

# FLOWDOWN PROVISIONS SIERRA NEVADA CORPORATION (SNC) CRS2 CONTRACT S16CNG173 PRIME CONTRACT REQUIREMENTS

# This Draft Doc 610 (02-17) was written by ULA to anticipate what will be included in ULA's contract with its Customer. ULA is in the process of negotiating a contract and will finalize these terms and conditions upon award of definitized contracts. Any such revision would be subject to the Changes clause.

A. The following clauses of the Federal Acquisition Regulation (FAR) and National Aeronautics and Space Administration Federal Acquisition Regulation Supplement (NFS) are incorporated herein by reference, with the same force and effect as if they were given in full text, and are applicable during the performance of this Contract. The full text of a clause may be accessed electronically at the following address: http://www.acquisition.gov/far

#### 1. FAR FLOWDOWN CLAUSES

Clause Number	Title/Applicability
52.203-6	RESTRICTIONS ON SUBCONTRACTOR SALES TO THE GOVERNMENT (SEP 2006) ALT I (OCT 1995)
52.203-17	CONTRACTOR EMPLOYEE WHISTLEBLOWER RIGHTS AND REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS (APR 2014) (Applies when this Contract equals or exceeds \$150,000).
52.209-6	PROTECTING THE GOVERNMENTS INTEREST WHEN SUBCONTRACTING WITH CONTRACTORS DEBARRED, SUSPENDED, OR PROPSED FOR DEBARMENT (AUG 2013) (Applies in lieu of 52.209-6 (DEC 2010))
52.219-8	UTILIZATION OF SMALL BUSINESS CONCERNS (MAY 2014) (Applies in lieu of 52.219-8 (JAN 2011))
52.222-17	NONDISPLACEMENT OF QUALIFIED WORKERS (MAY 2014) (Applies to service Contracts as defined at FAR 22.001, that meet or exceed \$150,000 and that succeed contracts for performance of same or similar work at the same location.)
52.222-19	CHILD LABOR-COOPERATION WITH AUTHORITIES AND REMEDIES (JAN 2014)
52.222-35	EQUAL OPPORTUNITY FOR VETERANS (JUL 2014) (Applies in lieu of 52,222-35 (SEP 2010))
52.222-36	AFFIRMATION ACTION FOR WORKERS WITH DISABILITIES (JUL 2014) (Applies in lieu of 52.222-36 (OCT 2010)
52.222-54	EMPLOYMENT ELIGIBILITY VERIFICATION (AUG 2013) (Applies in lieu of 52.222-54 (JULY 2012)
52.225-13	RESTRICTIONS ON CERTAIN FOREIGN PURCHASES (JUN 2008)
52.227-14	RIGHTS IN DATA-GENERAL (DEC 2007) ALT II (DEC 2007) ALT III (DEC 2007)

#### 2. NFS FLOWDOWN CLAUSES

## Clause Number <u>Title/Applicability</u>

- 1852.204-76 SECURITY REQUIREMENTS FOR UNCLASSIFIED INFORMATION TECHNOLOGY RESOURCES (JAN 2011) (Applies to CONTRACTORs that process, manage, access, or store unclassified electronic information, to include Sensitive But Unclassified (SBU) information, for NASA in support of NASA's missions, programs, projects and/or institutional requirements.)
- 1852.225-70 EXPORT LICENSES (FEB 2000)

1852.228-76 CROSS-WAIVER OF LIABILITY FOR SPACE STATION ACTIVITIES (DEVIATION) (OCT 2012)

#### NOTES

- 1. Substitute "ULA" for "Government" throughout this clause.
- 2. Substitute "Procurement Representative" for "Contracting Officer", "Administrative Contracting Officer", and "ACO" throughout this clause.
- 3. Insert "and ULA" after "Government" throughout this clause.
- 4. Insert "or ULA" after "Government" throughout this clause.
- 5. Communication/notification required under this clause from/to the Contractor to/from the Contracting Officer shall be through ULA.

## B. The following additional provisions apply to this Contract:

#### 1) COMMUNICATION, NEWS, AND PUBLIC RELEASE

(a) CONTRACTOR shall not communicate with the media with respect to this Contract, and/or any related contract.

(b) CONTRACTOR shall not make, deny, or confirm any public statements, news releases, advertisements, media interviews, or public announcements concerning the Contract. This provision shall not apply to any disclosure deemed by CONTRACTORs legal counsel to be required by law or by regulation of any federal, state or local government agency. (c) CONTRACTOR shall include, and require its subcontractors to include, this Clause, including this sentence, in each of its subcontracts under the

Contract.

## 2) PRIORITY RATING

This Contract has a priority rating of DO-C9 and as such, is certified for national defense use. The CONTRACTOR shall follow all the requirements of the Defense Priorities and Allocation System Regulation (15 C.F.R. Part 700).