

CUSTOMER CONTRACT REQUIREMENTS
Development of Novel Electromagnetic Meta-Materials for Aerospace Applications
CUSTOMER CONTRACT MDA972-01-2-0016

CUSTOMER CONTRACT REQUIREMENTS

The following customer contract requirements apply to this contract to the extent indicated below. If this contract is for the procurement of commercial items under a Government prime contract, as defined in FAR Part 2.101, see Section 3 below.

This purchase contract will be administered in accordance with, and the Seller will comply with the applicable requirements of DoD 3210.6-R, the DoD Grant and Agreement Regulations (DoDGARs) (13 Apr 98). The clauses contained in the following Government regulations are incorporated by reference. Where necessary or appropriate to derive proper meaning in a subcontract situation, "recipient" shall mean Seller. Government clauses cited elsewhere in the contract shall be those in effect June 4, 2001.

<u>DoDGARs *</u> <u>Reference</u>	<u>Title</u>
Appendix B to Part 25	Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions
Appendix C to Part 25	Certification Regarding Drug-Free Workplace Requirements
Appendix A to Part 28	Certification Regarding Lobbying
32 CFR Part 32	Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations
32 CFR Part 33	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
34.16	Audits
34.17	Allowable Costs
34.21	Real Property and Equipment
34.22	Federally Owned Property
34.23	Property Management System
34.24	Supplies
34.25	Intellectual Property Developed or Produced Under Awards
34.31	Requirements
34.42	Retention and Access Requirements for Records
Appendix A to Part 34	Contract Provisions

* 32 CFR Parts 21 through 34

Special Contract Requirements

Transportation Preference (from clause 23 of Prime Contract)

(a) U.S. Flag Carriers. Travel supported by U.S. Government funds under this contract shall use U.S.-flag air carriers (air carriers holding certificates under 49 U.S.C. 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to Comptroller General's Decision B-138942. Such Act and guidelines are incorporated in this contract by reference.

(b) Cargo Preference. The Seller agrees that it will comply with the Cargo Preference Act of 1954 (46 U.S.C. 1241), as implemented by Department of Transportation regulations at 46 CFR 381.7 which require that at least 50 percent of equipment, materials, or commodities procure or otherwise obtained with U.S. Government funds under this contract, and which may be transported by ocean vessel, shall be transported on privately owned U.S.-flag commercial vessels, if available.