

# GCC

## (Government Contract Clauses)

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**Effective Date of Contract: 5 July 2001**  
**Contract Number: F33657-01-D-2074**  
**Program: Training System Acquisition (TSA) II**  
**Supplies and Services**

The following contract clauses are incorporated by reference from the Federal Acquisition Regulation (FAR) and the Department of Defense Federal Acquisition Regulation Supplement (DFARS) and apply to the extent indicated. Unless otherwise noted, in the following clauses, "Contractor" and "Offeror" mean Seller. Clauses in this GCC may not be the most recent versions. The clauses and dates in this GCC are those in the prime contract.

FAR/DFARS CLAUSE	CLAUSE DESCRIPTION
52.203-6	Restrictions on Subcontractor Sales to the Government (JUL 95). This clause applies only if this contract exceeds \$100,000.
52.203-7	Anti-Kickback Procedures (JUL 95) [excluding subparagraph (c)(1)]. This clause applies only if this contract exceeds \$100,000. Buyer may withhold from sums owed Seller the amount of any kickback paid by Seller or its subcontractors at any tier if (a) the Contracting Officer so directs, or (b) the Contracting Officer has offset the amount of such kickback against money owed Buyer under the prime contract.
52.203-8	Cancellation, Rescission and Recovery of Funds for Illegal or Improper Activity (JAN 97). This clause applies to this contract if Seller, its employees, officers, directors or agents participated personally and substantially in any part of the preparation of a proposal for this contract. Seller shall indemnify Buyer for any and all losses suffered by Buyer due to violations of the Act (as set forth in this clause) by Seller or its subcontractors at any tier.
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity (JAN 97). This clause applies only if this contract exceeds the FAR simplified acquisition threshold. If the Government reduces Buyer's price or fee for violations of the Act by Seller or its subcontractors at any tier, Buyer may withhold from sums owed Seller the amount of the reduction.
52.203-11	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (APR 91). This clause applies only if this contract exceeds \$100,000. Seller's signing of its offer, proposal or quotation shall constitute the certification required by this clause.
52.203-12	Limitation on Payments to Influence Certain Federal Transactions (JUN 97). This clause applies only if this contract exceeds \$100,000. In subparagraph (c)(4), "prime Contractor" shall mean Buyer.
52.204-2	Security Requirements (AUG 96). This clause applies only if this contract requires access to classified information. "Changes clause" shall mean the changes clause of this contract. "Government" shall mean Buyer or the Government.
52.211-5	Material Requirements (AUG 00) "Contracting Officer" shall mean Buyer. Any notice will be given to Buyer rather than the Contracting Officer.
52.215-2	Audit and Records-Negotiation (JUN 99). This clause applies only if this contract exceeds the FAR simplified acquisition threshold and (i) is cost-reimbursement, incentive, time-and-materials, labor-hour, or price-redeterminable type or any combination of these types; (ii) Seller was required to provide cost or pricing data; or (iii) Seller is required to furnish reports as discussed in paragraph (e) of the referenced clause.
52.215-2	ALT I Audit and Records-Negotiation (JAN 97).
52.215-14	Integrity of Unit Prices (OCT 97) (excluding paragraph (b)). This clause applies only if this contract exceeds the FAR simplified acquisition threshold or is not for construction or architect-engineer services under FAR Part 36, utility services under FAR Part 41, services where supplies are not required, commercial items, and petroleum products.
52.219-8	Utilization of Small Business Concerns (OCT 99). This clause is applicable if this contract exceed the FAR simplified acquisition threshold.
52.222-1	Notice to the Government of Labor Disputes (FEB 97). "Contracting Officer" shall mean Buyer.
52.222-20	Walsh-Healey Public Contracts Act (DEC 96). This clause applies only if this contract exceeds \$10,000.
52.222-21	Prohibition of Segregated Facilities (FEB 99).
52.222-26	Equal Opportunity (FEB 99) [subparagraphs (b)(1) through (11)].
52.222-35	Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era. (APR 98). This clause applies only if this contract is for \$10,000 or more.
52.222-36	Affirmative Action for Workers with Disabilities. (JUN 98). This clause applies only if this contract exceeds \$10,000.
52.222-37	Employment Reports on Disabled Veterans and Veterans of the Vietnam Era (JAN 99). This clause applies only if this contract exceeds \$10,000.
52.223-3	Hazardous Material Identification and Material Safety Data (JAN 97). This clause applies only if hazardous material will be delivered.
52.223-11	Ozone-Depleting Substances (JUN 96).
52.223-13	Certification of Toxic Chemical Release Reporting (OCT 00). This clause applies only if this contract is expected to exceed \$100,000 in value and is being competitively awarded.

