

## **INCORPORATION OF FAR and DFAR CLAUSES**

If this PO is issued in support of a US Government contract, the following terms and conditions apply:

The Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) clauses referenced below are incorporated herein by reference, with the same force and effect as if they were given in full text, and are applicable, including any notes following the clause citation to this Contract. If the date or substance of any of the clauses listed below is different from the date or substance of the clause actually incorporated in the Prime Contract referenced by number herein, the date or substance of the clause incorporated by said Prime Contract shall apply instead. The Contracts Disputes Act shall have no application to this Contract. Any reference to a "Disputes" clause shall mean the "Disputes" clause of the Prime Contract.

### **DEFINITIONS**

1. "Commercial Item" means a commercial item as defined in FAR 2.101.
2. "Contract" means this Purchase Order (PO).
3. Substitute LYON for "Government" or "United States".
4. "Contracting Officer" shall mean the LYON's Buyer or Contract Specialist/Administrator.
5. "Contractor" or "Offeror" means the SELLER, acting as (first tier) subcontractor to LYON.
6. "Prime Contract" means the contract between LYON and the US Government or between LYON and its higher-tier contractor who has a contract with the US Government.
7. "Subcontract" means any contract placed by the Buyer or lower-tier subcontractors under a US Government Prime Contract.

### **AMENDMENTS REQUIRED BY THE PRIME CONTRACT**

Seller agrees that upon the request of LYON it will negotiate in good faith with LYON relative to amendments to this Contract to incorporate additional provisions herein or to change provisions hereof, as LYON may reasonably deem necessary in order to comply with the provisions of the applicable Prime Contract, or with the provisions of amendments to such Prime Contract. If any such amendment to this Contract causes an increase or decrease in the cost of, or the time required for, performance of any part of the Work under this Contract, an equitable adjustment shall be made pursuant to the "Changes" clause of this Contract.

### **PRESERVATION OF THE US GOVERNMENT'S RIGHTS**

If LYON furnishes designs, drawings, special tooling, equipment, engineering data, or other technical or proprietary information (Furnished Items) to which the US Government owns or has the right to authorize the use of, nothing herein shall be construed to mean that EPS ILON, acting on its own behalf, may modify or limit any rights the Government may have to authorize the Contractor's use of such Furnished Items in support of other US Government prime contracts.

#### **FAR**

52.202-1	Definitions	NOV 2013
52.203-3	Gratuities	APR 1984
52.203-5	Covenant against Contingent Fees	MAY 2015
52.203-6	Restrictions on Subcontractor Sales To The Government - Alt. I	SEP 2006
52.203-7	Anti-Kickback Procedures	MAY 2014
52.203-8	Cancellation, Rescission and Recovery of Funds for Illegal or Improper Activity	MAY 2014
52.203-10	Price or Fee Adjustment For Illegal Or Improper Activity	MAY 2014
52.203-12	Limitation on Payments To Influence Certain Federal Transactions	OCT 2010
52.203-13	Contractor Code of Business Ethics and Conduct	OCT 2015
52.203-14	Display of Hotline Poster(s)	OCT 2015
52.204-2	Security Requirements	AUG 1996
52.204-3	Taxpayer Identification	OCT 1998
52.209-6	Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment	OCT 2015
52.211-5	Material Requirements	AUG 2000
52.211-15	Defense Priority Allocation Requirement (if a rated Contract)	APR 2008

