
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 (07/19), GENERAL TERMS AND CONDITIONS OF PURCHASE

- 1. The flowdown requirement for the clause listed in Paragraph 19(e)A Subparagraph 9 has been clarified by removing the exception for small business concerns and as a result the following Subparagraph REPLACES the existing Subparagraph 9 under Paragraph 19(e)A:**
 9. **52.219-8** “Utilization of Small Business Concerns” (Applicable to Purchase Orders that offer further subcontracting opportunities.)
- 2. As a result of the FAR Interim Rule, the following clause is ADDED to Paragraph 19(e)A as Subparagraph 29:**
 29. **52.204-25** “Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment”
- 3. As a result of the DFARS Interim Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 26:**
 26. **252.204-7018** “Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services”
- 4. As a result of the DFARS Class Deviation 2020-O0005, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 27:**
 27. **252.225-7052** “Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten. (DEVIATION 2020-O0006)” (Applicable to Purchase Orders under DoD contracts awarded after February 7, 2020 for the delivery of goods containing a covered material, unless an exception in paragraph (c) of the clause applies).
- 5. As a result of the DFARS Final Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 28:**
 28. **252.232-7017** “Accelerating Payments to Small Business Subcontractors—Prohibition on Fees and Consideration” (Applicable to Purchase Orders with small business concerns when Buyer receives Accelerated Payments under its prime contract.)
- 6. As a result of the DFARS Interim Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 29:**
 29. **252.204-7020** “NIST SP 800-171 DoD Assessment Requirements” (Applicable to all Purchase Orders except Purchase Orders for commercially available off-the-shelf items.)
- 7. As a result of the DFARS Interim Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 30:**
 30. **252.204-7021** “Contractor Compliance with the Cybersecurity Maturity Model Certification Level Requirement” (Applicable to all Purchase Orders except Purchase Orders for commercially available off-the-shelf items.)

B. Update to TC-SERVICES (07/19), SERVICE TERMS AND CONDITIONS OF PURCHASE

1. **The flowdown requirement for the clause listed in Paragraph 19(e)A Subparagraph 9 has been clarified by removing the exception for small business concerns and as a result the following Subparagraph REPLACES the existing Subparagraph 9 under Paragraph 19(e)A:**

9. **52.219-8** “Utilization of Small Business Concerns” (Applicable to Purchase Orders that offer further subcontracting opportunities.)

2. **As a result of the FAR Interim Rule, the following clause is ADDED to Paragraph 19(e)A as Subparagraph 26:**

26. **52.204-25** “Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment”

3. **As a result of the DFARS Interim Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 20:**

20. **252.204-7018** “Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services”

4. **As a result of the DFARS Final Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 21:**

21. **252.232-7017** “Accelerating Payments to Small Business Subcontractors—Prohibition on Fees and Consideration” (Applicable to Purchase Orders with small business concerns when Buyer receives Accelerated Payments under its prime contract.)

5. **As a result of the DFARS Interim Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 22:**

22. **252.204-7020** “NIST SP 800-171 DoD Assessment Requirements” (Applicable to all Purchase Orders except Purchase Orders for commercially available off-the-shelf items.)

6. **As a result of the DFARS Interim Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 23:**

23. **252.204-7021** “Contractor Compliance with the Cybersecurity Maturity Model Certification Level Requirement” (Applicable to all Purchase Orders except Purchase Orders for commercially available off-the-shelf items.)

C. Update to TC-002 (07/19), GENERAL TERMS AND CONDITIONS OF PURCHASE – Supplement 1, Government Contract Provisions from the Federal Acquisition Regulation

1. **As a result of the FAR Interim Rule the following clause is ADDED to Section 2.A as Subparagraph 40:**

40. **52.204-25** “Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment”

2. **As a result of the FAR Final Rule the following clause is ADDED to Section 2.A as Subparagraph 41:**

