

ThinKom Solutions, Inc.

General Terms and Conditions for Supply and Services Subcontracts

Supplement B – U.S. Government Contract Provisions from the Department of Defense Federal Acquisition Regulation

When the materials or products furnished are for use in connection with a U. S. Government Department of Defense contract or subcontract, in addition to the General Provisions and the FAR provisions, the following provisions shall apply, as required by the terms of the prime contractor by operation of law or regulation. In the event of a conflict between these DFARS provisions and the General Provisions or the FAR provisions, the DFARS provisions shall control.

The following clauses set forth in the DFARS in effect as of the date of the prime contract are incorporated herein by reference. In all clauses listed herein, the terms “Government”, “Contracting Officer” and “Contractor” shall be revised to suitably identify the contracting parties under this purchase order and effect the proper intent of the provision except where further clarified or modified below. “Subcontractor”, however, shall mean “Seller’s Subcontractor” under this purchase order.

TITLE OF CLAUSE	DFARS
APPLICABLE TO ALL ORDERS	
1. Requirements relating to Compensation of Former DoD officials	252.203-7000
2. Disclosure of Information	252.204-7000
3. Alternate A, Central Contractor Registration	252.204-7004
4. Alternate A, Annual Representations and Certifications	252.204-7007
5. Requirements for Contracts Involving Export-Controlled Items	252.204-7008
6. Intent to Furnish Precious Metals as Government-Furnished Material	252.208-7000
7. Disclosure of ownership of control by a foreign government	252.209-7002
8. Subcontracting with Firms that are owned or controlled by the Government of a Terrorist Country	252.209-7004
9. Limitations on Contractors Acting as Lead System Integrators	252.209-7006
10. Prohibited Financial Interests for Lead System Integrators	252.209-7007
11. Item Identification and Valuation	252.211-7003
12. Radio Frequency Identification	252.211-7006
13. Reporting of Government Furnished Equipment in DoD Item Unique Identification (IUID) Registry	252.211-7007
14. Contract Terms and Conditions required to implement statutes or Executive Orders applicable 36 to Defense acquisitions of commercial items (Class Deviation 2009-00005 expires on April 30, 2014).	252.212-7001
15. Pricing Adjustments	252.215-7000
16. Cost Estimating System Requirements	252.215-7002
17. Award Fee Reduction or Denial for Jeopardizing the Health or Safety of Government Personnel (applicable to Award Fee Orders only)	252.216-7004
18. Allowability of legal costs incurred in connection with a Whistleblower Proceeding	252.216-7009
19. Over and Above Work	252.217-7028
20. Restrictions on Employment of Personnel	252.222-7000
21. Hazard Warning Labels (fill in State where this purchase order will be performed)	252.223-7001
22. Safety Precautions for Ammunition and Explosives	252.223-7002
23. Change in Place of Performance - Ammunition and Explosives	252.223-7003
24. Drug-Free Work Force	252.223-7004
25. Prohibition on Storage and Disposal of Toxic and Hazardous Materials	252.223-7006
26. Safeguarding Sensitive Conventional Arms, Ammunition and Explosives	252.223-7007
27. Prohibition of Hexavalent Chromium	252.223-7008
28. Buy American Act – Balance of Payments Program Certificate	252.225-7000
29. Buy American Act and Balance of Payments Program	252.225-7001
30. Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies	252.225-7007
31. Duty Free Entry	252.225-7013
32. Restriction on Acquisition of Ball and Roller Bearings	252.225-7016
33. Restriction on Acquisition of Foreign Anchor and Mooring Chain	252.225-7019
34. Trade Agreements Certificate	252.225-7020
35. Trade Agreements	252.225-7021
36. Trade Agreements Certificate – Inclusion of Iraqi End Products	252.225-7022
37. Restriction on the Acquisition of Forgings	252.225-7025

ThinKom Solutions, Inc.

