



FAR ACQUISITION REGULATION (FAR) CLAUSES

52. The following Federal Acquisition Regulation (“FAR”) clauses are incorporated by reference to the extent indicated below. The effective version of each clause shall be the version that applies to BLUEHALO under its prime contract or higher-tier subcontract. In all cases, clauses shall be interpreted to apply to Seller as necessary to reflect the position of Seller as a subcontractor to BLUEHALO, to ensure Seller’s obligations to BLUEHALO, and to enable BLUEHALO to meet obligations to its customer. For purposes of this introductory paragraph and the headings below, the term Subcontract shall include any agreement between BLUEHALO and Seller, to include any agreement between BLUEHALO and Seller, to include Subcontracts, Task Orders, Purchase Orders, Indefinite Delivery, Indefinite Quantity (IDIQ) Agreements and Basic Ordering Agreements. Without limiting the forgoing: (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 the term is defined above the term “Subcontractor” shall mean Seller’s subcontractor, and the terms “Government”, “Contracting Officer” and equivalent phrases shall mean BLUEHALO and BLUEHALO’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; 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 Purchase Orders & Subcontracts

- 52.203-3 Gratuities
- 52.203-19 Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements
- 52.204-23 Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities
- 52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment
- 52.211-5 Material Requirements
- 52.219-8 Utilization of Small Business Concerns
- 52.222-21 Prohibition of Segregated Facilities
- 52.222-26 Equal Opportunity
- 52.222-50 Combating Trafficking in Persons
- 52.225-13 Restrictions on Certain Foreign Purchases
- 52.227-14 Rights in Data – General with Alternates II, III, and V (unless another data rights clause is identified as replacing this clause)
- 52.227-16 Additional Data Requirements
- 52.227-23 Rights to Proposal Data (Technical)
- 52.243-6 Change Order Accounting
- 52.244-6 Subcontracts for Commercial Items

Applicable to Purchase Orders & Subcontracts Over \$3,500

- 52.222-54 Employment Eligibility Verification

Applicable to Purchase Orders & Subcontracts Over the Micro-Purchase Threshold

- 52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving

Applicable to Purchase Orders & Subcontracts Over \$10,000

- 52.222-40 Notification of Employee Rights Under the National Labor Relations Act

Applicable to Purchase Orders & Subcontracts Over \$15,000

- 52.222-20 Contracts for Materials, Supplies, Articles and Equipment Exceeding \$15,000 (if Subcontract is for manufacture or furnishing of materials, supplies, articles, or equipment)
- 52.222-36 Equal Employment for Worker with Disabilities

Applicable to Purchase Orders & Subcontracts Over \$35,000

- 52.209-6 Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment

Applicable to Purchase Orders & Subcontracts over \$150,000

- 52.203-7 Anti-Kickback Procedures (excluding (C) (1))
- 52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions
- 52.203-12 Limitation on Payments to Influence Certain Federal Transactions
- 52.222-35 Equal Opportunity for Veterans
- 52.222-37 Employment Reports on Veterans

Applicable to Purchase Orders & Subcontracts Over the Simplified Acquisition Threshold

- 52.203-6 Restrictions on Subcontractor Sales to the Government
- 52.203-16 Preventing Personal Conflicts of Interests (if Subcontract includes acquisition functions closely associated with inherently governmental functions)
- 52.203-17 Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights
- 52.215-2 Audit and Records - negotiation (Alternate I applies if Subcontract is funded in whole or in part with Recovery Act funds)
- 52.215-14 Integrity of Unit Prices
- 52.222-17 Nondisplacement of Qualified Workers (if Subcontract meets requirements of FAR 22.1207)
- 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement

Applicable to Purchase Orders & Subcontracts Over \$750,000

- 52.219-9 Small Business Subcontracting Plan (unless Seller is a Small Business)

Applicable to Purchase Orders & Subcontracts Over the threshold at FAR 15.403-4

- 52.215-12 Subcontractor Cost or Pricing Data (if Buyer is required to submit Certified Cost or Pricing Data and Seller is not exempt under FAR 15.403)
- 52.215-13 Subcontractor Cost or Pricing Data - Modifications (if Buyer is required to submit Certified Cost or Pricing Data and Seller is not exempt under FAR 15.403)



