

APPENDIX 1
to
TERMS AND CONDITIONS OF TOOLING PURCHASE OR REFURBISHMENT
(COMMERCIAL)

<u>FAR Reference</u>	<u>FAR Clause Title and Modifications</u>
52.203-6	Restrictions on Subcontractor Sales to the Government* (Sep 2006) Alternate I (Sep 2006) (Applicable if this Order exceeds the simplified acquisition threshold.)
52.203-7	Anti-Kickback Procedures (May 2014) (Applicable if this Order exceeds \$150,000; includes subparagraph (c)(5) but excepts subparagraph (c)(1))
52.203-11	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (Sep 2007) (Applicable to all Orders expected to exceed \$150,000.)
52.203-12	Limitation on Payments to Influence Certain Federal Transactions* (Oct 2010) (Applicable if this Order exceeds the Simplified Acquisition Threshold defined in FAR 2.101.)
52.203-13	Contractor Code of Business Ethics and Conduct* (Oct 2015), (Pub. L. 110–252, Title VI, Chapter 1 (41 U.S.C. 251 note)) (Applicable if this Order exceeds \$5,500,000 and has a performance period of more than 120 days.)
52.203–15	Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009* (JUN 2010) (Section 1553 of Pub. L. 111–5) (Applicable if this Order is funded under the Recovery Act.)
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards (Oct 2015) (Applicable if this Order has a value of \$30,000 or more.)
52.209-6	Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended or Proposed for Debarment (Oct 2015) (Applicable if this Order exceeds \$35,000 unless the Order is for COTS items as defined in FAR 2.101.)
52.211-15	Defense Priority and Allocation Requirements (Apr 2008.) If this Order is a “rated order” as indicated by a DPAS rating elsewhere in this Order or any Release issued under this Order, Seller will follow all the provisions of the Defense Priorities and Allocation System Regulations (15 CFR 700).
52.219-8	Utilization of Small Business Concerns (Oct 2014) (15 U.S.C. 637(d)(2) and (3)) (Applicable if this Order offers further

subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$650,000 (\$1.5 million for construction of any public facility), the subcontractor must include 52.219–8 in lower tier subcontracts that offer subcontracting opportunities.)

- 52.222-17** **Nondisplacement of Qualified Workers** (May 2014) (E.O. 13495). (Flow down required in accordance with paragraph (1) of FAR clause 52.222-17).
- 52.222-21** **Prohibition of Segregated Facilities** (Apr 2015)
- 52.222-26** **Equal Opportunity** (Apr 2015) (E.O. 11246)
- 52.222-35** **Equal Opportunity for Veterans** (Oct 2015) (38 U.S.C. 4212(a)) (Applicable if this Order is for \$150,000 or more.)
- 52.222-36** **Affirmative Action for Workers with Disabilities** (JUL 2014) (29 U.S.C. 793) (Applicable if this Order is expected to exceed \$15,000 unless performance and recruitment of workers will occur outside of the United States.)
- 52.222-37** **Employment Reports on Veterans** (Oct 2015) (Applicable if FAR 52.222-35 is applicable.)
- 52.222-40** **Notification of Employee Rights Under the National Labor Relations Act** (Dec 2010). (Applicable if this Order exceeds the simplified acquisition threshold in FAR 2.101, and contract effort is performed within the United States.)
- 52.222-41** **Service Contract Labor Standards** (May 2014), (41 U.S.C. chapter 67)
- 52.222-50** **Combating Trafficking in Persons** (Mar 2015) (22 U.S.C. 7104(g))
- 52.222-51** **Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements** (May 2014) (41 U.S.C. chapter 67.)
- 52.222-53** **Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements** (May 2014) (41 U.S.C. chapter 67)
- 52.222-54** **Employment Eligibility Verification** (Oct 2015) (Applicable unless work to be performed entirely outside of U.S., or if period of performance is less than 120 days.)
- 52.222-55** **Minimum Wages Under Executive Order 13658** (Dec 2014) (E.O. 13658).
- 52.222-56** **Certification Regarding Trafficking In Persons Compliance Plan (Mar 2015)** (Applicable if proposed subcontract is for supplies, other than COTS items, or services to be performed outside the United States that have an estimated value that exceeds \$500,000.)

