

D-2 PROVISIONS FOR DEFENSE CONTRACTS

1. **ORDER OF PRECEDENCE**

In the event of an inconsistency in this order, unless otherwise provided, the inconsistency shall be resolved by giving precedence in the following order:

- A. Terms and conditions incorporated in the first and succeeding pages of Buyer's order, as amended.
- B. Terms and conditions incorporated in the A-2 Provisions for Government Contracts.
- C. Supplemental Provisions incorporated herein (D-2 Provisions for Defense Contracts)
- D. Standard ILC Dover Purchase Order terms and conditions (available at www.ilcdover.com under the "Terms and Conditions" link).
- E. Statement of Work

2. **DFARS CLAUSES**

Goods or services provided in fulfillment of this order are chargeable to a contract issued by an agency of the U.S. Government, the Department of Defense. The Defense Federal Acquisition Regulation Supplement (DFARS) clauses cited below, in effect as of the date of the accompanying Purchase Order, are incorporated by reference with the same force and effect as if provided in full text.

As used in the DFARS clauses cited below or as otherwise incorporated herein, clauses are subject to the following alterations:

- A. "Contractor" shall mean Seller
- B. "Contract" or "Schedule" shall mean Buyer's Purchase Order
- C. "Government", "Department", "Secretary", "Contracting Officer", "Controller General" and any other term of similar import shall mean Buyer.

Any other change required for Buyer to have with respect to Seller the same rights that the Government would have with respect to Buyer under any of the cited DFARS clauses should they appear in a Government contract with Buyer shall also be deemed to have been made.

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The following FAR clauses apply to this Purchase Order:

<u>FAR REFERENCE</u>	<u>FAR TITLE</u>
52.211-15	Defense Priority and Allocation Requirements

The following DFARS clauses apply to Purchase Orders in Excess of the Micro Purchase Threshold (currently \$10,000)

<u>DFARS REFERENCE</u>	<u>DFARS TITLE</u>
252.203-7002	Requirement to Inform Employees of Whistleblower Rights
252.204-7000	Disclosure of Information
252.204-7009	Limitations on the Use or Disclosure of Third Party Contractor Reported Cyber Incident Information
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 Additional Protocol
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting
252.204-7014	Limitations on the Use or Disclosure of Information by Litigation Support Contractors
252.204-7015	Notice of Authorized Disclosure of Information for Litigation Support
252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services
252.204-7020	NIST SP800-171 DOD Assessment Requirements
252.208-7000	Intent to Furnish Precious Metals as Government Furnished Property
252.211-7007	Reporting of Government Furnished Property
252.222-7000	Restrictions on Employment of Personnel
252.223-7001	Hazard Warning Labels
252.223-7002	Safety Precautions for Ammunition and Explosives

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252.223-7003	Change in Place of Performance – Ammunition and Explosives
252.223-7006	Prohibition on Storage, Treatment and Disposal of Toxic or Hazardous Materials
252.223-7007	Safeguarding Sensitive Conventional Arms, Ammunition and Explosives
252.223-7008	Prohibition of Hexavalent Chromium
252.225-7001	Buy American and Balance of Payments Program
252.225-7002	Qualifying Country Sources as Subcontractors
252.225-7007	Prohibition on Acquisition of Certain Items from Communist Chinese Military Companies
252.225-7013	Duty Free Entry
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings
252.225-7019	Restriction on Acquisition of Anchor and Mooring Chain
252.225-7021	Trade Agreements
252.225-7025	Restriction on Acquisition of Forgings
252.225-7027	Restriction on Contingent Fees for Foreign Military Sales
252.225-7028	Exclusionary Policies and Practices of Foreign Governments
252.225-7030	Restriction on Acquisition of Carbon, Alloy and Armor Plate Steel
252.225-7031	Secondary Arab Boycott of Israel
252.225-7040	Contractor Personnel Supporting U.S. Forces Deployed Outside the United States
252.225-7043	Antiterrorism/Force Protection for Defense Contractors Outside the United States
252.225-7047	Exports by Approved Community Members in Performance of the Contract
252.225-7048	Export-Controlled Items
252.227-7013	Rights in Technical Data – Other than Commercial Products and Commercial Services
252.227-7014	Rights in Other than Commercial Computer Software and Other than Commercial Computer Software Documentation

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252.227-7015	Technical Data – Commercial Products and Commercial Services
252.227-7016	Rights in Bid or Proposal Information
252.227-7017	Identification and Assertion of Use, Release and Disclosure Restrictions
252.227-7018	Rights in Other than Commercial Technical Data and Computer Software – Small Business Innovation Research (SBIR) Program
252.227-7019	Validation of Asserted Restrictions – Computer Software
252.227-7020	Rights in Special Works
252.227-7025	Limitations 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
252.227-7033	Rights in Shop Drawings
252.227-7037	Validation of Restrictive Markings on Technical Data
252.227-7038	Patent Rights – Ownership by the Contractor (Large Business)
252.227-7039	Patents – Reporting of Subject Inventions
252.231-7000	Supplemental Cost Principles
252.235-7003	Frequency Authorization
252.236-7013	Requirement for Competition Opportunity for American Steel Producers, Fabricators and Manufacturers
252.237-7023	Continuation of Essential Contractor Services
252.239-7010	Cloud Computing Services
252.239-7016	Telecommunications Security Equipment, Devices, Techniques and Services
252.239-7018	Supply Chain Risk

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252.243-7001	Pricing of Contract Modifications
252.244-7000	Subcontracts for Commercial Products or Commercial Services
252.245-7001	Tagging, Labeling, and Marking of Government-Furnished Property
252.245-7002	Reporting Loss of Government Property
252.245-7003	Contractor Property Management System Administration
252.245-7004	Reporting, Reutilization, and Disposal
252.246-7001	Warranty of Data
252.246-7003	Notification of Potential Safety Issues
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System
252.246-7008	Source of Electronic Parts
252.247-7023	Transportation of Supplies by Sea

The Following DFARS clauses apply to orders for Government Defense contracts in excess of \$150,000

252.225-7012	Preference for Certain Domestic Commodities
252.249-7002	Notification of Anticipated Contract Termination or Reduction

The Following DFARS clauses apply to orders for Government Defense contracts in excess of the Simplified Acquisition Threshold (currently \$250,000)

252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense Contract-Related Felonies
252.215-7010	Requirements for Certified Cost or Pricing Data and Data Other than Certified Cost or Pricing Data
252.225-7008	Restriction on Acquisition of Specialty Metals
252.225-7052	Restriction on the Acquisition of Magnets, Tantalum and Tungsten

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The Following DFARS clauses apply to orders for Government Defense contracts in excess of \$500,000

252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises and Native Hawaiian Small Business Concerns
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The Following DFARS clauses apply to orders for Government Defense contracts in excess of \$750,000

252.219-7003	Small Business Subcontracting Plan – DoD Contracts
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The Following DFARS clauses apply to orders for Government Defense contracts in excess of \$1,000,000

252.222-7006	Restrictions on the use of Mandatory Arbitration Agreements
252.225-7033	Waiver of United Kingdom Levies

The Following DFARS clauses apply to orders for Government Defense contracts in excess of \$6,000,000

252.203-7003	Agency Office of the Inspector General
252.203-7004	Display of Hotline Posters