



## Blanket Purchase Agreement – Attachment 1 – FAR/DFARS Clauses

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Orders issued against this Blanket Purchase Agreement (BPA) are subject to the clauses included in the underlying General Services Administration (GSA) Federal Supply Schedule (FSS) Contract and the additional Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) clauses listed below that are incorporated 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 order issued by the Ordering Office.

The full text of a clause may be accessed electronically at these addresses:

<http://www.acq.osd.mil/dpap/dars/dfars/index.htm>

<http://acquisition.gov/far/index.html>

<http://farsite.hill.af.mil/>

The Contractor agrees to comply with the following FAR and DFARS clauses and are included in this BPA by reference to implement a provision of law or Executive orders applicable to acquisitions of commercial items or components.

\*\*\*Additional agency level regulations may be included in the BPA Call to the extent they do not conflict with the FAR or DFARS.

### **CLAUSES INCORPORATED BY REFERENCE**

52.212-5	Contract Terms and Conditions Required to Implement Statutes or Executive Orders--Commercial Items (DEVIATION 2018-O0021)
52.232-37	Multiple Payment Arrangements (MAY 1999)
252.203-7000	Requirements Relating to Compensation of Former DoD Officials (SEP 2011)
252.203-7003	Agency Office of the Inspector General (DEC 2012)
252.203-7005	Representation Relating to Compensation of Former DoD Officials (NOV 2011)
252.204-7009	Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information (OCT 2016)
252.204-7012	Safeguarding of Unclassified Controlled Technical Information (OCT 2016)
252.204-7015	Disclosure of Information to Litigation Support Contractors (MAY 2016)
252.205-7000	Provision Of Information To Cooperative Agreement Holders (DEC 1991)
252.211-7007	Reporting of Government-Furnished Property (AUG 2012)
252.225-7027	Restriction on Contingent Fees for Foreign Military Sales (APR 2003)
252.225-7028	Exclusionary Policies and Practices of Foreign Governments (APR 2003)
252.225-7976	Contractor Personnel Performing in Japan (DEVIATION 2018-O0019)



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- 252.225-7979 Additional Access to Contractor and Subcontractor Records in the United States Central Command Theater of Operations (DEVIATION 2018-O0008)
- 252.225-7980 Contractor Personnel Performing in the United States Africa Command Area of Responsibility (DEVIATION 2016-O0008)
- 252.225-7987 Requirements for Contractor Personnel Performing in the U.S. Southern Command Area of Responsibility (DEVIATION 2014-O0016)
- 252.225-7995 Contractor Personnel Performing in the United States Central Command Area of Responsibility (DEVIATION 2017-O0004)
- 252.227-7013 Rights in Technical Data, Non-Commercial Items (FEB 2014)
- 252.227-7014 Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (FEB 2014)
- 252.227-7015 Technical Data--Commercial Items (FEB 2014)
- 252.227-7037 Validation of Restrictive Markings on Technical Data (SEP 2016)
- 252.232-7003 Electronic Submission of Payment Requests and Receiving Reports (JUN 2012)
- 252.232-7006 Wide Area WorkFlow Payment Instructions (MAY 2013)
- 252.232-7009 Mandatory Payment by Government-wide Commercial Purchase Card (MAY 2018)
- 252.232-7010 Levies on Contract Payments (DEC 2006)
- 252.237-7010 Prohibition on Interrogation of Detainees by Contractor Personnel (JUN 2013)
- 252.239-7010 Cloud Computing Services (OCT 2016)
- 252.239-7017 Notice of Supply Chain Risk (DEVIATION 2018-O0020)
- 252.239-7018 Supply Chain Risk (DEVIATION 2018-O0020)
- 252.243-7002 Requests for Equitable Adjustment (DEC 2012)
- 252.244-7000 Subcontracts for Commercial Items and Commercial Components (JUN 2013)
- 252.246-7008 Sources of Electronic Parts (MAY 2018)
- 252.247-7023 Transportation of Supplies by Sea (APR 2014)

### **CLAUSES INCORPORATED BY FULL TEXT**

- 52.217-9 – OPTION TO EXTEND THE TERM OF THE CONTRACT (MAR 2000)



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(a) The Government may extend the term of this contract by written notice to the Contractor within 1 day of contract expiration, provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least 10 days before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed 10 years.

