

**General Terms and Conditions of Purchase – Supplement 3
National Aeronautics and Space Administration (NASA)
Supplement to the Federal Acquisition Regulation (FAR)**



TC-NASA (1/09)

- A. The National Aeronautics and Space Administration (NASA) supplement to the Federal Acquisition Regulations (FAR), known as the NASA FAR Supplement (NFS), applies to all Purchase Orders for the acquisition of materials, products or services for use in connection with a U.S. Government NASA contract or higher-tier subcontract. For all such Purchase Orders, in addition to the FAR clauses set forth in TC-001, General Terms and Conditions of Purchase and TC-002, General Terms and Conditions of Purchase – Supplement 1, the following NFS clauses shall apply as required by the terms of the prime contract or higher-tier subcontract or by operation of law or regulation. By this reference, the NFS clauses listed below are incorporated herein as if fully set forth in this document. By acknowledging an offer to Buyer, Seller certifies its compliance with the following clauses and that Seller is, therefore, eligible for award. The effective date of each NFS clause shall correspond to the effective date of the clause in Buyer's prime contract or higher-tier subcontract under which the Purchase Order is issued.
- B. NFS clauses often supplement or amend corresponding FAR clauses. In the event of a conflict between an NFS clause and any FAR clause set forth in TC-001 or TC-002, the NFS clause shall control.
- C. In all of the NFS clauses herein, the terms "Government", "Contracting Officer" and "contractor" shall be revised to suitably identify the contracting parties under the Purchase Order and effect the proper intent of the provision, except where further clarified or modified below. The term "Subcontractor", however, shall mean "Seller's Subcontractor" under the Purchase Order.
- D. With respect to any FAR and NFS clauses incorporated into the Purchase Order that relate to rights in noncommercial technical data, noncommercial computer software and noncommercial computer software documentation, Seller grants to Buyer the right to use, disclose, modify, combine, integrate or make derivative works of any noncommercial technical data, noncommercial computer software and/or noncommercial computer software documentation delivered under the Purchase Order to the extent necessary, and for such period as is required, for Buyer to complete its performance under Buyer's U.S. Government programs.
- E. **The following NFS clauses are applicable to ALL Purchase Orders unless otherwise indicated:**
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| <ol style="list-style-type: none"> 1. Security Classification Requirements 1852.204-75 2. Security Requirements for Unclassified Technology Resources (applies to all orders where access to physical or electronic access to NASA's sensitive information in unclassified systems is required) 1852.204-76 | <ol style="list-style-type: none"> 3. Restrictions on Printing and Duplicating (applies to all orders requiring, duplicating and copying in excess of the limits specified in subsection (c) of the clause) 1852.208-81 4. Limitation of future contracting 1852.209-71 5. Packaging, Handling and Transportation (all orders for components of Class I, II or III items) 1852.211-70 6. Property Administration and Reporting 1852.217-70 7. Use of Rural Area Small Businesses (applies to all orders that offer subcontracting possibilities unless performance is entirely outside the United States) 1852.219-74 8. Small Business Subcontracting Reporting (all orders subject to FAR 52.219-9) 1852.219-75 9. Safety and Health (applies to all orders of every tier when one or more of the conditions specified in subsection (g) of the clause exist) 1852.223-70 10. Frequency Authorization (applies to all orders that call for developing, producing, testing, constructing or operating a device for which a radio frequency authorization is required) 1852.223-71 11. Safety and Health (Short Form) (all orders over \$2,500) 1852.223-72 12. Safety and Health Plan 1852.223-73 13. Drug and Alcohol-Free Workforce (applies to all orders, except those for commercial items, involving work performed by an employee in a sensitive position) 1852.223-74 14. Major Breach of Safety or Security 1852.223-75 15. Patent Rights-Retention by the Contractor (Short Form) (modifies FAR 52.227-11) 1852.227-11 16. Rights in Data General (modifies FAR 52.227-14) 1852.227-14 17. Commercial Computer Software-Restricted Rights (modifies FAR 52.227-19) 1852.227-19 18. New Technology (applies to all orders of any tier issued to other than a small business firm or non-profit organization for performance of experimental, developmental or research work) 1852.227-70 19. Request for Waiver of Rights To Inventions 1852.227-71 |
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20. Designation of New Technology Representative and Patent Representative (applies to all orders Requiring a New Technology or Patent Rights—Retention by the Contractor (Short Form) clause), or as otherwise directed by the Government)	1852.227-72	39. Financial Reporting of NASA Property in the Custody of Contractors	1852.245-73
21. Invention Reporting and Rights—Foreign (applies to all orders performed outside the U.S. by non-domestic contractors where the performance of research, experimental design, engineering, or developmental work is contemplated)	1852.227-85	40. Contractor Accountable On-Site Government Property	1852.245-74
22. Commercial Computer Software Licensing	1852.227-86	41. List of Government-Furnished Property	1852.245-76
23. Cross-Waiver of Liability for Space Shuttle Services	1852.228-72	42. List of Installation-Accountable Property and Services	1852.245-77
24. Cross-Waiver of Liability for Space Station Activities	1852.228-76	43. Mission Critical Space System Personnel Reliability Program	1852.246-70
25. Cross-Waiver of Liability for NASA Expendable Launch Vehicle Launches	1852.228-78	44. Human Space Flight Item	1852.246-73
26. Determination of Compensation Reasonableness	1852.231-71	45. Protection of the Florida Manatee	1852.247-71
27. Hurricane Plan	1852.236-73		
28. Emergency Evacuation Procedures	1852.237-70		
29. Pension Portability (subsection (a) of the clause applies to all orders for services issued under a prime contract for services under the conditions of subsection (b) of the clause)	1852.237-71		
30. Access to Sensitive Information (applies to all orders that may involve access to sensitive information)	1852.237-72		
31. Release of Sensitive Information (applies to all orders that may require the furnishing of sensitive information)	1852.237-73		
32. Travel Outside the United States	1852.242-71		
33. Observance of Legal Holidays-Alternate I (applies to all orders that require performance of work on a NASA installation)	1852.242-72		
34. Emergency Medical Services and Evacuation	1852.242-78		
35. Geographic Participation in the Aerospace Program (applies to orders of \$100,000 and over)	1852.244-70		
36. Contractor Requests for Government-Owned Equipment	1852.245-70		
37. Installation-Accountable Government Property	1852.245-71		
38. Liability for Government Property Furnished for Repair or Other Services	1852.245-72		