

 <b>VINYL TECHNOLOGY, INC.</b>	<b>Master</b> <b>uncontrolled when printed</b>
<b>MANDATORY FAR/SFARS  FLOWDOWN PROVISIONS FOR  VINYL SUPPLIERS –  NONCOMMERCIAL ITEMS</b>  <b>F82203 REV. B</b>	<b>Monday, August 27, 2018</b>

**A. Instructions and Definitions**

**1. Incorporation of FAR and DFARS Clauses**

The Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) clauses referenced below are incorporated herein by reference, with the same force and effect as if they were given in full text, and are applicable, including any notes following the clause citation, to this Contract. If the date or substance of any of the clauses listed below is different from the date or substance of the clause actually incorporated in the Prime Contract under which the Contractor is performing, the date or substance of the clause incorporated by said Prime Contract shall apply instead. The Contracts Disputes Act shall have no application to this Contract. Any reference to a “Disputes” clause shall mean the “Disputes” clause of this Contract.

**2. Government Subcontract**

This Contract is entered into by the parties in support of a U.S. Government Contract. As used in the FAR and DFARS clauses referenced below and otherwise in this Contract:

- a. “Commercial Item” means a commercial item as defined in FAR 2.101.
- b. “Contract” means this Contract.
- c. “Contracting Officer” shall mean the U.S. Government Contracting Officer for Vinyl Technology, Inc.’s government Prime Contract under which this Contract is entered.
- d. “Contractor” and “Offeror” means the SELLER acting as the immediate (first-tier) subcontractor to Vinyl Technology, Inc.
- e. “Prime Contract” means the contract between Vinyl Technology, Inc. and the U.S. Government, or between Vinyl Technology, Inc. and its higher-tier contractor who has a contract with the U.S. Government.
- f. “Subcontract” means any contract placed by the Contractor or lower-tier subcontractors under this Contract.

## ***FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS***

### **3. Notes**

- a. Substitute “Vinyl Technology, Inc.” for “Government,” “United States,” or “Department.”
- b. Substitute “Vinyl Technology Purchasing Representative” for “Contracting Officer”, “Administrative Contracting Officer”, “ACO,” “head of the contracting activity,” or “head of the contracting activity or designee.”
- c. Insert “and Vinyl Technology, Inc.” after “Government.”
- d. Insert “or Vinyl Technology, Inc.” after “Government.”
- e. Communication/notification required under this clause from/to the Contractor to/from the Contracting Officer shall be through Vinyl Technology, Inc.
- f. Insert “and Vinyl Technology, Inc.” after “Contracting Officer.”
- g. Insert “or Vinyl Technology Purchasing Representative” after “Contracting Officer” or “Contracting Officer or authorized representative.”
- h. If SELLER is an international contractor, this clause applies to this Contract only if work under the Contract will be performed in the United States or Contractor is recruiting employees in the United States to work on the Contract.

### **4. Amendments Required By Prime Contract**

Contractor agrees that upon the request of Vinyl Technology, Inc., Contractor will negotiate in good faith with Vinyl Technology relative to amendments to this Contract to incorporate additional provisions herein or to change provisions hereof, as Vinyl Technology may reasonably deem necessary in order to comply with the provisions of the applicable Prime Contract with the provisions of amendments to such Prime Contract. If any such amendment to this Contract causes an increase or decrease in the cost of, or the time required for, performance of any part of the work under this Contract, an equitable adjustment shall be made pursuant to the “Changes” clause of this Contract.

