

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 1 of 13

N00030-02-C-0011

SPECIAL U.S. GOVERNMENT PROVISIONS:

The following Federal Acquisition Regulations (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) clauses, are incorporated herein by reference. In such clauses, unless otherwise specifically stated, the term "Contractor" means Seller except in the term "prime contractor", "subcontractor" means Seller's subcontractor, "Contract" means this order, except in the term "prime contract" and both "Contracting Officer" and "Government" mean Buyer except in the terms "Government Property", "Government-Owned Property", and "Former Government Surplus Property", or as otherwise indicated.

In the event that a Government clause is incorporated by reference in Form GP1, GP2, GP3, or GP4, such clause's incorporation in this Flowdown Clause Attachment is solely for purposes of identifying the applicable clause's effectivity date.

For purposes of these prime contract terms and conditions, "contract" includes "order, purchase order, purchase contract or subcontract".

EXCEPT AS OTHERWISE NOTED, THE FOLLOWING FAR AND DFAR CLAUSES APPLY TO ALL FIXED-PRICE AND COST-REIMBURSEMENT CONTRACTS ISSUED UNDER THIS PRIME CONTRACT.

FAR CONTRACT CLAUSES

FAR CLAUSES APPLICABLE TO THIS CONTRACT REGARDLESS OF THE AMOUNT OF THE ORDER (Except as noted)

- 52.203-5 (Apr 84) COVENANT AGAINST CONTINGENT FEES
- 52.203-8 (Jan 97) CANCELLATION, RESCISSION, AND RECOVERY OF FUNDS FOR ILLEGAL OR IMPROPER ACTIVITY. This clause applies to this contract if the Seller, its employees, officers, directors or agents participated personally and substantially in any part of the preparation of a proposal for this contract. The Seller shall indemnify Buyer for any and all losses suffered by the Buyer due to violations of the Act (as set forth in this clause) by Seller or its subcontractors at any tier.
- 52.204-2 (Aug 96) SECURITY REQUIREMENTS *(Applies if access to classified information is required. "Government" and "Contracting Officer" are not changed.)*
- 52.211-5 (Aug 00) MATERIAL REQUIREMENTS (Applies to contracts for supplies that are not commercial items)
- 52.211-15 (Sep 90) DEFENSE PRIORITY AND ALLOCATION REQUIREMENTS

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 2 of 13

- 52.222-1 (Feb 97) NOTICE TO THE GOVERNMENT OF LABOR DISPUTES
- 52.222-21 (Feb 99) PROHIBITION OF SEGREGATED FACILITIES
- 52.222-26 (Feb 99) EQUAL OPPORTUNITY (subparagraph (b)(1) through (11) Paragraph (b)(1) is modified by adding the following: “(Note: It shall not be a violation of E.O. 11246 for a contractor to extend a publicly announced preference to Indians living on or near an Indian reservation in connection with employment opportunities on or near an Indian reservation. See 22.807(b)(4).)” The second sentence in paragraph (b)(7) is modified to read as follows: “Seller shall, within 30 days following the award, file Standard Form 100 (EEO-1), or any successor form, unless filed within 12 months preceding the date of award.)
- 52.222-29 (Feb 99) NOTIFICATION OF VISA DENIAL (Applies if Seller is required to perform work in or on behalf of a foreign country.)
- 52.223-4 (Oct 97) RECOVERED MATERIAL CERTIFICATION (Applies in solicitations that are for, or specify the use of, recovered materials.)
- 52.223-5 (Apr 98) POLLUTION PREVENTION AND RIGHT-TO-KNOW INFORMATION (Applies if the contract provides for performance, in whole or in part, on a Federal facility.)
- 52.223-7 (Jan 97) NOTICE OF RADIOACTIVE MATERIALS (Applies to contracts for radioactive materials meeting the criteria in paragraph (a) of the clause. The notification requirement in paragraph (a) is 15 days.)
- 52.223-11 (May 01) OZONE-DEPLETING SUBSTANCES (Applies only to the extent this contract is for ozone-depleting substances or for supplies that may contain or be manufactured with ozone-depleting substances.)
- 52.224-2 (Apr 84) PRIVACY ACT (Applies to all contracts which require the design, development, or operation of any system of records on individuals to accomplish an agency function.)
- 52.225-13 (Jul 00) RESTRICTIONS ON CERTAIN FOREIGN PURCHASES.
- 52.225-15 (Feb 00) SANCTIONED EUROPEAN UNION COUNTRY END PRODUCTS (Applies in contracts for supplies valued at less than \$177,000.)

