

The Flowdown of US Government Contractual Provisions and Clauses to NPC Robotics Subcontractors

As a Contractor/subcontractor to the US Government (USG), NPC Robotics must comply with the Federal Acquisition Regulations (FAR) [See <https://www.acquisition.gov/browse/index/far>], Defense Federal Acquisition Regulations Supplement (DFARS) [See <https://www.acquisition.gov/dfars>] and any other Defense Logistics Acquisition Directive (DLAD) [See <https://www.acquisition.gov/dlad>] packaging, shipping, etc. requirements that are “attached” to an order. **These contractual requirements must be understood and those that are applicable met. A failure to do so has significant potential legal and business consequences.**

Various contract clauses are applied to each contract based on a number of criteria. Some of these criteria (in no particular) order are:

1. Clauses that apply to ALL contracts regardless of size (SOME EXAMPLES ARE: nondiscrimination, non-collusion, independent pricing determination(s), not currently debarred (which prevents you from doing business with the government), not currently having a federal tax liability, etc., etc., etc.).
2. The size (\$ value) of the contract (i.e., Micro-Purchase Threshold (currently \$10,000), Simplified Acquisition Threshold (currently \$250,000), etc.)
3. Whether the contractor is a sole-source provider of products
4. Whether the products provided are commercial (Governed by FAR Part 12)
5. Whether the products provided are non-commercial (Governed by multiple FAR Parts other than Part 12)
6. Etc.

Accordingly, all applicable contractual requirements must be “flowed-down” from the company that receives the contract to their subcontractors. The sub-contractors in turn must “flow-down” applicable contractual requirements to their sub-contractors, etc., etc. Theoretically, the requirements lessen at each level due to one or more factors (i.e., contract size diminishes, the sub-contracted item is commercial, the business size of the subcontractor is different than the contractor, etc.).

NPC Robotics, as a company that contracts directly with the USG, is required to register on the government’s System for Award Management (SAM) database and maintain that registration. SAM requires NPC to certify that we understand and comply with the complete list of clauses from FAR Part 52.204-7 through 52.204-13. **If you are a subcontractor of NPC that doesn’t contract directly with the USG you do not need to register with SAM.**

In any event, as a subcontractor to NPC who supplies items going to the USG you have the following obligations:

- Understand and comply with ALL applicable **Mandatory** FAR, DFARS and DLAD provisions and clauses
- Understand which **Conditional** FAR, DFARS and DLAD provisions and clauses apply to your company, when they apply and comply with them.
- Understand which clauses don’t apply and understand why they don’t apply.
- Understand that in many cases it is easier to apply ALL of the clauses that may apply rather than trying to selectively apply them and risking the potential legal ramifications of non-compliance.

Based on the applicability, nature and complexity of these clauses they all fall into three categories:

1. They do not apply (based on any number of factors).
2. They do apply and are easy to implement and comply with (with something as simple as a new or revised company policy).

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3. They do apply but are more complex to implement and will require additional knowledge, resources, a project plan and/or time to comply. In addition there may be additional clauses referenced inside these clauses which significantly expand the nature and complexity of compliance to them. OPSEC and ITAR are examples of clauses that fall into this category (and may not be the only ones).

As an example the following Mandatory & Conditional Provisions and Clauses are taken from the Defense Logistics Agency (DLA) Master Solicitation for Automated Simplified Acquisitions. **They provides a great starting point for your company's compliance, with the mandatory clauses being a virtual certainty. Remember that the USG is constantly revising these requirements and it is your responsibility to stay up-to-date on the changes.**

[IMPORTANT NOTE: The "Master Solicitation" clauses referenced below have a Revision Date of January 9, 2023 (Rev-90). They are revised multiple times each year. Additionally each FAR, DFAR and DLAD clause has a revision Month and Year. **You are responsible for ensuring that you are always working to the latest revision of each clause.**]

This can be done by using these links (I recommend placing links on your desktop):

FAR - <https://www.acquisition.gov/browse/index/far>

DFARS - <https://www.acquisition.gov/dfars>

DLAD - <https://www.acquisition.gov/dlad>

So what about **OPSEC** (Operational Security – The securing of information, information systems and your facility) and **ITAR** (International Traffic in Arms Regulations – Ensuring that exported products and information comply with USG export requirements)? These are both part of the aforementioned provisions and clauses or "Flowdowns".

