



Bren-Tronics Defense LLC

U.S. Government Contract Provisions and Clauses from the Federal Acquisition Regulation (“FAR”) the Department of Defense Federal Acquisition Regulation Supplement (“DFARS”) and National Aeronautics and Space Administration Federal Acquisition Regulation Supplement (“NFARS”)

Provisions and Clauses Incorporated By Reference

When the materials or products furnished are for use in connection with a U.S. Government contract or subcontract, in addition to the Additional Terms And Conditions For The Purchase Of Goods And Services, the following provisions shall apply, as required by the terms of the prime contract, or by operation of law or regulation. Clauses not applicable for these reasons shall be removed from this document and will be considered by all parties to be without force and effect. In the event of a conflict between the Additional Terms And Conditions For The Purchase Of Goods And Services, the FAR, DFARS or NFARS provisions shall control.

The following provisions and clauses in effect as of the date of the contract are incorporated herein, unless made inapplicable in the purchase order or subcontract, with the same force and effect as if they were given in full text. Upon request, the full text will be made available. The full text of the clauses may be accessed electronically at:

- <https://www.acquisition.gov/browsefar>
- <https://www.acq.osd.mil/dpap/dars/dfarspgi/current/>
- <https://www.hq.nasa.gov/office/procurement/regs/nfstoc.htm>

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 the applicable purchase order. The Seller, by signing its offer or contract, hereby certifies compliance with the following clauses and is, therefore, eligible for award of the contract.

A. When the items furnished under a contract or purchase order are for use in connection with a U.S. Government prime contract or subcontract.

FAR CLAUSES APPLICABLE TO SUBCONTRACTS AND PURCHASE ORDERS

(UNLESS A LIMITATION OR EXEMPTION IN THE CLAUSE APPLIES):

Definitions (2020)	52.202-1
Gratuities (1984)	52.203-3
Covenant Against Contingent Fees (2014)	52.203-5
Restrictions on Subcontractor Sales to the Government (2020)	52.203-6
Anti-Kickback Procedures (Except paragraph (c)(1)) (2020)	52.203-7
Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (2007)	52.203-11
Limitation on Payments to Influence Certain Federal Transactions (2020)	52.203-12
Contractor Code of Business Ethics and Conduct (2021)	52.203-13
Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (2010)	52.203-15
Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (2023)	52.203-17
Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements-Representation (2017)	52.203-18
Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (2017)	52.203-19
Security Requirements (2021)	52.204-2
Printing on Double Sided on Recycled Paper (2011)	52.204-4
Personal Identity Verification of Contractor Personnel (2011)	52.204-9
Reporting Executive Compensation and First-Tier Subcontract Awards (2020)	52.204-10
Basic Safeguarding of Contractor Information Systems (2021)	52.204-21
Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (2023)	52.204-23
Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (2021)	52.204-24

Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (2021)	52.204-25
Prohibition on a ByteDance Covered Application (2023)	52.204-27
Federal Acquisition Supply Chain Security Act Orders – Representation and Disclosures (2023)	52.204-29
Federal Acquisition Supply Chain Security Act Orders – Prohibition (2023)	52.204-30
Certification Regarding Responsibility Matters (2020)	52.209-5
Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment (2021)	52.209-6
Material Requirements (2000)	52.211-5
Defense Priorities and Allocation Requirements (2008)	52.211-15
Offer Representations and Certifications, Commercial Items (2024)	52.212-3
Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Items (2024)	52.212-5
Audit and Records – Negotiation (2020)	52.215-2
Price Reduction for Defective Certified Cost or Pricing data (2011)	52.215-10
Price Reduction for Defective Certified Cost or Pricing Data – Mod (2020)	52.215-11
Subcontractor Certified Cost or Pricing Data (2020)	52.215-12
Subcontractor Certified Cost or Pricing Data – Modifications (2020)	52.215-13
Integrity of Unit Prices (2021)	52.215-14
Notification of Ownership Changes (1997)	52.215-19
Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data (2021)	52.215-20
Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data – Modifications (2021)	52.215-21
Utilization of Small Business Concerns (2023)	52.219-8
Small Business Subcontracting Plan (2023)	52.219-9
Liquidated Damages - Subcontracting Plan (2021)	52.219-16
Convict Labor (2003)	52.222-3
Contract Work Hours and Safety Standards - Overtime Compensation (2018)	52.222-4
Child Labor - Cooperation with Authorities and Remedies (2024)	52.222-19
Contracts for Materials, Supplies, Articles, and Equipment Exceeding \$15,000 (2020)	52.222-20
Prohibition of Segregated Facilities (2023)	52.222-21
Previous Contracts and Compliance Reports (1999)	52.222-22
Affirmative Action Compliance (1984)	52.222-25
Equal Opportunity (2016)	52.222-26
Equal Opportunity for Veterans (2020)	52.222-35
Affirmative Action for Workers with Disabilities (2020)	52.222-36
Employments Reporting on Veterans (2020)	52.222-37
Notification of Employee Rights Under the National Labor Relations Act (2010)	52.222-40
Service Contract Labor Standards (2018)	52.222-41
Combating Trafficking in Persons (2021)	52.222-50
Employment Eligibility Verification (2022)	52.222-54
Minimum Wages Under Executive Order 13658 (2022)	52.222-55
Paid Sick Leave Under Executive Order 13706 (2022)	52.222-62
Hazardous Material Identification and Material Safety Data (2021)	52.223-3
Drug-Free Workplace (2001)	52.223-6
Notice of radioactive materials (1997)	52.223-7
Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (2016)	52.223-11
Encouraging Contractor Policies to Ban Text Messaging While Driving (2024)	52.223-18
Privacy Training (2017)	52.224-3
Buy American – Supplies (2022)	52.225-1
Trade Agreements (2023)	52.225-5
Restrictions on Certain Foreign Purchases (2021)	52.225-13
Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran— Representation and Certifications (2020)	52.225-25

Authorization and Consent (2020)	52.227-1
Commercial Computer Software-Restricted Rights (2007)	52.227-19
Cost Accounting Standards (2020)	52.230-2
Disclosure and Consistency of Cost Accounting (2020)	52.230-3
Administration of Cost Accounting Standards (2010)	52.230-6
Interest (1984)	52.232-9
Unenforceability of Unauthorized Obligations (2013)	52.232-39
Providing Accelerated Payments to Small Business Subcontractors (2023)	52.232-40
Applicable Law for Breach of Contract Claim (2004)	52.233-4
Stop-Work Order (1989)	52.242-15
Competition in Subcontracting (1996)	52.244-5
Subcontracts for Commercial Items (2023)	52.244-6
Government Property (2021)	52.245-1
Inspection of Supplies - Fixed-Price (1984)	52.246-2
Preference for U.S.-Flag Air Carriers (2003)	52.247-63
Preference for Privately Owned U.S.-Flag Commercial Vessels ALT II (2021)	52.247-64
Termination for Convenience of the Government (Fixed-Price) (2012)	52.249-2
Default (Fixed-Price) (1984)	52.249-8

B. When the items furnished under a contract or purchase order are for use in connection with a U.S. Department of Defense prime contract or subcontract.

DFARS CLAUSES APPLICABLE TO SUBCONTRACTS AND PURCHASE ORDERS

(UNLESS A LIMITATION OR EXEMPTION IN THE CLAUSE APPLIES):

