



Document Title
Attachment 1 - JLTV FAR/DFARS Flowdowns
Document No.
50465
<i>Uncontrolled When Printed</i>

1. General. The following clauses set forth in the Federal Acquisition Regulation (“FAR” available at <http://www.acquisition.gov/FAR>), the Department of Defense FAR Supplement (“DFARS” available at <http://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html>) and other applicable FAR agency supplemental clauses in effect as of the date identified below are incorporated herein by reference with the same force and effect as if they were given in full text.
 - 1.1. Definitions. For purposes of this Purchase Order, the following clauses shall operate, impose the obligations and responsibilities of the parties and be interpreted as if:
 - 1.1.1. “Changes clause” means Section 10 (Changes) of Article I of the Terms and Conditions;
 - 1.1.2. “Contract” means this “Purchase Order”;
 - 1.1.3. “Contracting Officer” means an authorized representative of Buyer’s purchasing department;
 - 1.1.4. Unless the text in these clauses clearly reserves rights in the Government only or as otherwise noted, the terms “Contractor” means “Supplier”;
 - 1.1.5. “Commercial” means “commercially available off-the-shelf item” as defined in FAR 2.101;
 - 1.1.6. “Disputes clause” means Section 27 (Dispute Resolution) of the Banks Technologies Standard Terms and Conditions of Purchase;
 - 1.1.7. “Government” means “Buyer”;
 - 1.1.8. “Offeror” means “Supplier”;
 - 1.1.9. “Prime Contract” shall mean Buyer’s contract with the U.S. Government or a higher-tiered contractor to which this Purchase Order relates;
 - 1.1.10. “Simplified Acquisition Threshold” shall mean the simplified acquisition threshold specified in FAR 2.101 or other agency directive in effect as of the date of the applicable prime contract.
 - 1.1.11. “Subcontractor” shall mean Supplier’s lower-tier subcontractors and Suppliers;
 - 1.1.12. “Supplies” and “Services” shall mean the Products furnished under this Purchase Order; and
 - 1.1.13. “Termination for Default clause” means paragraph (b) of Section 23 (Termination/Cancellation) of Article I of the Terms and Conditions.
 - 1.2. Substitution. For the clauses when a right, act, authorization or obligation can be granted or performed only by the Government or the Prime Contract contracting officer or duly authorized representative (marked with an asterisk) the substitution of parties specified in 1.1.3 and 1.1.7 above shall not apply; references to the “Government” shall mean the U.S. Government and references to the “Contracting Officer” shall mean the U.S. Government Contracting Officer under the applicable Prime Contract.
 - 1.3. Flowdown Requirement. Supplier shall include these FAR, DFARS and other FAR agency supplemental clauses in each lower-tier subcontract it issues, as applicable.
 - 1.4. Commercial Items. If the Products required by the Purchase Order qualify as “Commercial Items”, as that term is defined in FAR 2.101 and the Purchase Order expressly states that the Products are commercial items, Supplier is only required to comply with the applicable FAR, DFARS and FAR agency supplemental clauses included in: (i) Section I(A); (ii) Section I(B); and (iii) Section II.



Document Title
Attachment 1 - JLTV FAR/DFARS Flowdowns
Document No.
50465
<i>Uncontrolled When Printed</i>

2. The following clauses shall apply to subcontracts for Commercial products and services.

Clause	Title	Date
FAR CLAUSES		
52.203-6	Restrictions on Subcontractor Sales to the Government	JUN 2020
52.203-7	Anti-Kickback Procedures	JUN 2020
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity	MAY 2014
52.203-12	Limitation on Payments to Influence Certain Federal Transactions	JUN 2020
52.203-13	Contractor Code of Business Ethics and Conduct	NOV 2021
52.203-15	Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (Section 1553 of Pub. L. 111-5) (if the subcontract is funded under the Recovery Act)	JUN 2010
52.203-16	Preventing Personal Conflicts of Interest (if supplier performs acquisition functions closely related with inherently governmental function)	JUN 2020
52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements	JAN 2017
52.204-2	Security Requirements	MAR 2021
52.204-9	Personal Identity Verification of Contractor Personnel	JAN 2011
52.204-21	Basic Safeguarding of Covered Contractor Information Systems (other than subcontracts for commercially available off-the-shelf items)	NOV 2021
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities	NOV 2021
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment	NOV 2021
52.208-8	Required Sources for Helium and Helium Usage Data (if subcontract involves a major helium requirement)	AUG 2018
52.209-6	Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment	NOV 2021
52.211-5	Material Requirements	AUG 2000
52.211-15	Defense Priority and Allocation Requirements	APR 2008
52.215-13	Subcontractor Certified Cost or Pricing Data – Modifications (DEVIATION 2022-00001) (if subcontract greater than \$2M)	APR 2021
52.215-15	Pension Adjustments and Asset Reversions (if cost or pricing data required)	OCT 2010
52.215-18	Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions (if cost or pricing data required)	JUL 2005
52.215-19	Notification of Ownership Changes	OCT 1997



