**SCHEDULE C**

**CUSTOMER TERMS AND CONDITIONS**

**Prime Solicitation No. SPE4A215R0002 - Chemicals, Packaged Petroleum, Oil, and Lubricants**

**(Applicable to Purchase Orders)**

In all such clauses, unless the context of the clause requires otherwise, the term "Contractor" shall mean Seller, the term "Contract" shall mean this Order, and the terms "Government," "Contracting Officer" and equivalent phrases shall mean Buyer and Buyer's Purchasing Representative, respectively. It is intended that the referenced clauses shall apply to Seller in such manner as is necessary to reflect the position of Seller as a subcontractor to Buyer, to insure Seller's obligations to Buyer and to the United States Government, and to enable Buyer to meet its obligations under its Prime Contract or Subcontract.

The following definitions apply unless otherwise specifically stated:

* "Buyer" - The legal entity issuing this Order
* "Purchasing Representative" - Buyer's authorized representative. "Seller" - The legal entity which contracts with the Buyer
* "This Order" - This contractual instrument, including changes
* "Prime Contract" - The Government contract under which this Order is issued. "FAR" - The Federal Acquisition Regulation

Shipping/Delivery References:

* “NDVD” - Non-Direct Vendor Delivery – For shipments to Buyers’ Inventory Locations
* “DVD” - Direct Vendor Delivery – For shipments to U.S. Dept. of Defense Locations

References to Agency Specific Regulations:

* “FAR” - Federal Acquisition Regulation.
* “DFAR” - Defense Federal Acquisition Regulation Supplement with supplements the Federal Acquisition Regulation for contracts with the Department of Defense.
* “DLAD” - Defense Logistics Acquisition Directive which supplements Defense Federal Acquisition Regulation Supplement for contracts with Defense Logistics Agency.

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| **FAR Ref.** | **Title of Clause** |
| 52.204-10 | REPORTING EXECUTIVE COMPENSATION AMD FIRST – TIER SUBCONTRACT AWARDS (JUL 2013) (Pub. L.109-282) (31 U.S.C. 6101 note) |
| 52.209-01 | QUALIFICATION REQUIREMENTS (FEB 1995)  |
| 52.211-17 | DELIVERY OF EXCESS QUANTITIES (SEP 1989) – **DVD SHIPMENTS ONLY** |
| 52.223-03 | HAZARDOUS MATERIAL IDENTIFICATION AND MATERIAL SAFETY DATA (JAN 1997)  |
| 52.223-11 | OZONE-DEPLETING SUBSTANCES (MAY 2001)  |
| 52.227-01 | AUTHORIZATION AND CONSENT (DEC 2007)  |
| 52.227-02 | NOTICE AND ASSISTANCE REGARDING PATENT AND COPYRIGHT INFRINGEMENT (DEC 2007)  |
| 52.252-06 | AUTHORIZED DEVIATIONS IN CLAUSES (APR 1984)  |
| 52.253-01 | COMPUTER GENERATED FORMS (JAN 1991)  |

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| **DFARS Ref.** | **Title of Clause** |
| 252.203-7002 | REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS (SEP 2013)  |
| 252.207-7000 | DISCLOSURE OF INFORMATION (AUG 2013)  |
| 252.211-7006 | RADIO FREQUENCY IDENTIFICATION (SEP 2011) **– DVD SHIPMENTS ONLY** |
| 252.211-7006 | PASSIVE RADIO FREQUENCY IDENTIFICATION (SEP 2011) **– DVD SHIPMENTS ONLY** |
| 252.223-7001 | HAZARD WARNING LABELS (DEC 1991)  |
| 252.225-7013 | DUTY-FREE ENTRY (NOV 2014)  |
| 252.225-7021 | TRADE AGREEMENTS (NOV 2014) |
| 252.225-7048 | EXPORT CONTROLLED ITEMS (JUN 2013)  |
| 252.244-7000 | SUBCONTRACTS FOR COMMERCIAL ITEMS (JUN 2013) |

