

COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES CLAUSES (FAR, DFARS, GSAR, HSAR and NFS)

The following clauses are incorporated by reference to the extent indicated below. These clauses set forth Seller's minimum obligations and do not diminish any Seller obligations set forth elsewhere in the Subcontract. For purposes of this introductory paragraph and the headings below, the term Subcontract shall include any agreement between SAIC and Seller, to include Subcontracts, Task Orders, Purchase Orders, Basic Ordering Agreements and Orders. The effective version of each clause shall be the version that applies to SAIC under its prime contract or higher-tier subcontract. In all cases, the clauses shall be interpreted to apply to Seller as necessary to reflect the position of Seller as a subcontractor to SAIC, to ensure Seller's obligations to SAIC, and to enable SAIC to meet its obligations to its customer. Without limiting the foregoing: (1) unless the context of the clause or applicable law requires otherwise, the term "Contractor" shall mean Seller, the term "Contract" shall mean the Subcontract as that term is defined above, the term "Subcontractor" shall mean Seller's subcontractor, and the terms "Government," "Contracting Officer" and equivalent phrases shall mean SAIC and SAIC's Contractual Representative, respectively; (2) the words "Government" and "Contracting Officer" do not change when a right, act, authorization or obligation can be granted or performed only by the Government or when title to property is to be transferred directly to the Government; and (3) where a clause specifies the number of days in which Seller must act, that number shall be reduced by half. Seller shall include any applicable clauses in their subcontracts with lower-tier suppliers to the extent specified in the clauses.

SUBPART A

The following Federal Acquisition Regulation ("FAR") clauses are incorporated by reference:

Applicable to All Subcontracts		
52.203-3	Gratuities	
52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements	
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	
52.212-5	Contract Terms and Conditions Required to Implement Statutes or Executive Orders – Commercial Products and Commercial Services (paragraph (d) only)	
52.219-8	Utilization of Small Business Concerns	
52.222-21	Prohibition of Segregated Facilities	
52.222-26	Equal Opportunity	
52.222-50	Combating Trafficking in Persons	
52.225-13	Restrictions on Certain Foreign Purchases	
52.227-14	Rights in Data – General with Alternates II, III, and V (unless another data rights clause is identified as replacing this clause) $$	
52.233-3	Protest After Award	
52.242-15	Stop Work Order	

Applicable to Subcontracts Over \$3,500

52.244-6

52.222-54 Employment Eligibility Verification

Applicable to Subcontracts Over the Micro-Purchase Threshold

52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving

Applicable to Subcontracts Over \$10,000

Notification of Employee Rights Under the National Labor Relations Act

Applicable to Subcontracts Over \$15,000

52.222-36 Equal Employment for Workers with Disabilities

Applicable to Subcontracts Over \$35,000

52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment

Applicable to Subcontracts Over \$150,000

- 52.203-7 Anti-Kickback Procedures (excluding (c)(1))
- 52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions
- 52.203-12 Limitation on Payments to Influence Certain Federal Transactions
- 52.222-35 Equal Opportunity for Veterans
- 52.222-37 Employment Reports on Veterans

Applicable to Subcontracts Over the Simplified Acquisition Threshold

- 52.203-6 Restrictions on Subcontractor Sales to the Government with Alternate I
- 52.203-16 Preventing Personal Conflicts of Interest (if Subcontract includes acquisition functions closely associated with inherently governmental functions)

Applicable to Subcontracts Over \$6,000,000

52.203-13 Contractor Code of Business Ethics and Conduct

Applicable Only to the Extent Indicated

- 52.203-15 Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (if Subcontract is funded in whole or in part with Recovery Act funds)
- 52.204-2 Security Requirements (if Subcontract involves access to classified information)
- Personal Identity Verification of Contractor Personnel (if Seller 52.204-9 has access to Government facilities or systems)
- 52.204-21 Basic Safeguarding of Covered Contractor Information System (is Seller may have Federal contract information, as defined in the clause, residing in or transiting through its information system)
- 52.211-15 Defense Priority and Allocation Requirements (applies if the Subcontract is a rated order under subject to 15 C.F.R. 700)
- 52.222-41 Service Contract Labor Standards (if Subcontract is subject to the Service Contract Labor Standards statute)
- 52.222-51 Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment - Requirements (if services meet all requirements for exemption)
- 52.222-53 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services - Requirements (if services meet all requirements for exemption)