52.215-2	Audit and Records--Negotiation	OCT 2010
52.215-10	Price Reduction for Defective Cost or Pricing Data	AUG 2011
52.215-11	Price Reduction for Defective Cost or Pricing Data - Modifications	AUG2011
52.215-12	Subcontractor Cost or Pricing Data	OCT2010
52.215-13	Subcontractor Cost or Pricing Data-Modifications	OCT2010
52.215-14	Integrity of Unit Prices	OCT2010
52.215-15	Pension Adjustments and Asset Reporting	OCT 2010
52.215-16	Facilities Capital Cost of Money	JUN 2003
52.215-17	Waiver of Facilities Capital Cost of Money	OCT 1997
52.215-18	Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other than Pensions	JUL2005
52.215-19	Notification of Ownership Changes	JAN2017
52.215-23	Limitation of Pass-Through Charges	OCT2009
52.219-8	Utilization of Small Business Concerns	NOV2016
52.219-9	Small Business Subcontracting Plan	JAN2017
52.219-14	Limitations on Subcontracting	JAN2017
52.219-16	Liquidated Damages - Subcontracting Plan	JAN 1999
52.222-1	Notice to the Government of Labor Disputes	FEB 1997
52.222-3	Convict Labor	JUN2003
52.222-4	Contract Work Hours and Safety Standards Act-Overtime Compensation	MAY2014
52.222-19	Child Labor - Cooperation with Authorities and Remedies	OCT2016
52.222-20	Walsh-Healey Public Contracts Act	MAY2014
52.222-21	Prohibition of Segregated Facilities	FEB 1999
52.222-26	Equal Opportunity	SEP2016
52.222-35	Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	OCT2015
52.222-36	Affirmative Action for Workers with Disabilities	JULY2014
52.222-37	Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	FEB2016
52.222-40	Notification of Employee Rights under the National Labor Relations Service Contract Act of 1965, As Amended	DEC 2010
52.222-41	Statement of Equivalent Rates for Federal Hire s	MAY2014
52.222-42	Fair Labor Standards Act and Service Contract Act - Price Adjustment (Multiple Year and Option Contracts)	MAY 2014
52.222-43	Fair Labor Standards Act and Service Contract Act - Price Adjustment (Multiple Year and Option Contracts)	MAY2014
52.222-50	Combating Trafficking of Persons	MAR2015
52.223-6	Drug-Free Workplace	MAY 2001
52.224-2	Privacy Act	APR 1984
52.225-1	Buy America Act-Supplies	MAY2014
52.225-5	Trade Agreements	OCT2016
52.225-8	Duty-Free Entry	DEC2010
52.225-13	Restrictions on Certain Foreign Purchases	JUN 2008
52.227-1	Authorization and Consent	DEC 2007
52.227-2	Notice and Assistance Regarding Patent And Copyright Infringement	DEC2007
52.227-3	Patent Indemnity	APR1984
52.227-9	Refund of Royalties	APR 1984
52.227-10	Filing of Patent Applications - Classified Subject Matter	DEC2007
52.227-11	Patent Rights - Ownership by the Contractor	MAY2014
52.227-13	Patent Rights - Ownership by the Government	DEC2007
52.227-14	Rights in Data - General	MAY2014
52.227-17	Rights in Data - Special Works	DEC 2007
52.227-18	Rights in Data - Existing Works	DEC2007
52.227-19	Commercial Computer Software - Restricted Rights	DEC2007
52.227-21	Technical Data, Certification, Revision and Withholding of Payment - Major Systems	MAY2014
52.227-22	Major Systems - Minimum Rights	JUN 1987
52.228-5	Insurance - Work on A Government Installation	JAN 1997
52.229-3	Federal, State and Local Taxes	FEB 2013
52.230-2	Cost Accounting Standards	OCT2015
52.230-3	Disclosure and Consistency of Cost Accounting Practices	OCT2015
52.230-6	Administration of Cost Accounting Standards	JUN2010
52.232-1	Payments	APR 1984
52.232-2	Payments under Fixed Price Research & Development Contracts	APR 1984
52.232-9	Limitation on Withholding of Payments	APR 1984