OPSEC is covered by the following clauses:

FAR 52.204-21 Basic Safeguarding of Covered Contractor Information Systems

DFARS 252.204-7008 Compliance with Safeguarding Covered Defense Information Controls

DFARS 252.204-7009 Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information

DFARS 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting

[OPSEC NOTE: Based on the USG's desire to continuously improve, OPSEC is being reorganized into a "system" which is known as the Cybersecurity Maturity Model Certification or CMMC. The USG has expressed their intention to eventually audit all 300,000 estimated contractors and sub-contractors to its provisions. Currently CMMC has been released and as of March 21, 2023 it is at Version 2.20. It can be viewed here: <https://dodcio.defense.gov/CMMC/Model/>

ITAR is covered by the following clauses:

DFARS 227.675-1 International Traffic in Arms Regulations

DFARS 252.225-7048 Export-Controlled Items

Defense Logistics Agency (DLA) Master Solicitation for Simplified Acquisition

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(The most current revision of this document can be found here:

<https://www.dla.mil/Acquisition/Policy-and-Directives/>

SUBPART A – MANDATORY FAR, DFARS AND DLAD PROVISIONS AND CLAUSES

The following provisions and clauses are applicable to **all** solicitations and orders:

***FAR 52.201** Definitions

***FAR 52.203-5** Covenant Against Contingent Fees

***FAR 52.203-6** Restrictions on Subcontractor sales to the Government

***FAR 52.203-6** Alternate 1

***FAR 52.203-7** Anti-Kickback Procedures

***FAR 52.203-17** Contractor Employee Whistleblower Rights and Requirement To Inform Employees of Whistleblower Rights

FAR 52.203-19 Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements

FAR 52.204-7 System for Award Management

FAR 52.204-8 Annual Representations and Certifications

FAR 52.204-13 System for Award Management Maintenance

FAR 52.204-16 Commercial and Government Entity Code Reporting

FAR 52.204-17 Ownership or Control of Offeror

FAR 52.204-18 Commercial and Government Entity Code Maintenance

***FAR 52.204-19** Incorporation by Reference of Representations and Certifications

FAR 52.204-20 Predecessor of Offeror.

FAR 52.204-21 Basic Safeguarding of Covered Contractor Information Systems

FAR 52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment

FAR 52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment

***FAR 52.204-26** Covered Telecommunications Equipment or Services-Representation

FAR 52.211-2 Availability of Specifications, Standards, and Data Item Descriptions Listed in the Acquisition Streamlining and Standardization Information System (ASSIST)

FAR 52.211-5 Material Requirements

FAR 52.211-14 Notice of Priority Rating for National Defense, Emergency Preparedness, and Energy Program Use

FAR 52.211-15 Defense Priority and Allocation Requirements

FAR 52.213-4 Terms and Conditions-Simplified Acquisitions (Other Than Commercial Items)

***FAR 52.216-24** Limitation of Government Liability

***FAR 52.216-25** Contract Definitization

***FAR 52.216-25** Alternate I

FAR 52.219-28 Post-Award Small Business Program Representation

FAR 52.222-36 Alternate I - Equal Opportunity for Workers with Disabilities

***FAR 52.222-50** Combating Trafficking in Persons

FAR 52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving

FAR 52.223-3 Hazardous Material Identification and Material Safety Data

FAR 52.223-7 Notice of Radioactive Materials

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***FAR 52.225-13** Restrictions on Certain Foreign Purchases

***FAR 52.225-18** Place of Manufacture

***FAR 52.225-25** Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran-Representation and certifications

***FAR 52.232-1** Payments

FAR 52.232-39 Unenforceability of Unauthorized Obligations

***FAR 52.233-2** Service of Protest

***FAR 52.233-3** Protest After Award

***FAR 52.233-3** Alternate I

***FAR 52.233-4** Applicable Law for Breach of Contract Claim

FAR 52.242-17 Government Delay of Work

FAR 52.243-1 Changes – Fixed Price

***FAR 52.243-1** Alternate I

***FAR 52.243-1** Alternate II

***FAR 52.243-1** Alternate III

***FAR 52.243-1** Alternate IV

***FAR 52.243-1** Alternate V

***FAR 52.244-6** Subcontracts for Commercial Items

FAR 52.246-2 Inspection of Supplies – Fixed Price

FAR 52.246-17 Warranty of Supplies of a Noncomplex Nature

FAR 52.249-8 Default (Fixed-Price Supply and Service)

FAR 52.252-1 Solicitation Provisions Incorporated by Reference (The full text of a provision may be accessed electronically at this address: <https://www.acquisition.gov>.)