41. **52.246-26** “Reporting Nonconforming Items” (Except as provided in paragraph (g)(2) of the clause, this clause is applicable to Purchase Orders for (i) goods subject to higher-level quality standards in accordance with the clause at FAR 52.246-11, Higher-Level Contract Quality Requirement; (ii) goods that Buyer has identified herein as critical items for which use of the clause is appropriate; (iii) electronic parts or end items, components, parts, or materials

containing electronic parts, whether or not covered in paragraph (g)(1)(i) or (ii) of the clause, if the Purchase Order exceeds the simplified acquisition threshold and this Purchase Order is issued under a Department of Defense contract (as required by paragraph (c)(4) of section 818 of the National Defense Authorization Act for Fiscal Year 2012 (Pub. L. 112–81)); or (iv) for the acquisition of services, if Seller will furnish, as part of the service, any items that meet the criteria specified in paragraphs (g)(1)(i) through (g)(1)(iii) of the clause.)

3. The following clause is ADDED to Section 2.A as Subparagraph 42:

42. **52.246-2** “Inspection of Supplies - Fixed-Price”

4. The flowdown requirement for the clause listed in Section 2.A Subparagraph 8 has been clarified by removing the exception for small business concerns and as a result the following Subparagraph REPLACES the existing Subparagraph 8 under Section 2.A:

8. **52.219-8** “Utilization of Small Business Concerns” (Applicable to Purchase Orders that offer further subcontracting opportunities.)

D. Update to TC-003 (07/19), GENERAL TERMS AND CONDITIONS OF PURCHASE – Supplement 2, Government Contract Provisions from the Department of Defense FAR Supplement

1. As a result of the DFARS Interim Rule, the following clause is ADDED to Section 2.A as Subparagraph 46:

46. **252.204-7018** “Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services”

2. As a result of the DFARS Class Deviation 2020-O0005 the following clause is ADDED to Section 2.B as Subparagraph 4:

4. **252.225-7052** “Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten. (DEVIATION 2020-O0006)” (Applicable to Purchase Orders under DoD contracts awarded after February 7, 2020 for the delivery of goods containing a covered material, unless an exception in paragraph (c) of the clause applies).

3. As a result of the DFARS Final Rule, the following clause is ADDED to Section 2.A as Subparagraph 47:

47. **252.232-7017** “Accelerating Payments to Small Business Subcontractors—Prohibition on Fees and Consideration” (Applicable to Purchase Orders with small business concerns when Buyer receives Accelerated Payments under its prime contract.)

4. As a result of the DFARS Interim Rule, the following clause is ADDED to Section 2.A as Subparagraph 48:

48. **252.204–7020** “NIST SP 800–171 DoD Assessment Requirements (Applicable to all Purchase Orders except Purchase Orders for commercially available off-the-shelf items.)

5. As a result of the DFARS Interim Rule, the following clause is ADDED to Section 2.A as Subparagraph 49:

49. **252.204–7021** “Contractor Compliance with the Cybersecurity Maturity Model Certification Level Requirement” (Applicable to all Purchase Orders except Purchase Orders for commercially available off-the-shelf items.)

E. Update to TC-004 (07/19), INTERNATIONAL GENERAL TERMS AND CONDITIONS OF PURCHASE

1. The flowdown requirement for the clause listed in Paragraph 19(e)A Subparagraph 9 has been clarified by removing the exception for small business concerns and as a result the following Subparagraph REPLACES the existing Subparagraph 9 under Paragraph 19(e)A:

9. **52.219-8** "Utilization of Small Business Concerns" (Applicable to Purchase Orders (i) to the extent that the work under the Purchase Order will be performed in the United States or its outlying areas or Seller is recruiting employees in the United States or its outlying areas to work on the Purchase Order, and (ii) that offer further subcontracting opportunities.)

2. As a result of the FAR Interim Rule, the following clause is ADDED to Paragraph 19(e)A as Subparagraph 26:

26. **52.204-25** "Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment"

3. As a result of the DFARS Interim Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 26:

26. **252.204-7018** "Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services"

4. As a result of the DFARS Class Deviation 2020-O0005, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 27:

27. **252.225-7052** "Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten. (DEVIATION 2020-O0006)" (Applicable to Purchase Orders under DoD contracts awarded after February 7, 2020 for the delivery of goods containing a covered material, unless an exception in paragraph (c) of the clause applies).

