



Blanket Purchase Agreement – Attachment D– FAR Clauses

- 1.1. Orders issued against this BPA are subject to the clauses included in the underlying GSA Schedule and the additional DFARS clauses listed below that are incorporated by reference in this BPA. Ordering Offices should consider the requirements of DFARS and the FAR supplement of the end user component, as it applies to commercial item acquisition and use of GSA schedules, in determining what additional clauses may be required for incorporation in the delivery order issued by the Ordering Office.
 - 1.1.1. The following FAR/DFARS clauses and provisions are hereby incorporated by reference with the same force and effect as if it was given in full text. Upon request, the Contracting Officer will make their full text available.
 - 1.1.2. Also, the full text of a clause may be accessed electronically at these addresses:
 - 1.1.2.1. <http://www.acq.osd.mil/dpap/dars/dfars/index.htm>
 - 1.1.2.2. <http://acquisition.gov/comp/far/index.html>
 - 1.1.2.3. <http://farsite.hill.af.mil/>
 - 1.2. 252.204-7000 Disclosure of Information (DEC 1991)
 - 1.3. 252.204-7004 Alternate A (SEP 2007) - substitute paragraph (a) of this clause for paragraph (a) of the clause at FAR 52.204-7 -Central Contractor Registration (APR 2008)
 - 1.4. 252.209-7004 Subcontracting with Firms That Are Owned or Controlled by the Government of a Terrorist Country (DEC 2006)
 - 1.5. 252.232-7009 Mandatory Payment by Government-wide Commercial Purchase Card (DEC 2006)
 - 1.6. 252.232-7010 Levies on Contract Payments (DEC 2006)
 - 1.7. 252.246-7000 Material Inspection and Receiving Report (MAR 2008)
2. **252.212-7001 Contract Terms and Conditions Required to Implement Statutes or Executive Orders Applicable to Defense Acquisitions of Commercial Items.**

As prescribed in [212.301\(f\)\(iii\)](#), use the following clause:

CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS
APPLICABLE TO DEFENSE ACQUISITIONS OF COMMERCIAL ITEMS (AUG 2011)



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(a) The Contractor agrees to comply with the following Federal Acquisition Regulation (FAR) clause which, if checked, is included in this contract by reference to implement a provision of law applicable to acquisitions of commercial items or components.

___ 52.203-3, Gratuities (APR 1984) (10 U.S.C. 2207).

(b) The Contractor agrees to comply with any clause that is checked on the following list of Defense FAR Supplement clauses which, if checked, is included in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items or components.

(1) ___ [252.203-7000](#), Requirements Relating to Compensation of Former DoD Officials (JAN 2009) (Section 847 of Pub. L. 110-181).

(2) ___ [252.203-7003](#), Agency Office of the Inspector General (SEP 2010)(Section 6101 of Pub. L. 110-252, 41 U.S.C. 3509 note).

(3) ___ [252.205-7000](#), Provision of Information to Cooperative Agreement Holders (DEC 1991) (10 U.S.C. 2416).

(4) ___ [252.219-7003](#), Small Business Subcontracting Plan (DoD Contracts) (OCT 2010) (15 U.S.C. 637).

(5) ___ [252.219-7004](#), Small Business Subcontracting Plan (Test Program) (JAN 2011) (15 U.S.C. 637 note).

(6)(i) ___ [252.225-7001](#), Buy American Act and Balance of Payments Program (JAN 2009) (41 U.S.C. chapter 83, E.O. 10582).

(ii) ___ Alternate I (DEC 2010) of [252.225-7001](#).

(7) ___ [252.225-7008](#), Restriction on Acquisition of Specialty Metals (JUL 2009)(10 U.S.C. 2533b).

(8) ___ [252.225-7009](#), Restriction on Acquisition of Certain Articles Containing Specialty Metals (JAN 2011) (10 U.S.C. 2533b).

(9) ___ [252.225-7012](#), Preference for Certain Domestic Commodities (JUN 2010) (10 U.S.C. 2533a).

(10) ___ [252.225-7015](#), Restriction on Acquisition of Hand or Measuring Tools (JUN 2005) (10 U.S.C. 2533a).

(11) ___ [252.225-7016](#), Restriction on Acquisition of Ball and Roller Bearings (JUN 2011) (Section 8065 of Pub. L. 107-117 and the same restriction in subsequent DoD appropriations acts).