52.223-14	Toxic Chemical Release Reporting (OCT 00) [excluding paragraph (e)]. This clause applies only if this contract was competitively awarded, exceeds \$100,000 (including all options), and Seller has a SIC designation of major groups 20 through 39 as set forth in FAR 19.102.
52.225-8	Duty-Free entry (FEB 00). This clause applies only if supplies are to be afforded duty-free entry or foreign supplies in excess of \$10,000 may be imported into the customs territory of the United States. For the purposes of this clause, the blank(s) are completed as follows: (f)(3) The notation "UNITED STATES GOVERNMENT, DEPARTMENT OF DEFENSE, Duty-free entry to be claimed pursuant to Schedule 8, Part 3, Item No. 832.00 Tariff Schedules of the United States (19 U.S.C.1202). Upon arrival of shipment at port of entry, District Director of Customs, please release shipment under 19 CFR 142 and notify the appropriate contract administration office for execution of Customs Forms 7501-A and any required duty-free entry certificates."
52.225-13	Restrictions on Certain Foreign Purchases (JUL 00). "Contracting Officer" shall mean Buyer.
52.227-1	Authorization and Consent (JUL 95).
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement (AUG 96). This clause applies only if this contract exceeds the FAR simplified acquisition threshold. A copy of each notice sent to the Government will be sent to Buyer. "Contracting Officer" shall mean Buyer.
52.227-9	Refund of Royalties (APR 84). This clause applies only if the amount of royalties reported during negotiation of the contract exceeds \$250.
52.228-5	Insurance--Work on Government Installation (JAN 97). This clause applies only if this contract exceeds the FAR simplified acquisition threshold and applies only if work is to be done on a Government installation.
52.242-15	Stop Work Order (AUG 89). Change "90 days" and "30 days" to "100 days" and "20 days" respectively. The "Termination for Convenience" clause shall refer to the Termination for Convenience clause of this contract. "Contracting Officer" and "Government" shall mean Buyer.
52.244-5	Competition in Subcontracting (DEC 96).
52.244-6	Subcontracts for Commercial Items and Commercial Components (OCT 98).
52.245-2	Government Property (Fixed Price Contracts) (DEC 89). "Government" shall mean Government or Buyer throughout except the first time it appears in paragraph (f).
52.246-23	Limitation of Liability (FEB 97).
52.246-24	Limitation of Liability--High Value Items (FEB 97). This clause applies only if this contract exceeds the FAR simplified acquisition threshold. In paragraph (e), "Government's" shall mean Government's or Buyer's.
52.246-24	ALT I - Limitation of Liability (APR 84)
52.246-25	Limitation of Liability – Services (FEB 97).
252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies (MAR 99) [excluding paragraph (g)]. This clause applies only if this contract exceeds the FAR simplified acquisition threshold. "Contractor" is not changed in paragraphs (a) and (b). In paragraph (e), "Government" shall mean Government or Buyer. In paragraph (f), "through the Buyer" is inserted after "Contracting Officer."
252.204-7000	Disclosure of Information (DEC 91). Seller will submit requests for authorization to re-release through Buyer.
252.209-7000	Acquisition from Subcontractors Subject to On-Site Inspection Under the Intermediate – Range Nuclear Forces (INF) Treaty (NOV 95). This clause applies only if this contract exceeds the FAR simplified acquisition threshold.
252.222-7000	Restrictions on Employment of Personnel (MAR 00).
252.223-7001	Hazard Warning Labels (DEC 91). This clause applies only if Seller delivers hazardous material under this contract.
252.225-7001	Buy American Act And Balance Of Payments Program (MAR 98).
252.225-7002	Qualifying Country Sources as Subcontractors (DEC 91). This clause applies only if DFARS 252.225-7001 is applicable.
252.225-7010	Duty -Free Entry--Additional Provisions (AUG 00). This clause applies only if FAR 52.225-10 is applicable. Seller shall request needed information from Buyer.
252.225-7012	Preference for Certain Domestic Commodities (AUG 00). This clause applies only if this contract exceeds the FAR simplified acquisition threshold
252.225-7014	Preference for Domestic Specialty Metals (MAR 98). This clause applies only if the goods contain specialty metal(s).
252.225-7014	ALT I - Preference for Domestic Specialty Metals (MAR 98).
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings (Dec 00). This clause applies only if an item contains a ball or roller bearing.
252.225-7026	Reporting of Contract Performance Outside the United States (JUN 00). This clause applies only if the contract exceeds \$500,000 and is not for commercial items, construction, ores, natural gases, utilities, petroleum products and crudes, timber (logs), or subsistence.
252.227-7013	Rights in Technical Data-Noncommercial Items (NOV 95). This clause applies only if the delivery of data is required for non-commercial items under this contract.
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (JUN 95). This clause applies only if non-commercial computer software or non-commercial computer documentation may be originated, developed, or delivered under this contract.
252.227-7015	Technical Data—Commercial Items (NOV 95). This clause applies only if the delivery of data is required for commercial items under this contract.
252.227-7016	Rights in Bid or Proposal Information (JUN 95). This clause applies only if DFARS 252.227-7013, Rights in Technical Data-Noncommercial Items, or DFARS 252.227-7014, Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation, applies.
252.227-7019	Validation of Asserted Restrictions – Computer Software (JUN 95). This clause applies only if DFARS 252.227-7014, Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation, applies.
252.227-7030	Technical Data – Withholding of Payment (MAR 00). This clause applies only if the delivery of data is required by this contract. "Contracting Officer" and "Government" shall mean Buyer.

252.227-7036	Declaration of Technical Data Conformity (JAN 97). This clause applies only if the delivery of data is required by this contract.
252.227-7037	Validation of Restrictive Markings on Technical Data (SEP 99). This clause applies only if DFARS 252.227-7013, Rights in Technical data-Noncommercial Items, applies.
252.242-7005	Cost/Schedule Status Report (MAR 98). This clause applies only if this contract is more than 12 months in duration and is other than firm-fixed-price.
252.244-7000	Subcontracts for Commercial Items and Commercial Components (DoD Contracts) (MAR 00).
252.247-7023	Transportation of Supplies by Sea (MAR 00). This clause applies only if this contract exceeds the FAR simplified acquisition threshold. In the first sentence of paragraph (d), "45 days" is changed to "60 days." In paragraph (e), "30 days" is changed to "20 days."
252.247-7024	Notification of Transportation of Supplies by Sea (MAR 00). "Contracting Officer" and, in the first sentence of paragraph (a), "Contractor" shall mean Buyer.

REVISION TABLE

Revision Number	Original Issue Date	Revision Date	Remarks
	29 Aug 2001		Prime contract