



ESAero
F0001 – Flowdown Document
CXAL081224D0027

PRIME CONTRACT CLAUSES – FA701422D0003 FA701423D0011 FA701423D0014 and FA701425D0008

Buyer hereby provides notice to Seller which Seller hereby acknowledges and accepts that this PO or RFP is issued by Buyer under a Company Funded Request (“CFR”) in anticipation of a United States Government (“USG”) prime contract being issued to Buyer or Buyer’s customer at a higher tier. Therefore the following customer contract requirements apply to this Purchase Order to the extent indicated below and are hereby incorporated into the Purchase Order by full text or by reference with the same force and effect as if they were given in full text. Upon Seller’s request Buyer’s Purchasing Representative will make their full text available. Also the full text of a FAR or DFARS provision or clause may be accessed electronically at these addresses: <http://farsite.hill.af.mil/> or <https://www.acquisition.gov/far/>:

In all provisions and clauses listed herein terms shall be revised to suitably identify the party to establish Seller’s obligations to Buyer and to the Government and to enable Buyer to meet its obligations under the Buyer’s higher-tier subcontract under which this Purchase Order is a subcontract (the “Government Contract”). Without limiting the generality of the foregoing and except where further clarified or modified below the term “Government” and equivalent phrases shall mean “Buyer” the term “Contracting Officer” shall mean “Buyer’s Purchasing Representative” the term “Contractor” or “Offeror” shall mean “Seller” “Subcontractor” shall mean “Seller’s Subcontractor” under this Purchase Order and the term “Contract” shall mean this “Purchase Order”. For the avoidance of doubt the words “Government” and “Contracting Officer” do not change: (1) when a right act authorization or obligation can be granted or performed only by the Government or the Government Contract Contracting Officer or duly authorized representative such as in FAR 52.227-1 and FAR 52.227- 2 or (2) when title to property is to be transferred directly to the Government. Seller shall incorporate into each lower tier contract issued in support of this Purchase Order all applicable FAR and DFARS provisions and clauses in accordance with the flow down requirements specified in such clauses.

Nothing in this Purchase Order grants Seller a direct right of action against the Government. If any of the following FAR or DFARS clauses do not apply to this Purchase Order such clauses are considered to be self-deleting.

FAR	Clause	Title
	52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements
	52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities
	52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.
	52.204-27	Prohibition on a ByteDance Covered Application
	52.222-35	Equal Opportunity for Veterans
	52.222-36	Equal Opportunity for Workers with Disabilities
	52.222-37	Employment Reports on Veterans
	52.203-6	Restrictions on Subcontractor Sales to the Government – Alternate I
	52.203-13	Contractor Code of Business Ethics and Conduct
	52.204-21	Basic Safeguarding of Covered Contractor Information Systems
	52.209-6	Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment
	52.219-8	Utilization of Small Business Concerns
	52.222-40	Notification of Employee Rights Under the National Labor Relations Act

	52.222-50	Combating Trafficking in Persons
	52.224-3	Privacy Training
	52.225-26	Contractors Performing Private Security Functions Outside the United States
	52.226-8	Encouraging Contractor Policies to Ban Text Messaging While Driving
	52.232-40	Providing Accelerated Payments to Small Business Subcontractors
	52.240-1	Prohibition on Unmanned Aircraft Systems Manufactured or Assembled by American Security Drone Act – Covered Foreign Entities
	52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels
DFARS	Clause	Title
	252.204-7015	Notice of Authorized Disclosure of Information for Litigation Support
	252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services
	252.204-7020	NIST SP 800-171 DoD Assessment Requirements
	252.244-7000	Subcontracts for Commercial Products or Commercial Services.
	252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies.
	252.204-7004	Antiterrorism Awareness Training for Contractors
	252.204-7009	Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information
	252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting
	252.204-7022	Expediting Contract Closeout
	252.227-7015	Technical Data-Commercial Products and Commercial Services
	252.227-7037	Validation of Restrictive Markings on Technical Data.
	252.203-7002	Requirement to Inform Employees of Whistleblower Rights
	252.203-7004	Display of Hotline Posters.
Supplemental Clauses	Clause	Title
	5352.242-9000	Contractor Access to Air Force Installations
	5352.242-9001	Common Access Cards (CAC) for Contractor Personnel