DFARS 252.203-7000 Requirements Relating to Compensation of Former DoD Officials

DFARS 252.203-7002 Requirement to Inform Employees of Whistleblower Rights

DFARS 252.203-7005 Representation Relating to Compensation of Former DoD Officials

DFARS 252.204-7000 Disclosure of Information

DFARS 252.204-7003 Control of Government Personnel Work Product

DFARS 252.204-7007 Alternate A, Annual Representations and Certifications.

DFARS 252.204-7008 Compliance with Safeguarding Covered Defense Information Controls

DFARS 252.204-7009 Limitations on the Use or Disclosure of Third-Party Contractor Reported Incident Information Cyber

DFARS 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting

DFARS 252.204-7015 Notice of Authorized Disclosure of Information for Litigation Support

DFARS 252.213-7000 Notice to Prospective Suppliers on Use of Past Performance Information Retrieval System – Statistical Reporting in Past Performance Evaluations

DFARS 252.223-7001 Hazard Warning Labels

DFARS 252.223-7006 Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials—Basic

DFARS 252.223-7006 Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials—Alternate I

DFARS 252.223-7008 Prohibition of Hexavalent Chromium

DFARS 252.225-7007 Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies

DFARS 252.225-7048 Export-Controlled Items

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DFARS 252.232-7003 Electronic Submission of Payment Requests and Receiving Reports

DFARS 252.232-7006 Wide Area Work Flow Payment Instructions

DFARS 252.232-7010 Levies on Contract Payments

DFARS 252.243-7001 Pricing of Contract Modifications

DFARS 252.244-7000 Subcontracts for Commercial Items

DFARS 252.246-7003 Notification of Potential Safety Issues

DFARS 252.247-7023 Transportation of Supplies by Sea—Basic

DLAD 52.233-9001 Disputes – Agreement to Use Alternate Dispute Resolution (ADR)

SUBPART B – CONDITIONAL FAR, DFARS, AND DLAD PROVISIONS AND CLAUSES

The following provisions and clauses apply as indicated below. These provisions and clauses are self-deleting if they do not apply.

FAR 52.203-12 Limitation on Payments to Influence Certain Federal Transactions.

Applies to solicitations and contracts when the estimated value equals or exceeds \$150,000.

FAR 52.209-1 Qualification Requirements

Applies when QML, QPL, QBL is cited in the item description of the solicitation/order. The agency activity name and address is located in the QPL specification, which is cited in Item Description and can be obtained from <http://assist.daps.dla.mil/quicksearch>.

FAR 52.209-3 First Article Approval – Contractor Testing

Applies when a fixed-price contract is contemplated, first article approval is required, and the contractor is responsible for conducting the first article testing.

FAR 52.209-3 First Article Approval – Contractor Testing ALT I

Applies if the first article and the production quantity shall be produced at the same facility.

FAR 52.209-4 First Article Approval – Government Testing

When a fixed-price contract is contemplated, first article approval is required, and the Government be responsible for conducting the first article test.

FAR 52.209-4 First Article Approval – Government Testing ALT I

Applies if the first article and the production quantity shall be produced at the same facility.

FAR 52.211-16 Variation in Quantity

For DLA Land and Maritime acquisitions: A variation in quantity will not be accepted unless the unit of issue is in feet and only when within +/- 10% when authorized in the individual order.

FAR 52.213-1 Fast Payment Procedure

Applies to acquisitions valued at \$35,000 or less, unless a deviation exists, which are OCONUS Customer Direct deliveries with destination inspection and acceptances, or unless solicitation/award specifically prohibits fast pay.

FAR 52.216-19 Order Limitations

Applies when the solicitations is for an Automated Indefinite Delivery Contract (AIDC).