Requirements Relating to Compensation of Former DoD Officials (2011)	252.203-7000
Prohibition on persons convicted of fraud or other defense-contract-related felonies (2023)	252.203-7001
Requirement to Inform Employees of Whistleblower (2022)	252.203-7002
Agency Office of the Inspector General (2019)	252.203-7003
Disclosure of Information (2016)	252.204-7000
Control of Government Personnel Work Product (1992)	252.204-7003
Compliance with Safeguarding Covered Defense Information Controls (2016)	252.204-7008
Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information (2023)	252.204-7009
Safeguarding Covered Defense Information (CDI) and Cyber Incident Reporting (for operationally critical support or where performance involves a covered contractor information system and CDI will be flowed down to or processed) (2023)	252.204-7012
Disclosure of Information to Litigation Support Contractors (2023)	252.204-7015
Covered Defense Telecommunications Equipment or Services—Representation (2019)	252.204-7016
Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services—Representation (2021)	252.204-7017
Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services (2021)	252.204-7018
Notice of NIST SP 800-171 DoD Assessment Requirements (2023)	252.204-7019
NIST SP 800-171 DoD Assessment Requirements (2023)	252.204-7020
Provision of Information to Cooperative Agreement Holders (2023)	252.205-7000
Disclosure of ownership or control by a foreign government (2022)	252.209-7002
Subcontracting With Firms That Are Owned Or Controlled By The Government Of A Country That Is A State Sponsor Of Terrorism (2019)	252.209-7004
Item Identification and Valuation (2023)	252.211-7003
Cost Estimating System Requirements (2012)	252.215-7002
Requirement for Submission of Data Other Than Certified Cost or Pricing Data - Modifications-Canadian Commercial Corporation (2013)	252.215-7004
Requirements for Certified Cost or Pricing Data and Other Data than Certified Cost and Pricing Data (2023)	252.215-7010
Small Business Subcontracting Plan (DoD Contracts) – Basic (2019)	252.219-7003

Restrictions on employment of personnel (2000)	252.222-7000
Restrictions on the Use of Mandatory Arbitration Agreements (2023)	252.222-7006
Hazard warning labels (1991)	252.223-7001
Safety precautions for ammunition and explosives (2023)	252.223-7002
Change in Place of Performance – Ammunition and Explosives (1991)	252.223-7003
Drug-free work force (1988)	252.223-7004
Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials (2014)	252.223-7006
Safeguarding Sensitive Conventional Arms, Ammunition, and Explosives (2023)	252.223-7007
Prohibition of Hexavalent Chromium (2023)	252.223-7008
Buy American and Balance of Payments Program (2023)	252.225-7001
Qualifying Country Sources and Subcontractors (2022)	252.225-7002
Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies (2018)	252.225-7007
Restriction on Acquisition of Specialty Metals (2013)	252.225-7008
Restriction on Acquisition of Certain Articles Containing Specialty Metals (2023)	252.225-7009
Commercial Derivative Military Article – Specialty Metals Compliance Certificate (2009)	252.225-7010
Preference for certain domestic commodities (2022)	252.225-7012
Duty-free entry (2023)	252.225-7013
Trade agreements (2023)	252.225-7021
Restriction on acquisition of forgings (2009)	252.225-7025
Reporting of Contract Performance Outside the United States (2013)	252.225-7026
Export-Controlled Items (2013)	252.225-7048
Restriction on the Acquisition of Certain Magnets and Tungsten (2023)	252.225-7052
Prohibition Regarding Business Operations with the Maduro Regime (2023)	252.225-7056
Post-Award Disclosure of Employment of Individuals Who Work in the People's Republic of China (2023)	252.225-7058
Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region–Representation (2023)	252.225-7059
Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region (2023)	252.225-7060
Additional Access to Contractor and Subcontractor Records (2020)	252.225-7981
Prohibition on Providing Funds to the Enemy (2020)	252.225-7993
Utilization of Indian Organizations, Indian-Owned Economic Enterprises and Native Hawaiian Small Business Concerns (2023)	252.226-7001
Rights in Technical Data Noncommercial Items (2023)	252.227-7013
Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (2023)	252.227-7014
Technical Data – Commercial Items (2023)	252.227-7015
Rights in bid or proposal information (2023)	252.227-7016
Identification and assertion of use, release, or disclosure restrictions (2023)	252.227-7017
Deferred delivery of technical data or computer software (1988)	252.227-7026
Technical data or computer software previously delivered to the government (1995)	252.227-7028
Technical data - withholding of payment (2000)	252.227-7030
Rights in shop drawings (1966)	252.227-7033
Validation of Restrictive Markings on Technical Data (2023)	252.227-7037
Patent Rights - Ownership by the Contractor (2012)	252.227-7038
Patents - reporting of subject inventions (1990)	252.227-7039
Cloud Computing Services (2023)	252.239-7010
Supply Chain Risk (2022)	252.239-7018
Requests for Equitable Adjustment (2022)	252.243-7002
Subcontracts for Commercial Items (2023)	252.244-7000
Notification of Potential Safety Issues (2023)	252.246-7003
Contractor Counterfeit Electronic Part Detection and Avoidance System (2023)	252.246-7007
Sources of Electronic Parts (2023)	252.246-7008
Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023)	252.247-7003
Transportation of Supplies by Sea (2023)	252.247-7023
Notification of Anticipated Contract Termination or Reduction (2022)	252.249-7002

