

U.S. Government FAR and DFAR Contract Clauses

When the materials or products furnished are for use in connection with a U.S. government prime contract or subcontract, in addition to the Paragon general purchase order terms and conditions, the following provisions shall apply. The effective version of each Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation (DFAR) provision shall be the same version as that which appears in Buyer's prime contract or higher tier subcontract under which this purchase order is a subcontract. In the event of a conflict between these FAR and DFAR provisions and the general terms and conditions of purchase, the FAR and DFAR provisions shall control.

The following clauses set forth in the FAR and DFAR in effect as of the date of Paragon's prime contract or higher tier subcontract are incorporated herein by reference. In all clauses listed herein, the terms "Government" "Contracting Officer" and "Contractor" shall be deemed revised to suitably identify the contracting parties herein and effect the proper intent of the provision except where further clarified or modified below. "Subcontractor" However, shall mean "Seller's Subcontractor" under the purchase order.

The following FAR clauses are applicable to orders for commercial items under all government contracts:

- 52.203-6 Restrictions on Subcontractor Sales to the Government
- 52.203-7 Anti-Kickback Procedures (Excepting paragraph (c)(1))
- 52.203-12 Limitation on Payments to Influence Certain Federal Transactions
- 52.203-13 Contractor code of Business Ethics and Conduct
- 52.203-14 Display of Hotline Poster(s)
- 52.203-15 Whistleblower Protections under the American Recovery and Reinvestment Act of 2009
- 52.203-17 Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights
- 52.203-18 Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements-Representation
- 52.203-19 Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements
- 52.204-10 Reporting Executive Compensation and First-tier Subcontract Awards
- 52.204-21 Basic Safeguarding of Covered Contractor Information Systems
- 52.204-23 Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities
- 52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment
- 52.209-5 Certification Regarding Responsibility Matters
- 52.209-6 Protecting Government Interest when Subcontracting with Contractors Debarred, Suspended or Proposed for Debarment
- 52.209-7 Information Regarding Responsibility Matters
- 52.214-28 Subcontractor Certified Cost or Pricing Data-modifications-Sealed bidding
- 52.215-2 Audit and Records - Negotiation
- 52.215-12 Subcontractor Certified Cost or Pricing Data
- 52.215-13 Subcontractor Certified Cost or Pricing Data-modifications
- 52.215-14 Integrity of Unit Prices
- 52.215-15 Pension Adjustments and Asset Reversions
- 52.215-19 Notification of Ownership Changes
- 52.215-23 Limitation on Pass-through Charges
- 52.219-6 Notice of Total Small Business Set aside

52.219-16	Liquidated Damages - Subcontracting Plan
52.219-28	Post award Small Business Program Representation
52.222-4	Contract Work Hours and Safety Standards Act - Overtime Compensation
52.222-11	Subcontracts (Labor Standards)
52.222-20	Contracts for Materials, Supplies, Articles, and Equipment (Walsh-Healy Public Contracts Act)
52.222-21	Prohibition of Segregated Facilities
52.222-22	Previous Contracts and Compliance Reports
52.222-24	Pre award On site Equal Opportunity Compliance Evaluation
52.222-25	Affirmative Action Compliance
52.222-26	Equal Opportunity
52.222-35	Equal Opportunity for Veterans
52.222-36	Affirmative Action for Workers with Disabilities
52.222-37	Employment Reports on Veterans
52.222-38	Compliance with Veterans Employment Reporting Requirements
52.222-40	Notification of Employee Rights Under National Labor Relations Act
52.222-41	Service Contract Labor Standards
52.222-50	Combating Trafficking in Persons
52.222-51	Exception from Service Contract Labor Standards to Contracts for Maintenance, Calibration or Repair of Certain Equipment-Requirements
52.222-53	Exception from Service Contract Labor Standards to Contracts for Certain Services-Certification
52.222-54	Employment Eligibility Verification
52.222-55	Minimum Wages Under Executive Order 13658
52.222-56	Certification Regarding Trafficking in Persons Compliance Plan
52.222-62	Paid Sick Leave Under Executive Order 13706
52.223-1	Biobased Product Certification
52.223-6	Drug Free Workplace
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving
52.225-1	Buy American - Supplies
52.225-2	Buy American Certificate
52.225-3	Buy American-Free Trade Agreements-Israeli Trade Act
52.225-4	Buy American-Free Trade Agreement-Israeli Trade Act Certificate
52.225-5	Trade Agreements
52.225-6	Trade Agreements Certificate
52.225-8	Duty Free Entry
52.225-13	Restrictions on Certain Foreign Purchases
52.227-1	Authorization and Consent
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement
52.228-4	Workers Compensation and War-Hazard Insurance Overseas
52.232-40	Providing Accelerated Payments to Small Business Subcontractors.
52.244-6	Subcontracts for Commercial Items and Commercial Products and Commercial Services
52.247-64	Preference for Privately Wwned US Flag Commercial Vessels

