

LOCKHEED MARTIN CORPORATION

PRIME SUPPLEMENTAL FLOWDOWN DOCUMENT (PSFD)

ADDITIONAL TERMS AND CONDITIONS FOR SUBCONTRACTS/PURCHASE ORDERS UNDER

PRIME CONTRACT NUMBER FA8615-20-C-6051

Bulgaria Republic F-16 Aircraft Production Program

Generated Using the 2020 Version of the Lockheed Martin CorpDocs

Original: April 13, 2020

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 PSFD is inapplicable to the performance of this Contract, the Parties shall consider such clauses to be self-deleting and shall not impose any obligations upon the SELLER.

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

FAR 52.222-41 SERVICE CONTRACT ACT OF 1965 (MAY 2014)

FAR 52.222-55 MINIMUM WAGES UNDER EXECUTIVE ORDER 13658 (DEC 2015)

FAR 52.243-6 CHANGE ORDER ACCOUNTING (APR 1984)

DFARS 252.225-7021 TRADE AGREEMENTS (DEC 2016)

PART II: ADDITIONS: The following FAR, DFARS and AFFARS clauses are added:

FAR 52.203-16 PREVENTING PERSONAL CONFLICTS OF INTEREST (AUG 2018) (DEVIATION 2018-00018) (Applies to subcontracts that exceed the simplified acquisition threshold and in which subcontractor employees will perform acquisition functions closely associated with inherently governmental functions (i.e., instead of performance only by a self-employed individual. Not applicable to commercial items as defined by FAR 2.101.)

FAR 52.222-56 CERTIFICATION REGARDING TRAFFICKING IN PERSONS COMPLIANCE PLAN (MAR 2015) (Applies to all solicitations for subcontracts for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States and where the subcontract is estimated to exceed \$500,000. In paragraph (d), "Contracting Officer" means "Contracting Officer and LOCKHEED MARTIN." In paragraph (e), "Government" means "LOCKHEED MARTIN.")

FAR 52.232-16 PROGRESS PAYMENTS (APR 2012) ("Contracting Officer" means "LOCKHEED MARTIN" except in paragraph (g) where it means "LOCKHEED MARTIN or Contracting Officer." "Government"

means "LOCKHEED MARTIN" except: (1) in paragraphs (d), (e), and (j)(5) where the term is unchanged, and (2) in paragraphs (g) and (i) where it means "LOCKHEED MARTIN and the Government." Not applicable to commercial items as defined by FAR 2.101.)

FAR 52.232-17 INTEREST (MAY 2014) ("Government" means "LOCKHEED MARTIN." Not applicable to commercial items as defined by FAR 2.101.)

FAR 52.232-39 UNENFORCEABILITY OF UNAUTHORIZED OBLIGATIONS (JUN 2013) (Applies to subcontracts where software or services will be retransferred to the Government.)

FAR 52.245-9 USE AND CHARGES (APR 2012) (Applies to subcontracts involving the use of Government property. Communications with the Government under this clause will be made through LOCKHEED MARTIN.)

DFARS 252.208-7000 INTENT TO FURNISH PRECIOUS METALS AS GOVERNMENT-FURNISHED MATERIAL (DEC 1991) (Applies in all solicitations for subcontracts for items containing precious metals.)

DFARS 252.211-7007 REPORTING OF GOVERNMENT-FURNISHED PROPERTY (AUG 2012) (Applies if SELLER will be in possession of Government property for the performance of this Contract.)

DFARS 252.219-7004 SMALL BUSINESS SUBCONTRACTING PLAN (TEST PROGRAM) (MAY 2019) (Applies if SELLER is a participant in the DoD Test Program for the Negotiation of Comprehensive Small Business Subcontracting Plans.)

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 252.225-7028 EXCLUSIONARY POLICIES AND PRACTICES OF FOREIGN GOVERNMENTS (APR 2003) (Not applicable to commercial items as defined by FAR 2.101.)

DFARS 252.225-7047 EXPORTS BY APPROVED COMMUNITY MEMBERS IN PERFORMANCE OF THE CONTRACT (JUN 2013) (Applies in solicitations where subcontractors may require exports or transfers of qualifying defense articles in connection with deliveries under the Contract.)

DFARS 252.228-7001 GROUND AND FLIGHT RISK (JUN 2010) (In paragraph (a)(1)(i), "this Contract" means "the prime contract." The following is added at the beginning of the clause: "Communications between SELLER and the Government shall be made through LOCKHEED MARTIN." Any equitable adjustment provided for this clause shall be implemented in this Contract to the extent such adjustment is implemented in the prime contract." Subparagraphs (d)(2)(ii), (d)(3)(ii), and the last sentence of subparagraph (j)(2) are deleted. Not applicable to commercial items as defined by FAR 2.101.)

DFARS 252.234-7004 COST AND SOFTWARE DATA REPORTING SYSTEM (NOV 2014) (Applies to subcontracts in excess of \$50,000,000. In paragraph (b), "Government" means "LOCKHEED MARTIN." Not applicable to commercial items as defined by FAR 2.101.)

DFARS 252.243-7002 REQUESTS FOR EQUITABLE ADJUSTMENT (DEC 2012) (Applies if subcontract exceeds the simplified acquisition threshold. "Government" means "LOCKHEED MARTIN." Not applicable to commercial items as defined by FAR 2.101.)

DFARS 252.245-7004 REPORTING, REUTILIZATION, AND DISPOSAL (DEC 2017) (Applies if Government property will be located at supplier's facilities. "Contracting Officer" means "LOCKHEED MARTIN.")

DFARS 252.246-7001 – ALT II – ALTERNATE II – WARRANTY OF DATA (MAR 2014) (Alternate II applies to firm fixed price solicitations and contracts. Applies to subcontracts if data will be acquired from the subcontractor.)

AFFARS 5352.223-9000 ELIMINATION OF USE OF CLASS I OZONE DEPLETING SUBSTANCES (ODS) (NOV 2012) (The blank in paragraph (d) is completed with "None." In paragraph (d), "Contracting Officer" means "LOCKHEED MARTIN." Not applicable to commercial items as defined by FAR 2.101.)

AFFARS 5352.223-9001 HEALTH AND SAFETY ON GOVERNMENT INSTALLATIONS (NOV 2012) (Applies if SELLER will perform work under this Contract on a Government installation. "Contracting Officer" means "LOCKHEED MARTIN." Not applicable to commercial items as defined by FAR 2.101.)

AFFARS 5352.242-9000 CONTRACTOR ACCESS TO AIR FORCE INSTALLATIONS (NOV 2012) (Applies if SELLER will perform Work under this Contract on a Government installation. "Contracting Officer" means "LOCKHEED MARTIN." In paragraph (e), "the prime contractor" means "SELLER." Not applicable to commercial items as defined by FAR 2.101.)