct 1997) (Oct 1997)	
52.215-23 & Alt I	Limitations on Pass-Through Charges & Alt I	Jun 2020 (Oct 2009)	Applies to all Orders that exceed the threshold for obtaining cost or pricing data in FAR 15.403-4(a)(1) on the date of award of this Order, except if the Order is of a type listed in FAR 15.408(n)(2)(i)(B)(2).
52.219-8	Utilization of Small Business Concerns	Oct 2018	
52.219-9 (Dev) & Alt II	Small Business Subcontracting Plan (Deviation 2018-00018) & Alt II	Aug 2018	
52.222-4	Contract Work Hours and Safety Standards	May 2018	Applies if this Order, or a subcontract that Seller will place under this Order, requires or involves employment of laborers or mechanics.
52.222-20	Contracts for Materials, Supplies, Articles, and Equipment Exceeding \$15,000	May 2014	
52.222-21	Prohibition of Segregated Facilities	Apr 2015	
52.222-26	Equal Opportunity	Sep 2016	
52.222-35	Equal Opportunity for Veterans	Oct 2015	
52.222-36	Equal Opportunity for Workers with Disabilities	Jul 2014	
52.222-37	Employment Reports on Veterans	Feb 2016	
52.222-40	Notification of Employee Rights Under the National Labor Relations Act	Dec 2010	
52.222-50	Combatting Trafficking in Persons	Jan 2019	
52.222-54	Employment Eligibility Verification	Oct 2015	Applies to Orders greater than \$3,500.00 for services and/or construction.
52.222-55	Minimum Wages under Executive Order 13685	Dec 2015	
52.222-62	Paid Sick Leave under Executive Order 13706	Jan 2017	
52.223-3	Hazardous Material Identification and Material Safety Data	Jan 1997	
52.223-11	Ozone Depleting Substance and High Global Warming Potential Hydrofluorocarbons	Jun 2016	*If the supplies ordered hereunder are subject to the applicability of this clause (see part b), subsection (b) of this FAR applies to this Order, and Seller agrees to provide information to Buyer, upon Buyer's request, in support of the requirements in section (c).
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving	Aug 2011	
52.225-13	Restrictions on Certain Foreign Purchases	Jun 2008	
52.227-1 & Alt I	Authorization and Consent	Dec 2007; Apr 1984	
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement	Dec 2007	
52.227-10	Filing of Patent Applications -- Classified Subject Matter	Dec 2007	Applies to the extent this Order covers classified subject matter.
52.230-2	Cost Accounting Standards *Subpart (b) does not apply to this Order or to	Oct 2015	

	Seller's lower-tier orders.		
52.230-6	Administration of Cost Accounting Standards	Jun 2010	
52.232-17	Interest	May 2014	
52.232-39	Unenforceability of Unauthorized Obligations	Jun 2013	
52.232-40	Providing Accelerated Payments to Small Business Subcontractors	Dec 2013	Applies if Seller is a small business concern
52.233-3 & Alt I	Protest After Award	Aug 1996 / Jun 1985	
52.234-1	Industrial Resources Developed Under Title III, Defense Production Act	Sep 2016	
52.242-1	Notice of Intent to Disallow Costs	Apr 1984	
52.242-3	Penalties for Unallowable Costs	May 2014	
52.242-4	Certification of Final Indirect Costs	Jan 1997	
52.242-15 & ALT I	Stop-Work Order	Aug 1989 Apr 1984	Alternate I applies if this is a Cost-Reimbursement type Order
52.242-13	Bankruptcy	Jul 1995	
52.243-2 & Alt V	Changes – Cost Reimbursement	Aug 1987; Apr 1984	
52.244-6	Subcontracts for Commercial Items	Aug 2019	
52.245-1	Government Property	Jan 2017	
52.247-34	F.o.b. Destination	Nov 1991	
52.250-1 & Alt 1	Indemnification Under Public Law 85-804 <i>SELLER may request Indemnification under Public Law-804 for Nuclear or Unusually Hazardous Risks in accordance with FAR 52.250-1. Any such properly asserted request by the SELLER shall be transmitted to the customer by the BUYER for disposition. Submission of such request does not constitute approval, as the U.S. Government maintains the sole authority to approve or deny such requests. See *Note.</i>	Apr 1984; Apr 1984	
252.203-7000	Requirements Relating to Compensation of Former DoD Officials	Sep 2011	
252.203-7001	Prohibition on Persons Convicted of Fraud or other Defense Contract Related Felonies	Dec 2008	
252.203-7002	Requirement to Inform Employees of Whistleblower Rights	Sep 2013	
252.203-7003	Agency Office of the Inspector General	Aug 2019	
252.203-7004	Display of Hotline Posters	Aug 2019	Does not apply to Orders for commercial goods/services, and applies in accordance with the threshold specified in DFARS 203.1004(b)(2)(ii) on date of award of Order.
252.204-7000	Disclosure of Information	Oct 2016	
252.204-7004	Antiterrorism Awareness Training for Contractors	Feb 2019	Applicable per conditions set forth in subpart (d)
252.204-7009	Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information	Oct 2016	
252.204-7010	Requirement for Contractor to Notify DoD if the Contractor's Activities are Subject to Reporting Under the US International Atomic Energy Agency Additional Protocol	Jan 2009	
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting	Oct 2016	
252.204-7015	Notice of Authorized Disclosure of Information for Litigation Support	May 2016	
252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services	Dec 2019	