Document Title
Attachment 1 - JLTV FAR/DFARS Flowdowns
Document No.
50465
<i>Uncontrolled When Printed</i>

Clause	Title	Date
52.215-23	Limitations on Pass-Through Charges	JUN 2020
52.219-8	Utilization of Small Business Concerns (15 U.S.C.637(d)(2) and (3)) (if the subcontract offers further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds the applicable threshold specified in FAR 19.702(a) on the date of subcontract award, the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities).	OCT 2022
52.219-9	Small Business Subcontracting Plan (if subcontract > \$750k, unless small business)	OCT 2022
52.222-1	Notice to the Government of Labor Disputes	FEB 1997
52.222-19	Child Labor— Cooperation with Authorities and Remedies (Deviation 2020-00019)	JAN 2022
52.222-21	Prohibition of Segregated Facilities	APR 2015
52.222-26	Equal Opportunity	SEP 2016
52.222-35	Equal Opportunity for Veterans	JUN 2020
52.222-36	Equal Opportunity for Workers with Disabilities	JUN 2020
52.222-37	Employment Reports on Veterans	JUN 2020
52.222-40	Notification of Employee Rights Under the National Labor Relations Act (E.O. 13496)	DEC 2010
52.222-50	Combating Trafficking in Persons	NOV 2021
52.222-54	Employment Eligibility Verification	MAY 2022
52.222-55	Minimum Wages for Contractor Workers under Executive Order 14026 (subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute)	JAN 2022
52.222-62	Paid Sick Leave Under Executive Order 13706 (Jan 2022) (E.O. 13706) (if subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute)	JAN 2022
52.223-3	Hazardous Material Identification and Material Safety Data	FEB 2021
52.223-7	Notice of Radioactive Materials	JAN 1997
52.223-11	Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons	JUN 2016
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving	JUN 2020
52.224-3	Privacy Training (5 U.S.C. 552a)	JAN 2017
52.225-13	Restrictions on Certain Foreign Purchases	FEB 2021
52.225-26	Contractors Performing Private Security Functions Outside the United States	
52.227-1	Authorization and Consent	JUN 2020



Document Title
Attachment 1 - JLV FAR/DFARS Flowdowns
Document No.
50465
<i>Uncontrolled When Printed</i>

Clause	Title	Date
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement	JUN 2020
52.227-6	Royalty Information	APR 1984
52.227-10*	Filing of Patent Applications – Classified Subject Matter	DEC 2007
52.232-39	Unenforceability of Unauthorized Obligations	JUN 2013
52.232-40	Providing Accelerated Payments to Small Business Subcontractors (if supplier is a small business)	NOV 2021
52.234-1	Industrial Resources Developed Under Defense Production Act Title III	SEP 2016
52.244-6	Subcontracts for Commercial Products and Commercial Services	OCT 2022
52.245-1	Government Property	SEP 2021
52.251-1	Government Supply Sources	APR 2012
52.247-63	Preference for U.S.-Flag Air Carriers	JUN 2003
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels (46 U.S.C. 55305 and 10 U.S.C.2631) (if flow down is required in accordance with paragraph (d) of FAR clause 52.247-64)	NOV 2021
52.248-1	Value Engineering	JUN 2020
DFARS CLAUSES		
252.203-7002	Requirement to Inform Employees of Whistleblower Rights	SEP 2013
252.204-7000	Disclosure of Information	OCT 2016
252.204-7004	Antiterrorism Awareness Training for Contractors	FEB 2019
252.204-7015	Notice of Authorized Disclosure of Information for Litigation Support	MAY 2016
252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services	JAN 2021
252.204-7020	NIST SP 800-171 DoD Assessment Requirements	MAR 2022
252.219-7004	Small Business Subcontracting Plan (Test Program) (if supplier participates in Test Program)	MAY 2019
252.223-7001	Hazard Warning Labels	DEC 1991
252.223-7006	Prohibition on Storage, Treatment, and Disposal of Toxic and Hazardous Materials – Basic	SEP 2014
252.223-7008	Prohibition of Hexavalent Chromium	JUN 2013
252.225-7007	Prohibition on Acquisition of Certain Items from Communist Chinese Military Companies (if subcontract is for items covered by USML or 600 series of CCL)	DEC 2018
252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals (exclude and reserve paragraph (d) and (e)(1))	DEC 2019
252.225-7012	Preference for Certain Domestic Commodities	APR 2022



