

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
<u>APPLICABLE TO ALL ORDERS:</u>	
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. Reserved	252.204-7009
6. Intent to Furnish Precious Metals as Government-Furnished Material	252.208-7000
7. Disclosure of ownership of control by a foreign government	252.209-7002
8. Limitations on Contractors Acting as Lead System Integrators	252.209-7006
9. Prohibited Financial Interests for Lead System Integrators	252.209-7007
10. Item Identification and Valuation	252.211-7003
11. Radio Frequency Identification	252.211-7006
12. Reporting of Government Furnished Equipment in DoD Item Unique Identification (IUID) Registry	252.211-7007
13. 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
14. Pricing Adjustments	252.215-7000
15. Cost Estimating System Requirements	252.215-7002
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. Duty Free Entry	252.225-7013
28. Restriction on Acquisition of Ball and Roller Bearings	252.225-7016
29. Restriction on Acquisition of Foreign Anchor and Mooring Chain	252.225-7019
30. Trade Agreements Certificate	252.225-7020
31. Trade Agreements	252.225-7021
32. Trade Agreements Certificate – Inclusion of Iraqi End Products	252.225-7022
33. Restriction on the Acquisition of Forgings	252.225-7025
34. Restriction on Contingent Fees for Foreign Military Sales (blank is filled in "zero")	252.225-7027
35. Exclusionary Policies and Procedures of Foreign Governments	252.225-7028
36. Restriction on Acquisition of Carbon Alloy and Armor Steel Plate	252.225-7030
37. Secondary Arab Boycott of Israel	252.225-7031
38. Buy American Act – Free Trade Agreements – Balance of Payments Program Certificate	252.225-7035
39. Buy American Act – Free Trade Agreements – Balance of Payments Program	252.225-7036
40. Contractor personnel Authorized to Accompany U.S. Armed Forces Deployed Outside	

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the United States	252.225-7040
41. Antiterrorism / force Protection Policy for Defense Contractors Outside the United States	252.225-7043
42. Balance of Payments Program – Construction Material	252.225-7044
43. Balance of Payments Program – Construction Material Under Trade Agreements	252.225-7045
44. Rights in Technical Data - Noncommercial Items	252.227-7013
45. Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	252.227-7014
46. Technical Data - Commercial Items	252.227-7015
47. Rights in Bid or Proposal Information	252.227-7016
48. Identification and Assertion of Use, Release, or Disclosure Restrictions	252.227-7017
49. Rights in Noncommercial Technical Data and Computer Software – Small Business Innovation Research (SBIR) Program	252.227-7018
50. Validation of Asserted Restrictions - Computer Software	252.227-7019
51. Limitations on the Use or Disclosure of Government Furnished Information Marked with Restrictive Legends	252.227-7025
52. Delivery of Technical Data or Computer Software	252.227-7026
53. Deferred Ordering of Technical Data or Computer Software	252.227-7027
54. Technical Data or Computer Software Previously Delivered to the Government	252.227-7028
55. Technical Data--Withholding of Payment	252.227-7030
56. Rights in Shop Drawings	252.227-7033
57. Validation of Restrictive Markings on Technical Data	252.227-7037
58. Patents – Reporting of Subject Inventions	252.227-7039
59. Ground and Flight Risk	252.228-7001
60. Reserved	252.228-7002
61. Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles	252.228-7005
62. Reporting of Foreign Taxes – U.S. Assistance Programs	252.229-7011
63. Supplemental Cost Principles (first tier subcontractors only)	252.231-7000
64. Frequency Authorization	252.235-7003
65. Frequency Authorization (ALT I)	252.235-7003
66. Protection of Human Subjects	252.235-7004
67. Requirement for Competition Opportunity for American Steel Producers, Fabricators And Manufacturers (For Construction Subcontracts)	252.236-7013
68. Training for Contract personnel Interacting with Detainees	252.237-7019
69. Continuation of Essential Contractor Services	252.237-7023
70. Notice of Continuation of Essential Contractor Services	252.237-7024
71. Protection Against Compromising Emanations	252.239-7000
72. Information Assurance Contractor Training and Certification	252.239-7001
73. Telecommunications Security Equipment, Devices, Techniques, and Services	252.239-7016
74. Pricing of Contract Modifications	252.243-7001
75. Subcontracts for Commercial Items and Commercial Components (DoD contracts)	252.244-7000
76. Tagging, Labeling, and Marking Government Furnished Property	252.245-7001
77. Reporting Loss of Government Property	252.245-7002
78. Material Inspection and Receiving Report	252.246-7000
79. Notification of Potential Safety Issues	252.246-7003
80. Safety of Facilities, Infrastructure, and Equipment for Military Operations	252.246-7004
81. Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer	252.247-7003

ORDERS OVER THE SIMPLIFIED ACQUISITION THRESHOLD ALSO INCLUDE THE FOLLOWING:

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. Restriction on Acquisition of Specialty Metals	252.225-7008
4. Restriction on Acquisition of Certain Articles Containing Specialty Metals (Excluding para (d))	252.225-7009
5. Commercial Derivative Military Article – Specialty Metals Compliance Certificate	252.225-7010
6. Preference for Certain Domestic Commodities	252.225-7012
7. Restriction on Acquisition of Hand or Measuring Tools	252.225-7015
8. Reporting of Commercially Available Off-the Shelf Items that Contain Specialty Metals and	

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Are Incorporated into Non-commercial End Items.	252.225-7029
9. Requests for Equitable Adjustment	252.243-7002
10. Representation of Extent of Transportation by Sea	252.247-7022
11. Transportation of Supplies by Sea	252.247-7023
12. Notification of Transportation of Supplies by Sea	252.247-7024
13. Notification of Anticipated Contract Termination or Reduction	252.249-7002

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

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 ALSO INCLUDE THE FOLLOWING:

1. Agency Office of the Inspector General (\$5M)	252.203-7003
2. Acquisition Streamlining (\$1.5M)	252.211-7000
3. Waiver of United Kingdom Levies – Evaluation of Offers	252.225-7032
4. Waiver of United Kingdom Levies	252.225-7033

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5. Restrictions on the Use of Mandatory Arbitration Agreements

252.222-7006

ORDERS FOR MAJOR DEFENSE ACQUISITION PROGRAMS INCLUDE THE FOLLOWING:

- | | |
|---|--------------|
| 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 |