252.204-7020	NIST SP 800-171 DoD Assessment Requirements	Nov 2020	
252.209-7004	Subcontracting with Firms Owned or Controlled By the Government of a Country that is a State Sponsor of Terrorism	May 2019	
252.211-7003	Item Unique Identification and Valuation	Mar 2016	
252.211-7007	Reporting of Government Furnished Property	Aug 2012	
252.215-7002	Cost Estimating System Requirements	Dec 2012	*Subsections (a) through (c) applies if certified cost and pricing data is required under this Order. (The remaining sections do not apply unless otherwise stated in the Order).
252.219-7003	Small Business Subcontracting Plan (DoD Contracts)	May 2019	
225.222-7006	Restrictions on the Use of Mandatory Arbitration Agreements	Dec 2010	
252.225-7001	Buy American and Balance of Payments Program -- Basic	Dec 2017	
252.225-7002	Qualifying Country Sources as Subcontractors	Dec 2017	
252.225-7004	Report of Intended Performance Outside the United States and Canada	May 2019	
252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals *This clause applies except for subpart (d) and (e)(1)	Oct 2014	
252.225-7012	Preference for Certain Domestic Commodities	Dec 2017	
252.225-7013	Duty-Free Entry	May 2016	
252.225-7015	Restriction on Acquisition of Hand or Measuring Tools	Jun 2005	
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings	Jun 2011	
252.225-7025	Restriction on Acquisition of Forgings	Dec 2009	
252.225-7048	Export-Controlled Items	Jun 2013	
252.226-7001	Utilization of Indian Organizations and Indian-Owned Economic Enterprises - DoD Contracts	Apr 2019	
252.227-7013	Rights in Technical Data --Noncommercial Items	Feb 2014	
252.227-7014	Rights in Non-Commercial 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	
252.227-7025	Limitations on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends	May 2013	
252.227-7027	Deferred Ordering of Technical Data or Computer Software	Apr 1988	
252.227-7030	Technical Data - Withholding of Payment	Mar 2000	
252.227-7037	Validation of Restrictive Markings on Technical Data	Sep 2016	
252.242.7004	Material Management and Accounting System	May 2011	Applies in accordance with the conditions stated at FAR part 242.7204: if this Order is above SAT AND is NOT for commercial items AND Seller is NOT a small business, educational institution or nonprofit, AND this is a cost-reimbursement or fixed price contract with

			milestone/progress payments.
252.243-7002	Requests for Equitable Adjustments	Dec 2012	
252.244-7000	Subcontracts for Commercial Items	Jun 2013	
252.245-7001	Tagging, Labeling, Marking of Government Furnished Property	Apr 2012	
252.245-7002	Reporting Loss of Government Property	Dec 2017	
252.245-7004	Reporting, Reutilization, and Disposal	Dec 2017	
252.246-7003	Notification of Potential Safety Issues	Jun 2013	
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System *The introductory text is considered excluded/not applicable	Aug 2016	Applies to the extent this Order is for electronics parts or assemblies containing electronic parts (per subpart (e)).
252.246-7008	Sources of Electronic Parts	May 2018	
252.247-7023	Transportation of Supplies by Sea	Feb 2019	This regulation applies in whole if this Order exceeds the SAT. If this Order is at or below the SAT, only Subparts (a) through (e) and (i) apply.

Note 1: This clause does not apply to this Order if this Order is for "Commercially Available Off-the-Shelf" items ("COTS"), as that term is defined at FAR 2.101

17. 52.234-1 Industrial Resources Developed Under Title III, Defense Production Act (Sept 2016)

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

18. NIST SP 800-171 DoD Assessment

- a. For purposes of this clause, the term 'covered contractor information system' shall have the meaning given at DFARS 252.204-7012.
- b. If Seller is required to implement NIST SP 800-171 ("the NIST"), in accordance with DFARS clause 252.204-7012 of this Order, by acceptance of this Order, Seller agrees it has a current assessment of implementation of/compliance to the NIST (i.e. not more than three years old), for each covered contractor information system that is relevant to the Order, and that compliance scores are posted in the Supplier Performance Risk System. The Assessment shall be as described in DFARS 252.204-7020, and SELLER shall comply with procedures detailed in DFARS 252.204-7019, as applicable, for posting and validating posting of assessment scores.