



Section 9 : GOVERNMENT CONTRACT REQUIREMENTS

CLAUSE 935 (9/28/98)

MDA-SS-93-834C

LOT 5 - DELTA II FOLLOW-ON PROGRAM

(a) This contract is in support of Delta II Follow-On Program - Lot 5. A portion of this contract is under Buyer Prime Contracts MDA-SS-93-834C, NAS5-32933, and F04701-93-C-0004. The specific amount and applicable DPAS rating are set forth below. Both parties hereby agree that, except for DPAS regulations, all provisions in this contract apply to the entire contract. If the rated portion of this contract exceeds \$5,000, this is a rated order certified for national defense use, and you are required to follow all the provisions of the Defense Priorities and Allocations System regulation (15 CFR 700). If this is a unilateral rated order, you are required to acknowledge this order in writing within five working days. Seller agrees to comply with the appropriate DPAS rating in a manner to make deliveries corresponding to the government program requirements as follows:

F04701-93-C-0004	USAF	DX-A2	25%
NAS5-32933	NASA	DO-A2	30%
MDA-SS-93-834C	Commercial	Unrated	45%

As program needs dictate, Buyer may from time to time modify the allocation percentages identified herein. Such modification will not be grounds for an equitable adjustment to this order.

In the event of a conflict between this DPAS language and any other DPAS language contained in this agreement, this clause shall control.

(b) The supplemental prime contract flowdowns for the prime contract listed above are as follows:

F04701-93-C-0004 - Clause 937 (10/1/96), which is incorporated herein by this reference.

NAS5-32933 - Clause 952 (10/1/96), which is incorporated herein by this reference.

(c) If Clause 601 is incorporated in this contract, then Clause 221, Quality Requirements for Delta Commercial, is incorporated herein by this reference.

(d) Clause 387 is incorporated herein by reference; it applies to that portion of the contract that has been identified above as commercial.