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 3 of 13

- 52.227- 1 (Jul 95) AUTHORIZATION AND CONSENT AND ALT I (Apr 84) - (Alt I applies if the contract is for research and development.)
- 52.227-2 (Aug 96) NOTICE AND ASSISTANCE REGARDING PATENT AND COPYRIGHT INFRINGEMENT (A copy of each notice sent to the Government will be sent to Buyer.)
- 52.227-10 (Apr 84) FILING OF PATENT APPLICATIONS – CLASSIFIED SUBJECT MATTER
- 52.227-11 (Jun 97) PATENT RIGHTS – RETENTION BY THE CONTRACTOR (SHORT FORM) – (This clause only applies if this Contract is for experimental, developmental, or research work and Seller is a small business firm or nonprofit organization.)
- 52.227-12 (Jan 97) PATENT RIGHTS – RETENTION BY THE CONTRACTOR (LONG FORM) - (This clause only applies if this Contract is for experimental, developmental, or research work and Seller is other than a small business firm or nonprofit organization.)
- 52.234-1 (Dec 94) INDUSTRIAL RESOURCES DEVELOPED UNDER DEFENSE PRODUCTION ACT TITLE III (Excluding subparagraph (e). Clause does not apply to service contracts.)
- 52.237-2 (Apr 84) PROTECTION OF GOVERNMENT BUILDINGS, EQUIPMENT, AND VEGETATION
- 52.244-5 (Dec 96) COMPETITION IN SUBCONTRACTING (Clause does not apply to an FFP contract awarded on the basis of adequate price competition.)
- 52.244-6 (Dec 01) SUBCONTRACTS FOR COMMERCIAL ITEMS
- 52.245-2 (Dec 89) GOVERNMENT PROPERTY (FIXED-PRICE CONTRACTS) *(Applies if using Government property. “Government” means “Government” throughout except it means “Government or Buyer” the first time it appears in paragraph (f) and “Contracting Officer” means “Contracting Officer” throughout. In paragraph (c)(2), the requirement that special tooling is subject to the title provisions in the Special Tooling clause is waived.)*
- 52.245-3 (Apr 84) IDENTIFICATION OF GOVERNMENT-FURNISHED PROPERTY (Applies when a fixed-price construction contract for furnishing Government property f.o.b. railroad cars at a specified destination or f.o.b. truck at the project site.)
- 52.245-18 (Feb 93) SPECIAL TEST EQUIPMENT (This clause applies only if test equipment is acquired or furnished by the Government and to be

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 4 of 13

retained for use by the Seller. Change “30 days” to “45 days” in paragraphs (b) and (c).)

52.247-63 (Jan 97) PREFERENCE FOR U.S.-FLAG AIR CARRIERS (Applies if the contract may involve international air transportation.)

FAR CLAUSES APPLICABLE IF THIS CONTRACT EXCEEDS \$2,500 (Except as noted)

52.222-41 (May 89) SERVICE CONTRACT ACT OF 1965, AS AMENDED (Clause is applicable to all contracts subject to the Act.)

FAR CLAUSES APPLICABLE IF THIS CONTRACT EXCEEDS \$10,000 (Except as noted)

52.222-20 (Dec 96) WALSH-HEALEY PUBLIC CONTRACTS ACT

52.222-36 (Jun 98) AFFIRMATIVE ACTION FOR WORKERS WITH DISABILITIES

FAR CLAUSES APPLICABLE IF THIS CONTRACT EXCEEDS \$25,000 (Except as noted)

52.222-35 (Dec 01) EQUAL OPPORTUNITY FOR SPECIAL DISABLED VETERANS, VETERANS OF THE VIETNAM ERA, AND OTHER ELIGIBLE VETERANS

52.222-37 (Dec 01) EMPLOYMENT REPORTS ON SPECIAL DISABLED VETERANS, VETERANS OF THE VIETNAM ERA, AND OTHER ELIGIBLE VETERANS

FAR CLAUSES APPLICABLE IF THIS CONTRACT EXCEEDS \$100,000 (Except as noted)

52.203-6 (Jul 95) RESTRICTION ON SUBCONTRACTOR SALES TO THE GOVERNMENT

52.203-7 (Jul 95) ANTI-KICKBACK PROCEDURES *[excluding subparagraph (c)(1)]* (The following is added to paragraph (c)(2); “Seller shall notify Buyer when such action has been taken”. In paragraph (c)(4)(i) “which in turn may be offset by Buyer under this order” is added after “the prime contract”.)

