



## Section 9 : GOVERNMENT CONTRACT REQUIREMENTS

**CLAUSE 90W (2/14/01)**  
**MDA-SS-97-949C**  
**LOT 1 - DELTA IV PROGRAM**

(a) This contract is in support of the Delta IV Program - Lot 1. Portions of this contract are under MDC Prime Contracts MDA-SS-97-949C and F04701-98-D-0002. 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 \$50,000, 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 or electronically within 15 working days of receipt of a DO-rated order and within 10 working days of receipt of a DX-rated order. If you reject the order, you must give reasons in writing (not electronically) for the rejection. Seller agrees to comply with the appropriate DPAS rating in a manner to make deliveries corresponding to the government program requirements as follows:

F04701-98-D-0002	USAF	DO-A2	12.5%
MDA-SS-97-949C	Commercial	Unrated	87.5%

As program needs dictate, MDC 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:

F04701-98-D-0002 - Clause 990 (3/11/99), which is incorporated herein by 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.

(e) Clause 389 is incorporated herein by reference.