FAR and DFARS Flowdown Clauses
TREX3 Contract (H9240125DE002) (December 18, 2025)

The referenced clauses are set forth or referred to in the Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) 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 Purchasing Representative. 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; (6) where specifically modified as noted below; and (7) in DFARS Clauses 252.204-7000(c), 252.227-7013, 252.227-7015, and 252.227-7037. The full text of FAR clauses can be found at http://acquisition.gov/comp/far/index.html. The full text of DFARS clauses can be found at http://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html. "Commercial product", "commercial service", and "commercially available off-the-shelf (COTS) item" all are defined at FAR 2.101. "Purchase Order Price" price means the total price for all line items on the Purchase Order. "Commercial Item Order" means a Purchase Order under which all Products are commercial products and all Services are commercial services.

Some of the clauses listed below include information about the circumstances under which they are applicable. If the conditions for applicability provided in parentheses after any such clauses are not met (considering the nature and amount of the Purchase Order and the status of Seller), that clause does not apply to and is not included in that Purchase Order.

FAR Clauses

52.203-6	Restrictions on Subcontractor Sales to the Government (JUN 2020) (applies if the Purchase Order price exceeds $350,000)
52.203-7	Anti-Kickback Procedures (JUN 2020) (applies if the Purchase Order is not a Commercial Items Order and the Purchase Order Price exceeds $200,000)
52.203-13	Contractor Code of Business Ethics and Conduct (NOV 2021) (applies if the Purchase Order price exceeds $7,500,000 and the Ship By Date is more than 120 days after the date of the Purchase Order)
52.204-2	Security Requirements (MAR 2021) (applies if Seller's performance of the Purchase Order requires access to classified information)
52.204-21	Basic Safeguarding of Covered Contractor Information Systems (NOV 2021) (applies if Seller has or will have Federal contract information in or transiting through its information system(s))

adsinc.com /// Phone: 757.481.7758 /// Toll-Free: 800.948.9433 /// 621 Lynnhaven Parkway, Suite 160, Virginia Beach, VA 23452

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) (excluding paragraph 52.204-25(b)(2))
52.204-27	Prohibition on a ByteDance Covered Application (JUN 2023)
52.209-6	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (JAN 2025) (applies if the Purchase Order is not a Commercial Items Order and the Purchase Order Price exceeds $45,000)
52.215-14	Integrity of Unit Prices (NOV 2021) (applies if the Purchase Order includes Products, has a Purchase Order Price of $350,000 or more, and is not a Commercial Item Order)
52.219-8	Utilization of Small Business Concerns (JAN 2025)
52.222-35	Equal Opportunity for Veterans (JUN 2020) (applies if the Purchase Order Price exceeds $200,000)
52.222-36	Equal Opportunity for Workers with Disabilities (JUN 2020) (applies if the Purchase Order Price exceeds $20,000)
52.222-37	Employment Reports on Veterans (JUN 2020) (applies if the Purchase Order Price exceeds $200,000)
52.222-40	Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (applies if the Purchase Order Price exceeds $10,000)
52.222-50	Combating Trafficking in Persons (NOV 2021) (paragraph (h) applies only if the Purchase Order Price exceeds $550,000)
52.225-13	Restrictions on Certain Foreign Purchases (FEB 2021) (applies if the Purchase Order is not a Commercial Item Order)
52.226-8	Encouraging Contractor Policies to Ban Text Messaging While Driving (MAY 2024) (applies if the Purchase Order Price exceeds $15,000 and the Purchase Order is not a Commercial Item Order)
52.227-1	Authorization and Consent (JUN 2020) (applies if the Purchase Order Price exceeds $350,000 and the Purchase Order is not a Commercial Item Order)
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement (JUN 2020) (applies if the Purchase Order Price exceeds $350,000 and the Purchase Order is not a Commercial Item Order)
52.232-40	Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) (applies if Seller is a small business concern under the size standard applicable to the Purchase Order; ADS will provide the applicable size standard on Seller's request)
52.242-13	Bankruptcy (JUL 1995) (applies if the Purchase Order is not a Commercial Item Order)
52.242-15	Stop-Work Order (AUG 1989) (applies if the Purchase Order is not a Commercial Item Order)
52.244-6	Subcontracts for Commercial Products and Commercial Services (JAN 2025) (DEVIATION 2025-O0003; available at https://www.acq.osd.mil/dpap/policy/policyvault/USA000368-25-DPCAP.pdf)
52.245-1	Government Property (SEP 2021) (applies if the Purchase Order is not a Commercial Item Order and Government property is acquired or furnished for Purchase Order performance)

adsinc.com /// Phone: 757.481.7758 /// Toll-Free: 800.948.9433 /// 621 Lynnhaven Parkway, Suite 160, Virginia Beach, VA 23452

