



**DOC 17S FAR 15  
SUPPLEMENT FOR CONSTRUCTION SUBCONTRACTS/PURCHASE ORDERS (ALL AGENCIES) FOR NON-COMMERCIAL ITEMS UNDER A FAR 15 U.S. GOVERNMENT PRIME CONTRACT**

*In a construction Contract that is in support of a FAR 15 U.S. Government Prime Contract, Doc 17 shall apply, with the following additions, modifications, and substitutions as identified by the clause below. This document shall have precedence over ULA Doc 17 with regard to the clauses, or portions thereof, cited herein.*

**SECTION II: FAR/DFARS FLOWDOWN PROVISIONS**

Add the following Parts G and H after Part F:

**G. FAR FLOWDOWN CLAUSES IN SUPPORT OF A FAR 15 U.S. GOVERNMENT PRIME CONTRACT**

**1. The following FAR clauses apply to this Contract:**

- (a) 52.215-20 REQUIREMENTS FOR COST OR PRICING DATA OR INFORMATION OTHER THAN COST OR PRICING DATA (OCT 2010) (Note 2 applies.)
- (b) 52.215-21 REQUIREMENTS FOR COST OR PRICING DATA OR INFORMATION OTHER THAN COST OR PRICING DATA - MODIFICATIONS (OCT 2010) ALT III (OCT 1997) (Note 2 applies. Insert "CD/DVD" in (c) of Alt III.)
- (c) 52.232-17 INTEREST (MAY 2014) (Note 1 applies.)
- (d) 52.234-01 INDUSTRIAL RESOURCES DEVELOPED UNDER DEFENSE PRODUCTION ACT TITLE III (SEP 2016) (Notes 1 and 2 apply.)
- (e) 52.247-63 PREFERENCE FOR U.S.-FLAG AIR CARRIERS (JUN 2003) (Applicable if Contract involves international air transportation.)

**2. The following FAR clauses apply to this Contract if the value of this Contract exceeds \$250,000:**

- (a) 52.203-06 RESTRICTIONS ON SUBCONTRACTOR SALES TO THE GOVERNMENT (SEP 2006)
- (b) 52.215-02 AUDIT AND RECORDS-NEGOTIATION (OCT 2010) (Applicable if: (1) CONTRACTOR is required to furnish cost or pricing data, or (2) the Contract requires CONTRACTOR to furnish cost, funding, or performance reports. Note 3 applies.)

**3. The following FAR clauses apply to this Contract if the value of this Contract equals or exceeds \$1,500,000:**

- (a) 52.219-09 SMALL BUSINESS SUBCONTRACTING PLAN (AUG 2018) (Applicable if the CONTRACTOR is not a small business.) (Note 2 is applicable to paragraph (c) only.) (The CONTRACTOR's subcontracting plan is incorporated herein by reference.)

**4. The following FAR clauses apply to this Contract if the value of this Contract equals or exceeds \$2,000,000**

- (a) 52.215-12 SUBCONTRACTOR COST OR PRICING DATA (OCT 2010) (Applicable if not otherwise exempt under FAR 15.403.)
- (b) 52.215-13 SUBCONTRACTOR COST OR PRICING DATA - MODIFICATIONS (OCT 2010) (Applicable for modifications if not otherwise exempt under FAR 15.403.)
- (c) 52.215-23 LIMITATION OF PASS THROUGH CHARGES (OCT 2009)(Applies to Contracts that are over the \$2,000,000)

**5. The following FAR clauses apply to this Contract if the value of this Contract equals or exceeds \$5.5 Million:**

(a) 52.203-14 DISPLAY OF HOTLINE POSTER(S) (OCT 2015) (This clause does not apply if this Contract is performed entirely outside the United States.)

**6. The following FAR clauses apply to this Contract as indicated:**

(a) 52.215-10 PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA (AUG 2011) (Applicable if submission of cost or pricing data is required. Notes 2 and 4 apply except the first time “Contracting Officer” appears in paragraph (c)(1). Rights and obligations under this clause shall survive completion of the Work and final payment under this Contract.)

(b) 52.215-11 PRICE REDUCTION FOR DEFECTIVE COST OR PRICING DATA - MODIFICATIONS (AUG 2011) (Applicable if submission of cost or pricing data is required for modifications. Notes 2 and 4 apply except the first time “Contracting Officer” appears in paragraph (d)(1). Rights and obligations under this clause shall survive completion of the Work and final payment under this Contract.)

(c) 52.215-15 PENSION ADJUSTMENTS AND ASSET REVERSIONS (OCT 2010) (Applicable if this Contract meets the applicability requirements of FAR 15.408(g). Note 5 applies.)

(d) 52.215-16 FACILITIES CAPITAL COST OF MONEY (JUN 2003) (Applicable only if this Contract is subject to the Cost Principles at FAR Subpart 31.2 and the CONTRACTOR proposed facilities capital cost of money in its offer.)

(e) 52.215-17 WAIVER OF FACILITIES CAPITAL COST OF MONEY (OCT 1997) (Applicable only if this Contract is subject to the Cost Principles at FAR Subpart 31.2 and the CONTRACTOR did not propose facilities capital cost of money in its offer.)

(f) 52.215-18 REVERSION OR ADJUSTMENT OF PLANS FOR POST-RETIREMENT BENEFITS (PRB) OTHER THAN PENSIONS (JUL 2005) (Applicable if this Contract meets the applicability requirements of FAR 15.408(j). Note 5 applies.)