52.203-10 (Jan 97) PRICE OR FEE ADJUSTMENT FOR ILLEGAL OR IMPROPER ACTIVITY. If the Government reduces Buyer’s price or fee for violations of the Act by Seller or its subcontractors at any tier, Buyer may withhold from sums owed Seller the amount of the reduction.

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 5 of 13

- 52.203-11 (Apr 91) CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS
- 52.203-12 (Jun 97) LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS *(In (c)(1), "Contractor who requests or receives from an agency a Federal contract shall file with that agency" is changed to "The Seller shall file with the Buyer". In (c)(2), "The Contractor shall file" is changed to "The Seller shall file with the Buyer". In (c)(3), "Contractor" is changed to "Seller".)*
- 52.215-2 (Jun 99) AUDITS AND RECORDS--NEGOTIATION *(This clause applies only if it (i) is a cost-reimbursement, incentive, time-and-materials, labor-hour, price-redeterminable or any combination of these types; (ii) Seller was required to provide cost or pricing data, or (iii) Seller is required to furnish reports as discussed in paragraph (e) of this clause.)*
- 52.215-14 (Oct.97) INTEGRITY OF UNIT PRICES (excluding subparagraph (b)). This clause applies except for contracts at or below the simplified acquisition threshold (as defined in FAR Part 2; construction or architect-engineer services under FAR Part 36; utility services under FAR Part 41; services where supplies are not required; commercial items; and petroleum products.
- 52.219-4 (Jan 99) NOTICE OF PRICE EVALUATION PREFERENCE FOR HUBZONE SMALL BUSINESS CONCERNS (Applies only where full and open competition was conducted.)
- 52.219-8 (Oct 00) UTILIZATION OF SMALL BUSINESS CONCERNS
- 52.222-4 (Sep 00) CONTRACT WORK HOURS AND SAFETY STANDARDS ACT-OVERTIME COMPENSATION (Excluding subparagraph (e). Clause does not apply to the extent this contract is in any of the categories listed in FAR 22.305.)
- 52.223-14 (Oct 00) TOXIC CHEMICAL RELEASE REPORTING (Excluding subparagraph (e).)
- 52.225-8 (Feb 00) DUTY-FREE ENTRY (Applies if supplies are imported into the customs territory of the U.S.. "Contractor" means "Subcontractor". Change "20 days" to "30 days" in paragraph (c)(1), and change "10 days" to "25 days" in paragraph (c)(2). "Government" means "Government" in paragraphs (c), (d) and (e). "Contracting Officer" means "Contracting Officer" except in paragraph (c)(1) where "Contracting Officer" shall mean Buyer's Purchasing Representative.)

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 6 of 13

52.248-1 (Feb 00) VALUE ENGINEERING (excluding subparagraph (f) .) (*Applies if identified as applicable and share percentages are stated elsewhere in this order.*)

FAR CLAUSES APPLICABLE IF THIS CONTRACT EXCEEDS \$500,000 (Except as noted)

52.215-10 (Oct 97) PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA (*Applies if Certified Cost and Pricing Data is required. In subdivision (3) of paragraph (a), insert "of this order" after "price or cost". In paragraph (c), "Contracting Officer" means "Contracting Officer or Buyer". In paragraphs (c)(1), (c)(1)(ii) and (c)(2)(i) "Contracting Officer" means "Contracting Officer or Buyer". In paragraph (c)(2)(i)(A) delete "to the Contracting Officer". In paragraph (C)(2)(ii)(B), "Government" means "Government or Buyer".*)

52.215-11 (Oct 97) PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA-MODIFICATIONS (*Applies if original order was competitive and Certified Cost and Pricing Data is required for the modification. "Contracting Officer" means "Contracting Officer or Buyer". In paragraph (d)(2)(i)(A) delete "to the Contracting Officer". In paragraph (d)(2)(ii)(B), "Government" means "Government or Buyer". In paragraph (e) "United States" means "United States or Buyer".*)