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(12)(i) [252.225-7021](#), Trade Agreements (JUN 2011) (19 U.S.C. 2501-2518 and 19 U.S.C. 3301 note).

(ii) [252.225-7021](#), Alternate I (SEP 2008) of [252.225-7021](#).

(iii) [252.225-7021](#), Alternate II (DEC 2010) of [252.225-7021](#).

(13) [252.225-7027](#), Restriction on Contingent Fees for Foreign Military Sales (APR 2003) (22 U.S.C. 2779).

(14) [252.225-7028](#), Exclusionary Policies and Practices of Foreign Governments (APR 2003) (22 U.S.C. 2755).

(15)(i) [252.225-7036](#), Buy American Act—Free Trade Agreements—Balance of Payments Program (DEC 2010) (41 U.S.C. chapter 83 and 19 U.S.C. 3301 note).

(ii) [252.225-7036](#), Alternate I (JUL 2009) of [252.225-7036](#).

(iii) [252.225-7036](#), Alternate II (DEC 2010) of [252.225-7036](#).

(iv) [252.225-7036](#), Alternate III (DEC 2010) of [252.225-7036](#).

(16) [252.225-7039](#), Contractors Performing Private Security Functions (AUG 2011) (Section 862 of Pub. L. 110-181, as amended by section 853 of Pub. L. 110-417 and sections 831 and 832 of Pub. L. 111-383).

(17) [252.225-7038](#), Restriction on Acquisition of Air Circuit Breakers (JUN2005) (10 U.S.C. 2534(a)(3)).

(18) [252.226-7001](#), Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns (SEP 2004) (Section 8021 of Pub. L. 107-248 and similar sections in subsequent DoD appropriations acts).

(19) [252.227-7015](#), Technical Data—Commercial Items (MAR 2011) (10 U.S.C. 2320).

(20) [252.227-7037](#), Validation of Restrictive Markings on Technical Data (SEP 1999) (10 U.S.C. 2321).

(21) [252.232-7003](#), Electronic Submission of Payment Requests and Receiving Reports (MAR 2008) (10 U.S.C. 2227).

(22) [252.237-7010](#), Prohibition on Interrogation of Detainees by Contractor Personnel (NOV 2010) (Section 1038 of Pub. L. 111-84)



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(23) [252.237-7019](#), Training for Contractor Personnel Interacting with Detainees (SEP 2006) (Section 1092 of Pub. L. 108-375).

(24) [252.243-7002](#), Requests for Equitable Adjustment (MAR 1998) (10 U.S.C. 2410).

(25) [252.246-7004](#), Safety of Facilities, Infrastructure, and Equipment For Military Operations (OCT 2010) (Section 807 of Pub. L. 111-84).

(26) [252.247-7003](#), Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer (SEP 2010) (Section 884 of Pub. L. 110-417).

(27)(i) [252.247-7023](#), Transportation of Supplies by Sea (MAY 2002) (10U.S.C. 2631).

(ii) [252.247-7023](#), Alternate I (MAR 2000) of [252.247-7023](#).

(iii) [252.247-7023](#), Alternate II (MAR 2000) of [252.247-7023](#).

(iv) [252.247-7023](#), Alternate III (MAY 2002) of [252.247-7023](#).

(28) [252.247-7024](#), Notification of Transportation of Supplies by Sea (MAR2000) (10 U.S.C. 2631).

(c) In addition to the clauses listed in paragraph (e) of the Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items clause of this contract (FAR 52.212-5), the Contractor shall include the terms of the following clauses, if applicable, in subcontracts for commercial items or commercial components, awarded at any tier under this contract:

(1) [252.225-7039](#), Contractors Performing Private Security Functions (AUG 2011) (Section 862 of Pub. L. 110-181, as amended by section 853 of Pub. L. 110-417 and sections 831 and 832 of Pub. L. 111-383).

(2) [252.237-7010](#), Prohibition on Interrogation of Detainees by Contractor Personnel (NOV 2010) (Section 1038 of Pub. L. 111-84).

(3) [252.237-7019](#), Training for Contractor Personnel Interacting with Detainees (SEP 2006) (Section 1092 of Pub. L. 108-375).

(4) [252.247-7003](#), Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer (SEP 2010) (Section 884 of Pub. L. 110-417).

(5) [252.247-7023](#), Transportation of Supplies by Sea (MAY 2002) (10 U.S.C.2631).

(6) [252.247-7024](#), Notification of Transportation of Supplies by Sea (MAR 2000) (10 U.S.C. 2631).