52.232-11	Extras	APR 1984
52.232-16	Progress Payments	APR 2012
52.232-17	Interest	MAY 2014
52.233-1	Disputes	MAY 2014
52.237-2	Protection of Government Buildings, Equipment, and Vegetation	APR 1984
52.239-1	Privacy and Security Safeguards	AUG 1996
52.240-10	Reporting Executive Compensation and First Tier Subcontract Awards	OCT 2016
52.242-1	Notice of intent to Disallow Costs	APR 1984
52.242-13	Bankruptcy	JUL 1995
52.242-15	Stop Work Order	AUG 1989
52.243-1	Changes-Fixed-Price	AUG 1987
52.244-2	Subcontracts	OCT 2010
52.244-6	Subcontracts for Commercial Items	DEC 2008
52.245-1	Government Property	JAN 2017
52.246-2	Inspection of Supplies-Fixed-Price	AUG 1996
52.246-4	Inspection of Services-Fixed-Price	AUG 1996
52.246-16	Responsibility for Supplies	APR 1984
52.246-25	Limitation of Liability--Services	FEB 1997
52.248-1	Value Engineering	OCT 2010
52.249-8	Default (Fixed-Price Supply and Services)	APR 1984

### **DFAR**

252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies	DEC 2008
252.204-7000	Disclosure of Information	DEC 1991
252.204-7003	Control of Government Personnel Work Product	APR 1992
252.204-7004	Antiterrorism Awareness Training for Contractors	SEP 2007
252.205-7000	Provision of Information to Cooperative Agreement Holders	DEC 1991
252.209-7004	Subcontracting With Firms That Are Owned or Controlled By The Government of a Country that is a State Sponsor of Terrorism	DEC 2006
2522215-7002	Cost Estimating System Requirements	DEC 2006
252.215-7003	Requirement for Submission of Data Other Than Certified Cost or Pricing Data—Canadian Commercial Corporation	FEB 2014
252.215-7004	Requirement for Submission of Data Other Than Certified Cost or Pricing Data—Modifications—Canadian Commercial Corporation	FEB 2014
252.219-7003	Small Business Subcontracting Plan (DoD Contractors)	MAR 2016
252.223-7001	Hazard Warning Labels	
252-223-7006	Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials	DEC 1991
252.225-7000	Buy American Act--Balance Of Payments Program Certificate	SEP 2014
252.225-7001	Buy American Act and Balance Of Payments Program	NOV 2014
252.225-7002	Qualifying Country Sources as Subcontractors	DEC 2016
252.225-7007	Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies	DEC 2016
252.225-7012	Preference for Certain Domestic Commodities	SEP 2006
252.225-7013	Duty-Free Entry	
252.225-7008	Restriction on Acquisition of Specialty Metals	MAR 2013
252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals	OCT 2014
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings	DEC 2016
252.225-7019	Restriction on Acquisition of Anchor and Mooring Chain	MAY 2016
252.225-7021	Trade Agreements	JUN 2011
252.225-7025	Restriction on Acquisition of Forgings	DEC 2009
252.225-7031	Secondary Arab Boycott of Israel	DEC 2016
252-225-7043	Antiterrorism/Force Protection Policy for Defense Contractors Outside the United States	DEC 2009
252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns	JUN 2005
252-227.7013	Rights in Technical Data- Noncommercial Items	JUN 2015
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	SEP 2004
252.227-7015	Technical Data-Commercial Items	FEB 2014
252.227-7016	Rights in Bid and Proposal Information	FEB 2014

252.227-7019	Validation of Asserted Restrictions- Computer Software	FEB 2014
252.227-7025	Limitations on the Use and Disclosure of Government-Furnished Information Marked with Restrictive Legends	JAN 2011
252.227-7030	Technical Data-Withholding of Payment	MAR 2000
252.227-7037	Validation of Restrictive Markings on Technical Data	SEP 2016
252.227-7038	Patent Rights- Ownership by the Contractor (Large Business)	JUN 2012
252.231-7000	Supplemental Cost Principles	DEC 2015
252.246-7001	Warranty of Data	MAR 2014
252.246-7003	Notification of Potential Safety Issues	JUN 2013
252.247-7023	Transportation of Supplies by Sea	APR 2014
252.247-7024	Notification of Transportation of Supplies by Sea	MAR 2000
252.249-7002	Notification of Anticipated Program Termination or Reduction	OCT 2015