

**SUPPLEMENT 1**  
**U.S. GOVERNMENT CONTRACT PROVISIONS**  
**Rev 5/13**

1. When the products or services furnished are for use in connection with a U.S. Government contract or subcontract, in addition to the General Provisions, the following provisions shall apply, as required by the terms of the prime contract. In the event of a conflict between these FAR/DFAR provisions and the General Provisions, the FAR/DFAR provisions shall control.

A. The Federal Acquisition Regulations (FAR) clauses referenced below are incorporated herein by reference, with the same force and effect as if they were given in full text. This Order is entered in support of a U.S. Government contract. When used in the referenced FAR clauses:

- (i) "Commercial Item" means a commercial item as defined in FAR 2.101
- (ii) "Contract" means this Order
- (iii) "Contracting Officer" is the U.S. Government Contracting Officer for the Government Prime Contract
- (iv) "Contractor" and "Offeror" means the SELLER
- (v) "Prime Contract" means the contract between the Buyer and U.S. Government
- (vi) "Subcontract" means any Order placed by the SELLER or SELLER's subcontractors

B. SELLER agrees that if the Buyer's Prime Contract is modified by the end customer that SELLER will negotiate, in good faith, any changes that are required to meet the requirements of the Prime Contract.

C. When identified in parentheses below, the following exceptions apply

- Note 1** – This clause applies only if the Seller is supplying an item that is an end product Under the Buyer's Prime Contract
- Note 2** – "Contracting Officer" means only "U.S. Government Contracting Officer"
- Note 3** – "Government" means only "U.S. Government"

***FAR Clauses Applicable to All Orders:***

- 52.202-1 Definitions
- 52.211-5 Material Requirements
- 52.211-15 Defense Priority and Allocation Requirements
- 52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders – Commercial Items (DEVIATION)
- 52.213-4 Terms and Conditions – Simplified Acquisitions (other than Commercial items)
- 52.219-28 Post-award Small Business Program Representations (over \$3,000)
- 52.222-1 Notice to the Government of Labor Disputes
- 52.222-3 Convict Labor
- 52.222-19 Child Labor – Cooperation with Authorities and Remedies
- 52.222-41 Service Contract Act of 1965, as Amended (if included in Buyer's contract)
- 52.222-50 Combating Trafficking in Persons
- 52.222-54 Employment Eligibility Verification (if included in Buyer's contract and order is for services or construction)
- 52.223-3 Hazardous Material Identification and Material Safety Data (Alternate I applies Only to Non-DoD Contracts)
- 52.223-7 Notice of Radioactive Materials
- 52.223-11 Ozone Depleting Substances
- 52.225-1 Buy American Act – Supplies (**Note 1**)
- 52.225-8 Duty-Free Entry (if included in Buyer's contract)
- 52.225-13 Restrictions on Certain Foreign Purchases
- 52.227-1 Authorization and Consent
- 52.227-3 Patent Indemnity
- 52.227-9 Refund of Royalties
- 52.227-10 Filing of Patent Applications – Classified Subject Matter (**Notes 2 & 3**)
- 52.227-11 Patent Rights – Ownership by the Contractor (DoD Large Businesses only see DFARS 252.227-7038) (**Notes 2 and 3**)
- 52.227-14 Rights in Data – General (**Notes 2 & 3**)
- 52.227-19 Commercial Computer Software License
- 52.232-16 Progress Payments (Alternate I or Alternate II, if appropriate)
- 52.233-4 Applicable Law for Breach of Contract Claim

- 52.242-15 Stop Work Order
- 52.242-17 Government Delay of Work
- 52.244-6 Subcontracts for Commercial Items
- 52.245-1 Government Property
- 52.249-1 Termination for Convenience of the Government (Fixed Price) (Short Form)
- 52.249-8 Default (Fixed Price Supply and Service)

***FAR Clauses Applicable If This Order Exceeds \$10,000***

- 52.222-20 Walsh-Healey Public Contracts Act
- 52.222-21 Prohibition of Segregated Facilities
- 52.222-26 Equal Opportunity
- 52.222-36 Affirmative Action for Workers with Disabilities