Subcontracts for Commercial Products and Commercial

52.247-64 Preference for Privately Owned U.S. Flag Commercial Vessels



COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES CLAUSES (FAR, DFARS, GSAR, HSAR and NFS)

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□ 52.227.18 Maintenance, Service, Repair, or Disposal of Refrigeration conditioners (if work includes maintenance, repair, or disposal of refrigeration equipment or air conditioners) □ 52.227.18 Rights in Deta — Existing Works (replaces 52.227.14 and England of Conditioners) □ 52.227.19 Rights in Deta — Existing Works (replaces 52.227.14 and England of Conditioners) □ 52.227.10 Provincing Act (if Subcontract is for products that contain a propellation or sower of individuals subject to the Privacy Act) □ 52.223.10 Privacy Act (if Subcontract involves system of records on Individuals subject to the Privacy Act) □ 52.223.10 Provincing Excess Food Donation (if Subcontract exceeds \$30,000 and involves provision, service, or sale of food) □ 52.227.10 Provincing Excess Food Donation (if Subcontract includes experimental, developmental, developmental, or research work and no other Patent Rights Competitive of User Individuals subject Matter (if work or patent application may cover classified matters) □ 52.227.11 Privacy Training Privacy Subject Matter (if work or patent application may cover classified matters) □ 52.227.11 Privacy of Subject Matter (if work or patent application may cover classified matters) □ 52.227.12 Privacy Patent Rights Competitive of User Individuals subject Matter (if work or patent application may cover classified matters) □ 52.227.10 Provincing Accessed Patent Rights Competitive Acquisition Privacy Subject Matter (if work or patent application may cover classified matters) □ 52.227.11 Privacy or Subject Matter (if work or patent application may cover classified matters) □ 52.227.11 Privacy or Subject Matter (if work or patent applications and SAIC receives accelerated payments under its contract) □ 52.227.12 Privacy or Subject Matter (if work is performed at a Government facility) □ 52.227.13 Privacy or Subject Matter (if work is performed at a Government facility) □ 52.223.11 Privacy or Subject Matter (if work is performed		Potential Hydrofluorocarbons (if Subcontract is for products or	□ 52.227-17	• , , ,
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□ 52.223-17 Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts □ 52.224-3 Privacy Training Telecommunications Equipment or Services 252.225-7056 Prohibition Regarding Business Operations with the Maduro Regime 252.227-7019 Validation of Asserted Restrictions - Computer Software		☐ Alternate I	252.204-7018	···
□ 52.224-3 Privacy Training Regime 252.227-7019 Validation of Asserted Restrictions – Computer Software	□ 52.223-2	9		Telecommunications Equipment or Services
□ 52.225-1 Buy American Act – Supplies 252.227-7019 Validation of Asserted Restrictions – Computer Software	□ 52.224-3	3 Privacy Training		
	□ 52.225-2	L Buy American Act – Supplies	252.227-7019	Validation of Asserted Restrictions - Computer Software



COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES CLAUSES (FAR, DFARS, GSAR, HSAR and NFS)

