

LOCKHEED MARTIN AERONAUTICS COMPANY
PRIME SUPPLEMENTAL FLOWDOWN DOCUMENT (PSFD)
ADDITIONAL TERMS AND CONDITIONS
FOR SUBCONTRACTS/PURCHASE ORDERS UNDER
PRIME CONTRACT NUMBER N00383-20-G-W101
US NAVSUP Repair BOA

Generated Using the 2020 Version of the Lockheed Martin CorpDocs

Original: October 9, 2020

Revision 1: November 15, 2023

The Terms and Conditions listed below are incorporated by reference and made a part of this Contract. Unless otherwise limited in this Contract, each document applies in its entirety.

In the event of a conflict between the version or date of a clause set forth in this document and the version or date of a clause set forth in the identified CorpDocs, the version or date of the clauses set forth in this document shall take precedence.

To the extent that any clause included in this document is inapplicable to the performance of this Contract, the Parties shall consider such clauses to be self-deleting and they shall not impose any obligations upon SELLER.

PART I. DELETIONS: The following clauses are deleted in their entirety from the applicable CorpDocs incorporated into this Contract:

RESERVED

PART II. MODIFICATIONS: The dates or versions of the following FAR, DFARS, and other agency clauses are modified as follows and are incorporated into the Contract:

DFARS 252.203-7003 AGENCY OFFICE OF THE INSPECTOR GENERAL (AUG 2019) (Applies when FAR 52.203-13 applies to this Contract.)

DFARS 252.204-7012 SAFEGUARDING COVERED DEFENSE INFORMATION AND CYBER INCIDENT REPORTING (DEC 2019) (Applies if this Contract is for operationally critical support or for which performance will involve covered defense information. SELLER shall furnish LOCKHEED MARTIN copies of notices provided to the Contracting Officer at the time such notices are sent. SELLER shall also furnish LOCKHEED MARTIN copies of any reports SELLER receives from its lower tier subcontractors.)

DFARS 252.219-7003 Small Business Subcontracting Plan (DoD Contracts) - BASIC (DEC 2019)
 (Applies if FAR 52.219-9 applies to this Contract.)

DFARS 252.225-7009 Restriction on Acquisition of Certain Articles on Containing Specialty Metals (Dec 2019) (Applies if the Work to be furnished contains specialty metals. Paragraph (d) is deleted.)

DFARS 252.225-7012 PREFERENCE FOR CERTAIN DOMESTIC COMMODITIES (DEC 2017)

PART III. ADDITIONS: The following FAR, DFARS, and other agency clauses are incorporated into this Contract in addition to those set out in the applicable CorpDocs:

DFARS 252.203-7004 DISPLAY OF FRAUD HOTLINE POSTER(S) (AUG 2019)
 (Applies in lieu of FAR 52.203-14. Applies if this Contract exceeds the threshold at DFARS 203.1004(b)(2)(ii))

DFARS 252.204-7000 Disclosure of Information (Oct 2016)

DFARS 252.204-7008 Compliance with Safeguarding Covered Defense Information Controls (Oct 2016)

DFARS 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting. (DEVIATION 2022-N0002) (MAR 2022)

DFARS 252.204-7020 NIST SP 800-171 DoD Assessment Requirements. (DEVIATION 2022-N0002) (MAR 2022)

DFARS 252.208-7000 Intent to Furnish Precious Metals as Government-Furnished Material (Dec 1991)

DFARS 252.215-7008 ONLY ONE OFFER (JUL 2019) (Applies if this subcontract exceeds the simplified acquisition threshold.)

DFARS 252.215-7010 Requirements for Certified Cost or Pricing Data and Other Data than Certified Cost or Pricing Data (July 2019) (This clause applies in lieu of FAR 52.215-20. Contracting Officer means "LOCKHEED MARTIN" Paragraph (b)(ii)(E) is deleted)

DFARS 252.215-7010 ALT I Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data (Jul 2019) (The original rule incorrectly stated the clause date as "JUN 2019." The date is corrected to read as "JUL 2019." Also corrects a typo in paragraph (c)(3).)

DFARS 252.217-7026 Identification of Sources of Supply (Nov 1995) (Applies in subcontracts where the subcontractor will be furnishing items acquired by lower tier subcontractors without added value.)

DFARS 252.219-7003 ALT I Small Business Subcontracting Plan (Dec 2019)
 (Paragraph (g) expressly requires the clause, it should be included contracts with subcontractors that participate in the Test Program described in DFARS 219.702-70, if the subcontract is expected to exceed the applicable threshold specified in Federal Acquisition Regulation 19.702(a), and to have further subcontracting opportunities.)

DFARS 252.219-7004 Small Business Subcontracting Plan (Test Program) (Apr 2018) (Required by subparagraph (g) of this clause for participants in the DoD Test Program for the Negotiation of Comprehensive Small Business Subcontracting Plans FAR 52.219-9 is required in other subcontracts that meet the criteria specified in that clause.)

DFARS 252.219-7015 Restriction on Acquisition of Hand or Measuring Tools (June 2005)

DFARS 252.225-7025 Restriction on Acquisition of Forgings (Dec 2009) (Paragraph (e) expressly requires the clause to be included in all subcontracts that are for items containing restricted forging items.)