52.215-12 (Oct 97) SUBCONTRACTOR COST OR PRICING DATA (*The certificate required by paragraph (b) is that set forth in FAR 15.406-2, substituting Buyer's name for "Contracting Officer".*)

52.215-13 (Oct 97) SUBCONTRACT COST OR PRICING DATA--MODIFICATIONS (*Applies if original order was competitive and the certificate required by paragraph (b) is that set forth in FAR 15.406-2, substituting Buyer's name for "Contracting Officer".*)

52.215-15 (Dec 98) PENSION ADJUSTMENTS AND ASSET REVERSIONS (*Applies only if under this contract certified cost or pricing data is required or pre-award or post-award cost determinations are subject to FAR part 31. Buyer may withhold or recover from Seller such sums as the Contracting Officer withholds or recovers from Buyer because of liabilities of Seller or its subcontractors.*)

52.215-18 (Oct 97) REVERSION OR ADJUSTMENT OF PLANS FOR POSTRETIREMENT BENEFITS (PRB) OTHER THAN PENSIONS (*Applies to contracts that meet the requirements of FAR 15.408(j).*)

52.215-19 (Oct 97) NOTIFICATION OF OWNERSHIP CHANGES

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 7 of 13

- 52.215-20 (Oct 97) REQUIREMENTS FOR COST OR PRICING DATA OR INFORMATION OTHER THAN COST OR PRICING DATA
- 52.215-21 (Oct 97) REQUIREMENTS FOR COST OR PRICING DATA OR INFORMATION OTHER THAN COST OR PRICING DATA - MODIFICATIONS
- 52.219-9 (Oct 00) SMALL BUSINESS SUBCONTRACTING PLAN AND ALT II (Oct 00) (This clause applies only if Seller is not a small business concern. In paragraph (c) "Contracting Officer" shall mean Buyer. Alt II only applies if contracting by negotiation.)
- 52.230-6 (Nov 99) ADMINISTRATION OF COST ACCOUNTING STANDARDS (*Applies if Seller is subject to Cost Accounting Standards (CAS). Add "Buyer and the" before "Contracting Officer" in paragraph (e). Note: The version of FAR 52.230-2, Cost Accounting Standards, incorporated by clause 3050 is the version dated April 1998. The version of FAR 52.230-3, Disclosure and Consistency of Cost Accounting Practices, incorporated by clause 3051 is the version dated April 1998.*)
- 52.242-3 (May 01) PENALTIES FOR UNALLOWABLE COSTS. (*Applies if FAR 52.216-7 applies to the order. Does not apply to fixed-price contracts without cost incentives or any firm-fixed-price orders for the purchase of commercial items. .*)

THE FOLLOWING SUPPLEMENT THE PREVIOUS FARs AND APPLY ONLY TO COST-REIMBURSEMENT ORDERS ISSUED UNDER DEPARTMENT OF DEFENSE (DoD) CONTRACTS

FAR CONTRACT CLAUSES

FAR CLAUSES APPLICABLE TO THIS CONTRACT REGARDLESS OF THE AMOUNT OF THE ORDER (Except as noted)

- 52.216-7 (Mar 00) ALLOWABLE COST AND PAYMENT ("Government" means "Government" in paragraph (b) 1)(ii)(F); "Government" means Government or Buyer in paragraph (b)(4); "by the Contracting Officer" is deleted from paragraph (g)(1); add "promptly" following "...submitted by the Contractor..." in paragraph (h) (1) and delete "in accordance with paragraph (d) (4) therein; and the following is added to paragraph (a): Concurrently with the submission to Buyer of said invoice (or voucher) and statement, 4 copies thereof shall be forwarded by Seller to the Contracting Officer." In addition paragraphs (d) and (e) are replaced by the following: "In lieu of the actual indirect costs of performance of this order, Seller will be reimbursed on the basis of the final overhead rates negotiated between Seller and the Government, unless otherwise

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 8 of 13

provided in this order. Such overhead rates, basis of application and the periods for which they shall apply shall be identical to those agreed upon by Seller and the Government in connection with the performance of Seller, at Seller's operating division where the work is performed, of cost-type contracts currently in force between Seller and the rates, Seller will be provisionally reimbursed hereunder for indirect costs on the basis of such provisional or billing overhead rates".)