(End of Clause)

### 252.232-7003 ELECTRONIC SUBMISSION OF PAYMENT REQUESTS AND RECEIVING REPORTS (JUNE 2012)

(a) Definitions. As used in this clause—

(1) Contract financing payment and invoice payment have the meanings given in section 32.001 of the Federal Acquisition Regulation.

(2) Electronic form means any automated system that transmits information electronically from the initiating system to all affected systems. Facsimile, e-mail, and scanned documents are not acceptable electronic forms for submission of payment requests. However, scanned documents are acceptable when they are part of a submission of a payment request made using Wide Area WorkFlow (WAWF) or another electronic form authorized by the Contracting Officer.

(3) Payment request means any request for contract financing payment or invoice payment submitted by the Contractor under this contract.

(4) Receiving report means the data required by the clause at 252.246-7000, Material Inspection and Receiving Report.

(b) Except as provided in paragraph (c) of this clause, the Contractor shall submit payment requests and receiving reports using WAWF, in one of the following electronic formats that WAWF accepts: Electronic Data Interchange, Secure File Transfer Protocol, or World Wide Web input. Information regarding WAWF is available on the Internet at <https://wawf.eb.mil/>.

(c) The Contractor may submit a payment request and receiving report using other than WAWF only when—

(1) The Contracting Officer administering the contract for payment has determined, in writing, that electronic submission would be unduly burdensome to the Contractor. In such cases, the Contractor shall include a copy of the Contracting Officer's determination with each request for payment;

(2) DoD makes payment for commercial transportation services provided under a Government rate tender or a contract for transportation services using a DoD-approved electronic third party payment system or other exempted vendor payment/invoicing system (e.g., PowerTrack, Transportation Financial Management System, and Cargo and Billing System);



- (3) DoD makes payment for rendered health care services using the TRICARE Encounter Data System (TEDS) as the electronic format; or
- (4) When the Governmentwide commercial purchase card is used as the method of payment, only submission of the receiving report in electronic form is required.
- (d) The Contractor shall submit any non-electronic payment requests using the method or methods specified in Section G of the contract.
- (e) In addition to the requirements of this clause, the Contractor shall meet the requirements of the appropriate payment clauses in this contract when submitting payments requests.

(End of clause)

**PROVISIONS INCORPORATED BY REFERENCE**

- 52.212-1 Instructions to Offerors—Commercial Items (DEVIATION 2018-O0018)
- 252.203-7000 Requirements Relating to Compensation of Former DoD Officials (SEP 2011)
- 252.203-7005 Representation Relating to Compensation of Former DoD Officials (NOV 2011)
- 252.204-7008 Compliance with Safeguarding Covered Defense Information Controls (OCT 2016)
- 252.215-7007 Notice of Intent to Resolicit (JUN 2012)
- 252.215-7008 Only One Offer (OCT 2013)
- 252.225-7031 Secondary Arab Boycott of Israel (JUN 1992)
- 252.225-7050 Disclosure of Ownership or Control by the Government of a Country that is a State Sponsor of Terrorism (JAN 2018)
- 252.239-7017 Notice of Supply Chain Risk (DEVIATION 2018-O0020)
- 252.247-7022 Representation of Extent of Transportation by Sea (AUG 1992)

**PROVISION INCORPORATED BY FULL TEXT**

252.239-7009 Representation of Use of Cloud Computing (SEP 2015).

(a) Definition. “Cloud computing,” as used in this provision, means a model for enabling ubiquitous, convenient, on-demand network access to a shared pool of configurable computing resources (e.g., networks, servers, storage, applications, and services) that can be rapidly provisioned and released with minimal management effort or service provider interaction. This includes other commercial terms, such as on-demand self-service, broad network access, resource pooling, rapid elasticity, and measured service. It also includes commercial offerings for software-as-a-service, infrastructure-as-a-service, and platform-as-a-service.



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(b) The Offeror shall indicate by checking the appropriate blank in paragraph (c) of this provision whether the use of cloud computing is anticipated under the resultant contract.

(c) Representation. The Offeror represents that it—

\_\_\_\_\_ Does anticipate that cloud computing services will be used in the performance of any contract or subcontract resulting from this solicitation.

\_\_\_\_\_ Does not anticipate that cloud computing services will be used in the performance of any contract or subcontract resulting from this solicitation.

(End of provision)