

ABACO SYSTEMS
U.S. GOVERNMENT ACQUISITION OF COMMERCIAL ITEMS APPENDIX

The following clauses are hereby incorporated into the Order by reference to the extent they apply to Buyer's prime contract with the U.S. Government ("Prime Contract") or Buyer's subcontract with a contractor to the U.S. Government ("Subcontract") and as appropriate for the dollar value of the Order. The versions of the clauses listed below shall be the versions in effect as of the date of the Order, unless Buyer's Prime Contract or Subcontract requires other versions which shall apply. In the event of a conflict between the clauses listed below and the terms of Buyer's Prime Contract or Subcontract, the terms of Buyer's Prime Contract or Subcontract shall prevail. In all clauses listed herein the terms "Government" and "Contractor" shall be revised to identify properly the contracting parties under this Purchase Order. Seller shall include such terms as required in all purchase orders or subcontracts awarded under this Order. Full text of clauses may be accessed electronically at: <https://www.acquisition.gov/browse/index/far> or <https://www.acquisition.gov/dfars> .

FAR 52.244-6 Subcontracts for Commercial Items

52.203-13, Contractor Code of Business Ethics and Conduct (Oct 2015).

52.203-15, Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (Jun 2010).

52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017).

52.204-21, Basic Safeguarding of Covered Contractor Information Systems (*Jun 2016*), other than subcontracts for commercially available off-the-shelf items, if flow down is required in accordance with paragraph (c) of FAR clause 52.204-21.

52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (Jul 2018).

52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Aug 2019).

52.219-8, Utilization of Small Business Concerns (*Oct 2018*) (15 U.S.C.637(d)(2) and (3)), if the subcontract offers further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$700,000 (\$1.5 million for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

52.222-21, Prohibition of Segregated Facilities (Apr 2015).

52.222-26, Equal Opportunity (Sept 2015).

52.222-35, Equal Opportunity for Veterans (Oct 2015).

52.222-36, Affirmative Action for Workers with Disabilities (Jul 2014).

52.222-37, Employment Reports on Veterans (Feb 2016).

52.222-40, Notification of Employee Rights Under the National Labor Relations Act.

52.222-50, Combating Trafficking in Persons.

52.222-55, Minimum Wages under Executive Order 13658 (Dec 2015), if flow down is required in accordance with paragraph (k) of FAR clause 52.222-55.

52.222-62, Paid Sick Leave Under Executive Order 13706 (Jan 2017) (E.O. 13706), if flow down is required in accordance with paragraph (m) of FAR clause 52.222-62.

52.224-3, Privacy Training (Jan 2017) (5 U.S.C. 552a) if flow down is required in accordance with FAR clause 52.224-3(f).

52.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016).

52.232-40, Providing Accelerated Payments to Small Business Subcontractors (Dec 2013), if flow down is required in accordance with paragraph (c) of FAR clause 52.232-40.

52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006).

DFARS 252.244-7000 Subcontracts for Commercial Items

252.204-7008, Compliance with Safeguarding Covered Defense Information Controls. (Oct 2016).

252.204-7009, Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information. (Oct 2016).

252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting. (Dec 2019).

252.204-7018, Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services (Dec 2019).

252.223-7008, Prohibition of Hexavalent Chromium (Jun 2013), if the subcontract is for supplies, maintenance and repair services, or construction materials.

252.225-7009, Restriction on Acquisition of Certain Articles Containing Specialty Metals (Dec 2019) (10 U.S.C. 2533b), if flow down is required in accordance with paragraph (e) of DFARS clause 252.225-7009.

252.225-7039, Contractors Performing Private Security Functions (Jun 2016) (Section 862 of Pub. L. 110-181, as amended by section 853 of Pub. L. 110-417 and sections 831 and 832 of Pub. L. 111-383), if the subcontract will be performed in areas of contingency operations, complex contingency operations, or other military operations or exercises designated by the Combatant Commander.

252.227-7015, Technical Data—Commercial Items (Feb 2014), if applicable (see 227.7102-4(a)), if flow down is required in accordance with paragraph (e) of DFARS clause 252.227-7015.

252.227-7037, Validation of Restrictive Markings on Technical Data (Sep 2016), if applicable (see 227.7102-4(c)), if the subcontract or supplier at any tier requires the delivery of technical data.

252.236-7013, Requirement for Competition Opportunity for American Steel Producers, Fabricators, and Manufacturers (Jun 2013) (Pub. L. 110-329, Division E, Section 108), if the subcontract involves the acquisition of steel as a construction material.

252.237-7010, Prohibition on Interrogation of Detainees by Contractor Personnel (Jun 2013) (Section 1038 of Pub. L. 111-84), if the subcontract may require subcontractor personnel to interact with detainees in the course of their duties.

252.237-7019, Training for Contractor Personnel Interacting with Detainees (Jun 2013) (Section 1092 of Pub. L. 108-375), if the subcontract may require subcontractor personnel to interact with detainees in the course of their duties.

252.246-7003, Notification of Potential Safety Issues (Jun 2013), if flow down is required in accordance with paragraph (f) of DFARS clause 252.246-7003.

252.246-7007, Contractor Counterfeit Electronic Part Detection and Avoidance System (Aug 2016).

252.246-7008, Sources of Electronic Parts (May 2018).

252.247-7023, Transportation of Supplies by Sea (Feb 2019) (10 U.S.C. 2631), if flow down is required in accordance with paragraph (h) of DFARS clause 252.247-7023.

(Rev. Sept. 2020)