### **B. Mandatory Provisions of the Federal Acquisition Regulation (FAR) Incorporated by Reference**

The following FAR clauses apply to this Contract:

***FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS***

- FAR 52.203-5 COVENANT AGAINST CONTINGENT FEES (MAY 2014) (Note a. applies to paragraph (a));
- FAR 52.203-6 RESTRICTIONS ON SUBCONTRACTOR SALES TO THE GOVERNMENT (SEP 2006) (Applies if this Contract exceeds \$150,000);
- FAR 52.203-7 ANTI-KICKBACK (MAY 2014) (Applies if this Contract exceeds \$150,000; paragraph (c)(1) does not apply; reporting shall be through Vinyl Technology, Inc.);
- FAR 52.203-8 CANCELLATION, RESCISSION, AND RECOVERY OF FUNDS FOR ILLEGAL OR IMPROPER ACTIVITY (MAY 2014) (Notes a. and b. apply; paragraph (c) does not apply);
- FAR 52.203-10 PRICE OR FEE ADJUSTMENT FOR ILLEGAL OR IMPROPER ACTIVITY (MAY 2014) (Notes a. and b. apply; paragraph (c) does not apply);
- FAR 52.203-12 LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (OCT 2010) (Applies if this Contract exceeds \$150,000);
- FAR 52.203-13 CONTRACTOR CODE OF BUSINESS ETHICS AND CONDUCT (OCT 2015) (Applies if this Contract exceeds \$5,500,000 and the period of performance is more than 120 days; disclosures made under this clause shall be made directly to the Government entities identified in the clause, with notice of such disclosures to Vinyl Technology, Inc.);
- FAR 52.203-14 DISPLAY OF HOTLINE POSTER(S) (OCT 2015) (Applies if this Contract exceeds \$5,500,000; note h. applies);
- FAR 52.203-19 PROHIBITION ON REQUIRING CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS (JAN 2017);
- FAR 52.204-2 SECURITY REQUIREMENTS (AUG 1996) (Applies if the work requires access to classified information);
- FAR 52.204-9 PERSONAL IDENTITY VERIFICATION OF CONTRACTOR PERSONNEL (JAN 2011) (Applies where SELLER will have physical access to a federally-controlled facility or access to a Federal information system);
- FAR 52.204-10 REPORTING EXECUTIVE COMPENSATION AND FIRST-TIER SUBCONTRACT AWARDS (OCT 2016) (Subparagraph (d)(2) does not apply; if SELLER meets the thresholds specified in paragraphs (d)(3), SELLER

***FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS***

shall report required executive compensation by posting the information to the System for Award Management ([www.sam.gov](http://www.sam.gov)); all information posted will be available to the general public

- FAR 52.204-21 BASIC SAFEGUARDING OF COVERED CONTRACTOR INFORMATION SYSTEMS (JUN 2016) (Applies where SELLER may have federal contract information residing in or transiting through its information system);
- FAR 52.209-6 PROTECTING THE GOVERNMENT'S INTEREST WHEN SUBCONTRACTING WITH CONTRACTORS DEBARRED, SUSPENDED, OR PROPOSED FOR DEBARMENT (OCT 2015) (Applies if this Contract exceeds \$35,000; copies of notice provided by SELLER to the Contracting Officer shall be provided to Vinyl Technology, Inc.);
- FAR 52.211-5 MATERIAL REQUIREMENTS (AUG 2000) (Note b. applies);
- FAR 52.215-2 AUDIT AND RECORDS-NEGOTIATION (OCT 2010) (Applies if this Contract exceeds \$150,000; note c. applies);
- FAR 52.215-11 PRICE REDUCTION FOR DEFECTIVE CERTIFIED COST OR PRICING DATA (AUG 2011) (Applies if submission of certified cost or pricing data is required; notes b. and d. apply except the first time “Contracting Officer” appears in paragraph (c)(1); “Government” means Vinyl Technology, Inc. in paragraph (d)(1); rights and obligations under this clause survive completion of the work and final payment under this Contract);
- FAR 52.215-12 SUBCONTRACTOR CERTIFIED COST OR PRICING DATA (OCT 2010) (Applies if this Contract exceeds \$750,000);
- FAR 52.215-13 SUBCONTRACTOR CERTIFIED COST OR PRICING DATA - MODIFICATIONS (OCT 2010) (Applies if a pricing adjustment to this Contract exceeds \$750,000);
- FAR 52.215-14 INTEGRITY OF UNIT PRICES (OCT 2010) (Applies if this Contract exceeds \$150,000; delete paragraph (b));
- FAR 52.215-15 PENSION ADJUSTMENTS AND ASSET REVERSIONS (OCT 2010) (Applies if this Contract meets the applicability requirements of FAR 15.408(g); note e. applies);
- FAR 52.215-18 REVERSION OR ADJUSTMENT OF PLANS FOR POST - RETIREMENT BENEFITS (PRB) OTHER THAN PENSIONS (JUL 2005) (Applies if this Contract meets the applicability requirements of FAR 15.408(j); note e. applies);

**FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS**

- FAR 52.215-19 NOTIFICATION OF OWNERSHIP CHANGES (OCT 1997)  
(Applies if this Contract meets the applicability requirements of FAR 15.408(k); note e. applies);
- FAR 52.215-21 REQUIREMENTS FOR COST OR PRICING DATA OR INFORMATION OTHER THAN COST OR PRICING DATA – MODIFICATIONS (OCT 2010) (Note b. applies in paragraphs (a)(1) and (b));
- FAR 52.215-23 LIMITATION ON PASS-THROUGH CHARGES (OCT 2009)  
(Applies if this is a cost-reimbursement subcontract in excess of \$150,000, except if the prime contract to which this Contract relates is with DoD, then the clause applies to both cost- reimbursement subcontracts and fixed-price subcontracts, except those identified in 15.408(n)(2)(i)(B)(2), that exceed \$750,000; notes d. and f. apply);
- FAR 52.219-8 UTILIZATION OF SMALL BUSINESS CONCERNS (NOV 2016) (Applies if this Contract exceeds \$150,000 and offers further subcontracting opportunities; note h. applies);
- FAR 52.219-9 SMALL BUSINESS SUBCONTRACTING PLAN (JAN 2017)  
(Applies if this Contract exceeds \$700,000 and SELLER is not a small business concern; note b. applies to paragraph (c); note h. applies);
- FAR 52.222-4 CONTRACT WORK HOURS AND SAFETY STANDARDS ACT - OVERTIME COMPENSATION (MAY 2014) (Applies if this Contract may require or involve the employment of laborers and mechanics; note h. applies);
- FAR 52.222-20 WALSH-HEALEY PUBLIC CONTRACTS ACT (OCT 2010)  
(Applies if this Contract exceeds \$15,000);
- FAR 52.222-21 PROHIBITION OF SEGREGATED FACILITIES (APR 2015)  
(Note h. applies);
- FAR 52.222-26 EQUAL OPPORTUNITY (SEP 2016) (Applies if aggregate value of all prime contracts and subcontracts awarded to, or the amount ordered from, SELLER in any 12-month period exceeds, or can reasonably be expected to exceed, \$10,000; note h. applies);
- FAR 52.222-35 EQUAL OPPORTUNITY FOR VETERANS (OCT 2015)  
(Applies if this Contract is for \$150,000 or more; note h. applies);
- FAR 52.222-36 EQUAL OPPORTUNITY FOR WORKERS WITH DISABILITIES (JUL 2014) (Applies if this Contract exceeds \$15,000; note h. applies);

***FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS***

- FAR 52.222-37 EMPLOYMENT REPORTS ON VETERANS (FEB 2016)  
(Applies if this Contract is for \$150,000 or more; note h. applies);
- FAR 52.222-40 NOTIFICATION OF EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT (DEC 2010) (Applies if this Contract exceeds \$10,000; note h. applies);
- FAR 52.222-50 COMBATING TRAFFICKING IN PERSONS (MAR 2015)  
(Paragraph (h) of the clause applies if this Contract is for other than commercially available off-the-shelf items acquired outside the United States and exceeds \$500,000; note b. applies; note c. applies in paragraph (e));
- FAR 52.222-54 EMPLOYMENT ELIGIBILITY VERIFICATION (OCT 2015)  
(Applies if this Contract is for services (except commercial services involving COTS items) and exceeds \$3,500; note h. applies);
- FAR 52.222-55 MINIMUM WAGES UNDER EXECUTIVE ORDER 13658 (DEC 2015) (Applies if this Contract is subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute and is to be performed in whole or in part in the United States; note b. applies);
- FAR 52.222-62 PAID SICK LEAVE UNDER EXECUTIVE ORDER 13706 (JAN 2017) (Applies if this Contract is subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute and is to be performed in whole or in part in the United States; note b. applies);
- FAR 52.223-3 HAZARDOUS MATERIAL IDENTIFICATION AND MATERIAL SAFETY DATA (JAN 1997) (Applies if this Contract involves hazardous material; notes b. and c. apply, except for paragraph (f), where noted. applies);
- FAR 52.223-7 NOTICE OF RADIOACTIVE MATERIALS (JAN 1997) (Applies if this Contract involves work containing covered radioactive material; notes a. and b. apply);
- FAR 52.223-11 OZONE-DEPLETING SUBSTANCES (JUN 2016) (Applies if this Contract involves work that was manufactured with or contains ozone-depleting substances);
- FAR 52.223-18 ENCOURAGING CONTRACTOR POLICIES TO BAN TEXT MESSAGING WHILE DRIVING (AUG 2011) (Applies if this Contract exceeds \$3,500; note h. applies);
- FAR 52.224-3 PRIVACY TRAINING (JAN 2017) (Alternate I) (JAN 2017)  
(Applies if agency specifies that only its agency-provided training is acceptable);

***FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS***

- FAR 52.225-1 BUY AMERICAN ACT – SUPPLIES (MAY 2014) (Applies if the work contains other than domestic components; note b. applies to the first time “Contracting Officer” is mentioned in paragraph (c));
- FAR 52.225-5 TRADE AGREEMENTS (OCT 2016) (Applies if the work contains other than U.S. made or designated country end products as specified in the clause);
- FAR 52.225-8 DUTY FREE ENTRY (OCT 2010) (Applies if work will be imported into the Customs Territory of the United States; note b. applies);
- FAR 52.225-13 RESTRICTIONS ON CERTAIN FOREIGN PURCHASES (JUN 2008);
- FAR 52.225-26 CONTRACTORS PERFORMING PRIVATE SECURITY FUNCTIONS OUTSIDE THE UNITED STATES (OCT 2016) (Applies if this Contract is performed outside the United States in areas of combat operations or other significant military operations);
- FAR 52.227-1 AUTHORIZATION AND CONSENT (DEC 2007) (Applies if this Contract exceeds \$150,000);
- FAR 52.227-2 NOTICE AND ASSISTANCE REGARDING PATENT AND COPYRIGHT INFRINGEMENT (DEC 2007) (Applies if this Contract exceeds \$150,000; notes b. and d. apply);
- FAR 52.227-9 REFUND OF ROYALTIES (APR 1984) (Applies when reported royalty exceeds \$250; note b. applies);
- FAR 52.227-10 FILING OF PATENT APPLICATIONS-CLASSIFIED SUBJECT MATTER (DEC 2007) (Applies if the work or any patent application may cover classified subject matter);
- FAR 52.227-11 PATENT RIGHTS-OWNERSHIP BY THE CONTRACTOR (MAY 2014) (Applies if this Contract includes, at any tier, experimental, developmental, or research work and SELLER is a small business concern or domestic nonprofit organization);
- FAR 52.227-13 PATENT RIGHTS - OWNERSHIP BY THE GOVERNMENT (DEC 2007) (Applies if this Contract is for experimental, developmental or research work and SELLER is not located in the United States or does not have a place of business located in the United States or is subject to the control of a foreign government; paragraph (g) is deleted);
- FAR 52.227-14 RIGHTS IN DATA – GENERAL (MAY 2014) (Does not apply if DFARS 252.227-7013 applies);

***FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS***

- FAR 52.228-5 INSURANCE – WORK ON A GOVERNMENT INSTALLATION (JAN 1997) (Applies if this Contract involves work on a Government installation; note b. applies; noted. applies to paragraph (b));
- FAR 52.230-2 COST ACCOUNTING STANDARDS (OCT 2015) (Applies only when referenced in this Contract that full CAS coverage applies; “United States” means United States or Vinyl Technology, Inc.; delete paragraph (b));
- FAR 52.230-3 DISCLOSURE AND CONSISTENCY OF COST ACCOUNTING PRACTICES (OCT 2015) (Applies only when referenced in this Contract that modified CAS coverage applies; “United States” means United States or Vinyl Technology, Inc.; delete paragraph (b));
- FAR 52.230-4 DISCLOSURE AND CONSISTENCY OF COST ACCOUNTING PRACTICES FOR CONTRACTS AWARDED TO FOREIGN CONCERNS (OCT 2015) (Applies only when referenced in this Contract that modified CAS coverage applies; note c. applies in the second and third sentences);
- FAR 52.230-5 COST ACCOUNTING STANDARDS – EDUCATIONAL INSTITUTIONS (AUG 2016) (Applies only when referenced in this Contract that this CAS clause applies; “United States” means United States or Vinyl Technology, Inc.; delete paragraph (b));
- FAR 52.230-6 ADMINISTRATION OF COST ACCOUNTING STANDARDS (JUN 2010) (Applies if FAR 52.230-2, FAR 52.230-3, FAR 52.230-4 or FAR 52.230-5 applies);
- FAR 52.232-40 PROVIDING ACCELERATED PAYMENTS TO SMALL BUSINESS SUBCONTRACTORS (DEC 2013) (Applies if SELLER is a small business concern and accelerated payments are received under the prime contract; note a. applies);
- FAR 52.234-1 INDUSTRIAL RESOURCES DEVELOPED UNDER DEFENSE PRODUCTION ACT TITLE III (NOV 2016) (Notes a. and b. apply);
- FAR 52.237-2 PROTECTION OF GOVERNMENT BUILDINGS, EQUIPMENT AND VEGETATION (APR 1984) (Applies if work is performed on a Government installation; note b. applies; noted. applies to the second time “Government” appears in the clause);
- FAR 52.242-13 BANKRUPTCY (JUL 1995) (Notes a. and b. apply);
- FAR 52.242-15 STOP-WORK ORDER (AUG 1989) (Notes a. and b. apply);



***FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS***

- FAR 52.245-1 GOVERNMENT PROPERTY (APR 2012) (Applies where Government property is acquired or furnished for subcontract performance; note b. applies except in the definition of Property Administrator and in paragraph (h)(1)(iii), and in paragraphs (c) and (h)(4) where note f. applies; “Government” is unchanged in the phrases “Government property” and “Government furnished property” and where elsewhere used except in paragraph (d)(1) where note a. applies and except in paragraphs (d)(2) and (g) where note c. applies);
- FAR 52.247-63 PREFERENCE FOR U.S.-FLAG AIR CARRIERS (JUN 2003) (Applies if this Contract involves international air transportation);
- FAR 52.247-64 PREFERENCE FOR PRIVATELY OWNED U.S. FLAG COMMERCIAL VESSELS (FEB 2006); and
- FAR 52.248-1 VALUE ENGINEERING (OCT 2010) (Applies if this Contract exceeds \$150,000; note a. applies, except in paragraphs (c)(5), where note c. applies and except in (b)(3) where noted. applies, and where “Government” precedes “cost” or “costs” throughout; note b. applies; “Government” is unchanged in paragraph (m)).

