



ADDITIONAL TERMS AND CONDITIONS FOR COMMERCIAL ITEMS PURCHASED UNDER GOVERNMENT CONTRACTS

In addition to the terms and conditions of TenCate Advanced Composites USA, Inc., “*Vendor Terms and Conditions*”, the following clauses in Part 52 of the Federal Acquisition Regulation (FAR), Chapter 1 of Title 48, Code of Federal Regulations, and Part 252 of the Defense Federal Acquisition Regulation Supplement (DFARS), Chapter 2 of Title 48, Code of Federal Regulations, are incorporated herein by this reference and made a part of the Order. In the clauses listed below, the term “Contractor” shall mean “Seller;” the term “Contract” shall mean “Order,” and the term “Government Contracting Officer” (or equivalent phrases) shall mean “Buyer.” It is intended that the FAR and DFARS clauses referenced below shall apply to Seller and its lower-tier subcontractors, as applicable, in such manner as necessary to reflect the position of Seller as a subcontractor to Buyer to ensure Seller’s obligations to Buyer and to the U.S. Government; and to enable Buyer to meet its obligations under its contracts funded by the U.S. Government.

The following FAR Clauses apply regardless of dollar value of the Order:

52.202-1	Definitions
52.203-3	Gratuities
52.204-21	Basic Safeguarding of Covered Contractor Information Systems
52.209-10	Prohibition on Contracting with Inverted Domestic Corporations
52.212-5	Contract Terms and Conditions Required to Implement Statutes or Executive Orders Commercial Items
52.222-21	Prohibition of Segregated Facilities
52.222-26	Equal Opportunity
52.222-50	Combating Trafficking in Persons
52.225-13	Restriction on Certain Foreign Purchases
52.244-6	Subcontracts for Commercial Items
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels

The following FAR Clauses apply if the value of the Order equals or exceeds \$3,500:

52.222-19	Child Labor – Cooperation with Authorities and Remedies
52.222-54	Employment Eligibility Verification

The following FAR Clause applies if the value of the Order equals or exceeds \$10,000:

52.222-40	Notification of Employee Rights Under the National Labor Relations Act
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The following FAR Clause applies if the value of the Order equals or exceeds \$15,000:

52.222-36	Equal Opportunity for Workers with Disabilities
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The following FAR Clause applies if the value of the Order equals or exceeds \$30,000:

52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards
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The following FAR Clause applies if the value of the Order equals or exceeds \$35,000:

52.209-6	Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment
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The following FAR Clauses apply if the value of the Order equals or exceeds \$150,000:

52.203-11	Certification and Disclosure Regarding Payment to Influence Certain Federal Transactions
52.203-12	Limitation on Payments to Influence Certain Federal Transactions

- 52.203-17 Contractor Employee Whistleblower Rights and Requirement To Inform Employees of Whistleblower Rights
- 52.219-8 Utilization of Small Business Concerns
- 52.222-17 Non-displacement of Qualified Workers
- 52.222-35 Equal Opportunity for Veterans
- 52.222-37 Employment Reports on Veterans

The following FAR Clauses apply if the value of the Order equals or exceeds \$700,000:

- 52.219-9 Small Business Subcontracting Plan
- 52.219-16 Liquidated Damages – Subcontracting Plan

The following FAR Clause applies if the value of the Order equals or exceeds \$5,500,000:

- 52.203-13 Contractor Code of Business Ethics and Conduct

The following DFARS Clauses apply to Orders Funded by the Department of Defense (DoD):

The following DFARS Clauses apply regardless of dollar value of the Order:

- 252.203-7000 Requirements Relating to Compensation of Former DoD Officials
- 252.203-7002 Requirement to Inform Employees of Whistleblower Rights
- 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting
- 252.223-7008 Prohibition of Hexavalent Chromium
- 252.225-7001 Buy American Act and Balance of Payments Program
- 252.225-7008 Restriction on Acquisition of Specialty Metals
- 252.225-7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals
- 252.225-7015 Restriction on Acquisition of Hand or Measuring Tools
- 252.225-7016 Restriction on Acquisition of Ball and Roller Bearings
- 252.225-7021 Trade Agreements, Alternates I and II
- 252.227-7015 Technical Data-Commercial Items
- 252.227-7037 Validation of Restrictive Markings on Technical Data
- 252.236-7013 Requirement for Competition Opportunity for American Steel Producers
- 252.244-7000 Subcontracts for Commercial Items and Commercial Components
- 252.246-7003 Notification of Potential Safety Issues
- 252.246-7007 Contractor Counterfeit Electronic Part Detection and Avoidance System
- 252.246-7008 Sources of Electronic Parts
- 252.247-7003 Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer
- 252.247-7024 Notification of Transportation of Supplies by Sea

The following DFARS Clause applies if the value of the Order equals or exceeds \$25,000:

- 252.225-7036 Buy American Act – Free Trade Agreements

The following DFARS Clause applies if the value of the Order equals or exceeds \$150,000:

- 252.247-7023 Transportation of Supplies by Sea

The following DFARS Clause applies if the value of the Order equals or exceeds \$500,000:

- 252.226-7001 Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns

The following DFARS Clause applies if the value of the Order equals or exceeds \$750,000:

- 252.219-7003 Small Business Subcontracting Plan