FAR 52.216-22 Indefinite Quantity

Applies when the solicitations is for an Automated Indefinite Delivery Contract (AIDC).

FAR 52.219-6 Notice of Total Small Business Set-Aside

Applies when the acquisition exceeds the micro-purchase threshold and is set-aside for small business unless the product being acquired is subject to 52.219-6 ALT I

FAR 52.219-6 Notice of Total Small Business Set-Aside, ALTI

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Applies when acquisition exceeds the micro-purchase threshold, is set-aside for small business, and the item is one for which the SBA has determined that the waiver of the non-manufacturer rule applies. Refer to the following website, <http://www.sba.gov/gc>.

FAR 52.222-4 Contract Work Hours and Safety Standards -Overtime Compensation

Applies to solicitations and contracts when the estimated value equals or exceeds \$150,000.

FAR 52.222-35 Equal Opportunity for Veterans

Applies to solicitations and contracts when the estimated value equals or exceeds \$150,000.

FAR 52.222-37 Employment Reports on Veterans

Applies to solicitations and contracts when the estimated value equals or exceeds \$150,000.

FAR 52.223-9 Estimate of Percentage of Recovered Material Content for EPA-Designated Items

Applies to solicitations and contracts when the estimated value exceeds \$150,000.

FAR 52.246-1 (Apr 1984) Contractor Inspection Requirements

Applies when inspection and acceptance are at destination.

FAR 52.246-11 Higher-Level Contract Quality Requirement

Refer to schedule for applicability.

FAR 52.246-15 Certificate of Conformance

This clause applies when Inspection and Acceptance at Origin is cited in the order. Clause is operative at the discretion of the DCMA quality assurance representative. Does not apply to hazardous material, items under FSC 1560, 1670, 1680, 3110, 3120, or FSG 28 and 29, or when solicitation/order specifically prohibits.

FAR 52.246-18 Warranty of Supplies of a Complex Nature

Applies to solicitations and contracts for deliverable complex items when a fixed-price supply or research and development contract is contemplated.

FAR 52.246-19 Warranty of Systems and Equipment under Performance Specifications or Design Criteria

Applies to solicitations and contracts when performance specifications or design are of major importance; a fixed-price supply, service, or research and development contract for systems and equipment is contemplated.

FAR 52.247-1 Commercial Bill of Lading Notations

Applies to all F.O.B. origin awards.

FAR 52.247-29 F.O.B. Origin

Applies when the delivery term is f.o.b. origin.

FAR 52.247-34 F.O.B. Destination.

Applies when the delivery term is f.o.b. destination.

FAR 52.247-48 F.O.B. Destination - Evidence of Shipment

Applies when delivery term is f.o.b. destination and inspection and acceptance are at source.

FAR 52.247-51 Evaluation of Export Offers

Applies to solicitations when supplies are to be exported through CONUS ports and offers are solicited on an f.o.b. origin or f.o.b. destination basis.

FAR 52.247-52 Clearance and Documentation Requirements – Shipments to DoD Air or Water Terminal Transshipment Points

Applies when shipments will be consigned to DoD air or water terminal transshipment points or container consolidation points (CCPs).

FAR 52.247-65 F.O.B Origin, Prepaid Freight - Small Package Shipments

Applies to all F.O.B. origin awards except Foreign Military Sales (FMS) requirements.

FAR 52.247-68 Report of Shipment (REPSHIP)

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Applies to shipment when advance notice of shipment is required for safety or security reasons, or where carload or truckload shipments will be made to DoD installations or, as required, to civilian agency facilities.

DFARS 252.209-7004 Subcontracting with Firms that are Owned or Controlled by the Government of a Country that is a State Sponsor of Terrorism

Applies to solicitations and contracts when the estimated value exceeds \$150,000.

DFARS 252.209-7010 Critical Safety Items

Applies when the item being acquired is identified as a Critical Safety Item.

DFARS 252.211-7003 Item Unique Identification and Valuation

Applies when the item description contains the statement "IUID MARKING IS REQUIRED." If the unit cost is \$5,000 or more and the item description is silent as to IUID, DFARS 252.211-7003(c)(1)(i) applies (there is an IUID exemption requested by the Service customer).