52.246-2 Inspection of Supplies—Fixed Price (AUG 1996) (applies to the fixed price line items that include Products of any Purchase Order that is not a Commercial Item Order)

52.246-4 Inspection of Services—Fixed Price (AUG 1996) (applies to the fixed price line items that include Services of any Purchase Order that is not a Commercial Item Order)

DFARS Clauses

252.203-7001 Prohibition on Persons Convicted of Fraud or Other Defense Contract-Related Felonies (JAN 2023) (applies if the Purchase Oder Price exceeds $350,000 and the Purchase Order is not a Commercial Item Order)

252.203-7002 Requirements to Inform Employees of Whistleblower Rights (DEC 2022)

252.203-7004 Display of Hotline Posters (JAN 2023) (applies if the Purchase Order Price exceeds $7.5 million and the Purchase Order is not a Commercial Item Order)

252.204-7000 Disclosure of Information (OCT 2016)

252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting (MAY 2024) (DEVIATION 2024-O0013 REVISION 1, available at https://www.acq.osd.mil/dpap/policy/policyvault/USA001074-24-DPC.pdf) (applies if information provided by ADS to Seller is covered defense information)

252.204-7018 Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services (JAN 2023)

252.204-7020 NIST SP 800-171 DOD Assessment Requirements (NOV 2023) (applies if information provided by ADS to Seller is identified as covered defense information; by accepting a Purchase Order that requires access to covered defense information, Seller represents and warrants that it has completed, within the last 3 years, at least a Basic NIST SP 800-171 DoD Assessment, as described in https://www.acq.osd.mil/asda/dpc/cp/cyber/docs/safeguarding/NIST-SP-800-171-Assessment-Methodology-Version-1.2.1-6.24.2020.pdf, for all covered contractor information systems relevant to its offer that are not part of an information technology service or system operated on behalf of the Government)

252.211-7003 Item Unique Identification and Valuation (JAN 2023) (paragraph (d) is modified to state that Seller must provide to ADS promptly on request the data required in subparagraphs (d)(1) through (d)(14) and retain such information for three (3) years following completion of Purchase Order performance)

252.223-7008 Prohibition of Hexavalent Chromium (JAN 2023)

252.225-7012 Preference For Certain Domestic Commodities (APR 2022) (applies if the Products (or any component thereof) include any of the items listed in paragraph (b) and none of the exceptions in paragraph (c) apply)

252.225-7015 Restriction on Acquisition of Hand or Measuring Tools (JUN 2005) (applies if the Products include any hand or measuring tools)

252.225-7048 Export-Controlled Items (JUN 2013)

252.225-7052 Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten (MAY 2024) (applies if the Products contain a covered material (defined in the clause) unless an exception in paragraph (c) of the clause applies)

252.225-7056 Prohibition Regarding Business Operations with the Maduro Regime (JAN 2023)

adsinc.com /// Phone: 757.481.7758 /// Toll-Free: 800.948.9433 /// 621 Lynnhaven Parkway, Suite 160, Virginia Beach, VA 23452

252.225-7058 Postaward Disclosure of Employment of Individuals Who Work in the People's Republic of China (JAN 2023) (applies if Purchase Order Price exceeds $5 million and the Purchase Order is not a Commercial Item Order)

252.225-7060 Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region (JUN 2023)

252.225-7972 Prohibition on the Procurement of Foreign-Made Unmanned Aircraft Systems (MAY 2020) (DEVIATION 2024-O0014; available at https://www.acq.osd.mil/dpap/policy/policyvault/USA001878-24-DPCAP.pdf) (applies if the Purchase Order includes any unmanned aircraft system or system for the detection or identification of an unmanned aircraft system, or any equipment or services related to the foregoing unless the acquisition is for counter-unmanned aircraft system surrogate testing and training or intelligence, electronic warfare, and information warfare operations, testing, analysis, and training)