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52.230-2	Cost Accounting Standards (if Seller is required to complete Buyer's CAS certificate prior to award and the Subcontract is not exempt pursuant to 48 C.F.R. 9903.201-2, or Seller is an educational institution (other than an FFRDC) or foreign concern; delete paragraph (b))	52.215-18	Reversion or Adjustment of Plans for Post-Retirement Benefits (if Subcontract meets the requirements of FAR 15.408(j))
52.230-3	Disclosure and Consistency of Cost Accounting Practices (if Seller is required to complete Buyer's CAS Certificate prior to award and the Subcontract is not exempt pursuant to 48 C.F.R. 9903.201-1, subject to full CAS coverage pursuant to 48 C.F.R. 9903.201-1, or Seller is an educational institution (other than an FFRDC) or foreign concern; delete paragraph (b))	52.215-19	Notification of Ownership Changes (if Subcontract meets requirements of FAR 15.408(k))
52.230-4	Disclosure and Consistency of Cost Accounting Practices - Foreign Concerns (if Seller is required to complete Buyer's CAS Certificate prior to award and Seller is a foreign concern and Subcontract is not exempt pursuant to 48 C.F.R. 9903.201-1; delete paragraph (b))	52.215-23	Limitation on Pass-Through Charges (If Subcontract meets requirements of paragraph (f))
52.230-5	Cost Accounting Standards - Educational Institutions (if Seller is required to complete Buyer's CAS certificate prior to award and Seller is an educational institution (other than FFRDC) and Subcontract is not exempt pursuant to 48 C.F.R. 9903.201-2; delete paragraph (b))	52.222-4	Contract Work Hours and Safety Standards - Overtime Compensation (if Subcontract requires or involves the employment of laborers and mechanics)
52.230-6	Administration of Cost Accounting Standards (if 52.230-2, 52.230-3, 52-230-4, or 52.230-5 applies)	52.222-19	Child Labor - Cooperation with Authorities and Remedies
Applicable to Purchase Orders & Subcontracts Over \$5,500,000			
52.203-13	Contractor Code of Business Ethics and Conduct	52.222-41	Service Contract Labor Standards (if Subcontract is subject to the Service Contract Labor Standards statute)
52.203-14	Display of Hotline Posters	52.222-51	Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment - Requirements (if services meet all requirements for exemption)
Applicable Only to the Extent Indicated			
52.203-15	Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (if Subcontract is funded in whole or in part with Recovery Act Funds)	52.222-53	Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services - Requirements (if services meet all requirements for exemption)
52.204-2	Security requirements (if Subcontract involves access to classified information)	52.222-55	Minimum Wages Under Executive Order 13658 (if Subcontract is subject to Service Contract Labor Standards statute)
52.204-9	Personal Identity Verification of Contractor Personnel (if Seller has access to Government Facilities or systems)	52.222-62	Paid Sick Leave Under Executive Order 13706 (if Subcontract is subject to the Service Contract Act, Davis-Bacon Act, or the Fair Labor Standards Act, but only to the extent work is performed in the United States)
52.204-21	Basic Safeguarding of Covered Contractor Information System (if Seller may have Federal contract information, as defined in the clause, residing in or transiting through its information system)	52.223-3	Hazardous Material Identification and Material Safety Data (if Subcontract involves hazardous material; Alternate I applies if Subcontract supports a non-DOD entity)
52.207-3	Right of First Refusal of Employment (if Subcontract includes work currently performed by Government employees)	52.223-5	Pollution Prevention and Right-to-Know Information with Alternate I (if Subcontract involves work at a Government facility; Alternate II also applies if contractor activities are required to be included within a facility compliance audit or environmental management system audit)
52.208-8	Requires Sources for Helium and Helium Usage Data (if Subcontract includes major helium requirement)	52.223-7	Notice of Radioactive Materials (if Subcontract involves radioactive material 45 days advance written notice shall be required)
52.211-15	Defense Priority and Allocation Requirements (applies if the Subcontract is a rated order under subject to 15 C.F.R. 700)	52.223-11	Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (if Subcontract is for products or services specified in FAR 23.804(a))
52.215-15	Pension Adjustment and Asset Reversions (if Subcontract meets requirements of FAR 15.408(g))	52.223-12	Maintenance, Service, repair, or Disposal of Refrigeration Equipment and Air Conditioners (if work includes maintenance, repair, or disposal of refrigeration equipment or air conditioners)
52.215-16	Facilities Capital Cost of Money (if Subcontract is subject to FAR 31.2 and Seller proposed facilities capital cost of money)	52.223-20	Aerosols (if Subcontract is for products that contain a propellant or solvent or involves maintenance or repair of electronic or mechanical devices)
52.215-17	Waiver of Facilities Capital Cost of Money (if Subcontract is subject to FAR 31.2 and Seller did not propose facilities capital cost of money)	52.223-21	Foams (if Subcontract is for products that contain a foam blowing agent)
		52.224-2	Privacy Act (if Subcontract involves system of records on individuals subject to the Privacy Act)