	(1711.1, 21711.0, 0.0711	-,	 ,	
	Validation of Restrictive Markings on Technical Data Subcontracts for Commercial Items	252.225-7030	Restriction on Acquisition of Carbon, Alloy, and Armor Steel Plate (if Subcontract involves acquisition of carbon, alloy, or	
	Transportation of Supplies by Sea - Basic (applies in lieu of		armor steel plate)	
202.217 1020	FAR 52.247-64)	252.225-7038	Restriction on Acquisition of Air Circuit Breakers (if Subcontract includes air circuit breakers for naval vessels)	
	Subcontracts Over \$150,000 Notification of Anticipated Contract Termination or	252.225-7040	Contractor Personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the U.S. (if supporting Armed Forces deployed outside the U.S.)	
202.240 1002	Reduction	252.225-7052	Restriction on the Acquisition of Certain Magnets, Tantalum	
	Subcontracts Over \$500,000		and Tungsten (if Subcontract is for items containing a covered material unless an exception applies in accordance with the clause)	
	Utilization of Indian Organizations, Indian-Owned Economic Enterprises and Native Hawaiian Small Business Concerns	252.227-7038	,	
Applicable to	Subcontracts Over \$6,000,000		Subcontractor is a large business)	
252.203-7003	Agency Office of the Inspector General	252.227-7039	Patents – Reporting of Subject Inventions (applies if Subcontract includes FAR 52.227-11)	
Applicable On	ly to the Extent Indicated	252.228-7005	1 0 0	
252.204-7009	Limitation on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information (if Subcontract involves support for safeguarding covered		Missiles, and Space Launch Vehicles (if Subcontract involves manufacture, modification, overhaul, or repair of aircraft, missiles, space launch vehicles, or components)	
	defense information or cyber incident reporting)	252.232-7017	8 .,	
252.211-7003	Item Unique Identification and Valuation (if Subcontract includes requirement for unique item identification)		Prohibition on Fees and Consideration (if Seller is a small business and SAIC receives accelerated payments under its contract)	
252.211-7007	Reporting of Government-Furnished Property (if Subcontract involves access to Government property; Subcontractor to report through SAIC)	252.235-7003	Frequency Authorization (if Subcontract requires developing, producing, constructing, testing, or operating a device requiring frequency authorization; Alternate I may	
252.223-7001	Hazard Warning Labels (if Subcontract requires delivery of hazardous materials)	252.237-7010	apply at SAIC's discretion)	
252.223-7002	Safety Precautions for Ammunition and Explosives (if Subcontract involves ammunition, explosives, or		Subcontracts for services)	
252 223-7003	propellants) Change in Place of Performance – Ammunition and	252.237-7019	Training for Contractor Personnel Interacting with Detainees (if Subcontract requires interaction with detainees)	
	Explosives (if Subcontract involves ammunition, explosives, or propellants)	252.239-7000		
252.223-7007	and Explosives (if Subcontract involves arms, ammunition,	252.239-7001	protection against compromising emanations) Information Assurance Contractor Training and Certification	
252.225-7007	or explosives) Prohibition on Acquisition of U.S. Munitions List Items from		(if Subcontract involves information assurance functions as described in DoD 8570.01-M)	
	Communist Chinese Military Companies (if Seller is supplying items on the U.S. Munitions List)	252.239-7010	Cloud Computing Services (if Subcontract involves cloud services)	
252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals (if work contains specialty metals)	252.246-7003	Notification of Potential Safety Issues (if required by DFARS 252.246-7003(f))	
252.225-7010	Commercial Derivative Military Article - Specialty Metal Compliance Certificate (if work contains specialty metals)	252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance Systems (if Subcontract includes electronic parts	
252.225-7011	Restrictions on Acquisition of Supercomputers (if Subcontract involves delivery of supercomputers)	252.246-7008	or assemblies containing electronic parts)	
252.225-7015	Restrictions on Acquisition of Hand or Measuring Tools (if Subcontract includes hand or measuring tools)		parts or assemblies containing electronic parts, unless the Seller is the original manufacturer)	
252.225-7017	Photovoltaic Devices (if Subcontract provides for delivery of photovoltaic devices)	252.247-7003	Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer (if Seller is a motor carrier, broker, or	
252.225-7019	Restriction on Acquisition of Anchor and Mooring Chain (if Subcontract is for items containing welded shipboard anchor or mooring chain four inches or less in diameter)	Applicable if (freight forwarder) Checked	
252.225-7025	Restriction on Acquisition of Forgings (if Subcontract is for forging items or items that contain forging items)	⊠ 252.204-70	Safeguarding Covered Defense Information and Cyber Incident Reporting (Seller shall comply with additional	
252.225-7028	Exclusionary Policies and Practices of Foreign Governments (if Subcontract involves purchase of supplies for	□ 252 204 7 0	cyber security requirements in the terms and conditions to the extent applicable)	
	international military training or Foreign Military Sales)	□ 252.204-70	20 NIST SP 800-171 DoD Assessment Requirements	



COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES CLAUSES (FAR, DFARS, GSAR, HSAR and NFS)

