



## Section 9 : GOVERNMENT CONTRACT REQUIREMENTS

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CLAUSE 913 (10/01/96)

RSAF PEACE SUN IX

F33657-90-C-2254

### GOVERNMENT CONTRACT REQUIREMENTS

(a) The following contract clauses are incorporated by reference from the Federal Acquisition Regulation and apply to the extent indicated. In all of the following clauses, "Contractor" and "Offeror" shall mean Seller.

(1) 52.203-6 Restrictions on Subcontractor Sales to the Government (JUL 1985)

(2) 52.203-7 Anti-Kickback Procedures (OCT 1988) [excluding subparagraph (c)(1)]. 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.

(3) 52.203-10 Price or Fee Adjustment for Illegal or Improper Activity (SEP 1990). This clause applies only if this contract exceeds the FAR small purchase limitation. 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 or recover from Seller the amount of the reduction.

(4) 52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (APR 1991). This clause applies only if this contract exceeds \$100,000.

(5) 52.203-12 Limitation on Payments to Influence Certain Federal Transactions (JAN 1990). 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."

(6) 52.204-2 Security Requirements (APR 1984) (excluding any reference to the Changes clause of this contract). This clause applies only if access to classified material is required.

(7) 52.208-1 Required Sources for Jewel Bearings and Related Items (APR 1984)

(8) 52.210-5 New Material (APR 1984). "Contracting Officer" shall mean Buyer.

(9) 52.210-7 Used or Reconditioned Material, Residual Inventory and Former Government Surplus Property (APR 1984). "Contracting Officer" shall mean Buyer.

(10) 52.211-15 Defense Priority and Allocation Requirements (SEP 1990)

- (11) 52.215-1 Examination of Records by Comptroller General (APR 1984). This clause applies only if this contract exceeds \$10,000.
- (12) 52.215-2 Audit -- Negotiation (DEC 1989). This clause applies only if this contract exceeds \$10,000.
- (13) 52.215-26 Integrity of Unit Prices (APR 1991) [excluding paragraph (c)]
- (14) 52.215-27 Termination of Defined Benefit Pension Plans (SEP 1989). This clause applies only if under this contract certified cost or pricing data is required and preaward or postaward cost determinations are subject to FAR subpart 31.2. Buyer may withhold or recover from Seller such sums as the Contracting Officer withholds or recovers from Buyer because of liabilities of Seller or its subcontractors under this clause. "Contracting Officer" shall mean Buyer.
- (15) 52.215-30 Facilities Capital Cost of Money (SEP 1987). This clause applies only if seller includes facilities capital cost of money as a proposed cost of this contract.
- (16) 52.215-31 Waiver of Facilities Capital Cost of Money (SEP 1987). This clause applies only if Seller did not include facilities capital cost of money as a proposed cost of this contract.
- (17) 52.219-8 Utilization of Small Business Concerns and Small Disadvantaged Business Concerns (FEB 1990)
- (18) 52.219-9 Small Business and Small Disadvantaged Business Subcontracting Plan (JAN 1991). 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.
- (19) 52.219-13 Utilization of Women-Owned Small Businesses (AUG 1986)
- (20) 52.220-3 Utilization of Labor Surplus Area Concerns (APR 1984)
- (21) 52.220-4 Labor Surplus Area Subcontracting Program (APR 1984). This clause applies only if this contract exceeds \$500,000.
- (22) 52.222-1 Notice to the Government of Labor Disputes (APR 1984)
- (23) 52.222-20 Walsh-Healey Public Contracts Act (APR 1984). This clause applies only if this contract exceeds \$10,000.
- (24) 52.222-26 Equal Opportunity (APR 1984) [subparagraphs (b)(1) through (11)]
- (25) 52.222-35 Affirmative Action for Special Disabled and Vietnam Era Veterans (APR 1984). This clause applies only if this contract is for \$10,000 or more.
- (26) 52.222-36 Affirmative Action for Handicapped Workers (APR 1984). This clause applies only if this contract exceeds \$2,500.
- (27) 52.222-37 Employment Reports on Special Disabled Veterans and Veterans of the Vietnam Era (JAN 1988). This clause applies only if this contract is for \$10,000 or more.
- (28) 52.223-2 Clean Air and Water (APR 1984). This clause applies only if this contract exceeds \$100,000.

(29) 52.227-1 Authorization and Consent (APR 1984)

(30) 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement (APR 1984). This clause applies only if this contract exceeds the FAR small purchase limitation. A copy of each notice sent to the Government will be sent to Buyer.