- 52.216-8 (Mar 97) **FIXED FEE** (*Applies if identified on the faceplate of this order as a Cost-Plus-Fixed-Fee (CPFF) or Cost-Plus-Award-Fee (CPAF) order. "Schedule" means "order". If CPAF order, the term "fixed-fee" shall be deemed to mean "fee".*)
- 52.216-10 (Mar 97) **INCENTIVE FEE** (*Applies if a CPIF contract is identified.*)
- 52.232-20 (Apr 84) **LIMITATION OF COST** (*Applicable when order is fully-funded at commencement of performance*)
- 52.232-22 (Apr 84) **LIMITATION OF FUNDS** (*Applicable when order is partially-funded at commencement of performance). "Schedule" means "order".*)
- 52.242-4 (Jan 97) **CERTIFICATION OF FINAL INDIRECT COSTS** (*Applies to contracts which provide for establishment of final indirect cost rates.*)
- 52.242-15 (Aug 89) **STOP WORK ORDER - ALT I** (Apr 84)
- 52.245-5 (Jan 86) **GOVERNMENT PROPERTY (COST-REIMBURSEMENT, TIME-AND-MATERIAL, OR LABOR-HOUR CONTRACTS)** (*"Schedule" means "order". In paragraph (d) "Contracting Officer" means "Contracting Officer or Buyer". In paragraph (e)(3) "Government" means "Government in the terms "assumed by the Government" and "for which the Government is responsible." In paragraph (f) "Government" means "Government or Buyer". In paragraph (g)(5) delete the first sentence and the beginning of the second sentence "With the assistance of any such organization, the Contractor..." and substitute therein: "The Seller shall notify the Buyer upon loss or destruction of, or damage to, Government property provided under this contract, In the first two sentences of paragraph (g)(6) "Contracting Officer" means "Contracting Officer or Buyer". In paragraph (g)(9) "Contracting Officer" means "Contracting Officer or Buyer"; and "Government" means "Government and Buyer" except in the term "Government's expense" where it means "Government or Buyer". In the fourth sentence of paragraph (h) "Government" means*)

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 9 of 13

“Government and Buyer”. In paragraph (i) “Government” means “Government or Buyer”. In paragraphs (j) and (j)(1) “Government” means “Government or Buyer”.)

52.246-8 (May 01) INSPECTION OF RESEARCH AND DEVELOPMENT--COST-REIMBURSEMENT *(The following is added after the first sentence in paragraph (b): “An inspection system acceptable to the Government shall be deemed acceptable to the Buyer”. “Government” means “Government and Buyer” in paragraphs (b) and (c); “Government” means “Government or Buyer” in paragraph (d). In the first sentence of paragraph (f) “6 months” is changed to “7 months” and “after acceptance...” is changed to “after acceptance by Buyer’s customer of the work in which Seller’s work is incorporated, Buyer may require Seller to replace or correct work not meeting contract requirements”.)*

DFARS CONTRACT CLAUSES

DFARS CLAUSES APPLICABLE TO THIS CONTRACT REGARDLESS OF THE AMOUNT OF THE ORDER (Except as noted)

252.204-7000 (Dec 91) DISCLOSURE OF INFORMATION (In paragraph (c) “Contracting Officer” means “Contracting Officer.”)

252.219-7004 (Jun 97) SMALL, SMALL-DISADVANTAGED AND WOMEN-OWNED SMALL BUSINESS SUBCONTRACTING PLAN (TEST PROGRAM) - (Applies if Seller has a comprehensive subcontracting plan approved under the test program described in 219.702(a).)

252.222-7002 (Jun 97) COMPLIANCE WITH LOCAL LABOR LAWS (Applies to contracts for services or construction to be performed outside the U.S., its possessions, and Puerto Rico, where the Seller hires local labor for work on a military installation.)

252.223-7002 (May 94) SAFETY PRECAUTIONS FOR AMMUNITION AND EXPLOSIVES (Applies if this contract involves ammunition or explosives (except inert components). “Government” means Government or Buyer in paragraph (b)(2), each time it appears in (e), (f)(1), (f)(2), the first time it appears in (g)(1)(i), and in (g)(3). “Government” means Buyer in paragraphs (c)(3), (c)(4), (c)(5), and the second time it appears in (g)(1)(i). “Contracting Officer” means Contracting Officer and Buyer in paragraph (g)(4). “Contracting Officer” means Buyer in paragraphs (c)(1), (c)(2), (c)(3), (c)(4), (c)(5), and each time it appears in (d).

