

Revision 1
GCC
 (Government Contract Clauses)

Published on: 28 Mar 2001
By: St. Louis SM&P Legal
Do not modify this document without permission from Boeing-St. Louis SM&P Legal.

Effective Date of Contract: **30 Sep 1999** (Effective date of PZ0028) (Rev. 1 thru P00045 dated 2 Feb 2001)
 Contract Number: **DAAH01-99-C-0031**
 Program: **Longbow M299 Hellfire Launcher**

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 (P00034)	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. In subparagraph (c)(4), "prime Contractor" shall mean Buyer.
52.203-12	Limitation on Payments to Influence Certain Federal Transactions (JUN 97). This clause applies only if this contract exceeds \$100,000.
52.211-15	Defense Priority and Allocation Requirements (SEP 90).
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.
52.215-14	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 exceeds the FAR simplified acquisition threshold.
52.222-4	Contract Work Hours and Safety Standards Act – Overtime Compensation (JUL 95). 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 at any tier under this clause.
52.222-20	Walsh-Healey Public Contracts Act (DEC 96). This clause applies only if this contract exceeds \$10,000.
52.222-21 (P00034)	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.
52.225-10	Duty-Free Entry (APR 84). 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."

52.225-11	Restrictions on Certain Foreign Purchases (AUG 98). "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.
52.242-15	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).
52.246-23	Limitation of Liability (FEB 97).
52.246-25	Limitation of Liability – Services (FEB 97).
52.248-1	Value Engineering (MAR 89) [excluding paragraph (f)]. This clause applies if this contract is for \$100,000 or more. Share percentages are stated elsewhere in this order. "Contracting Officer" shall mean Buyer. If a Value Engineering Change Proposal is accepted by the Government, Seller's share will be 50% of the instant concurrent and future contract net acquisition savings and collateral savings that Buyer receives from the Government. Seller's negotiated share of net acquisition savings or collateral savings shall not reduce the Government's share of concurrent or future savings or collateral savings. Buyer's payments to Seller under this clause are conditioned upon Buyer's receipt of authorization for such payments from the Government.
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 (P00034)	Disclosure of Information (MAR 98). 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.
252.225-7001	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 (MAR 98). 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 (MAY 99). This clause applies only if this contract exceeds the FAR simplified acquisition threshold
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings (AUG 98). This clause applies only if an item contains a ball or roller bearing.
252.225-7026	Reporting of Contract Performance Outside the United States (MAR 98). 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.
252.225-7032	Waiver of United Kingdom Levies (OCT 92). This clause applies only if this contract is for \$1 million or more and is with a United Kingdom firm, or if a lower tier subcontract over \$1 million with a United Kingdom firm is anticipated.
252.227-7026	Deferred Delivery of Technical Data or Computer Software (APR 88). This clause applies only if the delivery of data is required or if computer software may be originated, developed, or delivered under this contract.
252.249-7002	Notification of Anticipated Contract Termination or Reduction (DEC 96). This clause applies only if this contract exceeds \$500,000. In paragraph (c), "two weeks" is changed to "10 days."

REVISION TABLE

Revision Number	Original Issue Date	Revision Date	Remarks
	6 Jun 2000		Through Mod PZ0028
1		28 Mar 2001	Through Mod P00045