SUPPLEMENT 1: COMMERCIAL ITEM PROCUREMENTS
U.S. GOVERNMENT CONTRACT PROVISIONS FOR COMMERCIAL ITEMS

The following Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) clauses (if the Order is funded by Department of Defense) are each incorporated in and made a part of the Order. In the below listed clauses, the term “Contractor” shall mean “Seller,” the term “Contract” shall mean “Order,” and the term “Government Contracting Officer,” or equivalent phrases, shall mean “Buyer.” It is intended that these clauses shall apply to Seller in such manner as is necessary to reflect the position of Seller as a subcontractor to Buyer, to ensure Seller’s obligations to Buyer and to the United States Government, and to enable Buyer to meet its obligations under its prime contract.

The following FAR Clauses apply to the Order:

52.202-1 Definitions
52.203-3 Gratuities
52.211-15 Defense Priority and Allocation Requirements (APR 2008)
52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders - Commercial Items
52.222-21 Prohibition of Segregated Facilities
52.222-26 Equal Opportunity
52.222-50 Combating Trafficking in Persons
52.223-3 Hazardous Material Identification and Material Safety Data (JAN 1997)
52.225-13 Restriction on Certain Foreign Purchases
52.232-40 Providing Accelerated Payments to Small Business Subcontractors (DEC 2013)
52.244-6 Subcontracts for Commercial Items
52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels

The following FAR Clauses apply to the Order if the value of the Order equals or exceeds $10,000:

52.222-40 Employee Rights Under the National Labor Relations Act

The following FAR Clauses apply to the Order if the value of the Order equals or exceeds $15,000:

52.222-36 Equal Opportunity for Workers with Disabilities

The following FAR Clauses apply to the Order if the value of the Order equals or exceeds $100,000:

52.222-35 Equal Opportunity for Veterans
52.222-37 Employment Reports on Veterans

The following FAR Clauses apply to the Order if the value of the Order equals or exceeds $150,000:

52.203-12 Limitation on Payments to Influence Certain Federal Transactions
52.219-8 Utilization of Small Business Concerns
The following FAR Clauses apply to the Order if the value of the Order equals or exceeds $5,000,000:

52.203-13 Contractor Code of Business Ethics and Conduct

The following DFARS Clauses apply if the Order is a Department of Defense Funded Order:

The following DFARS Clauses apply to the Order:

252.203-7000 Requirements Relating to Compensation of Former DOD Officials
252.225-7008 Restriction on Acquisition of Specialty Metals
252.225-7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals
252.227-7015 Technical Data-Commercial Items
252.227-7037 Validation of Restrictive Markings on Technical Data
252.244-7000 Subcontracts for Commercial Items and Commercial Components
252.246-7003 Notification of Potential Safety Issues
252.247-7003 Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer
252.247-7024 Notification of Transportation of Supplies by Sea

The following DFARS Clauses apply to the Order if the value of the Order equals or exceeds $25,000:

252.225-7036 Buy American Act – Free Trade Agreements

The following DFARS Clauses apply to the Order if the value of the Order equals or exceeds $150,000:

252.247-7023 Transportation of Supplies by Sea

The following DFARS Clause applies to the Order if the value of the Order equals or exceeds $500,000:

252.226-7001 Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns