

ORDNANCE TECHNOLOGY SERVICE, INC
DEFENSE FEDERAL ACQUISITION REGULATION SUPPLEMENT (DFARS) CLAUSES

The following Defense Federal Acquisition Regulation (“DFAR”) clauses are incorporated by reference to the extent indicated below. These clauses set forth Seller’s minimum obligations and do not diminish any Seller obligations set forth elsewhere in the Order. For purposes of this introductory paragraph and the headings below, the term Order shall include any agreement between OTS and Seller. The effective version of each clause shall be the version that applies to OTS under its prime contract, higher-tier contract, or subcontract. In all cases, the clauses shall be interpreted to apply to the Seller as necessary to reflect the position of Seller as a contractor or supplier to OTS, to ensure Seller’s obligations to OTS, and to enable OTS to meet its obligations to its customer. Without limiting the foregoing: (1) unless the context of the clause or applicable law requires otherwise, the term “Contractor” shall mean Seller, the term “Contract” shall mean the Order, and the terms “Government,” “Contracting Officer” and equivalent phrases shall mean OTS and OTS’s Representative, respectively; (2) the words “Government” and “Contracting Officer” do not change when a right, act, authorization or obligation can be granted or performed only by the Government or when title to property is to be transferred directly to the Government; and (3) where a clause specifies the number of days in which Seller must act, that number shall be reduced by half. Seller shall include any applicable clauses in their contracts/orders with lower-tier suppliers to the extent specified in the clauses.

Applicable to All Contracts

- 252.203-7002 Requirement to Inform Employees of Whistleblower Rights
- 252.204-7000 Disclosure of Information
- 252.204-7014 Limitations on the Use or Disclosure of Information by Litigation Support Contractors (if Contract involves litigation support services)
- 252.204-7015 Disclosure of Information to Litigation Support Contractors
- 252.204-7018 Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services
- 252.209-7004 Contracting with Firms That Are Owned or Controlled by the Government of a Terrorist Country
- 252.223-7008 Prohibition of Hexavalent Chromium
- 252.225-7012 Preference for Certain Domestic Commodities
- 252.225-7048 Export Controlled Items
- 252.227-7013 Rights in Technical Data – Noncommercial Items (replaces FAR 52.227-14 unless another data rights clause is identified as applicable instead; Alternate II applies if Contract involves vessel design)
- 252.227-7014 Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (replaces FAR 52.227-14 unless another data rights clause is identified as applicable instead)
- 252.227-7016 Rights in Bid or Proposal Information
- 252.227-7019 Validation of Asserted Restrictions – Computer Software
- 252.227-7025 Limitation on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends
- 252.227-7026 Deferred Delivery of Technical Data or Computer Software
- 252.227-7027 Deferred Ordering of Technical Data or Computer Software
- 252.227-7028 Technical Data or Computer Software Previously Delivered to the Government
- 252.227-7030 Technical Data – Withholding of Payment
- 252.227-7037 Validation of Restrictive Markings on Technical Data
- 252.231-7000 Supplemental Cost Principles
- 252.243-7001 Pricing of Contract Modifications
- 252.244-7000 Contracts for Commercial Items
- 252.246-7001 Warranty of Data (Alternate I applies to firm fixed-price Contracts; Alternate II applies to fixed-price incentive Contracts)

Applicable to Contracts Over \$150,000

- 252.249-7002 Notification of Anticipated Contract Termination or Reduction

Applicable to Contracts Over the Simplified Acquisition Threshold

- 252.215-7008 Only One Offeror
- 252.203-7001 Prohibition on Persons Convicted of Fraud or Other Defense-Contract Related Felonies
- 252.223-7999 Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors (DEVIATION 2021-00009) (OCT 2021) (if Contract is for services, including construction, performed in whole or in part within the United States or its outlying areas)

Applicable to Contracts Over \$500,000

- 252.226-7001 Utilization of Indian Organizations, Indian-Owned Economic Enterprises and Native Hawaiian Small Business Concerns

Applicable to Contracts Over \$750,000

- 252.219-7003 Small Business Contracting Plan (unless Seller is a small business or DFARS 252.219-7004 applies)

Applicable to Contracts Over \$1,000,000

- 252.222-7006 Restriction on the Use of Mandatory Arbitration Agreements
- 252.225-7033 Waiver of United Kingdom Levies (if Seller is a UK firm)

Applicable to Contracts Over \$6,000,000

- 252.203-7003 Agency Office of the Inspector General
- 252.203-7004 Display of Fraud Hotline Poster(s) (replaces FAR 52.203-14)

Applicable Only to the Extent Indicated

- 252.204-7004 Antiterrorism Awareness Training for Contractors (if Contract performance requires routine physical access to Federally-controlled facility or military installation)
- 252.204-7009 Limitation on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information (if Contract involves support for safeguarding covered defense information or cyber incident reporting)
- 252.204-7010 Requirement for Contractor to Notify DoD if the Contractor’s Activities Are Subject to Reporting Under the U.S. International Atomic Energy Agency Protocol (if Contract is subject to the provisions of the U.S. International Atomic Energy Agency Additional Protocol)
- 252.208-7000 Intent to Furnish Precious Metals as Government-Furnished Materials (if precious metals may be provided as government furnished materials)
- 252.211-7003 Item Unique Identification and Valuation (if Contract includes requirement for unique item identification)
- 252.211-7007 Reporting of Government-Furnished Property (if Contract involves access to Government property; Contractor to report through OTS)
- 252.222-7002 Compliance with Local Labor Laws (Overseas) (if Contract includes services outside the U.S.)
- 252.223-7001 Hazard Warning Labels (if Contract requires delivery of hazardous materials)
- 252.223-7002 Safety Precautions for Ammunition and Explosives (if Contract involves ammunition, explosives, or propellants)
- 252.223-7003 Change in Place of Performance – Ammunition and Explosives (if Contract involves ammunition, explosives, or propellants)

