

The following Buyer's terms and conditions are revised to include the following additional provisions for this Purchase Order:

52.216-18	Ordering
52.216-19	Order Limitations
52.216-22	Indefinite Quantity
52.217-8	Option to Extend Services
52.217-9	Option to Extend the Term of the Contract
52.219-16	Liquidated Damages -- Subcontracting Plan
52.222-29	Notification Of Visa Denial
52.222-43	Fair Labor Standards Act And Service Contract Labor Standards - Price Adjustment (Multiple Year And Option Contracts)
52.223-6	Drug-Free Workplace
52.225-3	Buy American --Free Trade Agreement--Israeli Trade Act
52.226-1	Utilization Of Indian Organizations And Indian-Owned Economic Enterprises
52.227-16	Additional Data Requirements
52.227-21	Technical Data Declaration, Revision, and Withholding of Payment--Major Systems
52.229-3	Federal, State And Local Taxes
52.229-6	Taxes--Foreign Fixed-Price Contracts
52.229-8	Taxes--Foreign Cost-Reimbursement Contracts
52.229-10	State of New Mexico Gross Receipts and Compensating Tax
52.232-9	Limitation on Withholding of Payments
52.239-1	Privacy or Security Safeguards
52.242-1	Notice of Intent to Disallow Costs
52.242-2	Production Progress Reports
52.242-3	Penalties for Unallowable Costs
52.242-4	Certification of Final Indirect Costs
52.243-7	Notification of Changes
252.204-7002	Payment For Subline Items Not Separately Priced
252.204-7003	Control Of Government Personnel Work Product
252.204-7005	Oral Attestation of Security Responsibilities
252.205-7000	Provision Of Information To Cooperative Agreement Holders
252.215-7002	Cost Estimating System Requirements
252.222-7002	Compliance With Local Labor Laws (Overseas)
252.223-7004	Drug-Free Work Force
252.225-7003	Report of Intended Performance Outside the United States and Canada--Submission with Offer

EMPIRICAL SYSTEMS AEROSPACE PROJECT-SPECIFIC ATTACHMENT

252.225-7004	Report of Intended Performance Outside the United States and Canada— Submission after Award
252.225-7011	Restriction on Acquisition of Supercomputers
252.225-7043	Antiterrorism/Force Protection Policy for Defense Contractors Outside the United States
252.225-7993 (Dev)	Prohibition on Contracting with the Enemy (Deviation)
252.225-7994 (Dev)	Additional Access to Contractor and Subcontractor Records in the United States Central Command Theater of Operations (Deviation)
252.232-7010	Levies on Contract Payments
252.234-7002 (Dev)	Earned Value Management System (Deviation 2017-O0015)
252.245-7001	Tagging, Labeling, and Marking of Government-Furnished Property
252.245-7002	Reporting Loss of Government Property
252.245-7003	Contractor Property Management System Administration
252.245-7004	Reporting, Reutilization, and Disposal

The following additional prime contract requirements are included in this Purchase Order:**EXPORT CONTROL (DMEA #A16-021)**

(a) Equipment and technical data generated or delivered under this contract may be controlled by the International Traffic in Arms Regulation (ITAR), 22 CFR Sections 121 through 128 and/or the Export Administration Regulation (EAR). It is the responsibility of the contractor to determine if the services and/or supplies awarded under this contract are export controlled. If a determination is made that export control regulations apply, an export license is required before assigning any foreign source to perform work under this contract or before granting access to foreign persons to any equipment and technical data generated or delivered during performance (see 22 CFR Section 125). Additionally, the Contractor shall notify the Contracting Officer and obtain written concurrence of the Contracting Officer prior to assigning or granting access to any work, equipment, or technical data generated or delivered under this contract to foreign persons or their representatives. The notification shall include the name and country of origin of the foreign person or representative, the specific work, equipment, or data to which the person will have access, and whether the foreign person is cleared to have access to technical data (see DoD 5220.22-M, National Industrial Security Program Operating Manual (NISPOM)).

(b) For the purpose of this Section H DMEA #A16-021 (herein referred to as “supplemental information”):

- (1) Foreign person is any person who is not a citizen or national of the United States (U.S.), or lawfully admitted to the U.S. for permanent residence under the Immigration and Nationality Act, and includes foreign corporations, international organizations, and foreign governments;
- (2) Foreign representative is anyone, regardless of nationality or citizenship, acting as an agent, representative, official, or employee of a foreign government, a foreign-owned or influenced firm, corporation or person;
- (3) Foreign sources are those sources (vendors, subcontractors and suppliers) owned and controlled by a foreign person.

(c) If services and/or supplies under subcontracts are export controlled, the Contractor shall place a clause in subcontracts containing appropriate export control restrictions, set forth in this supplemental information.

(d) Nothing in this supplemental information waives any requirement imposed by any other U.S. Government agency with respect to employment of foreign nationals or export controlled data and information.