



Addendum B

ADDITIONAL TERMS AND CONDITIONS FOR COMMERCIAL ITEMS PURCHASED UNDER DEPARTMENT OF DEFENSE CONTRACTS

The following Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) clauses are each incorporated in and made a part of the Order. In the below listed clauses, the term “Contractor” shall mean “Seller,” the term “Contract” shall mean “Order,” and the term “Government Contracting Officer,” or equivalent phrases, shall mean “Buyer”. It is intended that these clauses shall apply to Seller in such manner as is necessary to reflect the position of Seller as a subcontractor to Buyer, to ensure Seller’s obligations to Buyer and to the United States Government, and to enable Buyer to meet its obligations under its prime contract.

The following FAR Clauses apply to All Orders:

52.202-1	Definitions
52.203-3	Gratuities
52.222-21	Prohibition of Segregated Facilities
52.222-26	Equal Opportunity
52.222-41	Service Contract Act of 1965
52.222-50	Combating Trafficking in Persons
52.222-51	Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements
52.222-53	Exemption from Application of the Service Contract Act to Contracts for Certain Services--Requirements
52.225-13	Restriction on Certain Foreign Purchases
52.244-6	Subcontracts for Commercial Items
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels

The following FAR Clauses apply to this Order if the value of the Order equals or exceeds \$3,000:

52.222-54	Employment Eligibility Verification
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The following FAR Clauses apply to this Order if the value of the Order equals or exceeds \$15,000:

52.222-36	Affirmative Action for Workers with Disabilities
52.222-40	Employee Rights Under the National Labor Relations Act

The following FAR Clauses apply to this Order if the value of the Order equals or exceeds \$25,000:

52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards
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The following FAR Clauses apply to this Order if the value of the Order equals or exceeds \$30,000:

52.209-6	Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment
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The following FAR Clauses apply to this Order if the value of the Order equals or exceeds \$100,000:

- 52.203-12 Limitation on Payments to Influence Certain Federal Transactions (Oct 2010)
- 52.222-35 Equal Opportunity for Veterans
- 52.225-37 Employment Reports on Veterans

The following FAR Clause applies to this Order if the value of the Order equals or exceeds \$150,000:

- 52.222-54 Employment Eligibility Verification

The following FAR Clauses apply to this Order if the value of the Order equals or exceeds \$650,000:

- 52.219-8 Utilization of Small Business Concerns
- 52.219-9 Small Business Subcontracting Plan
- 52.219-16 Liquidated Damages – Subcontracting Plan

The following FAR Clauses apply to this Order if the value of the Order equals or exceeds \$5,000,000:

- 52.203-13 Contractor Code of Business Ethics and Conduct

The following DFARS Clauses apply to All Orders:

- 252.203-7000 Requirements Relating to Compensation of Former DOD Officials
- 252.219-7003 Small Business Subcontracting Plan
- 252.225-7001 Buy American Act and Balance of Payments Program
- 252.225-7008 Restriction on Acquisition of Specialty Metals
- 252.225-7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals
- 252.225-7012 Preference for Certain Domestic Commodities
- 252.225-7017 Photovoltaic Devices
- 252.225-7021 Trade Agreements, Alternates I and II
- 252.225-7036 Buy American Act – Free Trade Agreements
- 252.226-7001 Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns
- 252.227-7013 Rights in Technical Data-Noncommercial Items
- 252.227-7015 Technical Data-Commercial Items
- 252.227-7037 Validation of Restrictive Markings on Technical Data
- 252.228-7001 Ground and Flight Risk
- 252.236-7013 Requirement for Competition Opportunity for American Steel Producers
- 252.244-7000 Subcontracts for Commercial Items and Commercial Components
- 252.246-7003 Notification of Potential Safety Issues
- 252.247-7023 Transportation of Supplies by Sea
- 252.247-7024 Notification of Transportation of Supplies by Sea