**C. Mandatory Provisions of the Department of Defense Federal Acquisition Regulation Supplement (DFARS) Incorporated by Reference**

The following DFARS clauses apply to this Contract:

- DFARS 252.203-7001 PROHIBITION ON PERSONS CONVICTED OF FRAUD OR OTHER DEFENSE CONTRACT-RELATED FELONIES (DEC 2008) (Applies if this Contract exceeds \$150,000; the terms “contract,” “contractor,” and “subcontract” shall not change in meaning in paragraphs (a) and (d); paragraph (g) does not apply; in paragraph (e), the remedies described in subparagraphs (2) and (3) are available to Vinyl Technology, Inc., not the Government; in paragraph (f), note e. applies);
- DFARS 252.203-7002 REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS (SEP 2013);
- DFARS 252.203-7003 AGENCY OFFICE OF THE INSPECTOR GENERAL (DEC 2012) (Applies when FAR 52.203-13 applies to this Contract);
- DFARS 252.203-7004 DISPLAY OF FRAUD HOTLINE POSTER(S) (OCT 2016) (Applies if this Contract exceeds \$5.5 million);
- DFARS 252.204-7009 LIMITATIONS ON THE USE AND DISCLOSURE OF THIRD PARTY CONTRACTOR REPORTED CYBER INCIDENT

**FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS**

INFORMATION (OCT 2016) (Applies if this Contract involves services that include support for the Government’s activities related to safeguarding covered defense information and cyber incident reporting);

- DFARS 252.204-7012 SAFEGUARDING COVERED DEFENSE INFORMATION AND CYBER INCIDENT REPORTING (OCT 2016) (Applies if this Contract is for operationally critical support or for which performance will involve covered defense information; SELLER shall furnish to Vinyl Technology, Inc. copies of notices provided to the Contracting Officer at the time such notices are sent);
- DFARS 252.204-7014 LIMITATIONS ON THE USE OR DISCLOSURE OF INFORMATION BY LITIGATION SUPPORT CONTRACTORS (MAY 2016);
- DFARS 252.204-7015 NOTICE OF AUTHORIZED DISCLOSURE OF INFORMATION FOR LITIGATION SUPPORT (MAY 2016);
- DFARS 252.209-7004 SUBCONTRACTING WITH FIRMS THAT ARE OWNED OR CONTROLLED BY THE GOVERNMENT OF A TERRORIST COUNTRY (OCT 2015) (Copies of notice provided by SELLER to the Contracting Officer shall be provided to Vinyl Technology, Inc.);
- DFARS 252.211-7000 ACQUISITION STREAMLINING (OCT 2010) (Applies if this Contract exceeds \$1.5 million; note a. applies);
- DFARS 252.211-7003 ITEM UNIQUE IDENTIFICATION AND VALUATION (MAR 2016) (Applies if this Contract requires the work to contain unique item identification; note a. applies, except in the definition of “issuing agency” in paragraph (a); all reports shall be submitted to Vinyl Technology, Inc.);
- DFARS 252.211-7006 PASSIVE RADIO FREQUENCY IDENTIFICATION (JUN 2016) (Note a. applies to paragraph (d)(3));
- DFARS 252.222-7006 RESTRICTION ON THE USE OF MANDATORY ARBITRATION AGREEMENTS (DEC 2010) (The certification in paragraph (b)(2) applies to both SELLER in its own capacity and to SELLER’s covered subcontractors);
- DFARS 252.223-7001 HAZARD WARNING LABELS (DEC 1991) (Applies if this Contract requires delivery of hazardous materials);
- DFARS 252.223-7002 SAFETY PRECAUTIONS FOR AMMUNITION AND EXPLOSIVES (MAY 1994) (Applies only if the articles furnished under this Contract contain ammunition or explosives, including liquid and solid propellants; notes b. and e. apply to paragraphs (g)(1)(i) and (e)(1)(ii); note g. applies to

***FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS***

paragraph (g)(1)(ii); note c. applies; delete in (g)(1)(ii) “prime” and “substituting its name for references to the Government”);