DFARS 252.225-7027 Restriction on Contingent Fees for Foreign Military Sales (Apr 2003) (The reference to the clause in paragraph (a) means FAR 52.203-5. The blank in paragraph (b)(1) is completed with "any Government." Subparagraph (b)(2) is deleted.)

DFARS 252.225-7036 Buy American-Free Trade Agreements--Balance of Payments Program (Dec 2017)

DFARS 252.225-7036 ALT I Buy American-Free Trade Agreements (Dec 2017)

DFARS 252.225-7036 ALT IV Buy American-Free Trade Agreements (Dec 2017)

DFARS 252.225-7038 Restriction on Acquisition of Air Circuit Breakers (Dec 2018) (Applies to all subcontracts where air circuit breakers for naval vessels are to be supplied.)

DFARS 252.225-7978 (DEVIATION 2019-O0006) Restriction on Acquisition of Certain Magnets and Tungsten. (Jan 2019)

DFARS 252. 235-7003 ALT I Frequency Authorization (Mar 2014) (Paragraph (d) expressly requires this clause be included in all subcontracts requiring the development, production, construction, testing, or operation of a device for which a radio frequency authorization is required. Alternate I should be included in such subcontracts if it applies to the applicable prime contract)

DFARS 252.239-7017 Notice of Supply Chain Risk (Feb 2019) ("Government" means "Lockheed Martin and the Government")

DFARS 252.243-7002 Requests for Equitable Adjustment (Dec 2012) ("Government" means "Lockheed Martin.")

DFARS 252.245-7004 Reporting, Reutilization, and Disposal (Dec 2017) ("Contracting Officer" means Lockheed Martin.)

FAR 52.203-7 Anti-Kickback Procedures (Jun 2020) (Paragraph (c)(5) expressly requires the clause be included in all subcontracts in excess of the threshold specified in FAR 3.502-2(i) on the date of subcontract award.)

FAR 52.204-21 Basic Safeguarding of Covered Contractor Information Systems (JUNE 2016) (Applies unless Seller is furnishing commercially available off-the-shelf items.)

FAR 52.204-23 Prohibition on Contracting for Hardware, Software and Services developed or provided by Kaspersky Lab and other Covered (July 2018) (Seller shall provide Lockheed Martin copies of any reports provided under this clause which relate to the performance of this contract.)

FAR 52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (Aug 2020) ("Government" in paragraph (b) means "Government or Lockheed Martin." Reports required by this clause will be made to Lockheed Martin. Paragraph (b)(2) is deleted.)

FAR 52.215-2 Audit and Records -- Negotiation (June 2020) (Applies if this contract exceeds the simplified acquisition threshold and if (1) this is a cost-reimbursement, incentive, time and materials or price-redeterminable contract, (2) if Seller was required to furnish cost or pricing data, or (3) this contract requires Seller to furnish cost, funding or performance reports.)

FAR 52.215-2 ALT III Audit and Records -- Negotiation (June 1999)

FAR 52.215-21 ALT III Requirements for Certified Cost or Pricing Data or Information Other Than Certified Cost or Pricing Data -- Modifications (Oct 1997) ("Contracting Officer" means "Lockheed Martin" in paragraphs (a)(1) and (b).)

FAR 52.215-21 ALT IV Requirements for Certified Cost or Pricing Data or Information Other Than Certified Cost or Pricing Data -- Modifications (Oct 2010) ("Contracting Officer" means "Lockheed Martin" in paragraphs (a)(1) and (b).)

FAR 52.215-23 Limitations on Pass-Through Charges (Jun 2020)

(Applies if this is a cost-reimbursement subcontract in excess of the simplified acquisition threshold, except if the prime contract to which this contract relates is with DoD, then the clause applies to both cost-reimbursement subcontracts and fixed-price subcontracts, except those identified in 15.408(n)(2)(i)(B)(2), that exceed the threshold for obtaining cost or pricing data in accordance with FAR 15.403-4.)

FAR 52.219-9 ALT III Small Business Subcontracting Plan (Mar 2020) (Applies if this contract exceeds the threshold at FAR 19.702(a) . Does not apply if Seller is a small business concern. "Contracting Officer" means "Lockheed Martin" in paragraph (c). Seller's subcontracting plan is incorporated herein by reference.)

FAR 52.222-35 ALT I Equal Opportunity for Veterans (July 2014)
(Applies if this contract is for \$150,000 or more.)

FAR 52.223-20 Aerosols (Jun 2016)

FAR 52.223-21 Foams (Jun 2016)

FAR 52.245-9 Use and Charges (Apr 2012) (Communications with the Government under this clause will be made through Lockheed Martin.)

FAR 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels (Apr 2003) In the last sentence of paragraph (c) "Subcontractor" means "Seller and lower term subcontractor." "Contracting Officer" means "Lockheed Martin."

Part IV. SECTION H –PRIME CONTRACT SPECIAL PROVISIONS

RESERVED

Revision 1, dated November 9, 2023. The following clauses have been added:

DFARS 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting. (DEVIATION 2022-N0002) (MAR 2022)

DFARS 252.204-7020 NIST SP 800-171 DoD Assessment Requirements. (DEVIATION 2022-N0002) (MAR 2022)