

**CUSTOMER CONTRACT REQUIREMENTS**  
**CSEL Army GSA Contract**  
**CUSTOMER CONTRACT GS-35F-0777J**

**CUSTOMER CONTRACT REQUIREMENTS**

The following customer contract requirements apply to this contract to the extent indicated below. If this contract is for the procurement of commercial items under a Government prime contract, as defined in FAR Part 2.101, see Section 3 below.

**1. FAR Clauses** The following contract clauses are incorporated by reference from the Federal Acquisition Regulation and apply to the extent indicated. In all of the following clauses, "Contractor" and "Offeror" mean Seller.

**52.203-6 Restrictions on Subcontractor Sales to the Government (SEP 2006).** This clause applies only if this contract exceeds (i) \$100,000 if included in Buyer's customer RFP or customer contract issued before October 1, 2010 or (ii) \$150,000 if included in Buyer's customer RFP issued on or after October 1, 2010, or if the prime contract was issued prior to October 1, 2010 but was amended after October 1, 2010 to increase the Simplified Acquisition Threshold.

**52.203-6 Restrictions on Subcontractor Sales to the Government (Sep 2006) Alternate I (OCT 1995).** This clause applies only if this contract exceeds (i) \$100,000 if included in Buyer's customer RFP or customer contract issued before October 1, 2010 or (ii) \$150,000 if included in Buyer's customer RFP issued on or after October 1, 2010, or if the prime contract was issued prior to October 1, 2010 but was amended after October 1, 2010 to increase the Simplified Acquisition Threshold.

**52.203-13 Contractor Code of Business Ethics and Conduct (APR 2010).** This clause applies only if this contract is in excess of \$5,000,000 and has a period of performance of more than 120 days.

**52.203-15 Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (JUN 2010).** This clause applies if this contract is funded in whole or in part with Recovery Act funds.

**52.204-10 Reporting Executive Compensation And First-Tier Subcontract Awards (JUL 2010).** Delete all paragraphs except (b). Contractor means Buyer in paragraph (b). The "required information" in paragraph (b) that will be made public includes the information required as set forth in the deleted paragraphs.

**52.204-11 American Recovery and Reinvestment Act--Reporting (JUL 2010).**

If this contract is in excess of \$25,000, Seller is not an individual, and in the previous tax year, Seller had gross income of \$300,000 or more, Seller shall promptly upon receipt of the contract provide Buyer's Authorized Procurement Representative the information described in subparagraphs (i), (ix), (x), (xi), and (xii) of paragraph (d) (10) of FAR 52.204-11. Buyer advises Seller that the information will be made available to the public as required by section 1512 of the Recovery Act.

**52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders - Commercial Items (NOV 2011).** Delete the introductory paragraph of (e) (1) and substitute the following in lieu thereof: "The clauses included in paragraph (e) (1) are included in this contract in lieu of those included in paragraphs (a), (b), (c) and (d) and apply to the extent required by the clause. Paragraph (e) (2) is deleted."

**52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders - Commercial Items Alternate II (DEC 2010).**

**52.215-21 Requirement for Certified Cost or Pricing Data or Information Other Than Certified Cost and Pricing Data - Modifications (OCT 2010).** This clause applies only if this contract exceeds the threshold set forth in FAR 15.403-4. The term

"Contracting Officer" shall mean Buyer.

**52.215-21 Requirement for Cost or Pricing Data or Information Other Than Cost and Pricing Data - Modifications Alternate IV (OCT 2010).**

**52.219-8 Utilization of Small Business Concerns (JAN 2011).**

**52.219-9 Small-Business Subcontracting Plan (JAN 2011).** This clause applies only if this contract exceeds \$650,000 and Seller is not a small business concern. Seller shall adopt a subcontracting plan that complies with the requirements of this clause. In addition, Seller shall submit to Buyer Form X31162, Small and Small Disadvantaged Business and Women-Owned Small Business Subcontracting Plan Certificate of Compliance. In accordance with paragraph (d)(10)(iv), Seller agrees that it will submit the ISR and/or SSR using eSRS, and, in accordance with paragraph (d)(10)(vi), Seller agrees to provide the prime contract number, its own DUNS number, and the email address of Seller's official responsible for acknowledging or rejecting the ISRs, to its subcontractors with subcontracting plans.

As required by subparagraph (d)(10)(v), the following information is provided: (1) the prime contract number is GS-35F-0777J; (2) Buyer's DUNS number is 009615332, and (3) the email address of the Government or Buyer official responsible for acknowledging or rejecting reports is [anne.miller@gsa.gov](mailto:anne.miller@gsa.gov).

**52.219-9 Small Business Subcontracting Plan (Deviation) (FEB 2009) Alternate II (OCT 2001).** This clause applies only if this contract exceeds \$550,000 and Seller is not a small business concern. Seller shall adopt a subcontracting plan that complies with the requirements of this clause. In addition, Seller shall submit to Buyer Form X31162, Small and Small Disadvantaged Business and Women-Owned Small Business Subcontracting Plan Certificate of Compliance. In accordance with paragraph (d)(10)(iv), Seller agrees that it will submit the SF 294 and/or SSR using eSRS, in accordance with paragraph (l) of this clause.