252.225-7995 Contractor Personnel Performing in the United States Central Command Area of Responsibility (SEP 2017) (DEVIATION 2017-O0004; full text available at https://www.acq.osd.mil/dpap/policy/policyvault/Class_Deviation_2017-O0004.pdf) (applies if Seller's performance under the Purchase Order involves any work in the USCENTCOM AOR)

252.226-7001 Utilization of Indian Organizations, Indian Owned Economic Enterprises, and Native Hawaiian Small Business Concerns. (JAN 2023) (applies if the Purchase Order Price exceeds $500,000)

252.227-7013 Rights in Technical Data—Other Than Commercial Products and Commercial Services (AUG 2025) (applies to and governs technical data to be provided by Seller developed in any part at Government expense to which DFARS 252.225-7018 does not apply)

252.227-7014 Rights in Other Than Commercial Computer Software and Other Than Commercial Computer Software Documentation (JAN 2025) (applies if the Purchase Order is not a Commercial Item Order and Seller's performance of the Purchase Order requires it to provide other than commercial computer software or other than commercial computer software documentation)

252.227-7015 Technical Data-Commercial Products and Commercial Services (JAN 2025) (applies if any technical data related to commercial products or commercial services developed in any part at private expense will be obtained from Seller under the Purchase Order and governs; DFARS 252.227-7013 applies to and governs technical data technical data developed in any part at Government expense to which DFARS 252.225-7018 does not apply)

252.227-7018 Rights in Other Than Commercial Technical Data and Computer Software—Small Business Innovation Research Program and Small Business Technology Transfer Program (AUG 2025) (applies in lieu of DFARS 252.227-7014 if the Purchase Order is not a Commercial Item Order and Seller's performance of the Purchase Order requires it to provide other than commercial computer software or other than commercial computer software documentation for software or documentation that is SBIR/STTR data; applies in lieu of DFARS 252.227-7015 for technical data related to commercial products or commercial services developed in any part at Government expenses under the SBIR or STTR program)

252.227-7019 Validation of Asserted Restrictions—Computer Software (JAN 2025) (applies if the Seller is providing any computer software to the Government under the Purchase Order)

252.244-7000 Subcontracts for Commercial Items and Commercial Components (NOV 2023) (applies to Products that are commercial products and Services that are commercial services)

252.246-7007 Contractor Counterfeit Electronic Part Detection and Avoidance System (JAN 2023) (applies if the Products include any electronic parts or assemblies containing electronic parts)

252.246-7008 Sources of Electronic Parts (applies if the Products include any electronic parts or assemblies containing electronic parts unless Seller is the original manufacturer)

adsinc.com /// Phone: 757.481.7758 /// Toll-Free: 800.948.9433 /// 621 Lynnhaven Parkway, Suite 160, Virginia Beach, VA 23452

Clauses Incorporated by full Text

H.4- H92401.52.204-9Z01 - Protecting and Handling Proprietary Information (MAR 2025)

(a) During contract performance the contractor may, either directly or through the Government, receive proprietary technical data and computer software (hereafter "proprietary information") of other contractors. The contractor shall protect such proprietary information with the same caution that a reasonably prudent contractor would use to safeguard highly valuable property. Proprietary information shall not be duplicated, used or disclosed in whole or in part, without prior permission of the Government, for any purpose other than to perform this contract. This restriction does not limit the contractor's right to use, duplicate or disclose such information if such information was lawfully obtained by the contractor from other sources.

(b) The contractor shall enter into written agreements with all companies whose proprietary information it receives. In addition, the contractor shall obtain individual non-disclosure agreements (NDA) from all employees who have access to such data. The contractor shall furnish to the Contracting Officer Representative (COR) copies of these NDAs. It is not the responsibility of the Government to request or be involved with drafting these NDAs.

(c) The contractor shall include this provision, including this paragraph, in subcontracts of any tier which involve access to information covered in paragraph (a) above. The use of this clause in such subcontracts shall be read by substituting the word "subcontractor" for the word "contractor" wherever the latter appears.

(End of clause)