252.223-7003 (Dec 91) CHANGE IN PLACE OF PERFORMANCE – AMMUNITION AND EXPLOSIVES (Applies only if DFARS 252.223-7002

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 10 of 13

applies.)

- 252.225-7001 (Mar 98) BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM
- 252.225-7002 (Dec 91) QUALIFYING COUNTRY SOURCES AS SUBCONTRACTORS (Applies only if DFARS 252.225-7001 applies.)
- 252.225-7009 (Aug 00) DUTY-FREE ENTRY – QUALIFYING COUNTRY SUPPLIES (END PRODUCTS AND COMPONENTS)
- 252.225-7010 (Aug 00) DUTY-FREE ENTRY – ADDITIONAL PROVISIONS
- 252.225-7014 (Mar 98) PREFERENCE FOR DOMESTIC SPECIALTY METALS AND ALT I (MAR 98) (Applies only if the goods contain specialty metals.)
- 252.225-7015 (Dec 00) RESTRICTION ON ACQUISITION OF BALL AND ROLLER BEARINGS AND ALT I (Dec 00) (Applies unless items acquired are commercial items other than ball or roller bearings, or items that do not contain ball or roller bearings.)
- 252.225-7030 (Oct 92) RESTRICTION ON ACQUISITION OF CARBON, ALLOY, AND ARMOR STEEL PLATE (Applies if Seller is required to deliver certain raw materials in a certain Federal supply class.)
- 252.225-7042 (Jun 97) AUTHORIZATION TO PERFORM (Applies when contract performance will be wholly or in part in a foreign country.)
- 252.225-7043 (Jun 98) ANTITERRORISM / FORCE PROTECTION POLICY FOR DEFENSE CONTRACTORS OUTSIDE THE UNITED STATES (Clause does not apply to a Seller who is a) a foreign government; b) a representative of a foreign government; or is a foreign corporation wholly owned by a foreign government. In paragraph (c) insert in the blank “NCIS, Code 24; DSN 228-9113 or (202) 433-9113.”)
- 252.227-7013 (Nov 95) RIGHTS IN TECHNICAL DATA – NONCOMMERCIAL ITEMS (Applies if technical data will be delivered under a contract for noncommercial items.)
- 252.227-7014 (Jun 95) RIGHTS IN NONCOMMERCIAL COMPUTER SOFTWARE AND NONCOMMERCIAL COMPUTER SOFTWARE DOCUMENTATION (Applies if the contract requires the delivery of noncommercial computer software or computer software documentation.)

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 11 of 13

- 252.227-7016 (Jun 95) RIGHTS IN BID OR PROPOSAL INFORMATION (applies only if DFARS 252.227-7013 or 252.227-7014 applies.)
- 252.227-7017 (Jun 95) IDENTIFICATION AND ASSERTION OF USE, RELEASE, OR DISCLOSURE RESTRICTIONS (applies only if DFARS 252.227-7013 or 252.227-7014 applies.)
- 252.227-7019 (Jun 95) VALIDATION OF ASSERTED RESTRICTIONS (applies only if DFARS 252.227-7014 applies.)
- 252.227-7026 (Apr 88) DEFERRED DELIVERY OF TECHNICAL DATA OR COMPUTER SOFTWARE
- 252.227-7027 (Apr 88) DEFERRED ORDERING OF TECHNICAL DATA OR COMPUTER SOFTWARE
- 252.227-7030 (Mar 00) TECHNICAL DATA – WITHHOLDING OF PAYMENT
- 252.227-7036 (Jan 97) DECLARATION OF TECHNICAL DATA CONFORMITY (Applies only if the delivery of data is required by the contract.)
- 252.227-7037 (Sep 99) VALIDATION OF RESTRICTED MARKINGS ON TECHNICAL DATA (Applies only if DFARS 252.227-7013 applies.)
- 252.228-7005 (Dec 91) ACCIDENT REPORTING AND INVESTIGATION INVOLVING AIRCRAFT, MISSILES, AND SPACE LAUNCH VEHICLES
- 252.235-7003 (Dec 91) FREQUENCY AUTHORIZATION (applies only if the contract requires the development, production, construction, testing, or operation of a device for which a radio frequency authorization is required.)
- 252.239-7000 (Dec 91) PROTECTION AGAINST COMPROMISING EMANATIONS (Applies to contracts for computer equipment or systems which are to be used to process classified information.)
- 252.242-7005 (Mar 98) COST / SCHEDULE STATUS REPORT (Applies when the contract is other than firm-fixed-price, is 12 months or more in duration, and has critical or significant tasks related to the prime contract.)
- 252.244-7000 (Mar 00) SUBCONTRACTS FOR COMMERCIAL ITEMS AND COMMERCIAL COMPONENTS (DOD CONTRACTS)
- 252.245-7001 (May 94) REPORTS OF GOVERNMENT PROPERTY
- 252.247-7024 (Mar 00) NOTIFICATION OF TRANSPORTATION OF SUPPLIES BY SEA (Applies to contracts described in paragraph (b)(1) or (b)(2) of this clause. “Contracting Officer” and, in the first sentence of paragraph (a), “Contractor” mean Buyer.)