The following DFAR clauses are applicable to orders for commercial items under DOD contracts:

- 252.203-7001 Prohibition on Persons Convicted of Fraud or Other Defense Contract-Related Felonies
- 252.203-7002 Requirement to Inform Employees of Whistleblower Rights
- 252.203-7003 Agency Office of the Inspector General
- 252.203-7004 Display of Fraud Hotline Posters
- 252.204-7009 Limitations on Use and Disclosure of Sub Contractor Reported Cyber Incident Information
- 252.204-7012 Safeguarding Covered Defense Info and Cyber Incident Reporting
- 252.204-7015 Notice of Authorized Disclosure of Information for Litigation Support
- 252.204-7020 NIST SP 800-171 DOD Assessment Requirements
- 252.208-7000 Intent to Furnish Precious Metals as Government Furnished Material
- 252.211-7003 Item Unique Identification and Valuation
- 252.215-7010 Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data
- 252.222-7000 Restrictions on Employment of Personnel
- 252.225-7007 Prohibition on Acquisition of US Munitions list items from Communist Chinese Military Companies
- 252.225-7008 Restriction on Purchase of Specialty Metals
- 252.225-7009 Restrictions on Purchase of Certain Articles Containing Specialty Metals
- 252.225-7010 Commercial Derivative Military Article-Specialty Metals compliance certificate
- 252.225-7013 Duty free entry
- 252.225-7016 Restrictions on Purchases of Ball and Roller Bearings
- 252.225-7025 Restrictions of Acquisition of Forgings
- 252.225-7033 Waiver of United Kingdom Levies
- 252.225-7048 Export-Controlled Items
- 252.225-7052 Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten
- 252.226-7001 Utilization of Indian Organizations, Indian owned Economic Enterprises and Native Hawaiian Small Business Concerns
- 252.227-7013 Rights in Technical Data - Non Commercial Items
- 252.227-7015 Technical data - Commercial Items
- 252.227-7016 Rights in Bid or Proposal Information
- 252.227-7033 Rights in Shop Drawings
- 252.227-7037 Validation of Restrictive Markings on Technical Data
- 252.229-7011 Reporting of Foreign Taxes-US Assistance Programs
- 252.234-7002 Earned Value Management System
- 252.235-7003 Frequency Authorization
- 252.236-7013 Requirement for Competition for American Steel Producers, Fabricators and Manufacturers
- 252.243-7002 Requests for Equitable Adjustment
- 252.244-7000 Subcontracts for Commercial Items
- 252.246-7003 Notification of Potential Safety Issues
- 252.247-7023 Transportation of Supplies by Sea
- 252.249-7002 Notification of Anticipated Contract Termination or Reduction

In the event of a conflict with, or addition to, a clause in effect on the order date and a clause of the prime contract, the prime contract clause shall control. If, based on the content, any of the clauses do not apply to the order, such clauses are considered self-deleting. The full text of these clauses can be accessed on the internet at <https://www.acquisition.gov/content/regulations>.

The subcontractor by accepting the order hereby certifies compliance with the following clauses and is, therefore eligible for award.

- A. Certification and disclosure regarding payment to influence certain federal transaction (over \$100,000) FAR 52.203-11
- B. Certification regarding debarment, suspension, proposed debarment and other responsibility matters (over \$100,000) FAR 52.209-5
- C. Previous contract and compliance reports (over \$10,000) FAR 52.222-22
- D. Certification of toxic chemical release report (over \$100,000) FAR 52.223-13