

## L-3 Communications

### General Terms and Conditions for Supply and Service Subcontracts

Supplement 2 – U.S. Government Contract Provisions from the Department of Defense Federal Acquisition Regulation

When the materials or products furnished are for use in connection with a U. S. Government Department of Defense contract or subcontract, in addition to the General Provisions and the FAR provisions, the following provisions shall apply, as required by the terms of the prime contractor by operation of law or regulation. In the event of a conflict between these DFARS provisions and the General Provisions or the FAR provisions, the DFARS provisions shall control.

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

Title of Clause	DFARS
<b><u>APPLICABLE TO ALL ORDERS:</u></b>	
1. Disclosure of Information	252.204-7000
2. Alternate A, Central Contractor Registration	252.204-7004
3. Alternate A, Annual Representations and Certifications	252.204-7007
4. Requirements for Contracts Involving Export-Controlled Items	252.204-7008
5. Intent to Furnish Precious Metals as Government-Furnished Material	252.208-7000
6. Disclosure of ownership of control by a foreign government	252.209-7002
7. Limitations on Contractors Acting as Lead System Integrators	252.209-7006
8. Prohibited Financial Interests for Lead System Integrators	252.209-7007
9. Item Identification and Valuation	252.211-7003
10. Radio Frequency Identification	252.211-7006
11. Reporting of Government Furnished Equipment in DoD Item Unique Identification (IUID) Registry	252.211-7007
12. Contract Terms and Conditions required to implement statutes or Executive Orders applicable to Defense acquisitions of commercial items (Class Deviation 2009-O0005 expires on April 30, 2014).	252.212-7001
13. Pricing Adjustments	252.215-7000
14. Cost Estimating System Requirements	252.215-7002
15. Award Fee Reduction or Denial for Jeopardizing the Health or Safety of Government Personnel (applicable to Award Fee Orders only)	252.216-7004
16. Restrictions on Employment of Personnel	252.222-7000
17. Hazard Warning Labels (fill in State where this purchase order will be performed)	252.223-7001
18. Safety Precautions for Ammunition and Explosives	252.223-7002
19. Change in Place of Performance - Ammunition and Explosives	252.223-7003
20. Drug-Free Work Force	252.223-7004
21. Prohibition on Storage and Disposal of Toxic and Hazardous Materials	252.223-7006
22. Safeguarding Sensitive Conventional Arms, Ammunition and Explosives	252.223-7007
23. Prohibition of Hexavalent Chromium	252.223-7008
24. Buy American Act – Balance of Payments Program Certificate	252.225-7000
25. Buy American Act and Balance of Payments Program	252.225-7001
26. Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies	252.225-7007
27. Restriction on Acquisition of Specialty Metals (prime contracts at \$150K or more requiring delivery of specialty metals as end items)	252.225-7008
28. Restriction on Acquisition of Certain Articles Containing Specialty Metals (prime contracts at \$150K or more; excludes para (d); see other exceptions; and compliance to 10USC2533b)	252.225-7009
29. Commercial Derivative Military Article – Specialty Metals Compliance Certificate (prime contracts at \$150K or more, see clause for exceptions)	252.225-7010
30. Duty Free Entry	252.225-7013
31. Restriction on Acquisition of Ball and Roller Bearings	252.225-7016
32. Restriction on Acquisition of Foreign Anchor and Mooring Chain	252.225-7019
33. Trade Agreements Certificate	252.225-7020
34. Trade Agreements	252.225-7021
35. Trade Agreements Certificate – Inclusion of Iraqi End Products	252.225-7022
36. Restriction on the Acquisition of Forgings	252.225-7025