- DFARS 252.223-7007 SAFEGUARDING SENSITIVE CONVENTIONAL ARMS, AMMUNITION, AND EXPLOSIVES (SEP 1999) (Applies if this Contract is for the development, production, manufacture, or purchase of arms, ammunition, and explosives or when arms, ammunition, and explosives will be provided to SELLER as Government Furnished Property);
- DFARS 252.223-7008 PROHIBITION OF HEXAVALENT CHROMIUM (JUN 2013) (Note b. applies);
- DFARS 252.225-7007 PROHIBITION ON ACQUISITION OF UNITED STATES MUNITIONS LIST ITEMS FROM COMMUNIST CHINESE MILITARY COMPANIES (SEP 2006) (Applies if SELLER is supplying items on the U.S. Munitions list);
- DFARS 252.225-7009 RESTRICTION ON ACQUISITION OF CERTAIN ARTICLES CONTAINING SPECIALTY METALS (OCT 2014) (Applies if the work to be furnished contains specialty metals; paragraph (d) is deleted);
- DFARS 252.225-7012 PREFERENCE FOR CERTAIN DOMESTIC COMMODITIES (DEC 2016);
- DFARS 252.225-7013 DUTY-FREE ENTRY (MAY 2016) (Notes a. and b. apply in subparagraph (c));
- DFARS 252.225-7016 RESTRICTION ON ACQUISITION OF BALL AND ROLLER BEARINGS (JUN 2011) (Applies if work supplied under this Contract contains ball or roller bearings; note a. applies to subparagraph (a)(2));
- DFARS 252.225-7033 WAIVER OF UNITED KINGDOM LEVIES (APR 2003) (Applies if this Contract exceeds \$1 million and is with a United Kingdom firm; note b. applies; note a. applies to the second sentence of paragraph (a));
- DFARS 252.225-7039 DEFENSE CONTRACTORS PERFORMING PRIVATE SECURITY FUNCTIONS OUTSIDE THE UNITED STATES (JUN 2016);
- DFARS 252.225-7043 ANTI-TERRORISM/FORCE PROTECTION POLICY FOR DEFENSE CONTRACTORS OUTSIDE THE UNITED STATES (JUN 2015) (Applies where SELLER will be performing or traveling outside the U.S. under this Contract);
- DFARS 252.225-7048 EXPORT-CONTROLLED ITEMS (JUN 2013);

**FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS**

- DFARS 252.226-7001 UTILIZATION OF INDIAN ORGANIZATIONS, INDIAN-OWNED ECONOMIC ENTERPRISES AND NATIVE HAWAIIAN SMALL BUSINESS CONCERNS (SEP 2004) (Applies if this Contract exceeds \$500,000; note b. applies to paragraph (c) the first time “Contracting Officer” appears; in subparagraph (f)(1), “Contractor” shall mean Vinyl Technology, Inc.; Vinyl Technology, Inc. shall have no liability to SELLER for any incentive payment under this clause unless and until the Government provides said incentive payment to Vinyl Technology, Inc.);
- DFARS 252.227-7013 RIGHTS IN TECHNICAL DATA – NONCOMMERCIAL ITEMS (FEB 2014);
- DFARS 252.227-7014 RIGHTS IN NONCOMMERCIAL COMPUTER SOFTWARE AND NONCOMMERCIAL COMPUTER SOFTWARE DOCUMENTATION (FEB 2014);
- DFARS 252.227-7016 RIGHTS IN BID OR PROPOSAL INFORMATION (JAN 2011);
- DFARS 252.227-7019 VALIDATION OF ASSERTED RESTRICTIONS - COMPUTER SOFTWARE (SEP 2016);
- DFARS 252.227-7037 VALIDATION OF RESTRICTIVE MARKINGS ON TECHNICAL DATA (SEP 2016);
- DFARS 252.227-7038 PATENT RIGHTS - OWNERSHIP BY THE CONTRACTOR (LARGE BUSINESS) (JUN 2012) (Applies if (1) SELLER is not small business or nonprofit organization subject to FAR 52.227-11, and (2) the Contract is for experimental, developmental, or research work);
- DFARS 252.228-7005 ACCIDENT REPORTING AND INVESTIGATION INVOLVING AIRCRAFT, MISSILES, AND SPACE LAUNCH VEHICLES (DEC 1991) (note e. applies in paragraph (a); note c. applies in paragraph (b));
- DFARS 252.229-7014 TAXES – FOREIGN CONTRACTS IN AFGHANISTAN (DEC 2015);
- DFARS 252.229-7015 TAXES – FOREIGN CONTRACTS IN AFGHANISTAN (NORTH ATLANTIC TREATY ORGANIZATION STATUS OF FORCES AGREEMENT) (DEC 2015);
- DFARS 252.231-7000 SUPPLEMENTAL COST PRINCIPLES (DEC 1991);
- DFARS 252.235-7003 FREQUENCY AUTHORIZATION - BASIC (MAY 2014) (Applies if this Contract requires developing, producing, constructing, testing, or