General Terms and Conditions for Supply and Services Subcontracts

Supplement B – U.S. Government Contract Provisions from the Department of Defense Federal Acquisition Regulation

38.	Restriction on Contingent Fees for Foreign Military Sales (blank is filled in “zero”)	252.225-7027
39.	Exclusionary Policies and Procedures of Foreign Governments	252.225-7028
40.	Restriction on Acquisition of Carbon Alloy and Armor Steel Plate	252.225-7030
41.	Secondary Arab Boycott of Israel	252.225-7031
42.	Buy American Act – Free Trade Agreements – Balance of Payments Program Certificate	252.225-7035
43.	Buy American Act – Free Trade Agreements – Balance of Payments Program	252.225-7036
44.	Contractors Performing Private Security Functions (applicable in areas of Contingency Operations or As otherwise designated)	252.225-7039
45.	Contractor personnel Authorized to Accompany U.S. Armed Forces Deployed Outside the United States	252.225-7040
46.	Antiterrorism / force Protection Policy for Defense Contractors Outside the United States	252.225-7043
47.	Balance of Payments Program – Construction Material	252-225-7044
48.	Balance of Payments Program – Construction Material Under Trade Agreements	252-225-7045
49.	Rights in Technical Data - Noncommercial Items	252.227-7013
50.	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	252.227-7014
51.	Technical Data - Commercial Items	252.227-7015
52.	Rights in Bid or Proposal Information	252.227-7016
53.	Identification and Assertion of Use, Release, or Disclosure Restrictions	252.227-7017
54.	Rights in Noncommercial Technical Data and Computer Software – Small Business Innovation Research (SBIR) Program	252.227-7018
55.	Validation of Asserted Restrictions - Computer Software	252.227-7019
56.	Limitations on the Use or Disclosure of Government Furnished Information Marked with Restrictive Legends	252.227-7025
57.	Delivery of Technical Data or Computer Software	252.227-7026
58.	Deferred Ordering of Technical Data or Computer Software	252.227-7027
59.	Technical Data or Computer Software Previously Delivered to the Government	252.227-7028
60.	Technical Data--Withholding of Payment	252.227-7030
61.	Rights in Shop Drawings	252.227-7033
62.	Validation of Restrictive Markings on Technical Data	252.227-7037
63.	Patents – Reporting of Subject Inventions	252.227-7039
64.	Ground and Flight Risk	252.228-7001
65.	Reserved	252.228-7002
66.	Accident Reporting and Investigation Involving Aircraft, Missiles, & Space Launch Vehicles	252.228-7005
67.	Reporting of Foreign Taxes – U.S. Assistance Programs	252.229-7011
68.	Supplemental Cost Principles (first tier subcontractors only)	252.231-7000
69.	Frequency Authorization	252.235-7003
70.	Frequency Authorization (ALT I)	252.235-7003
71.	Protection of Human Subjects	252.235-7004
72.	Requirement for Competition Opportunity for American Steel Producers, Fabricators And Manufacturers (For Construction Subcontracts)	252.236-7013
73.	Training for Contract personnel Interacting with Detainees	252.237-7019
74.	Continuation of Essential Contractor Services	252.237-7023
75.	Notice of Continuation of Essential Contractor Services	252.237-7024
76.	Protection Against Compromising Emanations	252.239-7000
77.	Information Assurance Contractor Training and Certification	252.239-7001
78.	Telecommunications Security Equipment, Devices, Techniques, and Services	252.239-7016
79.	Pricing of Contract Modifications	252.243-7001
80.	Subcontracts for Commercial Items and Commercial Components (DoD contracts)	252.244-7000
81.	Tagging, Labeling, and Marking Government Furnished Property	252.245-7001
82.	Reporting Loss of Government Property	252-245-7002
83.	Material Inspection and Receiving Report	252.246-7000
84.	Notification of Potential Safety Issues	252.246-7003
85.	Safety of Facilities, Infrastructure, and Equipment for Military Operations	252.246-7004
86.	Contractor Counterfeit Electronic Part Detection and Avoidance System	252.246-7007
87.	Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer	252.247-7003

ThinKom Solutions, Inc.

