

GCC

(Government Contract Clauses)

Published on: 11 Nov 1999
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Effective Date of Contract: **27 May 1999**
 Contract Number: **N00019-99-C-1274**
 Program: **HSCLS**
FMS Retrofit Kits

Pursuant to SPOC 8010 of the contract, the following contract clauses are incorporated by reference from the Federal Acquisition Regulation (FAR) and the Department of Defense Federal Acquisition Regulation Supplement (DFARS) and apply to the extent indicated. In all of the following clauses, "Contractor" and "Offeror" shall mean Seller.

There may be FARs and DFARS listed on this GCC that are not the most recent versions. However, each clause and date reflected on this GCC are contained in the signed prime contract.

FAR/DFARS CLAUSES	DESCRIPTION
52.203-6	Restrictions on Subcontractor Sales to the Government (JUL 95). This clause applies only if the contract exceeds \$100,000.
52.203-7	Anti-Kickback Procedures (JUL 95) [(excluding subparagraph (c)(1))]. This clause applies only if this contract exceeds \$100,000. Buyer may withhold from sums owed Seller the amount of any kickback paid by Seller or its subcontractors at any tier if (a) the Contracting Officer so directs, or (b) the Contracting Officer has offset the amount of such kickback against money owed Buyer under the prime contract.
52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity (JAN 97). This clause applies to this contract if Seller, its employees, officers, directors or agents participated personally and substantially in any part of the preparation of a proposal for this contract. Seller shall indemnify Buyer for any and all losses suffered by Buyer due to violations of the Act (as set forth in this clause) by Seller or its subcontractors at any tier.
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity (JAN 97). This clause applies only if this contract exceeds the simplified acquisition threshold. If the Government reduces Buyer's price or fee for violations of the Act by Seller or its subcontractors at any tier, Buyer may withhold from sums owed Seller the amount of the reduction.
52.203-12	Limitation on Payments to Influence Certain Federal Transactions (JUN 97). This clause applies only if this contract exceeds \$100,000. Paragraph (c)(4) is modified to read as follows: "(c)(4) Seller will promptly submit any disclosure required (with written notice to Buyer) directly to the PCO for the prime contract. Buyer will identify the cognizant Government PCO at Seller's request. Each subcontractor certification will be retained in the subcontract file of the awarding contractor. "
52.204-2	Security Requirements (AUG 96). This clause applies only if this contract requires access to classified information. "Changes clause" means the changes clause of this contract. "Government" shall mean Buyer or the Government.
52.211-5	Material Requirements (OCT 97). "Contracting Officer" shall mean Buyer. Any notice will be given to Buyer rather than the Contracting Officer.
52.211-15	Defense Priority and Allocation Requirements (SEP 90).
52.215-2	Audit and Records-Negotiation (AUG 96) This clause applies only if this contract exceeds the FAR simplified acquisition threshold and (i) is cost-reimbursement, incentive, time-and-materials, labor-hour, or price-redeterminable type or any combination of these types; (ii) Seller was required to provide cost or pricing data, or (iii) Seller is required to furnish reports as discussed in paragraph (e) of the referenced clause.
52.215-14	Integrity of Unit Prices (OCT 97) (excluding paragraph (b)). This clause applies only if this contract exceeds the FAR simplified acquisition threshold or is not for construction or architect-engineer services under FAR Part 36, utility services under FAR Part 41, services where supplies are not required, commercial items, and petroleum products.
52.219-8	Utilization of Small Business Concerns (JAN 99). This clause is applicable if this contract exceeds the FAR simplified acquisition threshold.
52.219-9	Small Business Subcontracting Plan (JAN 99). This clause applies only if this contract exceeds \$500,000 and Seller is not a small business concern. In paragraph (c), "Contracting Officer" shall mean Buyer.
52.222-1	Notice to the Government of Labor Disputes (FEB 97). "Contracting Officer" shall mean Buyer.
52.222-20	Walsh-Healey Public Contracts Act (DEC 96). This clause applies only if this contract exceeds \$10,000.
52.222-26	Equal Opportunity (APR 84) subparagraphs (b)(1) through (11)].
52.222-35	Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era. (APR 98). This clause applies only if this contract is for \$10,000 or more.
52.222-36	Affirmative Action for Workers with Disabilities. (APR 84). This clause applies only if this contract exceeds \$10,000.
52.222-37	Employment Reports on Disabled Veterans and Veterans of the Vietnam Era (APR 1998)

52.223-2	Clean Air and Water (APR 84). This clause applies only if this contract exceeds \$100,000.
52.223-3	Hazardous Material Identification and Material Safety Data (JAN 97). This clause applies only if hazardous material will be delivered.
52.225-10	Duty-Free Entry (APR 84). This clause applies only if supplies are to be afforded duty-free entry or foreign supplies in excess of \$10,000 may be imported into the customs territory of the United States. For the purposes of this clause, the blank(s) are completed as follows: (f)(3) The notation "UNITED STATES GOVERNMENT, DEPARTMENT OF DEFENSE, Duty-free entry to be claimed pursuant to Schedule 8, Part 3, Item No. 832.00 Tariff Schedules of the United States (19 U.S.C.1202). Upon arrival of shipment at port of entry, District Director of customs, please release shipment under 19 CFR 142 and notify the appropriate contract administration office for execution of Customs Forms 7501-A and any required duty-free entry certificates."
52.225-11	Restrictions on Certain Foreign Purchases (AUG 98). "Contracting Officer" means Buyer.
52.227-1	Authorization and Consent (JUL 95).
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement (AUG 96). This clause applies only if this contract exceeds the FAR simplified acquisition threshold. A copy of each notice sent to the Government will be sent to Buyer. "Contracting Officer" shall mean Buyer.
52.227-12	Patent Rights – Retention by Contractor (Long Form) (JAN 97). This clause applies only if Seller is not a small business or non-profit organization and if this contract is for experimental, developmental or research work.
52.232-16	Progress Payments (JUL 91).
52.234-1	Industrial Resources Developed Under Defense Production Act Title III (DEC 94).
52.242-15	Stop Work Order (AUG 89). Change "90 days" and "30 days" to "100 days" and "20 days" respectively. The Termination for Convenience should refer to the Termination for Convenience clause of this contract. "Contracting Officer" and "Government" shall mean Buyer.
52.244-5	Competition in Subcontracting (DEC 96).
52.244-6	Subcontracts for Commercial Items and Commercial Components (APR 98).
52.245-2	Government Property (Fixed Price Contracts) (DEC 89). "Government or Buyer" shall mean Government throughout except the first time it appears in paragraph (f).
52.246-23	Limitation of Liability. (FEB 97).
52.247-63	Preference for U.S.-Flag Air Carriers (JAN 97). This clause applies only if this contract may involve international air transportation.
52.248-1	Value Engineering (MAR 89). [excluding paragraph (f)]. This clause applies if this contract is for \$100,000 or more. This clause applies if identified as applicable and share percentages are stated elsewhere in this order. "Contracting Officer" shall mean Buyer. If a Value Engineering Change Proposal is accepted by the Government, Seller's share will be 50% of the instant concurrent and future contract net acquisition savings and collateral savings that Buyer receives from the Government. Seller's negotiated share of net acquisition savings or collateral savings shall not reduce the Government's share of concurrent or future savings or collateral savings. Buyer's payments to Seller under this clause are conditioned upon Buyer's receipt of authorization for such payments from the Government.
252.203-7001	Special Prohibition on Employment (JUN 97). [excluding paragraph (g)]. This clause applies only if this contract exceeds the simplified acquisition threshold. "Contractor" and "contract" are not changed in paragraphs (a) and (b). In paragraph (e), "Government" shall mean Government or Buyer. In paragraph (f), "through the Buyer" is inserted after "Contracting Officer." Paragraph (g) is deleted and "Contracting Officer" shall mean Contracting Officer.
252.204-7000	Disclosure of Information (DEC 91). Seller will submit requests for authorization to re-release through Buyer.
252.209-7000	Acquisition from Subcontractors Subject to On-Site Inspection Under the Intermediate – Range Nuclear Forces (INF) Treaty (NOV 95). This clause applies only if this contract exceeds the FAR simplified acquisition threshold.
252.211-7000	Acquisition Streamlining (DEC 91). This clause applies only if this contract exceeds \$1 million.
252.225-7001	Buy American Act And Balance Of Payments Program (MAR 98). If this clause is applicable, it supersedes the FAR 52.225-3 and 52.225-7 clauses.
252.225-7002	Qualifying Country Sources as Subcontractors (DEC 91). This clause applies only if DFARS 252.225-7001 is applicable.
252.225-7009	Duty-Free Entry-Qualifying Country Supplies (End Products and Components) (MAR 98). Seller shall request needed information from Buyer.
252.225-7010	Duty-Free Entry – Additional Provisions (MAR 98). This clause applies only if FAR 52.225-10 is applicable. Seller shall request needed information from Buyer.
252.225-7015	Preference for Domestic Hand or Measuring Tools (DEC 91). This clause applies only if this contract exceeds the FAR simplified acquisition threshold and if hand or measuring tools will be delivered to the Government.
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings (FEB 98). This clause applies only if an item contains a ball or roller bearing.
252.225-7026	Reporting of Contract Performance Outside the United States (MAR 98). This clause applies only if the contract exceeds \$500,000 and is not for commercial items, construction, ores, natural gases, utilities, petroleum products and crudes, timber (logs), or subsistence.
252.225-7032	Waiver of United Kingdom Levies (OCT 92). This clause applies only if this contract is for \$1 million or more and is with a United Kingdom firm, or if a lower tier subcontract over \$1 million with a United Kingdom firm is anticipated.
252.227-7013	Rights in Technical Data-Noncommercial Items (NOV 95). This clause applies only if the delivery of data is required for non-commercial items under this contract.
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (JUN 95). This clause applies only if the delivery of non-commercial computer software or non-commercial computer documentation may be originated, developed, or delivered under this contract.
252.227-7017	Identification and Assertion of Use, Release, or Disclosure Restrictions (JUN 95). This clause applies only if DFARS 252.227-7013, Rights in Technical Data-Noncommercial Items; or DFARS 252.227-7014, Rights in Noncommercial