**52.222-1 Notice to the Government of Labor Disputes (FEB 1997).** Contracting Officer shall mean Buyer.

**52.222-4 Contract Work Hours and Safety Standards Act - Overtime Compensation (JUL 1995).** This clause applies only if this contract exceeds \$100,000. Buyer may withhold or recover from Seller the amount of any sums the Contracting Officer withholds or recovers from Buyer because of liabilities of Seller or its subcontractors under this clause.

**52.222-19 Child Labor - Cooperation with Authorities and Remedies (JUL 2010).**

**52.222-20 Walsh-Healey Public Contracts Act (DEC 1996).** This clause applies only if this contract exceeds \$10,000.

**52.222-21 Prohibition of Segregated Facilities (FEB 1999).**

**52.222-26 Equal Opportunity (MAR 2007).**

**52.222-35 Equal Opportunity for Veterans. (SEP 2010).** This clause applies only if this contract is \$100,000 or more.

**52.222-36 Affirmative Action For Workers With Disabilities (OCT 2010).** This clause applies only if this contract exceeds \$15,000.

**52.222-37 Employment Reports on Veterans (SEP 2010).** This clause applies if this contract is \$100,000 or more.

**52.222-40 Notification of Employee Rights Under the National Labor Relations Act. (DEC 2010).**

**52.222-41 Service Contract Act of 1965 (NOV 2007).** This clause applies only if this contract is subject to the Act.

**52.222-50 Combating Trafficking in Persons (AUG 2007).** In paragraph (d), the term "Contracting Officer" means Buyer, and in

paragraph (e), the term "the Government" means Buyer.

**52.222-50 Combating Trafficking in Persons (Feb 2009) Alternate I (AUG 2007).** In paragraph (d), the term "Contracting Officer" means Buyer, and in paragraph (e), the term "the Government" means Buyer.

**52.222-51 Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment--Requirements (NOV 2007).** This clause applies only for exempt services under this contract.

**52.222-53 Exemption From Application Of The Service Contract Act To Contracts For Certain Services-Requirements (FEB 2009).** This clause applies to contracts for exempt services.

**52.222-54 Employment Eligibility Verification (JAN 2009).**

This clause applies to all subcontracts that (1) are for (i) commercial or noncommercial services (except for commercial services that are part of the purchase of a COTS item, or an item that would be a COTS item, but for minor modifications performed by the COTS provider and are normally provided for that COTS item), or (ii) construction; (2) has a value of more than \$3,000; and (3) includes work performed in the United States.

**52.223-15 Energy Efficiency In Energy-Consuming Products (DEC 2007).**

**52.223-18 Encouraging Contractor Policies To Ban Text Messaging While Driving (AUG 2011).**

**52.224-2 Privacy Act (APR 1984).** This clause applies only if Seller is required to design, develop, or operate a system of records contemplated by this clause.

**52.225-3 Buy American Act-North American Free Trade Agreement-Israeli Trade Act-Balance of Payments Program (FEB 2000).**

**52.225-5 Trade Agreements (NOV 2011).** Delete the first two sentences in (b) and substitute the following in lieu thereof: "The WTO, GPA and FTAs apply to all items ordered in this contract."

**52.225-13 Restriction on Certain Foreign Purchases (JUN 2008).**

**52.227-14 Rights in Data--General (DEC 2007).** This clause applies only if data, as defined in paragraph (a) of the clause, will be produced, furnished, or acquired under this contract.

**52.228-5 Insurance - Work on a Government Installation (JAN 1997).** Seller shall provide and maintain insurance as set forth in this contract.

**52.237-2 Protection of Government Buildings, Equipment, and Vegetation (APR 1984).** This clause applies only if work will be performed on a Government installation. "Contracting Officer" shall mean Buyer.

**52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels (FEB 2006).** This clause does not apply if this contract is for the acquisition of commercial items unless (i) this contract is a contract or agreement for ocean transportation services; or a construction contract; or (ii) the supplies being transported are (a) items the Seller is reselling or distributing to the Government without adding value (generally, the Seller does not add value to the items when it subcontracts items for f.o.b. destination shipment); or (b) shipped in direct support of U.S. military (1) contingency operations; (2) exercises; or (3) forces deployed in connection with United Nations or North Atlantic Treaty Organization humanitarian or peacekeeping operations.

**52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels Alternate I (APR 2003).** . In paragraph (C)(2) "20" and "30" are changed to 10 and 20 respectively.

**2. Prime Contract Special Provisions** The following prime contract special provisions apply to this purchase order

**52.204-11 American Recovery and Reinvestment Act- Reporting Requirements (JUL 2010).**

If this contract is in excess of \$25,000, Seller is not an individual, and in the previous tax year, Seller had gross income of \$300,000 or more, Seller shall promptly upon receipt of the contract provide Buyer's Authorized Procurement Representative the information described in subparagraphs (i), (ix), (x), and (xi) of paragraph (d) (10) of FAR 52.204-11. Buyer advises Seller that the information will be made available to the public as required by section 1512 of the Recovery Act.