C. When the items furnished under a contract or purchase order are for use in connection with a U.S. National Aeronautics and Space Administration (NASA) prime contract or subcontract.

NEARS CLAUSES APPLICABLE TO SUBCONTRACTS AND PURCHASE ORDERS
(UNLESS A LIMITATION OR EXEMPTION IN THE CLAUSE APPLIES):

Security Requirement for Unclassified Information Technology Resources	1852.204-76
Restrictions on Printing and Duplicating	1852.208-81
Packaging, Handling, and Transportation	1852.211-70
Use of Rural Area Small Businesses	1852.219-74
NASA 8 Percent Goal	1852.219-76
Safety and Health	1852.223-70
Frequency Authorization	1852.223-71
Safety and Health (Short Form)	1852.223-72
Drug and Alcohol Free Workforce	1852.223-74
Major breach of safety or security	1852.223-75
Export Licenses	1852.225-70
Restriction on Funding Activity with China	1852.225-71
Patent Rights - Retention by the Contractor	1852.227-11
Rights in Data – General	1852.227-14
New Technology	1852.227-70
Requests for Waiver of Rights to Inventions	1852.227-71
Designation of New Technology Representative and Patent Representative	1852.227-72
Commercial Computer Software - Licensing	1852.227-86
Cross-Waiver of Liability for Space Station Activities	1852.228-76
Cross-Waiver of Liability for NASA Expendable Launch Vehicle (ELV) Launches	1852.228-78
Pension Portability	1852.237-71
Access to Sensitive Information	1852.237-72
Release of Sensitive Information	1852.237-73
Denied Access to NASA Facilities	1852.242-72
NASA Contractor Financial Management Reporting	1852.242-73
Liability for Government Property Furnished for Repair or Other Services	1852.245-72
Financial Reporting Of NASA Property in the Custody of Contractors	1852.245-73
Identification and Marking of Government Equipment	1852.245-74
Material inspection and receiving report	1852.246-72
Counterfeit Electronic Part Detection and Avoidance	1852.246-74

The applicable U.S. Government contract clauses and provisions shall be incorporated in each lower-tier subcontract placed in support of the contract or purchase order.

Seller shall indemnify and hold Bren-Tronics Defense LLC harmless from and against any cost, price reduction, withholding, offset, penalty, interest, claim, demand, determination of unallowability or unallocability, or any other civil, criminal, or administrative liability, whether arising under statute, regulation, contract or common law, and shall reimburse Bren-Tronics Defense LLC for all of its damages and associated costs, including reasonable attorney fees and other expenses, if said liability is attributable to the Seller or Seller's subcontractors' failure to comply with the applicable U.S. Government contract clauses and provisions.

The clauses listed above may require the submission of certifications and representations. When requested by Bren-Tronics Defense LLC, Seller shall furnish any certification or representation that is necessary for compliance with such requirements.