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| **DLAD Ref.** | **Title of Clause** |
| 52.209-9013 | COMPONENT QUALIFIED PRODUCTS LIST (QPL)/QUALIFIED MANUFACTURERS LIST (QML) (NOV 2011)  |
| 52.211-9022 | SUPERSEDED PART-NUMBERED ITEMS (NOV 2011)  |
| 52.215-9013 | PRODUCTION FACILITY CHANGES (NOV 2011) |

**NSN Specific Clauses – Instructions per Individual Purchase Orders:**

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| **FAR/DFARS/DLAD Ref.** | **Title of Clause** |
| 52.209-3 | FIRST ARTICLE APPROVAL - CONTRACTOR TESTING (SEP 1989) **FAR** |
| 52.209-03 | FIRST ARTICLE APPROVAL - CONTRACTOR TESTING (SEP 1989), ALT I (JAN 1997) **FAR** |
| 52.209-04 | FIRST ARTICLE APPROVAL - GOVERNMENT TESTING (SEP 1989), ALT I (JAN 1997) **FAR** |
| 52.209-04 | FIRST ARTICLE APPROVAL - GOVERNMENT TESTING (SEP 1989), ALT I (JAN 1997) **FAR** |
| 52.246-11 | HIGHER-LEVEL CONTRACT QUALITY REQUIREMENT (DEC 2014) **FAR** |
| 252.209-7010 | CRITICAL SAFETY ITEMS (AUG 2011) DFARS 252.211-7005 SUBSTITUTIONS FOR MILITARY OR FEDERAL SPECIFICATIONS AND STANDARDS (NOV 2005) **DFARS** |
| 52.209-9017 | FIRST ARTICLE – CONTRACTOR TESTING – ADDITIONAL REQUIREMENTS (AUG 2014) **DLAD** |
| 52.209-9018 | FIRST ARTICLE – GOVERNMENT TEST – ADDITIONAL REQUIREMENTS (AUG 2014) **DLAD** |
| 52.209-9019 | REQUESTS FOR WAIVER OF FIRST ARTICLE TESTING REQUIREMENTS (SEP 2008) **DLAD** |
| 52.211-9005 | CONDITIONS FOR EVALUATION AND ACCEPTANCE OF OFFERS FOR CRITICAL SAFETY ITEMS (APR 2014)**DLAD** |
| 52.211-9006 | CHANGES IN CONTRACTOR STATUS, ITEM ACQUIRED, AND/OR MANUFACTURING PROCESS/FACILITY - **DLAD**   |
| 52.211-9007 | WITHHOLDING OF MATERIEL REVIEW BOARD (MRB) AUTHORITY - CRITICAL SAFETY ITEMS (NOV 2011) **DLAD** |
| 52.223-9004 | FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA) (SEP 2008) **DLAD** |
| 52.246-9005 | NOTE TO CONTRACTOR FOR INSPECTION AIR LAUNCH AND RECOVERY EQUIPMENT (ALRE) (NOV 2011) **DLAD** |
| 52.246.9043 | HIGHER-LEVEL CONTRACT QUALITY REQUIREMENT (NON-MANUFACTURERS) (NOV 2011) **DLAD** |
| 52.246.9086 | PRODUCTION LOT TESTING (PLT) - CONTRACTOR (JUL 2011), ALT I (JUL 2011) **DLAD** |
| 52.246-9085 | 52.246-9085 PRODUCTION LOT TESTING (PLT) - GOVERNMENT (JAN 2015) **DLAD**  |
| 52.246-9086 | 52.246-9086 PRODUCTION LOT TESTING (PLT) - CONTRACTOR (JAN 2015) **DLAD**   |
| 52.246-9086 | 52.246-9086 PRODUCTION LOT TESTING (PLT) - CONTRACTOR (JUL 2011), ALT I (JUL 2011) **DLAD**  |