

Plasan North America Supplementary Terms & Conditions for 112001

**FAR CLAUSES APPLICABLE TO THIS CONTRACT**

The clauses in FAR Subpart 52.2 referenced below, in effect on the effective date of this Subcontract, are incorporated herein and made a part of this Order. In all such clauses, unless the context of the clause requires otherwise, the term "Contractor" shall mean Seller, the term "Contract" shall mean this Subcontract, and the terms "Government," "Contracting Officer" and equivalent phrases shall mean Plasan NA and Plasan NA 's Purchasing Representative, respectively. It is intended that the referenced clauses shall apply to Seller in such manner as is necessary to reflect the position of Seller as a subcontractor to Plasan NA, to ensure Seller's obligations to Plasan NA and to the United States Government, and to enable Plasan NA to meet its obligations under its Prime Contract or higher-tier Subcontract.

Clauses Incorporated by Reference, Applicable to all Contracts and POs:

CLAUSE	TITLE	DATE
52.203-19	PROHIBITION ON REQUIRING CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS	(JAN 2017)
52.204-7	System for Award Management	(Oct 2018)
52.204-8	Annual Representations and Certifications	(Mar 2023)
52.204-13	SYSTEM FOR AWARD MANAGEMENT MAINTENANCE	(OCT 2018)
52.204-16	Commercial and Government Entity Code Reporting	(Aug 2020)
52.204-17	Ownership or Control of Offeror	(Aug 2020)
52.204-18	COMMERCIAL AND GOVERNMENT ENTITY CODE MAINTENANCE	(AUG 2020)
52.204-20	Predecessor of Offeror	(Aug 2020)
52.204-21	BASIC SAFEGUARDING OF COVERED CONTRACTOR INFORMATION SYSTEMS	(NOV 2021)
52.204-24	Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment	(Nov 2021)
52.204-25	PROHIBITION ON CONTRACTING FOR CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT	(NOV 2021)
52.204-26	Covered Telecommunications Equipment or Services Representation	(Oct 2020)
FAR 52.204-27	Prohibition on a ByteDance Covered Application	(June 2023)

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52.211-2	Availability of Specifications, Standards, and Data Item Descriptions Listed in the Acquisition Streamlining and Standardization Information System (ASSIST)	(Jul 2021)
52.211-5	MATERIAL REQUIREMENTS	(AUG 2000)

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52.211-14	Notice of Priority Rating for National Defense, Emergency Preparedness, and Energy Program Use	(Apr 2008)
52.213-4	TERMS AND CONDITIONS - SIMPLIFIED ACQUISITION (OTHER THAN COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES	(OCT 2022)
52.219-28	POST-AWARD SMALL BUSINESS PROGRAM REREPRESENTATION	(OCT 2022)
52.222-19	CHILD LABOR - COOPERATION WITH AUTHORITIES AND REMEDIES (DEVIATION 2020-O0019)	(JAN 2022)
52.222-36	EQUAL OPPORTUNITY FOR WORKERS WITH DISABILITIES - ALTERNATE I	(JUN 2014)
52.223-3	HAZARDOUS MATERIAL IDENTIFICATION AND MATERIAL SAFETY DATA	(FEB 2021)
52.223-7	NOTICE OF RADIOACTIVE MATERIALS	(JAN 1997)
52.223-18	ENCOURAGING CONTRACTOR POLICIES TO BAN TEXT MESSAGING WHILE DRIVING	(JUN 2020)
52.227-1	Authorization and Consent	(Jun 2020)
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement	(Jun 2020)
52.227-3	Patent Indemnity	(Apr 1984)
52.232-39	UNENFORCEABILITY OF UNAUTHORIZED OBLIGATIONS	(JUN 2013)
52.232-40	PROVIDING ACCELERATED PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS	(NOV 2021)
52.242-17	GOVERNMENT DELAY OF WORK	(APR 1984)
52.243-1	CHANGES - FIXED PRICE	(AUG 1987)
52.246-2	INSPECTION OF SUPPLIES- FIXED PRICE	(AUG 1996)
52.249-8	DEFAULT (FIXED-PRICE SUPPLY AND SERVICE)	(APR 1984)
52.252-1	Solicitation Provisions Incorporated by Reference (The full text of a provision may be accessed electronically at this address: <a href="https://www.acquisition.gov">https://www.acquisition.gov</a> .)	(Feb 1998)
252.2037000	REQUIREMENTS RELATING TO COMPENSATION OF FORMER DoD OFFICIALS	(SEPT 2011)
252.2037002	REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS	(SEPT 2013)
252.2037005	Representation Relating to Compensation of Former DoD Officials	(Sep 2022)
252.2047000	DISCLOSURE OF INFORMATION	(OCT 2016)
252.2047003	CONTROL OF GOVERNMENT PERSONNEL WORK PRODUCT	(APR 1992)

