General Terms and Conditions of Purchase


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.

A. Applicable to All Purchase Orders:  

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<th>DFARS</th>
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<td>1. Disclosure of Information</td>
<td>252.204-7000</td>
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<td>2. Intent to Furnish Precious Metals as Government-Furnished Material</td>
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<td>3. Item Identification &amp; Valuation</td>
<td>252.211-7003</td>
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<td>4. Contract Terms &amp; Conditions (Implementation of Executive Orders)</td>
<td>252.212-7001*</td>
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<td>5. Pricing of Adjustments</td>
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<td>7. Restrictions on Employment of Personnel</td>
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<td>8. Hazard Warning Labels</td>
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<td>9. Prohibition on Storage and Disposal of Toxic and Hazardous Materials (Alternate)</td>
<td>252.223-7006</td>
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<td>10. Safeguarding Sensitive Conventional Arms, Ammunition, and Explosives</td>
<td>252.223-7007</td>
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<td>11. Prohibition of Hexavalent Chromium.</td>
<td>252.223-7008</td>
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14. Qualifying Country Sources as Subcontractors 252.225-7002
15. Quarterly Reporting of Actual Contract Performance Outside the United States 252.225-7006
16. Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies 252.225-7007
17. Restriction on Acquisition of Specialty Metals 252.225-7008
18. Restriction on Acquisition of Certain Articles Containing Specialty Metals 252.225-7009
20. Restriction on Acquisition of Super Computers 252.225-7011
21. Preference for Certain Domestic Commodities 252.225-7012
22. Duty-Free Entry 252.225-7013
23. Restriction on Acquisition of Hand or Measuring Tools 252.225-7015
24. Restriction of Acquisition of Ball and Roller Bearings 252.225-7016
25. Restriction on Acquisition of Foreign Anchor and Mooring Chain 252.225-7019
26. Trade Agreements Certificate 252.225-7020
27. Trade Agreements 252.225-7021
28. Restriction on Acquisition of Forgings 252.225-7025
29. Restriction on Contingent Fees for Foreign Military Sales 252.225-7027
31. Restriction of Acquisition of Carbon, Alloy and Armor Steel Plate 252.225-7030
32. Secondary Arab Boycott of Israel 252.225-7031
34. Restriction on Acquisition of Air Circuit Breakers 252.225-7038
35. Anti-terrorism Protection for Defense Contractors Outside the United States 252.225-7043
36. Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns 252.226-7001
37. Rights in Technical Data – Noncommercial items 252.227-7013
39. Technical Data – Commercial Items 252.227-7015
40. Rights in Bid or Proposal Information (No substitutions for “Government” or “Contracting Officer” are made) 252.227-7016
41. Identification and Assertion of Use, Release or Disclosure Restrictions
42. Rights in Noncommercial Technical Data and Computer Software - Small Business Innovation Research Program
43. Validation of Asserted Restrictions – Computer Software
44. Rights in Special Works
45. Rights in Data – Existing Works
46. Limitation on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends (no substitution is made for “Government”)
47. Deferred Delivery of Technical Data or Computer Software
48. Deferred Ordering of Technical Data or Computer Software
49. Technical Data or Computer Software Previously Delivered to the Government
50. Technical Data – Withholding of Payment
51. Rights In Shop Drawings
52. Validation of Restrictive Markings on Technical Data
53. Patent Rights Ownership by Contractor
54. Patents – Reporting of Subject Inventions
55. Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles
56. Status of Contractor as Direct Contractor (Spain)
57. Reporting of Foreign Taxes – US Assistance Programs
58. Supplemental Cost Principles
59. Frequency Authorization
60. Modification Proposals – Price Breakdown
61. Requirement for Competition Opportunity for American Steel Producers, Fabricators and Manufacturers
62. Training for Contractor Personnel Interacting with Detainees
63. Protection Against Compromising Emanations
64. Telecommunications Security Equipment, Devices, Techniques and Services
65. Pricing of Contract Modifications
66. Subcontracts for Commercial Items and Commercial Components
67. Warranty of Data
68. Notification of Potential Safety Issues
69. Representation of Extent of Transportation by Sea
70. Notification of Transportation of Supplies by Sea
B. Orders Over $100,000 Shall Also Include the Following:

71. Prohibition on Persons Convicted of Fraud or Other Defense Contract Related Felonies 252.203-7001
72. Transportation of Supplies by Sea 252.247-7023*
73. Notification of Anticipated Contract Terminations or Reductions 252.249-7002

C. Orders Over $650,000 Shall Also Include the Following:

74. Small, Business Subcontracting Plan (DOD Contracts) 252.219-7003
75. Reporting of Contract Performance Outside the United States and Canada – Submission after Award (first tier subcontractors only) 252.225-7004

D. Orders Over $1,000,000 Shall Also Include the Following:

76. Acquisition Streamlining 252.211-7000
77. Restrictions on the Use of Mandatory Arbitration Agreements 252.222-7006
78. Waiver of United Kingdom Levies 252.225-7033

E. Orders Over $1,500,000 Shall Also Include the Following:

79. Acquisition Streamlining 252.211-7000

F. Orders Over $5,000,000 Shall Also Include the Following:

80. Display of Fraud Hotline Posters 252.203-7004

G. Orders Performed Outside the United States

81. Contractor Personnel Authorized to Accompany U.S. Forces Deployed Outside the United States 252.225-7040

H. Orders Involving Export Controlled Items

82. Requirements for Contracts Involving Export Controlled Items 252.204-7008*