DFARS 252.211-7006 Passive Radio Frequency Identification

Applies to solicitations and contracts that will require shipment of items meeting criteria in DFARS 211.275-2: (1) In any of the following classes of supply: (i) Subclass of Class I – Packaged Operational Rations; (ii) Class II – Clothing, Individual Equipment, Tentage, Organizational Tool Kits, Hand Tools, and Administrative and Housekeeping Supplies and Equipment; (iii) Class IIIP – Packaged Petroleum, Lubricants, Oils, Preservatives, Chemicals, and Additives; (iv) Class IV – Construction and Barrier Materials; (v) Class VI – Personal Demand Items (Non-Military Sales Items); (vi) Subclass of Class VIII – Medical Materials (Excluding Pharmaceuticals, Biologicals, and Reagents (Suppliers should limit mixing of excluded and non-excluded materials); and (vii) Class IX – Repair Parts and Components including Kits, Assemblies and Subassemblies, Reparable and Consumable Items Required for Maintenance Support of All Equipment, excluding Medical-Peculiar Repair Parts; AND (2) when supplies will be shipped (i) to one of the locations listed on the website at http://www.acq.osd.mil/log/sci/RFID_ship-to-locations.html; (ii) to a location outside the contiguous United States when the shipment has been assigned Transportation Priority1; or (iii) to any additional location(s) deemed necessary by the requiring activity. Does not apply to (i) shipments of bulk commodities; or (ii) shipments to locations other than Defense Distribution Depots when the contract includes the clause at FAR 52.213-1, Fast Payment Procedures.

DFARS 252.216-7006 Ordering

Applies when the solicitations is for an Automated Indefinite Delivery Contract (AIDC).

DFARS 252.225-7000 Buy American -- Balance of Payments Program Certification –BASIC

Applies to all acquisitions over the micro-purchase threshold up to \$25,000 and to acquisitions above \$25,000 unless 252.225-7036 or its ALT applies.

DFARS 252.225-7001 Buy American and Balance of Payments Program – BASIC

Applies to all acquisitions over the micro-purchase threshold up to \$25,000 and to acquisitions above \$25,000 unless 252.225-7036 or its ALT applies.

DFARS 252.225-7002 Qualifying Country Sources as Subcontractors

Applies when either DFARS 252.225-7001 or DFARS 252.225-7036 is cited in the solicitation.

DFARS 252.225-7008 Restriction on the Acquisition of Specialty Metals

Applies when either DFARS 252.225-7001 or DFARS 252.225-7036 is cited in the solicitation.

DFARS 252.225-7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals

DFARS 252.225-7010 Commercial Derivative Military Article

Applies when either DFARS 252.225-7001 or DFARS 252.225-7036 is cited in the solicitation.

DFARS 252.225-7012 Preference for Certain Domestic Commodities.

Applies to acquisitions of athletic footwear purchased for use by members of the Army, Navy, Air Force, or Marine Corps upon initial entry into the Armed Forces.

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DFARS 252.225-7013 Duty-Free Entry

Applies when acquisition exceeds the micro-purchase threshold except when set aside for small business or when the supplies will be shipped directly from a source outside the U.S. to a customer outside the U.S.

DFARS 252.225-7016 Restriction on Acquisition of Ball and Roller Bearings

Applies to all acquisitions unless the items being acquired are not, or do not contain, ball and roller bearings.

DFARS 252.225-7019 Restriction on Acquisition of Anchor and Mooring Chain

Applies to solicitations and contracts requiring welded shipboard anchor or mooring chain four inches or less in diameter.

DFARS 252.225-7020 Trade Agreements Certificate—Basic

Applies to solicitations and contracts when the estimated value equals or exceeds \$180,000.

DFARS 252.225-7021 Trade Agreements —Basic

Applies to solicitations and contracts when the estimated value equals or exceeds \$180,000.

DFARS 252.225-7028 Exclusionary Policies and Practices of Foreign Governments

Applies for FMS

DFARS 252.225-7036 Buy American – Free Trade Agreements – Balance of Payments Program – Basic

Applies to solicitations and contracts when the estimated value equals or exceeds \$100,000, but is less than \$180,000, except if the acquisition is of end products in support of operations in Afghanistan.

