

ERC, Inc.
A – Prime Flow Down Clauses

W31P4Q-16-D-0003
Climatics, Dynamics and Propulsion (CDP)

The following Federal Acquisition Regulation (FAR) and DoD FAR Supplement (DFAR) clauses are prime contract “flowdown” clauses to any purchase order. Mandatory clauses are marked with *. At the vendor’s written request, ERC, Inc. will make available the full text. These clauses, incorporated herein by reference, are made part of this purchase order with the same force and effect as if set forth in full text.

<u>Clause</u>	<u>Title</u>
52.202-1	Definitions
52.203-2*	Certificate of Independent Price Determination (if over Simplified Acquisition Threshold)
52.203-3*	Gratuities (if over Simplified Acquisition Threshold)
52.203-5*	Covenant against contingent fees
52.203-6*	Restrictions on Subcontractor Sales to the Government (if over Simplified Acquisition Threshold)
52.203-7*	Anti-Kickback Procedures
52.203-8*	Cancellation, Rescission and Recovery of Funds for Illegal or Improper Activity (if over Simplified Acquisition Threshold)
52.203-10*	Price or Fee Adjustment for Illegal or Improper Activity (if over Simplified Acquisition Threshold)
52.203-11*	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (if over Simplified Acquisition Threshold)
52.203-12*	Limitation on Payments To Influence Certain Federal Transactions (if over Simplified Acquisition Threshold)

<u>Clause</u>	<u>Title</u>
52.203-17*	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (if over Simplified Acquisition Threshold)
52.204-2*	Security Requirements
52.204-4	Printed or Copied Double-Sided on Postconsumer Fiber Content Paper
52.204-9*	Personal Identity Verification of Contractor Personnel
52.204-10*	Reporting Executive Compensation and First Tier Subcontract Awards (Over \$10,000)
52.209-6*	Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment (Over \$30,000)
52.209-9	Updates of Publicly Available Information Regarding Responsibility Matters
52.210-1	Market Research
52.211-15	Defense Priority and Allocation System (DPAS) Requirements
52.215-2	Audit and Records – Negotiations (if over Simplified Acquisition Threshold)
52.215-8	Order of Precedence—Uniform Contract Format
52.215-12	Subcontractor Cost or Pricing Data (over \$700,000)
52.215-13	Subcontractor Cost or Pricing Data – Modifications (over \$700,000)
52.215-14*	Integrity of Unit Prices (if over Simplified Acquisition Threshold)
52.215-15	Pension Adjustments and Asset Reversions
52.215-17	Waiver of Facilities Capital Cost of Money
52.215-18	Reversion of Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions
52.215-21	Requirement for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data - Modifications
52.215-23*	Limitations on Pass-Through Charges
52.215-23*	Limitations on Pass-Through Charges (Oct 2009)-- Alternate 1 (Oct 2009)
52.216-7	Allowable Cost and Payment
52.216-11	Cost Contract—No Fee
52.216-19	Order Limitations
52.219-6	Notice of Total Small Business Set-Aside

<u>Clause</u>	<u>Title</u>
52.219-08*	Utilization of small business concerns (if over Simplified Acquisition Threshold)
52.219-14	Limitations on Subcontracting
52.222-2	Payment for Overtime Premiums
52.222-3*	Convict Labor
52.222-17*	Non-Displacement of Qualified Workers
52.222-20*	Walsh-Healy Public Contracts Act (Over \$10,000)
52.222-21*	Prohibition of Segregated Facilities (Over \$10,000)
52.222-26*	Equal Opportunity (Over \$10,000)
52.222-35*	Equal Opportunity for Veterans (Over \$100,000)
52.222-36*	Affirmative Action for Workers with Disabilities (Over \$10,000)
52.222-37	Employment Reports on Veterans
52.222-40	Notification of Employee Rights Under the National Labor Relations Act
52.222-41	Service Contract Labor Standards
52.222-50	Combating Trafficking in Persons
52.222-54	Employment Eligibility Verification
52.222-55	Minimum Wages Under Executive Order 13658
52.223-5	Pollution Prevention and Right-To-Know Information
52.223-6	Drug-Free Workplace
52.223-10	Waste Reduction Program
52.223-18*	Encouraging Contractor Policies to Ban Text Messaging While Driving
52.223-19	Compliance With Environmental Management Systems
52.225-13*	Restrictions on Certain Foreign Purchases
52.227-1*	Authorization and Consent (if over Simplified Acquisition Threshold)
52.227-2*	Notice and Assistance Regarding Patent and Copyright Infringement (if over Simplified Acquisition Threshold)
52.227-3	Patent Indemnity
52.227-9	Refund of Royalties
52.228-4	Workers' Compensation and War-Hazard Insurance Overseas