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252.2047007	Alternate A, Annual Representations and Certifications. (Includes DFARS 252.204-7016 (Dec 2019), Covered Defense Telecommunications Equipment Or Services – Representation)	(May 2021)
252.2047008	Compliance with Safeguarding Covered Defense Information Controls	(Oct 2016)
252.2047009	LIMITATIONS ON THE USE OR DISCLOSURE OF THIRD-PARTY CONTRACTOR REPORTED CYBER INCIDENT INFORMATION	(OCT 2016)
252.2047012	SAFEGUARDING COVERED DEFENSE INFORMATION AND CYBER INCIDENT REPORTING	(DEC 2019)
252.2047015	NOTICE OF AUTHORIZED DISCLOSURE OF INFORMATION TO LITIGATION SUPPORT CONTRACTORS	(MAY 2016)
252.2047017	Prohibition of Acquisition of Covered Defense Telecommunications Equipment or Services-- Representation	(Mar 2021)
252.2047018	PROHIBITION ON THE ACQUISITION OF COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES	(JAN 2021)
252.2047019	Notice Of NIST SP 800-171 DoD Assessment Requirements	(Mar 2022)
252.2047020	NIST SP 800-171 DOD ASSESSMENT REQUIREMENTS	(MAR 2022)
252.2097002	Disclosure of Ownership or Control by a Foreign Government	(Dec 2022)
252.2237001	Hazard Warning Labels	(Dec 1991)
252.2237006	PROHIBITION ON STORAGE, TREATMENT, AND DISPOSAL OF TOXIC OR HAZARDOUS MATERIALS - BASIC	(SEPT 2014)
252.2237008	PROHIBITION OF HEXAVALENT CHROMIUM	(JUN 2013)
252.2257007	PROHIBITION ON ACQUISITION OF UNITED STATES MUNITIONS LIST ITEMS FROM COMMUNIST CHINESE MILITARY COMPANIES	(DEC 2018)
252.2257048	EXPORT-CONTROLLED ITEMS	(JUN 2013)
252.2327003	ELECTRONIC SUBMISSION OF PAYMENT REQUESTS AND RECEIVING REPORTS	(DEC 2018)
252.2327006	WIDE AREA WORKFLOW PAYMENT INSTRUCTIONS	(Jan 2023)
252.2327010	LEVIES ON CONTRACT PAYMENTS	(DEC 2006)
252.2397018	Supply Chain Risk	(Dec 2022)

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252.2397098	Prohibition On Contracting To Maintain Or Establish A Computer Network Unless Such Network Is Designed To Block Access To Certain Websites – Representation	(Apr 2021)
252.2437001	PRICING OF CONTRACT MODIFICATIONS	(DEC 1991)
252.2447000	SUBCONTRACTS FOR COMMERCIAL ITEMS	(OCT 2020)
252.2467003	NOTIFICATION OF POTENTIAL SAFETY ISSUES	(JUN 2013)
252.2477023	TRANSPORATION OF SUPPLIES BY SEA -- BASIC	(FEB 2019)
5452.2339001	Disputes – Agreement to Use Alternate Dispute Resolution (ADR)	(Jun 2020)

Conditional Provisions & Clauses Incorporated by Reference

CLAUSE	TITLE	DATE	NOTES
52.203-12	Limitation on Payments to Influence Certain Federal Transactions.	(Jun 2020)	Applies if the value of the Contract is $\geq$ \$150,000.
52.204-2	Security Requirements	(Mar 2021)	Applies when the contract may require access to classified information
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards	(Jun 2020)	Applies to all contracts $\geq$ \$30,000
52.209-1	Qualification Requirements	(Feb 1995)	Applies when QML, QPL, QBL is cited in the item description of the order.
52.211-15	Defense Priority and Allocation Requirements	(Apr 2008)	Applies to orders when a DPAS rating/priority is cited on the face of the order.
52.219-6	Notice of Total Small Business Set-Aside	(Nov 2020)	Applies to contracts with total small business set-asides.
52.222-4	Contract Work Hours and Safety Standards -Overtime Compensation	(Mar 2018)	Applies to contracts when the value $\geq$ \$150,000.
52.222-35	Equal Opportunity for Veterans	(Jun 2020)	Applies to contracts valued at or above the threshold specified in FAR 22.1303(a)
52.222-37	Employment Reports on Veterans	(Jun 2020)	Applies to contracts valued at or above the threshold specified in FAR 22.1303(a)

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52.222-54	Employment Eligibility Verification	(May 2022)	<p>Applies contracts valued <math>\geq</math> \$150,000, except those that—</p> <ul style="list-style-type: none"> <li>(a) Are only for work that will be performed outside the United States;</li> <li>(b) Are for a period of performance of less than 120 days; or</li> <li>(c) Are only for— <ul style="list-style-type: none"> <li>(1) Commercially available off-the-shelf items;</li> <li>(2) Items that would be COTS items, but for minor modifications (as defined at paragraph (3)(ii) of definition of “commercial product” at 2.101;</li> <li>(3) Items that would be COTS items if they were not bulk cargo;</li> </ul> </li> </ul>
			<p>Or (4) Commercial services that are—</p> <ul style="list-style-type: none"> <li>(i) Part of the purchase of a COTS item (or an item that would be a COTS item, but for minor modifications);</li> <li>(ii) Performed by the COTS provider; and</li> <li>(iii) Are normally provided for that COTS item.</li> </ul>
52.223-9	Estimate of Percentage of Recovered Material Content for EPA-Designated Items	(May 2008)	Applies to contracts valued $\geq$ \$150,000
52.246-1	Contractor Inspection Requirements	(Apr 1984)	Applies when inspection and acceptance are at destination.
52.246-15	Certificate of Conformance	(Apr 1984)	<p>This clause applies when Inspection &amp; Acceptance at Origin is cited in the order. Clause is operative at the discretion of the DCMA QA representative. Does not apply to hazardous material, items under FSC 1560, 1670, 1680, 3110, 3120, or FSG 28 and 29, or when solicitation/order specifically prohibits</p>

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52.247-1	Commercial Bill of Lading Notations	(Feb 2006)	Applies to all F.o.b. origin awards.
52.247-29	F.o.b. Origin	(Feb 2006)	Applies when the delivery term is f.o.b. origin
52.247-34	F.o.b. Destination	(Nov 1991)	Applies when the delivery term is f.o.b. destination.
52.247-48	F.o.b. Destination - Evidence of Shipment	(Feb 1999)	Applies when delivery term is f.o.b. destination and inspection, and acceptance are at source.
52.247-65	F.o.b. Origin, Prepaid Freight - Small Package Shipments	(Jan 1991)	Applies to all F.o.b. origin awards except Foreign Military Sales (FMS) requirements.
252.2097004	Subcontracting with Firms that are Owned or Controlled by the Government of a Country that is a State Sponsor of Terrorism	(May 2019)	Applies contracts valued $\geq$ \$150,000.
252.2097010	Critical Safety Items	(Aug 2011)	Applies when the item being acquired is identified as a Critical Item.