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 12 of 13

DFARS CLAUSES APPLICABLE IF THIS CONTRACT EXCEEDS \$100,000 (Except as noted)

- 252.203-7001 (Mar 99) PROHIBITION ON PERSONS CONVICTED OF FRAUD OR OTHER DEFENSE-RELATED FELONIES (Applies only in first-tier subcontracts exceeding \$100,000 except for commercial items or components.)
- 252.209-7000 (Nov 95) ACQUISITION FROM SUBCONTRACTORS SUBJECT TO ON-SITE INSPECTION UNDER THE INTERMEDIATE-RANGE NUCLEAR FORCES (INF) TREATY (Applies in all contracts exceeding \$100,000, except for commercial items.)
- 252.226-7001 (Sep 01) UTILIZATION OF INDIAN ORGANIZATIONS AND INDIAN OWNED ECONOMIC ENTERPRISES – DOD CONTRACTS (Applies to all contracts other than for commercial items, and are over \$100,000.)
- 252.247-7023 (Mar 00) TRANSPORTATION OF SUPPLIES BY SEA (Applies only if this contract exceeds \$100,000 and is of the type described in paragraph (b)(3) of this clause.)

DFARS CLAUSES APPLICABLE IF THIS CONTRACT EXCEEDS \$500,000 (Except as noted)

- 252.215-7000 (Dec 91) PRICING ADJUSTMENTS (Applies if the contracts exceeds \$500,000 and the Seller will be submitting cost or pricing data.)
- 252.225-7026 (Jun 00) REPORTING OF CONTRACT PERFORMANCE OUTSIDE THE UNITED STATES (Applies in all first-tier subcontracts exceeding \$500,000, except for commercial items, construction, ores, natural gases, utilities, petroleum products and crudes, timber (logs), or subsistence.)
- 252.249-7002 (Dec 96) NOTIFICATION OF PROPOSED PROGRAM TERMINATION OR REDUCTION (Applies to each first-tier subcontract for \$500,000 or more.)

DFARS CLAUSES APPLICABLE IF THIS CONTRACT EXCEEDS \$1,000,000 (Except as noted)

- 252.225-7032 (Oct 92) WAIVER OF UNITED KINGDOM LEVIES (Applies to contracts over \$1million with a U.K. firm.)

NAVY ACQUISITION PROCEDURES SUPPLEMENT (NAPS)

Common Terms and Conditions Guide
Section 5 – Government Contract Requirements

Clause Number: 5029
Effective: 10/15/2002
Page: 13 of 13

5252.223-9000 (Oct 97) DoN ADDITIONAL SAFETY REQUIREMENTS
APPLICABLE TO SPECIFIED GOVERNMENT FURNISHED
AMMUNITION AND EXPLOSIVES (Applies as described in
5223.370-5.)

THE FOLLOWING PRIME CONTRACT SPECIAL PROVISIONS APPLY TO THIS CONTRACT:

Non-Disclosure Agreements (Sep 1999), SSP 5252.227-9750

The Trade Secrets Act, 18 U.S.C. Section 1905, prohibits Government employees from making unauthorized disclosures of a contractor's or subcontractor's proprietary information. Government employees shall not be required to sign a non-disclosure agreement or any other document, or to furnish personal or biographical information or documents, as a condition to gaining access to a contractor's or subcontractor's data or other information needed to perform their official duties.

The Seller shall include, and ensure inclusion of, this clause, suitably modified to identify the parties, in all its subcontracts at all tiers.