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52.225-8	Duty Free Entry (if supplies will be imported into the customs territory of the United States)	52.247-63	Preference for U.S. Flag Air Carriers (if Subcontract involves international air transportation)
52.225-19	Contractor Personnel in a Designated Operational Area or Supporting a Diplomatic or Consular Mission Outside the United States (if Subcontract meets criteria in 52.225-19(q))	Applicable to Fixed-Price Purchase Orders & Subcontracts	
52.225-26	Contractors Performing Private Security Functions Outside the United States (if Subcontract meets the requirements on paragraph (f) of the clause)	52.246-2	Inspection of Supplies - Fixed-Price (Alternate I applies to fixed-price incentive Subcontracts and Alternate II applies to fixed-ceiling-price contracts with retroactive price redetermination)
52.226-6	Promoting Excess Food Donation (if Subcontract exceeds \$25,000 and involves provision, service, or sale of food)	52.246-4	Inspection of Services - Fixed-Price
52.227-9	Refund of Royalties (if royalty exceeds \$250)	52.246-7	Inspection of Research and Development - Fixed-Price (applicable to research and development)
52.227-10	Filing of Patent Applications - Classified Subject Matter (if work or patent application may cover classified materials)	Applicable to Time & Material and Labor Hour Purchase Orders & Subcontracts	
52.227-11	Patent Rights - Ownership by the Contractor (if Subcontract includes experimental, developmental, or research work and no other Patent Rights flow-down clause is specified)	52.216-7	Allowable Cost and Payment (applies only to the material portion of time and materials contracts; does not apply to labor hour contracts)
52.228-3	Worker's Compensation Insurance (Defense Base Act) (if Defense Base Act has been waived)	52.232-7	Payments Under Time and Materials and Labor Hour (Alternate I applies if inspection and acceptance are performed at Subcontractor's plant)
52.228-4	Worker's Compensation and War-Hazard Insurance Overseas if Defense Base Act has been waived)	52.246-6	Inspection of Time-and-Materials and Labor Hour (Alternate I applies if inspection and acceptance are performed at Subcontractor's plant)
52.228-5	Insurance - Work on a Government Installation (if Subcontract involves work on a government installation; insurance shall per FAR 28.307-2 unless otherwise stated)	Applicable to Cost reimbursement Purchase Orders & Subcontracts	
52.232-40	Providing Accelerated Payments to Small Business Concerns (if Seller is a small business and BLUEHALO has received accelerated payments under this contract)	52.216-7	Allowable Cost and Payment
52.233-3	Protest After Award (if Subcontract is not cost reimbursement)	52.216-8	Fixed Fee (if Subcontract includes a fixed fee)
52.237-2	Protection of Government Buildings, Equipment, and Vegetation (if work is performed at a Government facility)	52.216-10	Incentive Fee (if Subcontract includes an incentive fee; amount of fee shall be as set forth in Subcontract)
52.237-3	Continuity of Services (if Subcontract includes services)	52.222-2	Payment for Overtime Premiums (in paragraph (a) add "O")
52.237-7	Indemnification and medical Liability Insurance (if Subcontract includes health care services)	52.232-20	Limitation of Cost (if Subcontract is fully funded)
52.239-1	Privacy or Security Safeguards (if Subcontract involves design, development, or operation of a system of records)	52.232-22	Limitation of Funds (if Subcontract is incrementally funded)
52.242-15	Stop Work Order (if Subcontractor is not cost reimbursement)	52.233-3	Protest After Award with Alternate I
52.245-1	Government Property with Alternate I (if Subcontract is not cost reimbursement and involves access to Government property)	52.242-15	Stop Work Order with Alternate I
		52.245-1	Government Property (if Subcontract involves access to Government property)
		52.246-3	Inspection of Supplies - Cost Reimbursement
		52.246-5	Inspection of Services - Cost Reimbursement
		52.246-8	Inspection of research and Development - Cost Reimbursement (applicable to research and development)
		Applicable if Checked	
		52.223-13	Acquisition of EPEAT-Registered Imaging Equipment <input type="checkbox"/> Alternate I
		52.223-14	Acquisition of EPEAT-Registered Televisions <input type="checkbox"/> Alternate I
		52.223-15	Energy Efficiency in Energy-Consuming Products
		52.223-16	Acquisition of EPEAT-Registered Personal Computer Products <input type="checkbox"/> Alternate I
		52.223-17	Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts
		52.224-3	Privacy Training



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- 52.225-1 Buy American Act - Supplies
- 52.225-3 Buy American - Free Trade Agreements - Israel Trade Act
 - Alternate I Alternate II
 - Alternate III
- 52.225-5 Trade Agreements
- 52.227-1 Authorization and Consent
 - Alternate I
- 52.227-11 Patent Rights - Ownership by the Contractor
 - Alternate I Alternate II
 - Alternate III Alternate IV
 - Alternate V
- 52.227-13 Patent Rights - Ownership by the Government
 - Alternate I Alternate II
- 52.227-14 Rights in Data - General with Alternate I (applies in addition to basic clause and Alternates identified above)

- 52.227-17 Rights in Data - Special Works (replaced 52.227-14 and 19 if checked, unless otherwise noted)
- 52.227-18 Rights in Data - Existing Works (replaced 52.227-14 and 19 if checked, unless otherwise noted)
- 52.227-19 Commercial Computer Software License (applies to commercial computer software developed exclusively at private expense)
- 52.227-21 Technical Data Declaration, Revision, and Withholding of Payment - Major Systems
- 52.227-22 Major Systems - Minimum Rights
- 52.234-1 Industrial Resources Developed Under Defense Production Act Title III
- 52.234-4 Earned Value Management System
- 52.242-17 Government Delay of Work
- 52.245-2 Government Property (Installation Operation Services) In accordance with (e) of the clause, government property provided under this clause includes
(Insert Property)
- 52.248-1 Value Engineering
 - Alternate I Alternate II
 - Alternate III