***FAR Clauses Applicable If This Order Exceeds \$25,000***

- 52.225-3 Buy America Act – Free Trade Agreement- Israeli Trade Act

***FAR Clauses Applicable If This Order Exceeds \$100,000***

- 52.203-6 Restrictions on Subcontractor Sales to the Government
- 52.203-7 Anti-Kickback Procedures
- 52.203-8 Cancellation, Rescission and Recovery of Funds for Illegal or Improper Activity
- 52.203-10 Price or Fee Adjustment for Illegal or Improper Activity
- 52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions
- 52.203-12 Limitation of Payments to Influence Certain Federal Transactions
- 52.215-2 Audit and Records – Negotiation (**Note 2**)
- 52.215-14 Integrity of Unit Prices
- 52.219-8 Utilization of Small Business Concerns
- 52.222-4 Contract Work Hours and Safety Standards Act – Overtime Compensation
- 52.222-35 Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, And Other Eligible Veterans
- 52.222-37 Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, And Other Eligible Veterans
- 52.223-6 Drug-Free Workplace
- 52.223-14 Toxic Chemical Release Reporting
- 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement
- 52.229-3 Federal, State, and Local Taxes
- 52.232-17 Interest
- 52.242-13 Bankruptcy
- 52.243-6 Change Order Accounting
- 52.244-5 Competition in Subcontracting
- 52.246-2 Inspection of Supplies, Fixed Price Contracts
- 52.246-4 Inspection of Services, Fixed Price Contracts
- 52.246-23 Limitation of Liability ("Acceptance of supplies delivered under this Contract" shall mean acceptance by the Government under the prime Contract of the supplies delivered hereunder or as incorporated in supplies delivered to the Government by Buyer.)
- 52.247-63 Preference for U.S. – Flag Air Carriers
- 52.247-64 Preference for Privately Owned U.S. - Flag Commercial Vessels
- 52.248-1 Value Engineering

***FAR Clauses Applicable If This Order Exceeds \$500,000***

- 52.230-2 Cost Accounting Standards (Large Businesses only) (**Notes 2 & 3**)
- 52.230-3 Disclosure and Consistency of Cost Accounting Practices (Large Businesses only) (**Notes 2 & 3**)
- 52.230-6 Administration of Cost Accounting Standards (Large Businesses only) (**Notes 2 & 3**)

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***FAR Clauses Applicable If This Order Exceeds \$550,000***

52.219-9 Small Business Subcontracting Plan

***FAR Clauses Applicable If This Order Exceeds \$650,000***

52.215-10 Price Reduction for Defective Cost or Pricing Data  
52.215-11 Price Reduction for Defective Cost or Pricing Data – Modifications (Notes 2 & 3)  
52.215-12 Subcontractor Cost or Pricing Data  
52.215-13 Subcontractor Cost or Pricing Data – Modifications  
52.215-15 Pension Adjustments and Asset Reversions (Notes 2 & 3)  
52.215-18 Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions  
52.215-19 Notification of Ownership Changes  
52.215-20 Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data  
52.215-21 Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data – Modifications

***FAR Clauses Applicable If This Order Exceeds \$1,000,000***

52.243-7 Notification of Changes (Insert "10 calendar days" in the spaces provided in Paragraph (b) and (d))

***FAR Clauses Applicable If This Order Exceeds \$5,000,000 and the Performance Period is 120 days or more***

52.203-13 Contractor Code of Business Ethics and Conduct  
52.203-14 Display of Hotline Poster(s)

***Certifications***

By acceptance of this Order, Seller hereby certifies compliance with the following clauses and is, therefore, eligible for award.

