



General Terms and Conditions of Purchase

Supplement 2 – Department of Defense FAR Supplement (DFARS) Government Contract Provisions

1. When the materials or products furnished are for use in connection with a U.S. Government Department of Defense prime contract or subcontract, in addition to the DRS General Purchase Order Terms and Conditions and the Supplement 1 FAR provisions, the following provisions shall apply. The effective version of each Department of Defense FAR Supplement (hereinafter “DFARS”) provision shall be the same version as that which appears in Buyer’s prime contract or higher tier subcontract under which this Purchase Order is a subcontract. In the event of a conflict between these DFARS provisions, or the Supplement 1 FAR provisions, and the General Purchase Order Terms and Conditions, the DFARS provisions shall control. For the acquisition of commercial items under purchase orders placed in support of and charged to a DOD prime contract or subcontract, the only DFARS clauses that are required are those annotated with * . For the definition of a commercial item, see FAR 2.101.

2. The following clauses set forth in the DFARS in effect as of the date of DRS’ prime contract or higher tier subcontract are incorporated herein by reference. In all clauses listed herein, the terms “Government,” “Contracting Officer” and “Contractor” shall be deemed revised to suitably identify the contracting parties herein and effect the proper intent of the provision except where further clarified or modified below. “Subcontractor,” however, shall mean “Seller’s Subcontractor” under the Purchase Order. The Seller, by signing its offer, hereby certifies compliance with the following clauses and is, therefore eligible for award.

<i>A. Applicable to All Purchase Orders:</i>	<i>DFARS</i>
1. Disclosure of Information	252.204-7000
2. Intent to Furnish Precious Metals as Government-Furnished Material	252.208-7000
3. Item Identification & Valuation	252.211-7003
4. Contract Terms & Conditions (Implementation of Executive Orders)	252.212-7001
5. Pricing of Adjustments	252.215-7000
6. Excessive Pass-Through Charges	252.215-7004
7. Restrictions on Employment of Personnel	252.222-7000
8. Hazard Warning Labels	252.223-7001
9. Prohibition on Storage and Disposal of Toxic and Hazardous Materials (Alternate)	252.223-7006
10. Safeguarding Sensitive Conventional Arms, Ammunition, and Explosives	252.223-7007
11. Buy American Act -- Balance of Payments Program Certificate	252.225-7000

12. Buy America Act and Balance of Payments Program	252.225-7001
13. Qualifying Country Sources as Subcontractors	252.225-7002
14. Quarterly Reporting of Actual Contract Performance Outside the United States	252.225-7006
15. Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies	252.225-7007
16. Restriction on Acquisition of Specialty Metals	252.225-7008
17. Restriction on Acquisition of Certain Articles Containing Specialty Metals	252.225-7009*
18. Commercial Derivative Military Article – Specialty Metals Compliance Certificate	252.225-7010
19. Restriction on Acquisition of Super Computers	252.225-7011
20. Preference for Certain Domestic Commodities	252.225-7012
21. Duty-Free Entry	252.225-7013
22. Restriction on Acquisition of Hand or Measuring Tools	252.225-7015
23. Restriction of Acquisition of Ball and Roller Bearings	252.225-7016
24. Restriction on Acquisition of Foreign Anchor and Mooring Chain	252.225-7019
25. Trade Agreements Certificate	252.225-7020
26. Trade Agreements	252.225-7021
27. Restriction on Acquisition of Forgings	252.225-7025
28. Restriction on Contingent Fees for Foreign Military Sales	252.225-7027
29. Exclusionary Policies and Practices of Foreign Governments	252.225-7028
30. Restriction of Acquisition of Carbon, Alloy and Armor Steel Plate	252.225-7030
31. Secondary Arab Boycott of Israel	252.225-7031
32. Buy American Act – Free Trade Agreements- Balance of Payments Program	252.225-7036
33. Restriction on Acquisition of Air Circuit Breakers	252.225-7038
34. Anti-terrorism Protection for Defense Contractors Outside the United States	252.225-7043
35. Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns	252.226-7001
36. Rights in Technical Data – Noncommercial items	252.227-7013
37. Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	252.227-7014
38. Technical Data – Commercial Items	252.227-7015
39. Rights in Bid or Proposal Information (No substitutions for “Government” or “Contracting Officer” are made)	252.227-7016
40. Identification and Assertion of Use, Release or Disclosure Restrictions	252.227-7017