DFARS 252.225-7036 Buy American – Free Trade Agreements— Balance of Payments Program – Alt I

Applies to solicitations and contracts when the estimated value equals or exceeds \$25,000 but is less than \$80,317, except if the acquisition is of end products in support of operations in Afghanistan.

DFARS 252.225-7036 Buy American – Free Trade Agreements – Balance of Payments Program – Alt IV

Applies to solicitations and contracts when the estimated value equals or exceeds \$80,317 but is less than \$100,000, except if the acquisition is of end products in support of operations in Afghanistan.

DFARS 252.225-7041 Correspondence in English

Applies when performance will be wholly or in part in a foreign country.

DFARS 252.225-7975 Additional Access to Contractor and Subcontractor Records (DEVIATION 2020-00001)

DFARS 252.225-7976 Contractor Personnel Performing in Japan (DEVIATION 2018-00019)

<https://www.acq.osd.mil/dpap/policy/policyvault/USA002186-18-DPC.pdf>

Applies to solicitations and contracts that will require contractor personnel to perform in Japan.

DFARS 252.225-7981 Additional Access to Contractor and Subcontractor Records (Other than USCENTCOM) (DEVIATION 2015-00016)

<https://www.acq.osd.mil/dpap/policy/policyvault/USA004860-15-DPAP.pdf>

Applies to solicitations and contracts with an estimated value in excess of \$50,000 that are to be performed outside the United States and its outlying areas, in support of a contingency operation which members of the Armed Forces are actively engaged in hostilities, except for contracts that will be performed in the United States Central Command theater of operations (see Class Deviation 2015-0013).

DFARS 252.225-7993 Prohibition on Providing Funds to the Enemy (DEVIATION 2020-0001)

DFARS 252.225-7993 Prohibition on Providing Funds to the Enemy (DEVIATION 2015-00016)

<https://www.acq.osd.mil/dpap/policy/policyvault/USA004860-15-DPAP.pdf>

Applies to solicitations and contracts to be awarded on or before December 31, 2019, with an estimated value in excess of \$50,000 that are being, or will be, performed outside the United States and its outlying areas, in support of a contingency operation in which members of the Armed Forces are actively engaged in hostilities.

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DFARS 252.227-7025 Limitations On the Use or Disclosure of Government-Furnished Information Marked with Restrictive Legends

Applies to solicitations and contracts when the Government expects to provide the contractor, for performance of its contract, technical data or computer software/software documentation marked with another contractor's restrictive legends.

DFARS 252.239-7017 Notice of Supply Chain Risk (DEVIATION 2018-O0020)

<https://www.acq.osd.mil/dpap/policy/policyvault/USA002323-18-DPC.pdf>

Applies to solicitations for information technology services or supplies.

DFARS 252.239-7018 Supply Chain Risk (DEVIATION 2018-O0020)

<https://www.acq.osd.mil/dpap/policy/policyvault/USA002323-18-DPC.pdf>

Applies to solicitations and contracts for information technology services or supplies.

DFARS 252.246-7007 Contractor Counterfeit Electronic Part Detection and Avoidance System

Applies to solicitations and contracts when procuring, electronic parts; end items, components, parts or assemblies containing electronic parts. Does not apply to acquisitions set-aside for small business.

DFARS 252.246-7008 Sources of Electronic Parts

Applies to solicitations and contracts when procuring, electronic parts; end items, components, parts or assemblies containing electronic parts; or services, if the contractor will supply electronic parts or components, parts, or assemblies containing electronic parts or components, parts, or assemblies containing electronic parts as part of the service.

DLAD 52.232-9006 Transporter Proof of Delivery (TPD)

Applies to solicitations and awards issued by DLA Aviation, DLA Land and Maritime, and DLA Troop Support for supplies when (1) either FAR 52.232-25 or FAR 52.212-4 is cited in the solicitation; and (2) all of the following conditions apply: (a) contract deliveries will be made directly to DLA customers; (b) award will be made on a fixed-price basis; (c) inspection or acceptance at source is not required; (d) use of fast payment procedures is not authorized; (e) shipments to overseas destinations or to containerization consolidation points are not required; and (f) acquisition is not being conducted under the subsistence total order and receipt electronic system (STORES), Defense Medical Logistics Standard Support (DMLSS), Industrial Prime Vendor (IPV), or Integrated Logistics Partner (ILP) programs.