General Terms and Conditions for Supply and Services Subcontracts

Supplement B – U.S. Government Contract Provisions from the Department of Defense Federal Acquisition Regulation

ORDERS OVER THE SIMPLIFIED ACQUISITION THRESHOLD ALSO INCLUDE THE FOLLOWING:

1.	Prohibition on persons convicted of Fraud or other Defense – Contract-related felonies	252.203-7001
2.	Safeguarding of Unclassified Controlled Technical Information	252.204-7012
3.	Disclosure of ownership or control by the government of a Terrorist Country	252.209-7001
4.	Qualifying Country Sources as Subcontractors	252.225-7002
5.	Restriction on Acquisition of Specialty Metals	252.225-7008
6.	Restriction on Acquisition of Certain Articles Containing Specialty Metals (Excluding para(d))	252.225-7009
7.	Commercial Derivative Military Article – Specialty Metals Compliance Certificate	252.225-7010
8.	Preference for Certain Domestic Commodities	252.225-7012
9.	Restriction on Acquisition of Hand or Measuring Tools	252.225-7015
10.	Reporting of Commercially Available Off-the Shelf Items that Contain Specialty Metals and Are Incorporated into Non-commercial End Items.	252.225-7029
11.	Exports by Approved Community Members in Response to the Solicitation	252.225-7046
12.	Supply Chain Risk	252.239-7018
13.	Requests for Equitable Adjustment	252.243-7002
14.	Reporting, Reutilization, and Disposal	252.245-7004
15.	Warranty of Data	252.246-7001
16.	Warranty of Data – Alternate I	252.246-7001
17.	Warranty of Data – Alternate II	252.246-7001
18.	Representation of Extent of Transportation by Sea	252.247-7022
19.	Transportation of Supplies by Sea	252.247-7023
20.	Notification of Transportation of Supplies by Sea	252.247-7024
21.	Notification of Anticipated Contract Termination or Reduction	252.249-7002
22.	Ordering from Government Supply Sources	252.251-7000

ORDERS OVER \$ 500,000 ALSO INCLUDE THE FOLLOWING:

1.	Small Business Subcontracting Plan (DoD Contracts) – Over \$650K	252.219-7003
2.	Report of Intended Performance Outside the United States & Canada – Submission After Award (\$650K)	252.225-7004
3.	Report of Intended Performance Outside the United States and Canada – Submission with Offer (over \$650K)	252.225-7003
4.	Quarterly Reporting of Actual Contract Performance Outside the United States (over \$650K)	252.225-7006
5.	Utilization of Indian Organizations, Indian- Owned Economic Enterprises, and Native Hawaiian Small Business Concerns)	252.226-7001

ORDERS OVER \$1,000,000 OR AS SPECIFIED ALSO INCLUDE THE FOLLOWING:

1.	Agency Office of the Inspector General (\$5M)	252.203-7003
2.	Display of Fraud Hotline Posters (over \$5M)	252.203-7004
3.	Acquisition Streamlining (\$1.5M)	252.211-7000
4.	Waiver of United Kingdom Levies – Evaluation of Offers	252.225-7032
5.	Waiver of United Kingdom Levies	252.225-7033
6.	Restrictions on the Use of Mandatory Arbitration Agreements	252.222-7006

ORDERS FOR MAJOR DEFENSE ACQUISITION PROGRAMS INCLUDE THE FOLLOWING:

1.	Notice of Prohibition Relating to Organizational Conflict of Interest – Major Defense Acquisition Program	252.209-7008
2.	Organizational Conflict of Interest – Major Defense Acquisition Program	252.209-7009
3.	Notice of Cost and Software Data Reporting System	252.234-7003
4.	Earned Value Management System (Orders over \$50M)	252.234-7002
5.	Cost and Software Data Reporting System	252.234-7004