41. Rights in Noncommercial Technical Data and Computer Software – Small Business Innovation Research Program	252.227-7018
42. Validation of Asserted Restrictions – Computer Software	252.227-7019
43. Rights in Special Works	252.227-7020
44. Rights in Data – Existing Works	252.227-7021
45. Limitation on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends (no substitution is made for “Government”)	252.227-7025
46. Deferred Delivery of Technical Data or Computer Software	252.227-7026
47. Deferred Ordering of Technical Data or Computer Software	252.227-7027
48. Technical Data or Computer Software Previously Delivered to the Government	252.227-7028
49. Technical Data – Withholding of Payment	252.227-7030
50. Rights In Shop Drawings	252.227-7033
51. Validation of Restrictive Markings on Technical Data	252.227-7037
52. Patent Rights Ownership by Contractor	252.227-7038
53. Patents – Reporting of Subject Inventions	252.227-7039
54. Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles	252.228-7005
55. Status of Contractor as Direct Contractor (Spain)	252.229-7004
56. Reporting of Foreign Taxes – US Assistance Programs	252.229-7011
57. Supplemental Cost Principles	252.231-7000
58. Frequency Authorization	252.235-7003
59. Modification Proposals -- Price Breakdown	252.236-7000
60. Requirement for Competition Opportunity for American Steel Producers, Fabricators and Manufacturers	252.236-7013*
61. Training for Contractor Personnel Interacting with Detainees	252.237-7019
62. Protection Against Compromising Emanations	252.239-7000
63. Telecommunications Security Equipment, Devices, Techniques and Services	252.239-7016
64. Pricing of Contract Modifications	252.243-7001
65. Subcontracts for Commercial Items and Commercial Components	252.244-7000
66. Warranty of Data	252.246-7001
67. Notification of Potential Safety Issues	252.246-7003
68. Representation of Extent of Transportation by Sea	252.247-7022
69. Notification of Transportation of Supplies by Sea	252.247-7024 *

B. Orders Over \$100,000 Shall Also Include the Following:

70. Prohibition on Persons Convicted of Fraud or Other Defense Contract Related Felonies	252.203-7001
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71. Transportation of Supplies by Sea	252.247-7023 *
72. Notification of Anticipated Contract Terminations or Reductions	252.249-7002
<i>C. Orders Over \$650,000 Shall Also Include the Following:</i>	
73. Small, Business Subcontracting Plan (DOD Contracts)	252.219-7003
74. Reporting of Contract Performance Outside the United States and Canada – Submission after Award (first tier subcontractors only)	252.225-7004
<i>D. Orders Over \$1,000,000 Shall Also Include the Following:</i>	
75. Acquisition Streamlining	252.211-7000
76. Restrictions on the Use of Mandatory Arbitration Agreements	252.222-7006
77. Waiver of United Kingdom Levies	252.225-7033
<i>E. Orders Over \$1,500,000 Shall Also Include the Following:</i>	
78. Acquisition Streamlining	252.211-7000
<i>F. Orders Over \$5,000,000 Shall Also Include the Following:</i>	
79. Display of Fraud Hotline Posters	252.203-7004
<i>G. Orders Performed Outside the United States</i>	
80. Contractor Personnel Authorized to Accompany U.S. Forces Deployed Outside the United States	252.225-7040
<i>H. Orders Involving Export Controlled Items</i>	
81. Requirements for Contracts Involving Export Controlled Items	252.204-7008