Document Title
Attachment 1 - JLTV FAR/DFARS Flowdowns
Document No.
50465
<i>Uncontrolled When Printed</i>

Clause	Title	Date
252.225-7013	Duty-Free Entry	MAR 2022
252.225-7015	Restriction on Acquisition of Hand or Measuring Tools	JUN 2005
252.225-7021	Trade Agreements – Basic (Deviation 2020-00019)	MAR 2022
252.225-7030	Restriction on Acquisition of Carbon, Alloy, and Armor Steel Plate	DEC 2006
252.225-7033	Waiver of United Kingdom Levies (if supplier is a UK firm)	APR 2003
252.225-7048	Export-Controlled Items	JUN 2013
252.225-7052	Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten	AUG 2022
252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns	APR 2019
252.227-7015*	Technical Data – Commercial Items	FEB 2014
252.227-7016*	Rights in Bid or Proposal Information	JAN 2011
252.227-7019*	Validation of Asserted Restrictions – Computer Software	SEP 2016
252.227-7025*	Limitations on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends	MAY 2013
252.227-7037*	Validation of Restrictive Markings on Technical Data	APR 2022
252.227-7039	Patents—Reporting of Subject Inventions	APR 1990
252.227-7038*	Patent Rights – Ownership by the Contractor (Large Business)	JUN 2012
252.229-7011	Reporting of Foreign Taxes – U.S. Assistance Programs	SEP 2005
252.232-7017	Accelerating Payments to Small Business Subcontractors – Prohibition on Fees and Consideration (if supplier is a small business)	APR 2020
252.234-7002	Earned Value Management System (DEVIATION 2015-00017)	SEP 2015
252.235-7003	Frequency Authorization - Basic	MAR 2014
252.239-7018	Supply Chain Risk (Deviation 2018-00020)	SEP 2018
252.244-7000	Subcontracts for Commercial Items	JAN 2021
252.245-7001	Tagging, Labeling, and Marking of Government-Furnished Property	APR 2012
252.245-7002	Reporting Loss of Government Property	JAN 2021
252.246-7003	Notification of Potential Safety Issues	JUN 2013
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System	AUG 2016



Document Title
Attachment 1 - JLTV FAR/DFARS Flowdowns
Document No.
50465
<i>Uncontrolled When Printed</i>

Clause	Title	Date
252.246-7008	Sources of Electronic Parts (unless supplier is the original manufacturer)	MAY 2018
252.247-7023	Transportation of Supplies by Sea – Basic	FEB 2019
252.249-7002	Notification of Anticipated Contract Termination or Reduction	JUN 2020
252.251-7000	Ordering From Government Supply Sources	AUG 2012

3. The following clauses shall apply in addition to those above for subcontracts that are for NON-COMMERCIAL products or services:

Clause	Title	Date
FAR CLAUSES		
52.215-14	Integrity of Unit Prices	NOV 2021
52.216-7	Allowable Cost and Payment	AUG 2018
52.222-20	Contracts for Materials, Supplies, Articles, and Equipment	JUN 2020
52.230-2	Cost Accounting Standards	JUN 2020
52.230-6	Administration of Cost Accounting Standards	JUN 2010
52.246-26	Reporting Conforming Items	NOV 2021
DFAR CLAUSES		
252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies	DEC 2008
252.203-7004	Display of Hotline Posters	AUG 2019
252.222-7006	Restrictions on the Use of Mandatory Arbitration Agreements	DEC 2010
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings	JUN 2011
252.227-7013	Rights in Technical Data – Noncommercial Items	FEB 2014
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	FEB 2014
252.231-7000	Supplemental Cost Principles	DEC 1991