

Work instruction

FAR/DFARS (UAV) Programma 162 FAR/DFARS (UAV) Program 162

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CONTENT

Scope	3
Purpose of the work instruction	3
Responsibilities	3
Description of the work instruction	3
1 Supplier	3
2 Special Note	3
Annex 1	4

SCOPE

Unit: All
Program: 162 (UAV PROGRAM)
Source: Contract requirements

PURPOSE OF THE WORK INSTRUCTION

This instruction identifies which Federal Acquisition Regulations (FAR), Defense Federal Acquisition Regulations Supplement (DFARS) and Special Subcontract Requirements are applicable for the program 162 and should be complied with.

RESPONSIBILITIES

Supplier Comply with the requirements of FAR/DFARS/Special Subcontract Requirements listed in annex 1 of this document.
FLG To keep annex 1 updated based on changes communicated by the Customer.

REVISION STATUS

The current revision of this document will be send by Fokker Landing Gear (FLG) Procurement department.

Questions regarding this document should be directed to the FLG Procurement department.

DESCRIPTION OF THE WORK INSTRUCTION**1 Supplier**

1.1 Supplier **will** have processes in place to be and to remain compliant to the FAR, DFARS and Special Subcontract Requirements for all shipments to FLG.

1.2 Supplier **will** flow down the FAR, DFARS and Special Subcontract Requirements listed in Annex 1 to their supply chain, if applicable.

2 Special Note

The FAR and DFARS clauses mentioned herein are a U.S. Government directed down flow. Depending on, among other factors, the nature of specific programs and the country where participating companies are domiciled, certain regulations will prove to be self-deleting. The complete texts of the FAR and DFARS clauses can be downloaded from the following internet sites:

- <https://acquisition.gov/far/current/html/FARTOCP52.html> for the FAR clauses, and;
- <http://www.acq.osd.mil/dpap/dars/dfarspgi/current/> for the DFARS clauses.

ANNEXES

1 List of FAR, DFARS and Special Subcontract Requirements (Table 1 and Table 2)

REFERENCES

N/A

CONCEPTS AND DEFINITIONS

N/A

ABBREVIATIONS

FLG Fokker Landing Gear
FAR Federal Acquisition Regulations
DFARS Defense Federal Acquisition Regulations Supplement

ANNEX 1: List of FAR, DFARS and Special Subcontract Requirements

Table 1: Prime contract flow downs FAR/DFARS Addendum (customer Attachment 5)

In all clauses and other requirements herein, the term “Contractor” shall mean “Seller”, the term “Contract” shall mean this “Order”, and the term “Government Contracting Officer” or equivalent phrases, shall mean “Buyer” as applicable; except that in those clauses conferring patent and data rights to the Government, the term “Government” or “Contracting Officer” retains its literal meaning and is not to be construed as “Buyer”. It is intended that the clauses and other specified requirements as listed herein shall apply to Seller in such manner as is necessary to reflect the position of Seller as a subcontractor to Buyer, to ensure Seller’s obligations to Buyer and to the Government, and to enable Buyer to meet its obligations under its Prime Contract or subcontract.

CLAUSES:	TITLE:
52.203-8	Cancellation, Rescission and Recovery of Funds for Illegal
52.211-15	Defense Priority and Allocation Requirements
52.215-14 ALT I	Integrity of Unit Prices Alternate I
52.215-23 ALT I	Limitations on Pass Through Charges Alternate I
52.230-2	Cost Accounting Standards
52.230-3	Disclosure and Consistency of Cost Accounting Practices
52.246-11	Higher Level Contract Quality Requirement (Government Spec)
52.246-2 ALT I	Inspection of Supplies Fixed Price Alternate I
252.203-7000	Rqmts Relating to Compensation of Former DoD Officials
252.215-7009	Proposal Adequacy Checklist
252.228-7003	Capture and Detention
252.243-7001	Pricing of Contract Modifications

Table 2: Clauses for Orders non-commercial Goods and Services (customer Attachment 4)

The clauses in Section 52 of the Federal Acquisition Regulations (“FAR”) and Part 252 the Defense Federal Acquisition Regulations Supplement (“DFARS”) set forth below and in effect on the date of the Purchase Order (“Order”) are each incorporated herein by this reference and made a part of the Order. In all such clauses, the term “Contractor” shall mean “Seller,” the term “Contract” shall mean the “Order,” and the term “Government Contracting Officer” or equivalent phrases, shall mean “Buyer” as applicable; except that in those clauses conferring patent and data rights to the Government, the term “Government” or “Contracting Officer” retains its literal meaning and is not to be construed as “Buyer.” It is intended that the FAR and DFARS clauses as listed herein shall apply to Seller in such manner as is necessary to reflect the position of Seller as a subcontractor to Buyer, to ensure Seller’s obligations to Buyer and to the Government, and to enable Buyer to meet its obligations under its Prime Contract or higher-tier subcontract.

The effective version of each FAR/DFARS clause shall be the same version as that which appears in Buyer’s Prime Contract, or higher-tier subcontract under which the Order is lower-tier subcontract. In the event of a conflict between these FAR/DFARS clauses and the terms and conditions of the Order, the FAR/DFARS clauses shall control.

CLAUSES:	TITLE:
52.202-1	Definitions of Words and Terms Provisions and Clauses
52.203-3	Gratuities
52.203-5	Covenant Against Contingent Fees
52.203-6	Restrictions on Subcontractor Sales to the Government
52.203-7	Anti-Kickback Procedures
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity
52.203-12	Limitation on Payment to Influence Certain Federal Transactions
52.203-13	Contractor Code of Business Ethics and Conduct
52.203-14	Display of Hotline Poster(s)
52.203-15	Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009

52.203-16	Preventing Personal Conflicts of Interest
52.203-17	Contractor Employee Whistleblower Rights and Requirement to inform employees of Whistleblower Rights
52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements
52.204-2	Security Requirements (Applicable to “Classified” Orders only)
52.204-9	Personal Identity Verification of Contractor Personnel (Applicable if Federally controlled facility)
52.204-21	Basic Safeguarding of Covered Contractor Information Systems
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities
52.208-8	Required Sources for Helium and Helium Usage Data
52.209-6	Protecting the Government’s Interest When Contracting with Contractors, Debarred, Suspended, or Proposed for Debarment
52.211-5	Material Requirements
52.215-2	Audit and Records – Negotiation
52.215-10	Price Reduction for Defective Certified Cost or Pricing Data
52.215-11	Price Reduction for Defective Certified Cost or Pricing Data – Modifications
52.215-12	Subcontractor Certified Cost or Pricing Data
52.215-13	Subcontractor Certified Cost or Pricing Data - Modifications
52.215-15	Pension Adjustments and Asset Reversions
52.215-18	Reversion or Adjustment of Plans for Post-Retirement Benefits (“PRB”) other than Pensions
52.215-19	Notifications of Ownership Changes
52.215-23	Limitations on Pass-Through Charges (DoD Agency Contract)
52.219-8	Utilization of Small Business Concerns
52.219-9	Small Business Subcontracting Plan
52.222-1	Notice to Government of Labor Disputes
52.222-4	Contract Work Hours and Safety Standards—Overtime Compensation
52.222-19	Child Labor – Cooperation with Authorities and Remedies
52.222-20	Contracts for Materials, Supplies, Articles and Equipment Exceeding \$15,000
52.222-21	Prohibition of Segregated Facilities
52.222-26	Equal Opportunity
52.222-29	Notification of visa Denial
52.222-35	Equal Opportunity for Veterans
52.222-36	Equal Opportunity for Workers with Disabilities
52.222-37	Employment Reports on Veterans
52.222-40	Notification of Employee Rights Under the National Labor Relations Act
52.222-50	Combating Trafficking in Persons
52.222-50 Alt. I	Combating Trafficking in Persons (Applicable to Orders performed outside the U.S.)
52.222-54	Employment Eligibility Verification
52.222-55	Minimum Wages Under Executive Order 13658
52.223-3	Hazardous Material Identification and Material Safety Data
52.223-5	Pollution Prevention and Right-to-Know Information (Applicable for Work performed on a Federal facility)
52.223-11	Ozone – Depleting Substances
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving
52.224.2	Privacy Act
52.224.3	Privacy Training
52.225-8	Duty Free
52.225-13	Restriction on Certain Foreign Purchases
52.227-1	Authorization and Consent
52.227-1 Alt I	Authorization and Consent
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement
52.227-9	Refund of Royalties (Applicable to Orders in which the amount of royalties exceeds \$250)
52.227-10	Filing of Patent Applications – Classified Subject Matter (Applicable to Orders that cover or are likely to cover classified subject matter)