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252.223-7006	Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials (if Seller will have access to a DoD installation; Alternate I applies if in OTS's contract)	business and OTS receives accelerated payments under its contract)
252.223-7007	Safeguarding Sensitive Conventional Arms, Ammunition, and Explosives (if Contract involves arms, ammunition, or explosives)	252.234-7004 Cost and Software Data Reporting System (if Contract exceeds \$50 million)
252.225-7002	Qualifying Country Sources as Contractors (if Contract includes 252.225-7001, -7021, or -7036)	252.235-7002 Animal Welfare (if Contract involves use of live vertebrate animals)
252.225-7004	Report of Intended Performance Outside the U.S. and Canada – Submission After Award (if Seller intends to perform, outside the U.S. and Canada, any work that exceeds \$750,000)	252.235-7003 Frequency Authorization (if Contract requires developing, producing, constructing, testing, or operating a device requiring frequency authorization; Alternate I may apply at OTS's discretion)
252.225-7007	Prohibition on Acquisition of U.S. Munitions List Items from Communist Chinese Military Companies (if Seller is supplying items on the U.S. Munitions List)	252.235-7004 Protection of Human Subjects (if Contract includes research involving human subjects)
252.225-7008	Restriction on Acquisition of Specialty Metals	252.235-7010 Acknowledgement of Support and Disclaimer (if Contract includes research and development)
252.225-7010	Commercial Derivative Military Article – Specialty Metal Compliance Certificate (if work contains specialty metals)	252.237-7010 Prohibition on Interrogation of Detainees (applies to Contracts for services)
252.225-7011	Restrictions on Acquisition of Supercomputers (if Contract involves delivery of supercomputers)	252.237-7019 Training for Contractor Personnel Interacting with Detainees (if Contract requires interaction with detainees)
252.225-7013	Duty Free Entry (replaces FAR 52.225-8 if supplies will be imported into the customs territory of the United States)	252.239-7000 Protection Against Compromising Emanations (if Contract involves information technology that requires protection against compromising emanations)
252.225-7015	Restrictions on Acquisition of Hand or Measuring Tools (if Contract includes hand or measuring tools)	252.239-7001 Information Assurance Contractor Training and Certification (if Contract involves information assurance functions as described in DoD 8570.01-M)
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings (if deliverables contain ball or roller bearings)	252.239-7010 Cloud Computing Services (if Contract involves cloud services)
252.225-7017	Photovoltaic Devices (if Contract provides for delivery of photovoltaic devices)	252.239-7016 Telecommunications Security Equipment, Devices, Techniques, and Services (if Contract requires securing telecommunications)
252.225-7019	Restriction on Acquisition of Anchor and Mooring Chain (if Contract is for items containing welded shipboard anchor or mooring chain four inches or less in diameter)	252.239-7018 Supply Chain Risk (if Contract involves development or delivery of information technology)
252.225-7025	Restriction on Acquisition of Forgings (if Contract is for forging items or items that contain forging items)	252.245-7004 Reporting, Reutilization, and Disposal (if Contract involves access to Government property)
252.225-7027	Restriction on Contingent Fees for Foreign Military Sales (if Contract supports Foreign Military Sales program)	252.246-7003 Notification of Potential Safety Issues (if required by DFARS 252.246-7003(f))
252.225-7028	Exclusionary Policies and Practices of Foreign Governments (if Contract involves purchase of supplies for international military training or Foreign Military Sales)	252.246-7007 Contractor Counterfeit Electronic Part Detection and Avoidance Systems (if Contract includes electronic parts or assemblies containing electronic parts)
252.225-7030	Restriction on Acquisition of Carbon, Alloy, and Armor Steel Plate (if Contract involves acquisition of carbon, alloy, or armor steel plate)	252.246-7008 Sources of Electronic Parts (if Seller is supplying electronic parts or assemblies containing electronic parts, unless the Seller is the original manufacturer)
252.225-7038	Restriction on Acquisition of Air Circuit Breakers (if Contract includes air circuit breakers for naval vessels)	252.247-7003 Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer (if Seller is a motor carrier, broker, or freight forwarder)
252.225-7040	Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the U.S. (if supporting Armed Forces deployed outside the U.S.)	252.247-7023 Transportation of Supplies by Sea – Basic (replaces FAR 52.247-64 if Contract includes ocean transportation of supplies)
252.225-7042	Authorization to Perform (if performance will occur in whole or in part outside the U.S.)	
252.225-7052	Restriction on the Acquisition of Certain Magnets, Tantalum and Tungsten (if Contract is for items containing a covered material)	
252.227-7038	Patent Rights – Ownership by the Contractor (Large Business) (replaces FAR 52.227-11 if Contractor is a large business; does not apply if 52.227-13 applies)	
252.227-7039	Patents – Reporting of Subject Inventions (applies if Contract includes FAR 52.227-11)	
252.228-7005	Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles (if Contract involves manufacture, modification, overhaul, or repair of aircraft, missiles, space launch vehicles, or components)	
252.232-7017	Accelerating Payments to Small Business Contractors – Prohibition on Fees and Consideration (if Seller is a small	

Applicable if Checked

- 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting (Seller shall comply with additional cyber security requirements in the terms and conditions to the extent applicable)
- 252.225-7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals