

## **DFAR \_Aurora Flight Addendum Clauses- Addendum 2**

### **U.S. Government Contract Clauses from: The Department of Defense Federal Acquisition Regulation Supplement (DFARS)**

#### **1. Aurora Flight Sciences Policy**

It is Aurora Flight Sciences policy that in addition to the Aurora Flight Sciences Standard Terms and Conditions, this Addendum 2 shall apply to all Aurora Flight Sciences awarded efforts that are in support of a U.S. Government contract, or subcontract. The following provisions shall apply, as required by the terms of the prime contract, or by operation of law or regulation. These DFARS provisions shall control, in the event of a conflict between these FAR provisions and Aurora Flight Sciences Standard Terms and Conditions.

#### **2. Clause Relevancy**

Clause Relevancy This document contains provisions or clauses that may not apply to specific Orders or contract awards because of type of contract, Public Law, or the dollar thresholds set forth in FAR or DFARS. Clauses not applicable for these reasons shall not be removed from this document but will be considered to be without force and effect by both Aurora Flight Sciences and the Seller.

#### **3. Clauses Incorporated by Reference**

This contract incorporates by reference the following U.S. Government Department of Defense Federal Acquisition Regulation Supplement (DFARS) clauses with the same force and effect as if they were given in full text. The DFARS Clauses referenced below, or elsewhere in this contract, shall be those in effect on the effective date of the Prime Contract. The full text of a clause may be accessed electronically at this address: <http://www.acquisition.gov>.

In all clauses listed herein, the terms "Government", "Contracting Officer" and "Contractor" shall be revised to suitably identify the contracting parties herein and effect the proper intent of the of the provision except where further clarified or modified below. "Subcontractor", however, shall mean "Seller's Subcontractor" under this purchase order.

#### **4. Flow Down Requirement**

The seller shall ensure that any applicable flow-down clauses are included in each lower tier subcontract with Seller's suppliers

#### **5. Certifications**

By submitting a signed offer to Aurora Flight Sciences, the Seller does certify compliance with the following clauses and is, therefore eligible for award.

#### **TITLE OF CLAUSE**

Representation Regarding Combating Trafficking in Persons

#### **DFAR**

252.222-7007

## 6. Clauses

Applicable to all Orders The following clauses will be in full force and effect for all Aurora Flight Sciences awarded purchase orders / contracts:

<b>TITLE OF CLAUSE</b>	<b>DFAR</b>
Requirement to Inform Employees of Whistleblower Rights	252.203-7002
Disclosure of Information	252.204-7000
Alternate A, Central Contractor Registration	252.204-7004
Alternate A, Annual Representations and Certifications	252.204-7007
Safeguarding Unclassified Uncontrolled Technical Information	252.204-7012
Limitations on the Use or Disclosure of Information by Litigation Support Contractors	252.204-7014
Disclosure of Information by Litigation Support Contractors	252-204-7015
Intent to Furnish Precious Metals as Government-Furnished Material	252.208-7000
Disclosure of ownership of control by a foreign government	252.209-7002
Item Unique Identification and Valuation	252.211-7003
Radio Frequency Identification	252.211-7006
Removed and Reserved	252.212-7001
Pricing Adjustments	252.215-7000
Cost Estimating System Requirements	252.215-7002
Restrictions on Employment of Personnel	252.222-7000
Hazard Warning Labels (fill in State where this purchase order will be performed)	252.223-7001
Drug-Free Work Force	252.223-7004
Prohibition on Storage and Disposal of Toxic and Hazardous Materials	252.223-7006
Prohibition of Hexavalent Chromium	252.223-7008
Buy American Act and Balance of Payments Program	252.225-7001
Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies	252.225-7007
Restriction on Acquisition of Certain Articles Containing Specialty Metals (prime contracts at \$150K or more; excludes and reserves para (d) and (e)(1))	252.225-7009
Preference for Certain Domestic Commodities (prime contracts at \$150K or more for the acquisition of food, clothing, or cloth materials)	252.225-7012
Duty Free Entry	252.225-7013
Restriction on Acquisition of Hand or Measuring Tools (prime contracts at \$150K or more and both the prime contract and subcontract are for the acquisition of hand or measuring tools either commercial or non-commercial as prime end items)	252.225-7015
Restriction on Acquisition of Ball and Roller Bearings	252.225-7016
Trade Agreements	252.225-7021
Restriction on the Acquisition of Forgings	252.225-7022

Exclusionary Policies and Procedures of Foreign Governments	252.225-7028
Restriction on Acquisition of Carbon Alloy and Armor Steel Plate	252.225-7030
Secondary Arab Boycott of Israel	252.225-7031
Buy American Act – Free Trade Agreements – Balance of Payments Program	252.225-7036
Contractor personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States	252.225-7040
Antiterrorism/ force Protection Policy for Defense Contractors Outside the United States	252.225-7043
Exports By Approved Community Members in Response to the Solicitation	252.225-7046
Export by Approved Community Members in Performance of the Contract	252.225-7047
Export Controlled Items	252.225-7048
Rights in Technical Data - Noncommercial Items	252.227-7013
Rights in Noncommercial Computer Software and Noncommercial Computer Software	252.227-7014
Technical Data- noncommercial items	252.227-7015
Rights in Bid or Proposal Information	252.227-7016
Identification and Assertion of Use, Release, or Disclosure Restrictions	252.227-7017
Validation of Asserted Restrictions - Computer Software	252.227-7019
Limitations on the Use or Disclosure of Government Furnished Information Marked with Restrictive	252.227-7025
Delivery of Technical Data or Computer Source	252.227-7026
Deferred Ordering of Technical Data or Computer Software	252.227-7027
Technical Data--Withholding of Payment	252.227-7030
Validation of Restrictive Markings on Technical Data	252.227-7037
Patent Rights – Ownership by the Contractor	252.227-7038
Patents – Reporting of Subject Inventions	252.227-7039
Ground and Flight Risk	252.228-7001
Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles	252.228-7005
Supplemental Cost Principles (first tier subcontractors only)	252.231-7000
Frequency Authorization	252.235-7003
Protection of Human Subjects	252.235-7004
Requirement for Competition Opportunity for American Steel Producers, Fabricators and Manufacturers (For Construction Subcontracts)	252.236-7013
Prohibition on Interrogation of Detainees by Contractor Personnel	252.237-7010
Training for Contract Personnel Interacting with Detainees	252.237-7019
Protection Against Compromising Emanations	252.239-7000
Cloud Computing Services	252.239-7010

Telecommunications Security Equipment, Devices, Techniques, and Services	252.239-7016
Pricing of Contract Modifications	252.243-7001
Subcontracts for Commercial Items and Commercial Components (DoD contracts)	252.244-7000
Tagging, Labeling, and Marking Government Furnished Property	252.245-7001
Notification of Potential Safety Issues	252.246-7003
Counterfeit Electronic Part Detection and Avoidance System	252.246-7007
Sources of Electronic Parts	252.246-7008
Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer	252.247-7003

### 7. Clauses Applicable to Orders Exceeding the Simplified Acquisition Threshold

In addition to the clauses specified in Articles 6 the following clauses are applicable for all Aurora Flight Sciences awarded purchase orders / contracts exceeding the Simplified Acquisition Threshold (or amounts specified) will also include the following:

TITLE OF CLAUSE	DFAR
Prohibition on persons convicted of Fraud or other Defense – Contract-related felonies 252.225-7003	252.203-7001
Transportation of Supplies by Sea	252.247-7023
Notification of Transportation of Supplies by Sea	252.247-7024

### 8. Clauses Applicable to Orders Exceeding \$35,000

In addition to the clauses specified in Article 6 and 7 the following clauses are applicable for all Aurora Flight Sciences awarded purchase orders / contracts exceeding \$35,000 (or amounts specified) will also include the following:

TITLE OF CLAUSE	DFAR
Subcontracting with Firms that are Owned or Controlled by the Government of a Terrorist Country	252.209-7004

### 9. Orders over \$500,000

In addition to the clauses specified in Articles 6, 7, and 8 the following clauses are applicable for all Aurora Flight Sciences awarded purchase orders / contracts exceeding \$500,000 in total contract value:

TITLE OF CLAUSE	DFAR
Small Business Subcontracting Plan (DoD Contracts)	252.219-7003
Report of Intended Performance Outside the United States & Canada – Submission After Award	252.225-7004

Utilization of Indian Organizations, Indian- Owned Economic Enterprises, and Native Hawaiian Small Business Concerns)	252.226-7001
Notification of Anticipated Contract Termination or Reduction	252.249-7002

#### **10. Orders over \$1,000,000**

In addition to the clauses specified in Articles 6, 7, 8 and 9, the following clauses are applicable for all Aurora Flight Sciences awarded purchase orders / contracts exceeding \$1,000,000 in total contract value:

<b>TITLE OF CLAUSE</b>	<b>DFAR</b>
Display of Fraud Hotline Posters	252.203-7004
Acquisition Streamlining	252.211-7000
Restrictions on the Use of Mandatory Arbitration Agreements	252.222-7006
Waiver of United Kingdom Levies	252.225-7033

#### **11. Orders of Major Defense Acquisition Programs**

The following clauses shall apply to orders for major defense acquisition programs:

<b>TITLE OF CLAUSE</b>	<b>DFAR</b>
Notice of Prohibition Relating to Organizational Conflict of Interest – Major Defense Acquisition Programs	252.209-7008
Organizational Conflict of Interest – Major Defense Acquisition Program	252-209-7009