52.227-11	Patent Rights -- Ownership by the Contractor (Applicable to Orders for experimental, developmental, or research work to be performed by a small business concern or nonprofit organization)
52.227-13	Patent Rights -- Ownership by the Government (Applicable if Order is for experimental, developmental or research work and Seller is not located in the U.S. or have a place of business in the U.S., or is subject to the control of a foreign government)
52.227-14	Rights in Data – General
52.228-3	Workers' Compensation Insurance (Defense Base Act)
52.228-4	Workers Compensation and War-Hazard Insurance Overseas
52.228-5	Insurance -- Work on a Government Installation
52.229-10	State of New Mexico Gross Receipts and Compensating Tax (Applicable to cost reimbursement Orders for services to be performed in whole or in part within the state of New Mexico, and tangible personal property is acquired as a direct cost under the contract for which title passes immediately to the Government)
52.232-40	Providing Accelerated Payments to Small Business Subcontractors
52.234-1	Industrial Resources Developed Under Defense Production Act Title III
52.242-1	Notice of Intent to Disallow Costs – Except in subparagraph (a)(2), replace the first reference to “60 days” to “30 days”. (Applicable to Orders when a cost-reimbursement contract, a fixed-price incentive contract, or a contract providing for price redetermination is contemplated.
52.242-13	Bankruptcy
52.242-15	Stop Work
52.244-6	Subcontracting for Commercial Items
52.245.1	Government Property
52.245-9	Use and Charges
52.246-1	Contractor Inspection Requirements
52.247-63	Preference for U.S. Flag Air Carriers
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels (Not applicable to commercial items)
52.248-1	Value Engineering
252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies
252.203-7002	Requirement to Inform Employees of Whistleblower Rights
252.203-7004	Display of Hotline Posters
252.204-7000	Disclosure of Information
252.204-7012	Safeguarding of Unclassified Controlled Technical Information
252.208-7000	Intent to Furnish Precious Metals as Government-Furnished Material
252.209-7004	Subcontracting with Firms that are Owned or Controlled by Government of a Country that is a State Sponsor of Terrorism
252.209-7009	Organizational Conflict of Interest – Major Defense Acquisition Program
252.211-7000	Acquisition Streamlining
252.211-7003	Item Identification and Valuation (\$5,000 Unit Value) (Applicable to items with unit price \geq \$5K - includes commercial items)
252.211-7007	Reporting of Government-Furnished Property
252.215-7000	Pricing Adjustments
252.219-7003	Small Business Subcontracting Plan
252.222-7006	Restrictions on the use of Mandatory Arbitration Agreements
252.223-7001	Hazard Warning Labels (Applicable when submission of hazardous material data sheets is required - MIL-STD-129, Marking for Shipment and Storage)
252.223-7002	Safety Precautions for Ammunition and Explosives
252.223-7003	Change in Place of Performance--Ammunition and Explosives
252.223-7006	Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials
252.223-7006	Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials (Use for non-DoD owned toxic or hazardous materials)
252.223-7007	Safeguarding Sensitive Conventional Arms, Ammunition, and Explosives
252.223-7008	Prohibition of Hexavalent Chromium
252.225-7004	Report of Intended Performance Outside the United States and Canada – Submission after award
252.225-7007	Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies

252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals
252.225-7012	Preference for Certain Domestic Commodities
252.225-7013	Duty-Free Entry
252.225-7015	Restriction on Acquisition of Hand or Measuring Tools
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings
252.225-7025	Restriction on Acquisition of Forgings
252.225-7028	Exclusionary Policies and Practices of Foreign Governments (Applicable to the purchase of goods and services for foreign military sales)
252.225-7033	Waiver of United Kingdom Levies
252.225-7040	Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States
252.225-7043	Antiterrorism/Force Protection for Defense Contractors Outside the United States
252.225-7048	Export-Controlled Items
252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns
252.227-7013	Rights in Technical Data--Noncommercial Items
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation
252.227-7016	Rights in Bid or Proposal Information
252.227-7017	Identification and Assertion of Use, Release, or Disclosure Restrictions
252.227-7018	Rights in Non-Commercial Technical Data and Computer Software – Small Business Innovation Research (SBIR) Program
252.227-7019	Validation of Asserted Restrictions--Computer Software
252.227-7026	Deferred Delivery of Technical Data or Computer Software
252.227-7027	Deferred Ordering of Technical Data or Computer Software
252.227-7028	Technical Data or Computer Software Previously Delivered to the Government
252.227-7030	Technical Data--Withholding of Payment
252.227-7032	Rights in Technical Data and Computer Software (Foreign)
252.227-7037	Validation of Restrictive Markings on Technical Data
252.227-7038	Patent Rights—Ownership by the Contractor (Large Business)
252.227-7039	Patents--Reporting of Subject Inventions
252.228-7001	Ground and Flight Risk
252.228-7005	Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles
252.229-7011	Reporting of Foreign Taxes – U.S. Assistance Programs (Applicable for all Orders that exceeds \$500 funded with U.S. assistance appropriations provided in the annual foreign operations appropriations act)
252.235-7003	Frequency Authorization (Applicable to Orders requiring the development, production, construction, testing, or operation of a device for which a radio frequency authorization is required)
252.239-7016	Telecommunications Security Equipment, Devices, Techniques, and Services (Applicable to Orders which require securing communications)
252.244-7000	Subcontracts for Commercial Items
252.245-7001	Tagging, Labeling, and Marking of Government-Furnished Property
252.246-7001	Warranty of Data
252.246-7003	Notification of Potential Safety Issues
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System (Not applicable to small business set-aside)
252.246-7008	Sources of Electronic Parts (unless the vendor is the original manufacturer)
252.247-7003	Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer
252.247-7023	Transportation of Supplies by Sea
252.247-7024	Notification of Transportation of Supplies by Sea
252.249-7002	Notification of Anticipated Contract Termination or Reduction

APPLICABLE TO ALL ORDERS FOR SERVICES ONLY	
52.222-17	Nondisplacement of Qualified Workers (if award is > \$150,000)
52.222-41	Service Contract Labor Standards
52.222-42	Statement of Equivalent Rates for Federal Hires (Orders subject to the Service Contract Act of 1965)



52.222-43	Fair Labor Standards Act and Services Contract Act – Price Adjustment (Multiple Year and Option Contracts)
52.222-44	Fair Labor Standards Act and Services Contract Act – Price Adjustment (fixed-price, time-and-materials, or labor-hour service contract containing 52.222-41)
52.222-62	Paid Sick Leave Under Executive Order 13706 (Orders subject to the Service Contract Labor Standards statute or the Wage Requirements (Construction) statute, and are to be performed in whole or in part in the United States.)