(31) 52.227-10 Filing of Patent Applications -- Classified Subject Matter (APR 1984)

(32) 52.228-5 Insurance - Work on a Government Installation (SEP 1989). This clause applies only if this contract requires work on a Government installation.

(33) 52.237-2 Protection of Government Buildings, Equipment, and Vegetation (APR 1984). This clause applies only if this contract requires work on a Government installation. Insert "or Martin Marietta" after "Government." In this clause, "Contracting Officer" shall mean Martin Marietta.

(34) 52.244-5 Competition in Subcontracting (APR 1984)

(35) 52.245-2 Government Property (DEC 1989)

(36) 52.245-17 Special Tooling (APR 1984). In this clause, "Government" and "Contracting Officer" shall mean Martin Marietta.

(37) 52.245-18 Special Test Equipment (AUG 1988). In this clause, "Contracting Officer" shall mean Buyer.

(38) 52.246-23 Limitation of Liability (APR 1984)

(39) 52.248-1 Value Engineering (MAR 1989) [excluding subparagraph (f)]. "Contracting Officer: means Buyer. This clause applies only if this contract is for \$100,000 or more. 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 will 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.

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

(1) 252.203-7001 Special Prohibition on Employment (FEB 1991). This clause applies only if this contract exceeds \$25,000.

(2) 252.204-7005 Overseas Distribution Of Defense Subcontracts (AUG 1988). This clause applies only if this contract exceeds \$100,000.

(3) 252-205-7000 Release of Information to Cooperative Agreement Holders (FEB 1989)

(4) 52.208-7000 Required Sources for Miniature and Instrument Ball Bearings (JUL 1971)

(5) 252.208-7001 Required Sources for Precision Components for Mechanical Time Devices (AUG 1971)

(6) 252.208-7002 Required Sources for High-Purity Silicon (JUN 1983)

- (7) 252.208-7003 Required Sources for High Carbon Ferrochrome (HCF) (AUG 1984)
- (8) 252.208-7005 Required Sources for Forging Items (NOV 1990)
- (9) 252.208-7006 Required Sources for Antifriction Bearings (APR 1989)
- (10) 252.209-7001 Acquisition From Subcontractors Subject to On-Site Inspection Under the Intermediate-Range Nuclear Forces (INF) Treaty (JAN 1990). This clause applies only if this contract exceeds \$25,000.
- (11) 252.210-7005 Acquisition Streamlining (APR 1988). This clause applies only if this contract exceeds \$1,000,000.
- (12) 252.215-7000 Aggregate Pricing Adjustment (APR 1985)
- (13) 252.219-7000 Small Business and Small Disadvantaged Business Subcontracting Plan (DoD Contracts) (JUL 1990)
- (14) 252.223-7001 Safety Precautions for Ammunition and Explosives (MAR 1988)
- (15) 252.223-7002 Change in Place of Performance - Ammunition and Explosives (JUL 1986)
- (16) 252.223-7004 Hazardous Material Identification and Material Safety Data Sheets (JUL 1989)
- (17) 252.225-7002 Qualifying Country Sources as Subcontractors (OCT 1980)
- (18) 252.225-7011 Preference for Domestic Specialty Metals (Major Programs) (OCT 1980)
- (19) 252.225-7019 Exclusionary Policies and Practices of Foreign Governments (JAN 1977)
- (20) 252.227-7013 Rights in Technical Data and Computer Software (OCT 1988). This clause applies only if the delivery of data is required or where computer software may be originated, developed or delivered under this contract.
- (21) 252.227-7018 Restrictive Markings on Technical Data (OCT 1988). This clause applies only if the delivery of data is required by this contract.
- (22) 252.227-7026 Deferred Delivery of Technical Data or Computer Software (APR 1988). This clause applies only if technical data or computer software may be originated, developed, or delivered under this contract.
- (23) 252.227-7027 Deferred Ordering of Technical Data or Computer Software (APR 1988). This clause applies only if technical data or computer software may be generated as part of the performance of this contract.
- (24) 252.227-7029 Identification of Technical Data (APR 1988)
- (25) 252.227-7030 Technical Data - Withholding of Payment (OCT 1988). This clause applies only if the delivery of data is required under this contract. "Contracting Officer" and "Government" shall mean Buyer.
- (26) 252.227-7031 Data Requirements (OCT 1988). Modified to delete "DD Form 1423 (Contract Requirements List)" and to substitute "Data Requirements List."

*(27) 252.227-7036 Certification of Technical Data Conformity (MAY 1987). Insert "and Buyer" after "Government." Insert "Buyer, Martin Marietta and" before "the Government."*

*(28) 252.227-7037 Validation of Restrictive Markings on Technical Data (APR 1988). This clause applies only if the delivery of data is required under this contract.*