

The following updates reflect changes to various provisions and clauses of U.S. Government acquisition regulations, including the Federal Acquisition Regulation (FAR) and the Department of Defense FAR Supplement (DFARS). By this reference, said updates are incorporated in and made an integral part of the General Terms and Conditions (TC) documents identified below.

A. Update to TC-001 (04/09), GENERAL TERMS AND CONDITIONS OF PURCHASE

1. The following clauses are REPLACED in Section 19(e):

- 8. Employment Eligibility Verification 52.222-54
(This clause is applicable to Purchase Orders (i) for construction or commercial or noncommercial services (except commercial services that are part of a purchase of a COTS item, or an item that would be a COTS item, but for minor modifications, performed by the COTS provider, and that are normally provided for that COTS item); (ii) has a value more than \$3,000; and (iii) includes work performed in the United States.)
- 14. Excessive Pass-Through Charges – Identification of Subcontract Effort. 252.215-7003
(MAY 2008) (excluding Paragraph (c)(1) which is deleted from this provision) (Applicable to solicitations for Purchase Orders issued under DoD solicitations issued after May 12, 2008, and before October 14, 2009, except solicitations for FFP Purchase Orders and FP Purchase Orders with economic price adjustment.)
- 16. Excessive Pass-Through Charges. 252.215-7004 & Alternate 1
(MAY 2008) (Include Alternate 1 if it is included in the prime contract) (Applicable to Purchase Orders under DoD contracts awarded after May 12, 2008, and before October 14, 2009, except FFP Purchase Orders and FP Purchase Orders with economic price adjustment.)
- 20. Preference for Domestic Specialty Metals (DEVIATION No. 2008-O0002) and Alternate 1 (DEVIATION No. 2008-O0002) (These deviations apply to Purchase Orders under prime contracts awarded after January 28, 2008 and before July 29, 2009.) 252.225-7014 (Dev. No. 2008-O0002) & Alt 1 (Dev. No. 2008-O0002)

2. The following clauses are ADDED to Section 19(e):

- 25. Limitations on Pass-Through Charges – Identification of Subcontract Effort (excluding Paragraph (c)(1), which is deleted from this provision) (Applicable to solicitations for cost– reimbursement Purchase Orders that exceed the simplified acquisition threshold issued under non-DoD Government solicitations issued after October 13, 2009, and to DoD solicitations issued after such date for Purchase Orders that exceed the threshold for obtaining cost or pricing data, except solicitations for FFP Purchase Orders and FP Purchase Orders with economic price adjustment.) 52.215-22
- 26. Limitations on Pass-Through Charges (Include Alternate 1 if it is included in the prime contract) (Applicable to cost–reimbursement Purchase Orders that exceed the simplified acquisition threshold issued under non-DoD Government contracts awarded after October 13, 2009, and to Purchase Orders that exceed the threshold for obtaining cost or pricing data, issued under DoD contracts awarded after October 13, 2009, except FFP Purchase Orders and FP Purchase Orders with economic price adjustment.) 52.215-23 & Alternate 1
- 27. Restriction on Acquisition of Certain Articles Containing Specialty Metals (excluding Paragraph (d) which is deleted from this clause) (This clause applies to Purchase Orders under prime contracts awarded after July 28, 2009.) 252.225-7009
- 28. Commercial Derivative Military Article – Specialty Metals Compliance Certificate (This clause applies to Purchase Orders under prime contracts awarded after July 28, 2009.) 252.225-7010
- 29. Reporting of Commercially Available Off-the-Shelf Items that Contain Specialty Metals and Are Incorporated Into Noncommercial End Items (This clause applies to Purchase Orders under prime contracts awarded after July 28, 2009.) 252.225-7029

B. Update to TC-002 (04/09), GENERAL TERMS AND CONDITIONS OF PURCHASE – Supplement 1, Government Contract Provisions from the Federal Acquisition Regulation

There are no updates at this time.

- C. **Update to TC-003 (04/09), GENERAL TERMS AND CONDITIONS OF PURCHASE – Supplement 2, Government Contract Provisions from the Department of Defense FAR Supplement**
1. **The following clauses are REPLACED:**
8. Excessive Pass-Through Charges – Identification of Subcontract Effort. (APR 2007) (excluding Paragraph (c)(1), which is deleted from this provision) (Applicable to solicitations for Purchase Orders issued under DoD solicitations issued after April 25, 2007, and before May 13, 2008, except solicitations for FFP Purchase Orders to be awarded on the basis of adequate price competition and FP Purchase Orders with economic price adjustment to be awarded on the basis of adequate price competition.) (The term "Offeror" shall mean "Seller".) 252.215-7003
9. Excessive Pass-Through Charges – Identification of Subcontract Effort. (MAY 2008) (excluding Paragraph (c)(1), which is deleted from this provision) (Applicable to solicitations for Purchase Orders issued under DoD solicitations issued after May 12, 2008, and before October 14, 2009, except solicitations for FFP Purchase Orders awarded on the basis of adequate price competition and FP Purchase Orders with economic price adjustment awarded on the basis of adequate price competition.) (The term "Offeror" shall mean "Seller".) 252.215-7003
10. Excessive Pass-Through Charges (APR 2007) (Applicable to Purchase Orders under DoD contracts awarded after April 25, 2007, and before May 13, 2008, except FFP Purchase Orders awarded on the basis of adequate price competition and FP Purchase Orders with economic price adjustment awarded on the basis of adequate price competition.) 252.215-7004
11. Excessive Pass-Through Charges (MAY 2008) (Include Alternate 1 if it is included in the prime contract) (Applicable to Purchase Orders under DoD contracts awarded after May 12, 2008, and before October 14, 2009, except FFP Purchase Orders awarded on the basis of adequate price competition and FP Purchase Orders with economic price adjustment awarded on the basis of adequate price competition.) 252.215-7004 & Alternate 1
23. Preference for Domestic Specialty Metals and Alternate 1 (Applicable to Purchase Orders under prime contracts awarded before July 29, 2009) 252.225-7014 & Alternate 1
26. Preference for Domestic Specialty Metals (DEVIATION No. 2008-O0002) and Alternate 1 (DEVIATION No. 2008-O0002) (These deviations apply to Purchase Orders under prime contracts awarded after January 28, 2008 and before July 29, 2009.) 252.225-7014 (Dev. No. 2008-O0002) & Alt 1 (Dev. No. 2008-O0002)
2. **The following clauses are ADDED and shall apply to ALL ORDERS regardless of dollar value:**
68. Restriction on Acquisition of Certain Articles Containing Specialty Metals (excluding Paragraph (d) which is deleted from this clause) (This clause applies to Purchase Orders under prime contracts awarded after July 28, 2009.) 252.225-7009
69. Commercial Derivative Military Article – Specialty Metals Compliance Certificate (This clause applies to Purchase Orders under prime contracts awarded after July 28, 2009.) 252.225-7010
70. Reporting of Commercially Available Off-the-Shelf Items that Contain Specialty Metals and are Incorporated into Noncommercial End Items 252.225-7029
- D. **Update to TC-004 (11/09), INTERNATIONAL GENERAL TERMS AND CONDITIONS OF PURCHASE**
There are no updates at this time.