

Boeing Defense & Space Group

Date: September 1997

Revised September 2004

EXHIBIT A

**GOVERNMENT PROVISIONS
APPLICABLE TO
PRIME CONTRACT F34601-97-C-0001 Rev. A**

The clauses contained in the following Government regulations are incorporated by reference. Where necessary or appropriate to derive proper meaning in a subcontract situation, "Contractor" shall mean Seller. Government Clauses listed below or cited elsewhere in the contract shall be those in effect in January 1997.

FAR/DFARS Reference Title

- 52.208-1 Required Source for Jewel Bearings and Related Items (Applies only if items to be delivered contain such items.)
- 52.211-5 New Material ("Contracting Officer" means Buyer.)
- 52.211-7 Other Than New Material, Residual Inventory and Former Government Surplus Property ("Contracting Officer" means Buyer.)
- 52.211-15 Defense Priority and Allocation Requirements
- 52.215-26 Integrity of Unit Prices (Excluding paragraph (c))
- 52.215-27 Termination of Defined Benefit Pension Plans ("Contracting Officer" means Buyer and Seller's cognizant ACO.) (Applicable only if contract is other than firm-fixed-price or if certified cost or pricing data was provided.)
- 52.215-40 Notification of Ownership Changes
- 52.219-8 Utilization of Small, Small Disadvantaged and Women-Owned Small Business Concerns
- 52.222-1 Notice of Labor Disputes ("Contracting Officer" means Buyer.)
- 52.225-10 Duty-Free Entry
- 52.225-11 Restrictions on Certain Foreign Purchases ("Contracting Officer" means Buyer.)
- 52.227-1 Authorization and Consent
- 52.234-1 Industrial Resources Developed Under Defense Production Act Title III
- 52.242-15 Stop Work Order
- 52.244-6 Subcontracts for Commercial Items and Commercial Components

52.246-23 Limitation of Liability

252.215-7000 Pricing Adjustments

252.225-7012 Preference for Certain Domestic Commodities

252.225-7025 Foreign Source Restrictions

252.228-7005 Accident Reporting and Investigation Involving Aircraft, Missiles and Space Launch Vehicles

252.231-7000 Supplemental Cost Principles

A 252.235-7003 Frequency Authorization (DEC 1991). This clause applies only if this contract requires the development, production, construction, testing, or operation of a device for which a radio frequency authorization is required.

The following clause also applies if the contract price exceeds \$2,500:

52.222-36 Affirmative Action for Handicapped Workers

The following clauses also apply if the contract price exceeds \$10,000:

52.222-20 Walsh-Healy Public Contracts Act

52.222-35 Affirmative Action for Special Disabled and Viet Nam Era Veterans

52.222-37 Employment Report on Special Disabled Veterans and Veterans of the Viet Nam Era.

The following clauses also apply if the contract price exceeds \$100,000:

52.203-6 Restrictions on Subcontractor Sales to the Government

52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (Seller's signed proposal provided the required certification.)

52.203-12 Limitation on Payments to Influence Certain Federal Transactions. (The disclosures of Seller and its lower tier subcontractors required by paragraph (c) shall be submitted to Buyer's Material Representative.)

52.215-2 Audit and Records-Negotiation (Applies only if contract is other than Firm-Fixed-Price, if cost or pricing data was required or if cost, funding or performance reports will be furnished.)

52.223-2 Clean Air and Water (Also applicable if Seller's facility has been the subject of a conviction under the Clean Air Act or Federal Water Pollution Control Act.)

52.223-14 Toxic Chemical Release Reporting. (Paragraph (e) is deleted and "Contracting Officer" in paragraph (d) means Buyer.)

52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement. ("Contracting Officer" means Buyer.)

252.203-7001 Special Prohibition on Employment

252.209-7000 Acquisition from Subcontractors Subject to On-Site Inspection Under the Intermediate - Range Nuclear Forces (INT) Treaty

252.225-7026 Reporting of Overseas Contracts

The following clauses also apply if the contract price exceeds \$500,000:

52.215-39 Reversion or Adjustment of Plans for Post-Retirement Benefits other than Pensions. (Applicable only if certified cost or pricing data is provided.)

52.219-9 Small, Small Disadvantaged and Women-Owned Small Business Subcontracting Plan. (Applies only if Seller is not a small business. "Contracting Officer" in paragraphs (b) and (c) means Buyer.)

The following clauses also apply if Technical Data or Computer Software will be Generated or Delivered:

252.227-7013 Rights in Technical Data--Noncommercial Items

252.227-7014 Rights in Noncommercial Software and Noncommercial Software Documentation

252.227-7019 Validation of Asserted Restrictions - Computer Software

252.227-7030 Technical Data - Withholding of Payment ("Contracting Officer" and "Government" means Buyer.)

252.227-7036 Certification of Technical Data Conformity

252.227-7037 Validation of Restrictive Markings on Technical Data

A = ADDED

D = DELETED

R = REVISED