52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (over \$100,000)  
52.209-5 Certification Regarding Responsibility Matters  
52.209-6 Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (over \$30,000)  
52.222-18 Certification Regarding Knowledge of Child Labor for Listed End Products  
52.222-22 Previous Contracts and Compliance Reports (over \$10,000)  
52.222-25 Affirmative Action Compliance  
52.222-36 Affirmative Action for Workers with Disabilities (over \$100,000)  
52.223-13 Certification of Toxic Chemical Release Reporting (competitively awarded over \$100,000)  
52.225-20 Prohibition on Conducting Restricted Business Operations in Sudan Certification  
52.230-1 Costs Accounting Standards Notices and Certifications

***DFARS Clauses Applicable to All Orders***

252.204-7000 Disclosure of Information  
252.204-7008 Requirements for Contracts Involving Export-Controlled Items (If applicable)  
252.204-7009 Requirements Regarding Potential Access to Export-Controlled Items (If applicable)  
252.211-7003 Item Identification and Valuation  
252.215-7002 Cost Estimating System Requirements  
252.215-7004 Excessive Pass-Through Charges (Notes 2 & 3)  
252.223-7001 Hazard Warning Labels  
252.223-7004 Drug-Free Work Force  
252.223-7006 Prohibition on Storage and Disposal of Toxic and Hazardous Materials  
252.225-7001 Buy American Act and Balance of Payments Program  
252.225-7002 Qualifying Country Sources as Subcontractors  
252.225-7007 Prohibition on Acquisition of US Munitions List Items from Communist Chinese Military Companies  
252.225-7009 Specialty Metals

252.225-7013 Duty-Free Entry  
252.225-7016 Ball and Roller Bearings  
252.225-7031 Secondary Arab Boycott of Israel  
252.225-7036 Buy American Act – Free Trade Agreement – Balance of Payments Program  
252.227-7013 Rights in Technical Data – Noncommercial Items (Note 3)  
252.227-7014 Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (Note 3)  
252.227-7015 Technical Data – Commercial Items (Notes 2 & 3)  
252.227-7016 Rights in Bid or Proposal Information (Note 3)  
252.227-7017 Identification and Assertion of Use, Release, or Disclosure Restrictions (Notes 2 & 3)  
252.227-7019 Validation of Asserted Restrictions – Computer Software (Notes 2 & 3)  
252.227-7025 Limitations on the Use or Disclosure of Government-Furnished Information Marked With Restrictive Legends  
252.227-7026 Deferred Delivery of Technical Data or Computer Software  
252.227-7027 Deferred Ordering of Technical Data or Computer Software  
252.227-7028 Technical Data or Computer Software Previously Delivered to the Government  
252.227-7030 Technical Data – Withholding of Payment  
252.227-7037 Validation of Restrictive Markings on Technical Data (Notes 2 & 3)  
252.227-7038 Patent Rights – Ownership by the Contractor (Large Business) (Replaced FAR 52.227-11 for DoD contracts only)  
252.227-7039 Patents – Reporting of Subject Inventions (Applicable to Small Businesses only)  
252.231-7000 Supplemental Cost Principles  
252.235-7003 Frequency Authorization  
252.243-7001 Pricing of Contract Modifications  
252.244-7000 Subcontracts for Commercial Items and Commercial Components (DoD Contracts)  
252.246-7001 Warranty of Data – Alternate I  
252.255-7001 Buy American Act

***DFARS Clauses Applicable If This Order Exceeds \$100,000***

252.203-7001 Prohibition on Persons Convicted of Fraud or Other Defense Contract Related Felonies  
252.225-7008 Restriction on Acquisition of Specialty Metals  
252.225-7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals  
252.247-7024 Notification of Transportation of Supplies by Sea  
252.225-7029 Reporting of Commercially Available Off-the-Shelf Items that Contain Specialty Metals and are Incorporated into Noncommercial End Items  
252.249-7002 Notification of Anticipated Contract Termination or Reduction

***DFARS Clauses Applicable If This Order Exceeds \$500,000***

252.226-7001 Utilization of Indian Organization and Indian-Owned Economic Enterprises And Native Hawaiian Small Business Concerns – DoD Contracts

***DFARS Clauses Applicable If This Order Exceeds \$550,000***

252.219-1003 Small, Small Disadvantaged and Women-Owned Small Business Subcontracting Plan  
252.225-7004 Reporting of Intended Performance Outside the U.S. and Canada – Submission After Award

***DFARS Clauses Applicable If This Order Exceeds \$650,000***

252.215-7000 Pricing Adjustments