(g) 52.215-19 NOTIFICATION OF OWNERSHIP CHANGES (OCT 1997) (Applicable if this Contract meets the applicability requirements of FAR 15.408(k). Note 5 applies.)

(h) 52.227-09 REFUND OF ROYALTIES (APR 1984) (Applies when reported royalties exceeds \$250. Notes 1 and 2 apply.)

(i) 52.227-10 FILING OF PATENT APPLICATIONS- CLASSIFIED SUBJECT MATTER (DEC 2007) (Applies if this Contract involves classified subject matter.)

(j) 52.230-02 COST ACCOUNTING STANDARDS (OCT 2015) (This clause applies to Contracts in excess of \$2,000,000, unless CONTRACTOR is determined to be exempt from CAS coverage, or subject to modified CAS coverage. “United States” means “United States or ULA.” Delete paragraph (b) of the clause.)

(k) 52.230-03 DISCLOSURE AND CONSISTENCY OF COST ACCOUNTING PRACTICES (OCT 2015) (This clause applies to Contracts in excess of \$2,000,000 when CONTRACTOR is determined to be subject to modified CAS coverage. “United States” means “United States or ULA”. Delete paragraph (b) of the clause.)

(l) 52.230-06 ADMINISTRATION OF COST ACCOUNTING STANDARDS (JUN 2010) (Applicable if FAR 52.230- 2 or FAR 52.230-3 applies.)

(m) 52.233-03 PROTEST AFTER AWARD (AUG 1996) (In the event ULA’s customer has directed ULA to stop performance of the Work under the prime contract under which this Contract is issued pursuant to FAR 33.1, ULA may, by written order to CONTRACTOR, direct CONTRACTOR to stop performance of the Work called for by this Contract. “30 days” means “20 days” in paragraph (b)(2). Note 1 applies except the first time “Government” appears in paragraph (f). In paragraph (f) add after “33.104(h) (1)” the following: “and recovers those costs from ULA”.)

(n) 52.243-06 CHANGE ORDER ACCOUNTING (APR 1984) (Applicable if the prime contract requires Change Order Accounting. Note 2 applies.)

(o) 52.248-01 VALUE ENGINEERING (OCT 2010) (Note 1 applies, except in paragraphs (c)(5) and (m), where Note 3 applies and except in (b)(3) where Note 4 applies, and where “Government” precedes “cost” throughout. Note 2 applies.)

#### **H. DFARS FLOWDOWN CLAUSES IN SUPPORT OF A FAR 15 U.S. GOVERNMENT PRIME CONTRACT**

*If this Contract is issued in support of a ULA prime contract with the United States Air Force, the following DFARS clauses apply to this Contract as indicated:*

##### **1. The following DFARS clauses apply to this Contract:**

(a) 252.227-7014 RIGHTS IN NON-COMMERCIAL COMPUTER SOFTWARE AND NON-COMMERCIAL COMPUTER SOFTWARE DOCUMENTATION (FEB 2014)

(b) 252.231-7000 SUPPLEMENTAL COST PRINCIPLES (DEC 1991)

(c) 252.243-7001 PRICING OF CONTRACT MODIFICATIONS (DEC 1991)

##### **2. The following DFARS clauses apply to this Contract if the value of this Contract equals or exceeds \$250,000:**

(a) 252.203-7001 PROHIBITION ON PERSONS CONVICTED OF FRAUD OR OTHER DEFENSE CONTRACT RELATED FELONIES (DEC 2008) (In this clause, the terms “contract,” “contractor,” and “subcontract” shall not change in meaning in paragraphs (a) through (d). Delete paragraph (g). Note 5 applies.)

(b) 252.243-7002 REQUESTS FOR EQUITABLE ADJUSTMENT (DEC 2012)

##### **3. The following DFARS clause apply to this Contract if the value of this Contract equals or exceeds \$5,500,000:**

(a) 252.203-7004 DISPLAY OF FRAUD HOTLINE POSTER(S) (OCT 2016) (This clause does not apply if this Contract is performed entirely outside the United States.)

##### **4. The following DFARS clauses apply to this Contract as indicated:**

(a) 252.215-7000 PRICING ADJUSTMENTS (DEC 2012) (Applicable if FAR 52.215-12 or 52.215-13 applies to this Contract.)

(b) 252.215-7010 REQUIREMENTS FOR CERTIFIED COST OR PRICING DATA AND DATA OTHER THAN CERTIFIED COST OR PRICING DATA (JAN 2018) (Applicable if the value of this Contract is equal to or exceeds \$250,000; however, paragraph (c) only applies if the value of this Contract is equal to or exceeds \$2 million.)

(c) 252.219-7003 SMALL BUSINESS SUBCONTRACTING PLAN (DoD CONTRACTS) (DEC 2018) (Applicable if FAR 52.219-09 applies to this Contract. Delete paragraph (g).)

### **SECTION III: CERTIFICATIONS AND REPRESENTATIONS**

Add paragraph (e) to the Section III: Certifications and Representations as follows:

#### **(e) CONTRACTOR Systems.**

CONTRACTOR certifies that its business systems (as defined in DFARS 252.242-7005) have not been disapproved by the US Government. CONTRACTOR shall immediately notify ULA of any change in their system approvals.