	252.227-7013, Rights in Technical Data-Noncommercial Items; or, DFARS 252.227-7014, Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation, applies.
252.227-7030	Technical Data – Withholding of Payment (OCT 88). This clause applies only if the delivery of data is required by this contract. "Contracting Officer" and "Government" shall mean Buyer.
252.227-7036	Declaration of Technical Data Conformity (JAN 97). This clause applies only if the delivery of data is required by this contract.
252.227-7037	Validation of Restrictive Markings on Technical Data (NOV 95). This clause applies only if DFARS 252.227-7013, Rights in Technical data-Noncommercial Items, applies.
252.228-7005	Accident Reporting and Investigation Involving Aircraft, Missiles and Space Launch Vehicles (DEC 91)
252.235-7003	Frequency Authorization (DEC 91). This clause applies only if this contract involves developing, producing, testing, or operating a device requiring radio frequency authorization.
252.247-7023	Transportation of Supplies by Sea (NOV 95). This clause applies only if this contract exceeds the FAR simplified acquisition threshold. In the first sentence of paragraph (c) "45 days" is changed to "60 days."
252.249-7002	Notification of Anticipated Contract Termination or Reduction (DEC 96). This clause applies only if this contract exceeds \$500,000. In paragraph (c) "two weeks" is changed to "10 days."

REVISION TABLE

Revision Number	Original Issue Date	Revision Date	Remarks
	11 Nov 1999		