<u>Clause</u>	<u>Title</u>
52.228-7	Insurance—Liability to Third Persons
52.229-3	Federal, State and Local Taxes (fixed price over \$150,000)
52.232-1	Payments
52.232-17	Interest
52.232-18	Availability of Funds
52.232-20	Limitations of Cost
52.232-22	Limitations of Funds
52.232-23	Assignment of Claims (May 2014) – Alternate I (Apr 1984)
52.232-25	Prompt Payment (Jul 2013) – Alternate I (Feb 2002)
52.232-33	Payment By Electronic Funds Transfer – System for Award Management
52.232-39*	Unenforceability of Unauthorized Obligations
52.233-1	Disputes (May 2014) – Alternate I (Dec 1991)
52.233-3	Protest after award
52.233-4	Applicable law for breach of contract claim
52.236-13	Accident Prevention
52.237-2	Protection of Government Buildings, Equipment and Vegetation
52.237-3	Continuity of Services
52.239-1	Privacy or Security Safeguards
52.242-1	Notice of Intent to Disallow Costs
52.242-3	Penalties for Unallowable Costs
52.242-4	Certification of Final Indirect Costs
52.242-13	Bankruptcy
52.243-1	Changes – fixed-price (for fixed price orders)
52.243-2	Changes – cost reimbursement (for cost reimbursable orders) (Aug 1987 – Alternate II (Apr 1984)
52.243-5	Competition in Subcontracting
52.244-6*	Subcontracts for Commercial Items
52.245-1	Government Property
52.245-9	Use and Charges

<u>Clause</u>	<u>Title</u>
52.246-3	Inspection of Supplies – Fixed Price
52.246-4	Inspection of Services – Fixed Price
52.246-25	Limitation of Liability --Services
52.247-63	Preference of U.S. Flag Air Carriers
52.247-64*	Preference for Privately Owned U.S. Flag Commercial Vessels
52.248-1	Value Engineering
52.249-2	Termination for Convenience of the Government (Fixed Price) – for Fixed Price Orders
52.249-6	Termination (Cost Reimbursement) – For Cost Reimbursable Orders
52.249-14	Excusable Delays
52.251-1	Government Supply Sources
52.253-1	Computer Generated Forms
252.201-7000	Contracting Officer’s Representative
252.203-7000	Requirements Relating to Compensation of Former DoD Officials
252.203-7001*	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies (over \$150,000)
252.203-7002	Requirement to Inform Employees of Whistleblower Rights
252.203-7003	Agency Office of the Inspector General
525.204-7000	Disclosure of Information
252.204-7003	Control of Government Personnel Work Product
252.204-7005	Oral Attestation of Security Responsibilities
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting
252.204-7015	Disclosure of Information to Litigation Support Contractors
252.205-7000	Provision of Information to Cooperative Agreement Holders
252.209-7001	Disclosure of Ownership of Control by the Government of a Terrorist Country
252.209-7004	Subcontracting with Firms that are Owned or Controlled by the Government of a Terrorist Country
252.223-7004	Drug-Free Work Place
252.225-7001	Buy American and Balance of Payments Program - Basic
252.225-7002	Qualifying Country Sources as Subcontractors
252.225-7006	Acquisition of the American Flag

<u>Clause</u>	<u>Title</u>
252.225-7012	Preference for Certain Domestic Commodities
252.225-7013	Duty-Free Entry
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings
252.225-7040	Contractor Personnel Supporting U. S. Armed Forces Deployed Outside the United States
252.225-7048	Export – Controlled Items
252.226-7001*	Utilization of Indian Organizations and Indian-Owned Economic Enterprises and Native Hawaiian Small Business Concerns (over \$500,000)
252.227-7013*	Rights in Technical Data- Noncommercial Items
252.227-7014*	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation
252.227-7015	Technical Data – Commercial Items
252.227-7016*	Rights in Bid or Proposal Information
252.227-7019	Validation of Asserted Restrictions—Computer Software
252.227-7025	Limitations on the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends
252.227-7027	Deferred Ordering of Technical Data or Computer Software
252.227-7030	Technical Data – Withholding of Payment
252.227-7037	Validation of Restrictive Markings on Technical Data
252.227-7039	Patents—Reporting of Subject Inventions
252.231-7000	Supplemental Cost Principles
252.232-7003	Electronic Submission of Payment Requests and Receiving Reports
252.232-7010	Levies on Contract Payments
252.235-7011	Final Scientific or Technical Report
252.239-7001	Information Assurance Contractor Training and Certification
252.243-7001	Pricing of Contract Modifications
252.243-7002	Requests for Equitable Adjustment
252.244-7001	Contractor Purchasing System Administration--Basic
252.245-7001	Tagging, Labeling, and Marking of Government-Furnished Property
252.245-7002	Reporting Loss of Government Property
252.245-7003	Contractor Property Management System Administration

<u>Clause</u>	<u>Title</u>
252.245-7004	Reporting, Reutilization and Disposal
252.246-7000	Material Inspection and Receiving Report
252.246-7003	Notification of Potential Safety Issues
252.247-7023*	Transportation of Supplies by Sea--Basic
252.251-7000	Ordering from Government Supply Sources

*Mandatory