



## DEFENSE FEDERAL ACQUISITION REGULATION SUPPLEMENT (DFARS) CLAUSES

The following Defense Federal Acquisition Regulation Supplement (“DFARS”) clauses are incorporated by reference to the extent indicated below. 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. 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. 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.

### Applicable to All Subcontracts

- 252.203-7002 Requirement to Inform Employees of Whistleblower Rights
- 252.204-7000 Disclosure of Information
- 252.204-7014 Limitations on the Use or Disclosure of Information by Litigation Support Contractors (if Subcontract involves litigation support services)
- 252.204-7015 Disclosure of Information to Litigation Support Contractors
- 252.209-7004 Subcontracting with Firms That Are Owned or Controlled by the Government of a Terrorist Country
- 252.223-7008 Prohibition of Hexavalent Chromium
- 252.225-7012 Preference for Certain Domestic Commodities
- 252.225-7048 Export Controlled Items
- 252.227-7013 Rights in Technical Data – Noncommercial Items (replaces FAR 52.227-14 unless another data rights clause is identified as applicable instead; Alternate II applies if Subcontract involves vessel design)
- 252.227-7014 Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (replaces FAR 52.227-14 unless another data rights clause is identified as applicable instead)
- 252.227-7016 Rights in Bid or Proposal Information
- 252.227-7019 Validation of Asserted Restrictions – Computer Software
- 252.227-7025 Limitation on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends
- 252.227-7026 Deferred Delivery of Technical Data or Computer Software
- 252.227-7027 Deferred Ordering of Technical Data or Computer Software
- 252.227-7028 Technical Data or Computer Software Previously Delivered to the Government
- 252.227-7030 Technical Data – Withholding of Payment
- 252.227-7037 Validation of Restrictive Markings on Technical Data
- 252.231-7000 Supplemental Cost Principles
- 252.243-7001 Pricing of Contract Modifications
- 252.244-7000 Subcontracts for Commercial Items
- 252.246-7001 Warranty of Data (Alternate I applies to firm fixed-price Subcontracts; Alternate II applies to fixed-price incentive Subcontracts)
- 252.247-7024 Notification of Transportation of Supplies by Sea

### Applicable to Subcontracts Over \$150,000

- 252.203-7001 Prohibition on Persons Convicted of Fraud or Other Defense-Contract Related Felonies
- 252.249-7002 Notification of Anticipated Contract Termination or Reduction

### Applicable to Subcontracts Over \$500,000

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

### Applicable to Subcontracts Over \$700,000

- 252.219-7003 Small Business Subcontracting Plan (unless Seller is a small business or DFARS 252.219-7004 applies)

### Applicable to Subcontracts Over \$1,000,000

- 252.222-7006 Restriction on the Use of Mandatory Arbitration Agreements
- 252.225-7033 Waiver of United Kingdom Levies (if Seller is a UK firm)

### Applicable to Subcontracts Over \$1,500,000

- 252.211-7000 Acquisition Streamlining

### Applicable to Subcontracts Over \$5,500,000

- 252.203-7003 Agency Office of the Inspector General
- 252.203-7004 Display of Fraud Hotline Poster(s) (replaces FAR 52.203-14)

### Applicable Only to the Extent Indicated

- 252.204-7009 Limitation on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information (if Subcontract involves support for safeguarding covered defense information or cyber incident reporting)
- 252.204-7010 Requirement for Contractor to Notify DoD if the Contractor’s Activities Are Subject to Reporting Under the U.S. International Atomic Energy Agency Protocol (if Subcontract is subject to the provisions of the U.S. International Atomic Energy Agency Additional Protocol)
- 252.208-7000 Intent to Furnish Precious Metals as Government-Furnished Materials (if precious metals may be provided as government furnished materials)
- 252.211-7003 Item Unique Identification and Valuation (if Subcontract includes requirement for unique item identification)
- 252.211-7007 Reporting of Government-Furnished Property (if Subcontract involves access to Government property; Subcontractor to report through SAIC)
- 252.222-7001 Right of First Refusal of Employment – Closure of Military Installations (if Subcontract arises from closure of military base where it is performed)
- 252.222-7002 Compliance with Local Labor Laws (Overseas) (if Subcontract includes services outside the U.S.)
- 252.223-7001 Hazard Warning Labels (if Subcontract requires delivery of hazardous materials)
- 252.223-7002 Safety Precautions for Ammunition and Explosives (if Subcontract involves ammunition, explosives, or propellants)
- 252.223-7003 Change in Place of Performance – Ammunition and Explosives (if Subcontract involves ammunition, explosives, or propellants)
- 252.223-7006 Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials (if Seller will have access to a DoD installation; Alternate I applies if in SAIC’s contract)





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- 252.225-7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals
- 252.225-7021 Trade Agreements
  - Alternate II
- 252.225-7026 Acquisition Restricted to Products or Services from Afghanistan
- 252.225-7036 Buy American – Free Trade Agreements – Balance of Payments Program
  - Alternate I       Alternate II
  - Alternate III       Alternate IV
  - Alternate V
- 252.225-7043 Anti-Terrorism/Force Protection Policy for Defense Contractors Outside the U.S. (if Subcontract involves performance or travel outside the U.S.)

In accordance with (d) of the clause, information and guidance pertaining to DoD antiterrorism/force protection can be obtained from HQDA (DAMO-ODL) ODCSOP; telephone, DSN 225-8497 or commercial (703)695-8491..
- 252.225-7047 Exports by Approved Community Member in Performance of the Contract
- 252.227-7015 Technical Data – Commercial Items (applies if checked to technical data pertaining to commercial item, components, or processes developed exclusively at private expense; Alternate I applies if Subcontract involves vessel design)
- 252.227-7020 Rights in Special Works (replaces 252.227-7013, -7014, and -7015 if checked, unless otherwise stated)
- 252.227-7021 Rights in Data – Existing Works (replaces 252.227-7013, -7014, and -7015 if checked, unless otherwise stated)
- 252.227-7032 Rights in Technical Data and Computer Software (Foreign) (replaces 252.227-7013, -7014, and -7015 if checked, unless otherwise stated)
- 252.227-7038 Patent Rights – Ownership by the Contractor (Large Business)
  - Alternate I       Alternate II
- 252.228-7000 Reimbursement for War Hazard Losses
- 252.228-7001 Ground and Flight Risk
- 252.228-7003 Capture and Detention
- 252.229-7011 Reporting of Foreign Taxes – U.S. Assistance
- 252.234-7002 Earned Value Management System
- 252.246-7004 Safety of Facilities, Infrastructure, and Equipment for Military Operations