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37. Restriction on Contingent Fees for Foreign Military Sales (blank is filled in “zero”)	252.225-7027
38. Exclusionary Policies and Procedures of Foreign Governments	252.225-7028
39. Restriction on Acquisition of Carbon Alloy and Armor Steel Plate	252.225-7030
40. Secondary Arab Boycott of Israel	252.225-7031
41. Buy American Act – Free Trade Agreements – Balance of Payments Program Certificate	252.225-7035
42. Buy American Act – Free Trade Agreements – Balance of Payments Program	252.225-7036
43. Contractors Performing Private Security Functions (applicable in areas of Contingency Operations or otherwise designated)	252.225-7039
44. Contractor personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States	252.225-7040
45. Antiterrorism / force Protection Policy for Defense Contractors Outside the United States	252.225-7043
46. Balance of Payments Program – Construction Material	252-225-7044
47. Balance of Payments Program – Construction Material Under Trade Agreements	252-225-7045
48. Exports By Approved Community Members in Response to the Solicitation	252.225-7046
49. Export by Approved Community Members in Performance of the Contract	252.225-7047
50. Preference for Certain Domestic Commodities (prime contracts at \$150K or more for the acquisition of food, clothing, or cloth materials)	252.225-7012
51. Rights in Technical Data - Noncommercial Items	252.227-7013
52. Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	252.227-7014
53. Restriction on Acquisition of Hand or Measuring Tools (prime contracts at \$150K or more and both the prime contract and subcontract are for the acquisition of hand or measuring tools either commercial or non-commercial as prime end items)	252.225-7015
54. Technical Data - Commercial Items	252.227-7015
55. Rights in Bid or Proposal Information	252.227-7016
56. Identification and Assertion of Use, Release, or Disclosure Restrictions	252.227-7017
57. Rights in Noncommercial Technical Data and Computer Software – Small Business Innovation Research (SBIR) Program	252.227-7018
58. Validation of Asserted Restrictions - Computer Software	252.227-7019
59. Limitations on the Use or Disclosure of Government Furnished Information Marked with Restrictive Legends	252.227-7025
60. Delivery of Technical Data or Computer Software	252.227-7026
61. Deferred Ordering of Technical Data or Computer Software	252.227-7027
62. Technical Data or Computer Software Previously Delivered to the Government	252.227-7028
63. Technical Data--Withholding of Payment	252.227-7030
64. Rights in Shop Drawings	252.227-7033
65. Validation of Restrictive Markings on Technical Data	252.227-7037
66. Patents – Reporting of Subject Inventions	252.227-7039
67. Ground and Flight Risk	252.228-7001
68. Reserved	252.228-7002
69. Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles	252.228-7005
70. Reporting of Foreign Taxes – U.S. Assistance Programs	252.229-7011
71. Supplemental Cost Principles (first tier subcontractors only)	252.231-7000
72. Frequency Authorization	252.235-7003
73. Frequency Authorization (ALT I)	252.235-7003
74. Protection of Human Subjects	252.235-7004
75. Requirement for Competition Opportunity for American Steel Producers, Fabricators And Manufacturers (For Construction Subcontracts)	252.236-7013
76. Training for Contract personnel Interacting with Detainees	252.237-7019
77. Continuation of Essential Contractor Services	252.237-7023
78. Notice of Continuation of Essential Contractor Services	252.237-7024
79. Protection Against Compromising Emanations	252.239-7000
80. Information Assurance Contractor Training and Certification	252.239-7001
81. Telecommunications Security Equipment, Devices, Techniques, and Services	252.239-7016
82. Pricing of Contract Modifications	252.243-7001
83. Subcontracts for Commercial Items and Commercial Components (DoD contracts)	252.244-7000
84. Tagging, Labeling, and Marking Government Furnished Property	252.245-7001
85. Reporting Loss of Government Property	252-245-7002
86. Material Inspection and Receiving Report	252.246-7000
87. Notification of Potential Safety Issues	252.246-7003
88. Safety of Facilities, Infrastructure, and Equipment for Military Operations	252.246-7004
89. Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer	252.247-7003

## **L-3 Communications**

### **General Terms and Conditions for Supply and Service Subcontracts**

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#### **ORDERS OVER THE SIMPLIFIED ACQUISITION THRESHOLD ALSO INCLUDE THE FOLLOWING:**

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|---|--------------|
| 1. Prohibition on persons convicted of Fraud or other Defense – Contract-related felonies | 252.203-7001 |
| 2. Disclosure of ownership or control by the government of a Terrorist County             | 252.209-7001 |
| 3. Requests for Equitable Adjustment  | 252.243-7002 |
| 4. Contractor Purchasing System Administration  | 252.244-7001 |
| 5. Representation of Extent of Transportation by Sea                                      | 252.247-7022 |
| 6. Transportation of Supplies by Sea  | 252.247-7023 |
| 7. Notification of Transportation of Supplies by Sea                                      | 252.247-7024 |
| 8. Notification of Anticipated Contract Termination or Reduction                          | 252.249-7002 |

#### **ORDERS OVER \$ 500,000 ALSO INCLUDE THE FOLLOWING:**

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|--|--------------|
| 1. Small Business Subcontracting Plan (DoD Contracts) – Over \$650K  | 252.219-7003 |
| 2. Report of Intended Performance Outside the United States & Canada – Submission After Award (\$650K)                   | 252.225-7004 |
| 3. Report of Intended Performance Outside the United States and Canada – Submission with Offer (over \$650K)             | 252.225-7003 |
| 4. Quarterly Reporting of Actual Contract Performance Outside the United States (over \$650K)                            | 252.225-7006 |
| 5. Utilization of Indian Organizations, Indian- Owned Economic Enterprises, and Native Hawaiian Small Business Concerns) | 252.226-7001 |

#### **ORDERS OVER \$1,000,000 OR AS SPECIFIED ALSO INCLUDE THE FOLLOWING:**

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|--|--------------|
| 1. Agency Office of the Inspector General (\$5M)               | 252.203-7003 |
| 2. Display of Fraud Hotline Posters (over \$5M)                | 252.203-7004 |
| 3. Acquisition Streamlining (\$1.5M)                           | 252.211-7000 |
| 4. Waiver of United Kingdom Levies – Evaluation of Offers      | 252.225-7032 |
| 5. Waiver of United Kingdom Levies                             | 252.225-7033 |
| 6. Restrictions on the Use of Mandatory Arbitration Agreements | 252.222-7006 |

#### **ORDERS FOR MAJOR DEFENSE ACQUISITION PROGRAMS INCLUDE THE FOLLOWING:**

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|--|--------------|
| 1. Notice of Prohibition Relating to Organizational Conflict of Interest – Major Defense Acquisition Program | 252.209-7008 |
| 2. Organizational Conflict of Interest – Major Defense Acquisition Program                                   | 252.209-7009 |
| 3. Notice of Cost and Software Data Reporting System   | 252.234-7003 |
| 4. Earned Value Management System (Orders over \$50M)  | 252.234-7002 |
| 5. Cost and Software Data Reporting System   | 252.234-7004 |