

**Common Terms and Conditions Guide**  
**Section 1 – Solicitation Provisions**

**Clause Number: 1028**  
**Effective: 10/15/2002**  
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**Representation of Private Development**  
**(Identification of Restricted, Noncommercial Technical Data and Computer Software)**

As applicable and to the extent feasible, Bidder will identify in its proposal any items, components, processes, or computer software that are noncommercial and developed exclusively or partially at private expense in accordance with DFARS 252.227-7013 or DFARS 252.227-7014. Any restrictions imposed upon the Government concerning the use or disclosure of noncommercial technical data or computer software that is to be delivered to the Government under the contract will be set forth in an agreement made a part of the contract, either negotiated prior to award or included in a modification to the contract before such delivery. Without such identification and representation, Buyer is free to disclose Bidder's technical data and computer software to the Government in contract deliverables without including restrictive legends otherwise appropriate under DFARS 252.227-7013 or DFARS 252.227-7014.