



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.

A. Applicable to All Purchase Orders:

DFARS

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| 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. Prohibition of Hexavalent Chromium. | 252.223-7008 |

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| 12. Buy American Act -- Balance of Payments Program Certificate | 252.225-7000 |
| 13. Buy America Act and Balance of Payments Program | 252.225-7001 |
| 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 |
| 19. Commercial Derivative Military Article – Specialty Metals Compliance Certificate | 252.225-7010 |
| 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 |
| 30. Exclusionary Policies and Practices of Foreign Governments | 252.225-7028 |
| 31. Restriction of Acquisition of Carbon, Alloy and Armor Steel Plate | 252.225-7030 |
| 32. Secondary Arab Boycott of Israel | 252.225-7031 |
| 33. Buy American Act – Free Trade Agreements- Balance of Payments Program | 252.225-7036 |
| 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 |
| 38. Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation | 252.227-7014 |
| 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 |

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| 41. Identification and Assertion of Use, Release or Disclosure Restrictions | 252.227-7017 |
| 42. Rights in Noncommercial Technical Data and Computer Software – Small Business Innovation Research Program | 252.227-7018 |
| 43. Validation of Asserted Restrictions – Computer Software | 252.227-7019 |
| 44. Rights in Special Works | 252.227-7020 |
| 45. Rights in Data – Existing Works | 252.227-7021 |
| 46. Limitation on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends (no substitution is made for “Government”) | 252.227-7025 |
| 47. Deferred Delivery of Technical Data or Computer Software | 252.227-7026 |
| 48. Deferred Ordering of Technical Data or Computer Software | 252.227-7027 |
| 49. Technical Data or Computer Software Previously Delivered to the Government | 252.227-7028 |
| 50. Technical Data – Withholding of Payment | 252.227-7030 |
| 51. Rights In Shop Drawings | 252.227-7033 |
| 52. Validation of Restrictive Markings on Technical Data | 252.227-7037 |
| 53. Patent Rights Ownership by Contractor | 252.227-7038 |
| 54. Patents – Reporting of Subject Inventions | 252.227-7039 |
| 55. Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles | 252.228-7005 |
| 56. Status of Contractor as Direct Contractor (Spain) | 252.229-7004 |
| 57. Reporting of Foreign Taxes – US Assistance Programs | 252.229-7011 |
| 58. Supplemental Cost Principles | 252.231-7000 |
| 59. Frequency Authorization | 252.235-7003 |
| 60. Modification Proposals -- Price Breakdown | 252.236-7000 |
| 61. Requirement for Competition Opportunity for American Steel Producers, Fabricators and Manufacturers | 252.236-7013 |
| 62. Training for Contractor Personnel Interacting with Detainees | 252.237-7019 * |
| 63. Protection Against Compromising Emanations | 252.239-7000 |
| 64. Telecommunications Security Equipment, Devices, Techniques and Services | 252.239-7016 |
| 65. Pricing of Contract Modifications | 252.243-7001 |
| 66. Subcontracts for Commercial Items and Commercial Components | 252.244-7000 |
| 67. Warranty of Data | 252.246-7001 |
| 68. Notification of Potential Safety Issues | 252.246-7003 |
| 69. Representation of Extent of Transportation by Sea | 252.247-7022 |
| 70. Notification of Transportation of Supplies by Sea | 252.247-7024 * |

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

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| 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:

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| 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:

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| 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:

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| 79. Acquisition Streamlining | 252.211-7000 |
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F. Orders Over \$5,000,000 Shall Also Include the Following:

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| 80. Display of Fraud Hotline Posters | 252.203-7004 |
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G. Orders Performed Outside the United States

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| 81. Contractor Personnel Authorized to Accompany U.S. Forces Deployed Outside the United States | 252.225-7040 |
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H. Orders Involving Export Controlled Items

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