5. As a result of the DFARS Interim Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 28:

28. **252.204-7020** "NIST SP 800-171 DoD Assessment Requirements (Applicable to all Purchase Orders except Purchase Orders for commercially available off-the-shelf items.)

6. As a result of the DFARS Interim Rule, the following clause is ADDED to Paragraph 19(e)B as Subparagraph 29:

29. **252.204-7021** "Contractor Compliance with the Cybersecurity Maturity Model Certification Level Requirement" (Applicable to all Purchase Orders except Purchase Orders for commercially available off-the-shelf items.)

F. Update to TC-004F (07/19), INTERNATIONAL TERMS AND CONDITIONS OF PURCHASE – Supplement 1 Government Contract Provisions from the Federal Acquisition Regulation

1. As a result of the FAR Interim Rule the following clause is ADDED to Section 2.A as Subparagraph 31:

31. **52.204-25** "Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment"

2. As a result of the FAR Final Rule the following clause is ADDED to Section 2.A as Subparagraph 32:

32. **52.246-26** “Reporting Nonconforming Items” (Except as provided in paragraph (g)(2) of the clause, this clause is applicable to Purchase Orders for (i) goods subject to higher-level quality standards in accordance with the clause at FAR 52.246–11, Higher-Level Contract Quality Requirement; (ii) goods that Buyer determines to be critical items for which use of the clause is appropriate; (iii) electronic parts or end items, components, parts, or materials containing electronic parts, whether or not covered in paragraph (g)(1)(i) or (ii) of the clause, if the Purchase Order exceeds the simplified acquisition threshold and this Purchase Order is under a Department of Defense contract (as required by paragraph (c)(4) of section 818 of the National Defense Authorization Act for Fiscal Year 2012 (Pub. L. 112–81)); or (iv) for the acquisition of services, if Seller will furnish, as part of the service, any items that meet the criteria specified in paragraphs (g)(1)(i) through (g)(1)(iii) of the clause. Seller shall not submit a report as required by (b)(4) of the clause if Seller is a foreign corporation or partnership that does not have an office, place of business, or fiscal paying agent in the United States.)

3. The following clause is ADDED to Section 2.A as Subparagraph 33:

33. **52.246-2** “Inspection of Supplies - Fixed-Price”

4. The flowdown requirement for the clause listed in Section 2.A Subparagraph 8 has been clarified by removing the exception for small business concerns and as a result the following Subparagraph REPLACES the existing Subparagraph 8 under Section 2.A:

8. **52.219-8** “Utilization of Small Business Concerns” (Applicable to Purchase Orders (i) to the extent that work under the Purchase Order will be performed in the United States or its outlying areas or Seller is recruiting employees in the United States or its outlying areas to work on the Purchase Order, and (ii) that offer further subcontracting opportunities.)

G. Update to TC-004D (07/19), INTERNATIONAL GENERAL TERMS AND CONDITIONS OF PURCHASE – Supplement 2 Government Contract Provisions from the Department of Defense FAR Supplement

1. As a result of the DFARS Interim Rule, the following clause is ADDED to 2.A as Subparagraph 44:

44. **252.204-7018** “Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services”

2. As a result of the DFARS Class Deviation 2020-O0005 the following clause is ADDED to Section 2.B as Subparagraph 4:

4. **252.225-7052** “Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten. (DEVIATION 2020-O0006)” (Applicable to Purchase Orders under DoD contracts awarded after February 7, 2020 for the delivery of goods containing a covered material, unless an exception in paragraph (c) of the clause applies).

3. As a result of the DFARS Interim Rule, the following clause is ADDED to Section 2.A as Subparagraph 45:

45. **252.204–7020** “NIST SP 800–171 DoD Assessment Requirements (Applicable to all Purchase Orders except Purchase Orders for commercially available off-the-shelf items.)

4. As a result of the DFARS Interim Rule, the following clause is ADDED to Section 2.A as Subparagraph 46:

46. **252.204–7021** “Contractor Compliance with the Cybersecurity Maturity Model Certification Level Requirement” (Applicable to all Purchase Orders except Purchase Orders for commercially available off-the-shelf items.)