## ***FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS***

operating a device requiring a frequency authorization; note b. applies);

- DFARS 252.237-7010 PROHIBITION ON INTERROGATION OF DETAINEES BY CONTRACTOR PERSONNEL (JUN 2013) (Applies where this Contract requires SELLER's personnel to interact with detainees in course of their duties);
- DFARS 252.237-7019 TRAINING FOR CONTRACTOR PERSONNEL INTERACTING WITH DETAINEES (JUN 2013) (Applies where this Contract requires SELLER's personnel to interact with detainees in course of their duties);
- DFARS 252.239-7010 CLOUD COMPUTING SERVICES (OCT 2016) (Applies if this Contract involves cloud services);
- DFARS 252.243-7001 PRICING OF CONTRACT MODIFICATIONS (DEC 1991);
- DFARS 252.246-7003 NOTIFICATION OF POTENTIAL SAFETY ISSUES (JUN 2013) (Applies if this Contract is for (i) parts identified as critical safety items; (ii) systems and subsystems, assemblies, and subassemblies integral to a system; or (iii) repair, maintenance, logistics support, or overhaul services for systems and subsystems, assemblies, subassemblies, and parts integral to a system; SELLER shall provide notifications to Vinyl Technology, Inc. and the Contracting Officer);
- DFARS 252.246-7007 CONTRACTOR COUNTERFEIT ELECTRONIC PART DETECTION AND AVOIDANCE SYSTEM (AUG 2016) (paragraphs (a) through (e) apply; note c. applies in paragraph (c)(2); note f. applies in paragraph (c)(6));
- DFARS 252.246-7008 SOURCES OF ELECTRONIC PARTS (OCT 2016) (Applies if this contract is for electronic parts or assemblies containing electronic parts, unless Seller is the original manufacturer; note a. applies except in paragraph (d); note b. applies);
- DFARS 252.247-7003 (JUN 2013) PASS-THROUGH OF MOTOR CARRIER FUEL SURCHARGE ADJUSTMENT TO THE COST BEARER (JUN 2013);
- DFARS 252.247-7023 TRANSPORTATION OF SUPPLIES BY SEA - BASIC (APR 2014) (In first paragraph 9n paragraph (g), insert a period after "Contractor" and delete the balance of the sentence; paragraphs (f) and (g) do not apply if this Contract does not exceed \$150,000; notes a. and b. apply to paragraph (g));
- DFARS 252.247-7024 NOTIFICATION OF TRANSPORTATION OF SUPPLIES BY SEA (MAR 2000) (Notes a. and b. apply); and
- DFARS 252.249-7002 NOTIFICATION OF ANTICIPATED CONTRACT

***FLOWDOWN PROVISIONS – NONCOMMERCIAL ITEMS***

TERMINATION OR REDUCTION (OCT 2015) (Applies if this contract exceeds \$700,000; note b. applies; delete paragraph (d)(1) and the first five words of paragraph (d)(2)).