SEWP V FAR and NFS Flowdown Clauses

The referenced clauses are set forth or referred to in the Federal Acquisition Regulation (FAR) and NASA Federal Acquisition Regulation Supplement (NFS) and are incorporated by reference and shall predominate in the event of conflict with any other provision of the purchase order or agreement in which they are referenced (the "Purchase Order") unless specifically noted. In order to make these clauses applicable to this Purchase Order unless otherwise specified herein, "Government" shall mean Atlantic Diving Supply, Inc. ("ADS"), "Contractor" shall mean the entity from which ADS is purchasing products and/or services (the "Seller"), "Contract" shall mean the Purchase Order, and "Contracting Officer" shall mean the ADS Procurement Rep. The terms "Government" and "Contracting Officer" do not change (1) in the phrases "Government Property", "Government-Owned Property", "Government Equipment", "Government-Furnished Property", and "Government-Owned Equipment"; (2) when a right, act, authorization, or obligation can be granted or performed only by the Government or the prime contract Contracting Officer or the contracting officer's duly authorized representative; (3) when access to proprietary financial information or other proprietary data is required; (4) when title to property is to be transferred directly to the Government; (5) in patent rights clauses, if any; and (6) where specifically modified as noted below. The full text of FAR clauses can be found at http://acquisition.gov/comp/far/index.html. The full text of NFS clauses can be found at https://www.acquisition.gov/nfs.

FAR Clauses

52.203-6	Restrictions on Subcontractor Sales to the Government (JUN 2020) with Alternate I (NOV 2021)
52.203-13	Contractor Code of Business Ethics and Conduct (NOV 2021) (applies if this Purchase Order exceeds $7,500,000 and the period of performance is more than 120 days.)
52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017)
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards (JUN 2020) (applies only to the extent that ADS is required to provide information on Seller's executive compensation under 52.204-10(d)(3), and requires only that Seller provide such information to ADS promptly on request))
52.204-18	Commercial and Government Entity Code Maintenance (AUG 2020)
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (DEC 2023)
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (NOV 2021)
52.204-30	Federal Acquisition Supply Chain Security Act Orders – Prohibition (DEC 2023) (applies except paragraph (c)(1) is excluded)
52.209-6	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, Proposed for Debarment, or Voluntarily Excluded (JAN 2025) (applies to all Purchase Orders that are (i) not for commercial products or commercial services and (ii) exceed $45,000 and are not for commercially available off-the-shelf items)
52.219-8	Utilization of Small Business Concerns (JAN 2025)
52.222-3	Convict Labor (JUN 2003)
52.222-19	Child Labor – Cooperation with Authorities and Remedies (JAN 2025)
52.222-21	Prohibition of Segregated Facilities (APR 2015)
52.222-26	Equal Opportunity (SEP 2016)
52.222-35	Equal Opportunity for Veterans (JUN 2020)

52.222-36	Equal Opportunity for Workers with Disabilities (JUN 2020) (applies to Purchase Orders exceeding $20,000; paragraph (b)(2) is revised to delete "and provided by or through the Contracting Officer" and insert "and provided upon request by the Contracting Officer through the Buyer.")
52.222-37	Employment Reports on Veterans (JUN 2020)
52.222-40	Notification of Employee Rights Under the National Labor Relations Act (DEC 2010)
52.222-41	Service Contract Labor Standards (AUG 2018) (applies to Services)
52.222-50	Combating Trafficking in Persons (OCT 2025)
52.222-62	Paid Sick Leave Under Executive Order 13706 (JAN 2022) (applies to Services)
52.222-90	Addressing DEI Discrimination by Federal Contractors (DEVIATION APR 2026)
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving (MAY 2024)
52.223-23	Sustainable Products and Services (MAY 2024)
52.224-3	Privacy Training (JAN 2017)
52.225-5	Trade Agreements (NOV 2023)
52.225-13	Restrictions on Certain Foreign Purchases (FEB 2021)
52.232-40	Providing Accelerated Payments to Small Business Subcontractors (MAR 2023)
52.240-91	Security Prohibitions and Exclusions (DEVIATION SEP 2025) (applies to all Purchase Orders except subparagraphs (d)(1) and (i)(1) are excluded)
52.240-92	Security Requirements (DEVIATION SEP 2025) (only applies to the extent the Purchase Order involves access to classified information)
52.240-93	Basic Safeguarding of Covered Contractor Information Systems (DEVIATION SEP 2025) (only applies to Purchase Orders which may involve Federal contract information as defined in paragraph (a) of this clause)
52.242-15	Stop-Work Order (AUG 1989)

NFS Clauses

1852.203-71	Requirement to Inform Employees of Whistleblower Rights (AUG 2014)
1852.204-76	Security Requirements for Unclassified Information Technology Resources (SEP 2024) (only applies to Purchase Orders involving the processing, management, access to, or storage of NASA Electronic Information in support of the mission of the Agency)
1852.223-72	Safety and Health (Short Form) (APR 2002)
1852.223-75	Major Breach of Safety or Security (FEB 2002)
1852.237-72	Access to Sensitive Information (JUN 2025) (only applies to Purchase Orders which entail access to sensitive information as defined in paragraph (a) of this clause)
1852.246-74	Contractor Counterfeit Electronic Part Detection and Avoidance (DEVIATION SEP 2025) (only applies to Purchase Orders for electronic parts; end items, components, parts, or assemblies containing electric parts; or services where the Seller is not the OEM and is providing such electric parts or components)

Other Clauses

SUPPLY CHAIN RISK

(a) Definition. “Supply chain risk” means the risk that an adversary may sabotage, maliciously introduce unwanted function, or otherwise subvert the design, integrity, manufacturing, production, distribution, installation, operation, or maintenance of a

national security system (as that term is defined at 44 U.S.C. 3542(b)) so as to survey, deny, disrupt, or otherwise degrade the function, use, or operation of such system.

(b) The Contractor shall implement appropriate safeguards and countermeasures in the provision of supplies and services to the Government to minimize supply chain risk.

(c) In order to manage supply chain risk, the Government may use the appropriate authorities (such as those provided by section 806 of Pub. L. 111-383 for Department of Defense orders). In exercising these authorities, the Government may consider information, public and non-public, including all-source intelligence, relating to a Contractor's supply chain.

(d) If the Government exercises the appropriate authority such as that provided in section 806 of Pub. L. 111-383 (for Department of Defense orders) to limit disclosure of information, no action undertaken by the Government under such authority shall be subject to review in a bid protest before the Government Accountability Office or in any Federal court.

(e) The Contractor shall include the substance of this clause, including this paragraph (e), in all subcontracts involving the development or delivery of any information technology whether acquired as a service or as a supply.