

The following updates reflect changes to various provisions and clauses of U.S. Government acquisition regulations, including the Federal Acquisition Regulations (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 (12/12), GENERAL TERMS AND CONDITIONS OF PURCHASE

No updates at this time.

B. Update to TC-002 (04/11), GENERAL TERMS AND CONDITIONS OF PURCHASE – Supplement 1, Government Contract Provisions from the Federal Acquisition Regulation

1. The following clause is ADDED to Section 2.A:

48. **52.232-99** "Providing Accelerated Payment to Small Business Subcontractors (DEVIATION)" (This deviation is applicable to Purchase Orders issued to small business subcontractors, as defined in FAR 2.101, under prime contracts awarded after August 15, 2012.)

2. The following clauses are REMOVED REPLACED in Section 2.A to correct the prescription:

38. **52.245-1** "Government Property" (Applicable to Purchase Orders issued under non DoD prime contracts containing FAR 52.245-1 without Alternate I and the Purchase Order is either a cost-reimbursement, time and materials, or labor hour type, or is a fixed priced Purchase Order awarded on the basis of submission of certified cost or pricing data (reference FAR 45.104). Under DoD prime contracts containing FAR 52.245-1 without Alternate I, in addition to the Purchase Order types listed at FAR 45.104, the clause is applicable to negotiated fixed-price Purchase Orders awarded on a basis other than submission of certified cost or pricing data (reference DFARS 245-104).)
39. **52.245-1 Alt I** "Government Property" (Alternate I – Applicable to Purchase Orders issued under prime contracts containing FAR 52.245-1 with Alternate I, and to Purchase Orders issued under prime contracts containing FAR 52.245-1 without Alternate I when the Purchase Order awarded is of a type other than a Purchase Order type listed in FAR 45.104 or DFARS 245.104.)

3. Section 2.B is REMOVED in its entirety and REPLACED by the following to correct the clause title and applicability:

B. ORDERS OVER THE MICRO-PURCHASE THRESHOLD (AS DEFINED AT FAR 2.101) ALSO INCLUDE THE FOLLOWING

1. **52.223-18** "Encouraging Contractor Policies to Ban Text Messaging while Driving"

4. The following clause is REMOVED from Section 2.G and the word RESERVED is inserted in place of the clause:

1. **52.223-14** "Toxic Chemical Release Reporting" (less paragraph (e))

5. The following clause is ADDED to Section 2.I:

10. **52.203-16** "Preventing Personal Conflicts of Interest" (Applicable to Purchase Orders that include a requirement for services that involve performance of acquisition functions closely associated with inherently governmental functions for, or on behalf of, a Federal agency or department.)

6. The titles of the clauses listed in Subparagraphs 1, 2, 3, 4, 8, and 9 under Section 2.K changed in the FAR, as a result the following Subparagraphs REPLACE the existing Subparagraphs under Section 2.K:

1. **52.215-10** "Price Reduction for Defective Certified Cost or Pricing Data"
2. **52.215-11** "Price Reduction for Defective Certified Cost or Pricing Data – Modifications"
3. **52.215-12** "Subcontractor Certified Cost or Pricing Data"
4. **52.215-13** "Subcontractor Certified Cost or Pricing Data – Modifications"
8. **52.215-20** "Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data"
9. **52.215-21** "Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data – Modifications"

7. The following clause is REMOVED from Section 3 and the word RESERVED is inserted in place of the clause:

- D. **52.223-13** "Certification of Toxic Chemical Release Reporting" (over \$100,000)

- C. **Update to TC-003 (04/11), GENERAL TERMS AND CONDITIONS OF PURCHASE – Supplement 2, Government Contract Provisions from the Department of Defense FAR Supplement**
1. **The following clause is ADDED and shall apply to ALL ORDERS regardless of dollar value:**
 63. **252.223-7008** "Prohibition of Hexavalent Chromium"
 2. **The following heading and clause are ADDED:**

ALSO INCLUDE THE FOLLOWING IN ORDERS OVER \$5,000,000:

 1. **252.203-7004** "Display of Fraud Hotline Poster(s)" (Applicable to all Purchase Orders except Purchase Orders that are for acquisition of a commercial item, or that will be performed entirely outside the United States, in lieu of FAR 52.203-14 Display of Hotline Poster(s).)
- D. **Update to TC-004 (04/11), INTERNATIONAL GENERAL TERMS AND CONDITIONS OF PURCHASE**
1. **Paragraph 6 in Part II A is REPLACED by the following to correct the clause title:**
 6. **252.204-7008** "Export-Controlled Items"
 2. **The following clauses are ADDED to Part II A as Subparagraphs 14 through 21.**
 14. **252.223-7008** "Prohibition of Hexavalent Chromium"
 15. **252.227-7013** "Rights in Technical Data Noncommercial Items" (Applicable whenever any technical data for commercial items developed in part at Government expense will be provided for delivery to the Government under this Purchase Order.)
 16. **252.227-7015** "Technical Data – Commercial Items" (Applicable whenever any technical data related to commercial items developed in any part at private expense will be provided under this Purchase Order for delivery to the U.S. Government.)
 17. **252.227-7037** "Validation of Restrictive Markings on Technical Data" (Applicable whenever technical data is to be delivered under this Purchase Order.)
 18. **252.244-7000** "Subcontracts for Commercial Items and Commercial Components (DoD Contracts)"
 19. **252.246-7003** "Notification of Potential Safety Issues"
 20. **252.247-7023** "Transportation of Supplies by Sea" (paragraphs f and g of the clause are applicable only when the purchase order price exceeds the simplified acquisition threshold in Part 2 of the Federal Acquisition Regulation).
 21. **252.247-7024** "Notification of Transportation of Supplies by Sea"
 3. **Paragraph 13 in Part III A is REPLACED by the following to correct the clause title and applicability:**
 13. **52.223-18** ""Encouraging Contractor Policies to Ban Text Messaging while Driving" (Applicable to all Purchase Orders that exceed the Micro-Purchase Threshold as defined at FAR 2.101)"
 4. **Paragraph 14 in Part III A is REPLACED by the following to correct the clause title:**
 14. **252.204-7008** "Export-Controlled Items"
 5. **The following clauses are ADDED to Part III A as Subparagraphs 38 through 52:**
 38. **252.223-7008** "Prohibition of Hexavalent Chromium"
 39. **52.222-50 & Alt 1** "Combating Trafficking in Persons and Alternate 1" (Include Alternate 1 if it is included in the prime contract)
 40. **52.225-8** "Duty-Free Entry"
 41. **52.225-13** "Restrictions on Certain Foreign Purchases"
 42. **52.244-6** "Subcontracts for Commercial Items"
 43. **52.247-64** "Preference for Privately Owned U.S.-Flag Commercial Vessels"
 44. **252.204-7000** "Disclosure of Information"
 45. **252.209-7004** "Subcontracting with Firms That Are Owned or Controlled by the Government of a Terrorist Country"

46. 252.211-7003 "Item Identification and Valuation" (Applicable to Purchase Orders for acquisition of an item for which unique identification is required in accordance with paragraph (c) (1) of this clause. In addition, Seller's obligations under this clause shall include cooperating with Buyer's efforts to comply with this clause, including granting Buyer access to Seller's deliverables at its facilities and to appropriate property records.)
47. 252.225-7007 "Prohibition on Acquisition of United States Munitions list Items from Communist Chinese Military Companies" (Applicable to Purchase Orders for the acquisition of items covered by the United States Munitions List of the International Traffic in Arms Regulation)
48. 252.225-7027 "Restriction on Contingent Fees for Foreign Military Sales"
49. 252.225-7028 "Exclusionary Policies and Practices of Foreign Governments"
50. 252.244-7000 "Subcontracts for Commercial Items and Commercial Components"
51. 252.246-7003 "Notification of Potential Safety Issues"
52. 252.247-7024 "Notification of Transportation of Supplies by Sea"
6. The following clause is **REMOVED** from Part III.F and the word **RESERVED** is inserted in place of the clause:
 1. 52.223-14 "Toxic Chemical Release Reporting"
7. The following clauses is **ADDED** to Part III I
 4. 252.203-7001 "Prohibition on Persons Convicted of Fraud or Other Defense Contract Related Felonies"
8. The titles of the clauses listed in Subparagraphs 1 through 6 under Part III P changed in the FAR, as a result the following Subparagraphs **REPLACE** the existing Subparagraphs under Part III P:
 1. 52.215-10 "Price Reduction for Defective Certified Cost or Pricing Data"
 2. 52.215-11 "Price Reduction for Defective Certified Cost or Pricing Data – Modifications"
 3. 52.215-12 "Subcontractor Certified Cost or Pricing Data"
 4. 52.215-13 "Subcontractor Certified Cost or Pricing Data – Modifications"
 5. 52.215-20 "Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data"
 6. 52.215-21 "Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data – Modifications"