□ 252.204-7	7021 Contractor Compliance with the Cybersecurity Maturity Model Certification Level Requirement	552.223-70	Hazardous Substances (if Subcontract includes packaged items subject to the Federal Hazardous Substances Act and the Hazardous Materials Transportation Act)		
□ 252.211-7	7006 Passive Radio Frequency Identification	552.223-71	Nonconforming Hazardous Materials (is Subcontract		
⊠ 252.225-7	, , ,	002.220 . 2	includes supplies that contain hazardous materials)		
☐ 252.225-7	☐ Alternate I 7008 Restriction on Acquisition of Specialty Metals	552.232-39	Unenforceability of Unauthorized Obligations (if Subcontract references a Seller commercial supplier agreement)		
⊠ 252.225-7	7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals	552.223-73	Preservation, Packaging, Packing, Marking, and Labeling of Hazardous Materials (HAZMAT) for Shipments (if		
⊠ 252.225-7	7021 Trade Agreements □ Alternate II		Subcontract is for packaged items containing hazardous materials)		
□ 252.225-7	7026 Acquisition Restricted to Products or Services from Afghanistan	552.237-71	Qualifications of Employees (if Subcontract includes Building services as defined in GSAR 537.101)		
⊠ 252.225-	7036 Buy American – Free Trade Agreements – Balance of Payments Program	552.239-71	Security Requirements for Unclassified Information Technology Resources (if Subcontract meets conditions in paragraph (a) of clause)		
	☐ Alternate III ☐ Alternate IV ☐ Alternate V		Applicable if Checked		
□ 252.225-7	7043 Anti-Terrorism/Force Protection Policy for Defense	☐ 552.237-73	3 Restriction on Disclosure of Information		
	Contractors Outside the U.S. (if Subcontract involves performance or travel outside the U.S.)		SUBPART D - HSAR CLAUSES		
	In accordance with (d) of the clause, information and guidance pertaining to DoD antiterrorism/force protection can be obtained from [insert information].	with or in	x is checked or SAIC's contract is otherwise a support of the Department of Homeland ("DHS") the following DHS Acquisition		
□ 252.227-7	Rights in Special Works (replaces 252.227-7013, -7014, and -7015 if checked, unless otherwise stated)	Security ("DHS"), the following DHS Acquisition Regulation ("HSAR") clauses are incorporated by reference in addition to the FAR clauses in Subpart A:			
□ 252.227-7	7013, -7014, and -7015 if checked, unless otherwise	Applicable to All Subcontracts			
□ 252.246-7	stated) 7004 Safety of Facilities, Infrastructure, and Equipment for Military Operations	3052.204-71	Contractor Employee Access (Alternate I applies if Subcontract involves access to DHS information technology resources)		
		3052.205-70	Advertisements, Publicizing Awards, and Releases (Alternate I applies unless otherwise specified)		
☐ If this h	SUBPART C - GSAR CLAUSES oox is checked or if SAIC's contract is otherwise	3052.222-70	Strikes or Picketing Affecting Timely Completion of the Contract Work		
with or	in support of the General Services	3052.222-71	Strikes or Picketing Affecting Access to a DHS Facility		
Administration ("GSA"), the following GSA Acquisition		Annlicable Or	nly to the Extent Indicated		
_	tion ("GSAR") clauses are incorporated by ce in addition to the FAR clauses in Subpart A:	3052.203-70	Instructions for Contractor Disclosures of Violations (if		
			Subcontract exceeds \$6,000,000)		
552.203-71	O All Subcontracts Restriction on Advertising	3052.225-70	Requirement for Use of Certain Domestic Commodities (if Subcontractor is providing items identified in clause)		
552.232-78 Co	Commercial Supplier Agreements – Unenforceable Clauses (Seller acknowledges that any commercial supplier	3052.228-70	Insurance (if Subcontract requires work on a Government installation)		
	greement to be passed on to the Government through AIC shall be subject to the limitations and requirements of all clause)	3052.236-70	Special Precautions for Work at Operating Airports (if Subcontract includes work at an operating airport)		
Annlicable t	to Subcontracts Over the Simplified Acquisition	Applicable if	Checked		
Threshold	S Cabbonitation over the empirica Acquisition	□ 3052.209-7	2 Organizational Conflict of Interest		
552.215-70	Examination of Records by GSA		In accordance with (a) of the clause, the nature of the conflict of interest and the limitation on future		
A	Note to the Established		contracting is [insert description].		
	Only to the Extent Indicated	☐ 3052.217-9			
Applicable 0 552.204-9	Only to the Extent Indicated Personal Identity Verification (if Subcontract requires access to a GSA facility or information system)	☐ 3052.217-9 ☐ 3052.217-9	22 Inspection and Manner of Doing Work (USCG)		



COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES CLAUSES (FAR, DFARS, GSAR, HSAR and NFS)

□ 3052.217-9	6 Title (USCG)		furnished computer software" or related technical data as defined in the clause)	
□ 3052.223-9	O Accident and Fire Reporting (USCG)	1852.228-76	Cross-Waiver of Liability for International Space Station	
□ 3052.228-9	Notification of Miller Act Payment Bond Protection (request contact information for surety from SAIC)		Activities (if Subcontract supports "Protected Space Operations," as defined in the clause, relating to the International Space Station)	
SUBPART E − NFS CLAUSES If this box is checked or if SAIC's contract is otherwise with or in support of the National Aeronautics and Space Administration ("NASA"), the following NASA FAR Supplement ("NFS") clauses are incorporated by reference in addition to the FAR clauses in Subpart A:		1852.228-78	Cross-Waiver of Liability for Science or Space Exploration Activities Unrelated to the International Space Station (if Subcontract supports "Protected Space Operations" as defined in the clause)	
		1852.242-71	Travel Outside of the U.S. (if Subcontract requires travel outside the U.S. that will be charged directly to the Subcontract)	
		1852.242-72	Denied Access to NASA Facilities (if Subcontract involves access to NASA facilities)	
Applicable to 1852.203-71	All Subcontracts Requirement to Inform Employees of Whistleblower Rights	1852.245-73	Financial Reporting of NASA Property in the Custody of Contractors (if Seller will possess NASA property; delete paragraph (b); reports shall be submitted to SAIC)	
1852.204-76	Security Requirements for Unclassified Information Technology Resources	1852.245-74	Identification and Marking of Government Equipment (if Subcontract requires delivery of equipment)	
1852.225-70	Export Licenses	1852.246-73	Human Space Flight Item (if Subcontract involves hardware	
1852.227-14	Rights in Data - General (modifies FAR 52.227-14)		or equipment for human space flight)	
1852.237-72	Access to Sensitive Information	1852.247-71	Protection of the Florida Manatee (if Seller performs work	
1852.237-73	Release of Sensitive Information		within the Kennedy Space Center waterways)	
1852.242-73	NASA Contractor Financial Management Reporting	Applicable if Checked ☐ 1852.211-70 Packaging, Handling, and Transportation		
1852.245-72	Liability for Government Property Furnished for Repair or Other Services			

Applicable to Subcontracts Over \$100,000

1852.244-70 Geographic Participation in the Aerospace Program

Applicable to Subcontracts Over the Simplified Acquisition Threshold

1852.223-70 Safety and Health Measures and Mishap Reporting (if Subcontractor includes work at Government facilities)

Applicable Only to the Extent Indicated

1852.208-81	Restrictions on Printing and Duplicating (if Subcontract includes any printing, duplicating, or copying in excess of the limits in paragraph (c))
1852.223-71	Authorization for Radio Frequency Use (if Subcontract involves developing, producing, constructing, testing, or operating a device requiring radio frequency authorization)
1852.227-11	Patent Rights – Ownership by the Contractor (if Subcontract includes experimental, developmental, or research work and Seller is a small business or nonprofit organization)
1852.227-17	Rights in Data - Special Works (if Subcontract includes 52.227-17)
1852.227-19	Commercial Computer Software - Restricted Rights (if Subcontract includes 52.227-19)
1852.227-86	Commercial Computer Software License (replaces 52.227-19 and 1852.227-19 for commercial computer developed exclusively at private expense if the parties have agreed to incorporate Seller's standard commercial license into the Subcontract)
1852.227-88	Government-Furnished Computer Software and Related

Technical Data (if Seller has access to "Government-