252.2117003	Item Unique Identification And Valuation	(Mar 2016)	Applies when the item description contains the statement "IUID MARKING IS REQUIRED." If the unit cost is $\geq$ \$5,000 and the item description is silent as to IUID, DFARS 252.211-7003(c)(1)(i) applies
252.2257000	Buy American -- Balance of Payments Program Certification – BASIC	(Nov 2014)	Applies to all contracts over the micro-purchase threshold up to \$25,000 and to acquisitions above \$25,000 unless 252.2257036 or its ALT applies.
252.2257001	Buy American and Balance of Payments Program – BASIC	(Jun 2022)	Applies to acquisitions over the micro-purchase threshold unless 252.225-7021 or 252.225-7036 or their ALTs apply
252.2257002	Qualifying Country Sources as Subcontractors	(Dec 2017)	Applies when either DFARS 252.225-7001 or DFARS 252.225-7036 is cited.
252.2257012	Preference for Certain Domestic Commodities	(Apr 2022)	Applies to all acquisitions $>$ \$150,000.

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252.2257013	Duty-Free Entry (Class Deviation 2020-O0019) (Revision 1) (see Attachment 3)	(Jul 2020)	Applies when acquisition exceeds the micro-purchase threshold except when set- aside for small business
252.2257015	Restriction on Acquisition of Hand or Measuring Tools	(Jun 2005)	Applies to all acquisitions > \$150,000
252.2257016	Restriction on Acquisition of Ball and Roller Bearings	(Jun 2011)	Applies unless the items being acquired are not/do not contain ball and roller bearings.
252.2257020	Trade Agreements Certificate— Basic	(Nov 2014)	Applies when the estimated value is $\geq$ \$182,000.
252.2257021	Trade Agreements —Basic (Class Deviation 2020-O0019) (Revision 2) (Attachment 5)	(Jul 2020)	Applies to contracts for the items listed at 225.401-70 when the value > \$183,000, except for end products in support of operations in Afghanistan. Does not apply to acquisitions set aside for small businesses.
252.2257028	Exclusionary Policies and Practices of Foreign Governments	(Apr 2003)	Applies to FMS only
252.2257036	Buy American – Free Trade Agreements – Balance of Payments Program – Basic.	(Jun 2022)	Applies to contracts for the items listed at 225.401- 70, when the estimated is between \$100,000

	\$183,000, except if the acquisition is of end products in support of operations in Afghanistan		and \$183,000, except if the acquisition is of end products in support of operations in Afghanistan.
252.225-7036 ALT IV	Buy American – Free Trade Agreements – Balance of Payments Program – Alt IV	(Jun 2022)	Applies to contracts for the items listed at 225.401-70 when the estimated value is between \$92,319 and \$100,000, except if the acquisition is of end products in support of operations in Afghanistan.
252.2257041	Correspondence in English	(Jun 1997)	Applies when performance will be wholly or in part in a foreign country.

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252.2277025	Limitations On the Use or Disclosure of GovernmentFurnished Information Marked with Restrictive Legend	(May 2013)	Applies when the Government expects to provide the contractor, for performance of its contract, technical data or computer software/ software documentation marked with another contractor's restrictive legends.
252.2397017	Notice of Supply Chain Risk (Class Deviation 2018-O0020)	(Sep 2018)	Applies to solicitations for information technology services or supplies
252.2397018	Supply Chain Risk (Class Deviation 2018-O0020)	(Sep 2018)	Applies to solicitations for information technology services or supplies
252.2467007	Contractor Counterfeit Electronic Part Detection and Avoidance System	(Aug 2016)	Applies when procuring, electronic parts; end items, components, parts or assemblies containing electronic parts. Does not apply to acquisitions set-aside for small business.
252.2467008	Sources of Electronic Parts	(May 2018)	Applies when procuring, electronic parts; end items, components, parts or assemblies containing electronic parts; or services, if the contractor will supply electronic parts or components, parts, or assemblies containing electronic parts or components, parts, or assemblies containing electronic parts as part of the service.