52.223-11	Ozone-Depleting Substances (May 2001) (Applicable if this Order is for goods that may contain or be manufactured with ozone-depleting substances.)
52.223-18	Encouraging Contractor Policies To Ban Text Messaging While Driving (Aug 2011)
52.225-13	Restriction on Certain Foreign Purchases (Jun 2008)
52.225-26	Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
52.226-6	Promoting Excess Food Donation to Nonprofit Organizations (May 2014)
52.227-19	Commercial Computer Software License** (Dec 2007)
52.232-40	Providing Accelerated Payment to Small Business Subcontractors (Dec 2013). (Applicable if this Order placed with Small Business concerns.)
52.233-3	Protest After Award (Aug 1996)
52.244-6	Subcontracts for Commercial Items (Oct 2015)
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631)

**DFARS
Reference**

DFARS Clause Title and Modifications

252.204-7008	Compliance with Safeguarding Covered Defense Information Controls (Dec 2015)
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting (Dec 2015)
252.204-7015	Disclosure of Information to Litigation Support Contractors (Feb 2014).
252.222-7007	Representation Regarding Combating Trafficking in Persons (Jan 2015) (Applicable in all solicitations and contracts if this Order exceeds the simplified acquisition threshold in FAR 2.101.)
252.223-7008	Prohibition of Hexavalent Chromium (Jun 2013) (Applicable if this Order is for goods, maintenance and repair services, or construction materials.)
252.223-7006	Prohibition on Storage, Treatment and Disposal of Toxic or Hazardous Materials-Basic (Sep 2014) (Applicable in all subcontracts that require, may require, or permit a subcontractor access to a DoD installation, at any tier.)
252.225-7001	Buy American and Balance of Payments Program (Nov 2014)

- (Applies if the goods furnished under this Order contain other than domestic components. Applies in lieu of FAR 52.225-1.)
- 252.225-7009 Restrictions on Acquisition of Certain Articles Containing Specialty Metals** (Oct 2014) (Includes paragraphs (a) through (c), and excludes and reserves Paragraphs (d) and (e)(1))
- 252.225-7021 Trade Agreements** (Oct 2015) (Applies if the effort performed under this Order contains other than U.S.-made, qualifying country, or designated **country end products. Applies in lieu of FAR 52.225-5.**)
- 252.225-7048 Export Controlled Items** (June 2013) (Includes paragraph (e).)
- 252.227-7015 Technical Data—Commercial Items*** (Feb 2014)
- 252.227-7037 Validation of Restrictive Markings on Technical Data*** (Jun 2013)
- 252.234-7004 Cost and Software Data Reporting System** (Nov 2014) (Applicable for any subcontract (at any tier) that exceeds \$50 million.)
- 252.236-7013 Requirement for Competition Opportunity for American Steel Producers, Fabricators, and Manufacturers** (Jun 2013) [Applicable if this Order involves the acquisition of steel as a construction material.]
- 252.239-7018 Supply Chain Risk** (Oct 2015) (Applicable to subcontracts for the development and delivery of any information technology, whether acquired as a service or as a supply. Includes paragraph (3).)
- 252.244-7000 Subcontracts for Commercial Items** (Jun 2013)
- 252.246-7003 Notification of Potential Safety Issues** (Jun 2013)
- 252.246-7007 Contractor Counterfeit Electronic Part Detection and Avoidance System*** (May 2014) (Applicable if this order is for the supply of electronic parts; end items, components, parts or assemblies containing electronic parts; or services where the supplier will supply electronic parts as part of the service. Paragraphs (a) through (e) apply. Paragraph (b) is rewritten to exclude “disapproval of the purchasing system by the Contracting Officer and/or”. Paragraph (d) is rewritten as follows: Government review and evaluation of the Prime Contractor’s policies and procedures will be accomplished as part of the evaluation of the Prime Contractor’s purchasing system in accordance with DFARS 252.244-7001, Contractor Purchasing System Administration- Basic, or Contractor’s Purchasing System Administration- Alternate 1. The supplier for any order to which this clause applies is required to provide support and documentation during the conduct of any such Prime Contract evaluation.)
- 252.247-7023 Transportation of Supplies by Sea-Basic** (Apr 2014)
- 252.247-7024 Notification of Transportation of Supplies by Sea** (Mar 2000)