

LOCKHEED MARTIN CORPORATION

PRIME SUPPLEMENTAL FLOWDOWN DOCUMENT (PSFD)

**ADDITIONAL TERMS AND CONDITIONS FOR SUBCONTRACTS/PURCHASE ORDERS
UNDER**

**Iraq F-16 Contractor Logistics Support (CLS) Program
Contract FA8615-16-C-6046**

Generated using Lockheed Martin CorpDocs 2016 Version

**Original - October 27, 2016
Revision 1 – November 2, 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.

For all subcontracts issued under the subject Prime Contract, the following terms and conditions, applicable as noted, are incorporated by reference in addition to those other terms and conditions (the CorpDoc Series, etc.) to be used for subcontracts issued under such Prime Contract.

Section I: 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 52.225-1 BUY AMERICAN ACT -- SUPPLIES (MAY 2014)

FAR 52.225-8 DUTY FREE ENTRY (OCT 2010)

FAR 52.227-14 RIGHTS IN DATA - GENERAL (MAY 2014)

FAR 52.243-6 CHANGE ORDER ACCOUNTING (APR 1984)

DFARS 252.227-7026 DEFERRED DELIVERY OF TECHNICAL DATA OR COMPUTER SOFTWARE (APR 1988)

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

FAR 52.204-21 BASIC SAFEGUARDING OF COVERED CONTRACTOR INFORMATION SYSTEMS (JUN 2016).

FAR 52.227-21 TECHNICAL DATA DECLARATION, REVISION, AND WITHHOLDING OF PAYMENT-MAJOR SYSTEMS (MAY 2014). (Applies if this subcontract requires delivery of technical data. "Contracting Officer" means "Lockheed Martin." "Government" means "Lockheed Martin" in paragraph (b)(2) and "Lockheed Martin or Government" in paragraph (d).)

FAR 52.228-3 WORKERS' COMPENSATION INSURANCE (JUN 2014). (Applies if Seller will perform work subject to the Defense Base Act 42 U.S.C. 1651 et seq.)

FAR 52.229-8 TAXES -- FOREIGN COST-REIMBURSEMENT CONTRACTS (MAR 1990). (Does not apply for Commercial Items as defined in FAR 2.101. In paragraph (b), "Contracting Officer" and "Government of the United States" mean "Lockheed Martin." The blank is completed with Iraq.)

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 252.225-7027 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 EXCLUSIONAR POLICIES AND PRACTICES OF FOREIGN GOVERNMENTS (APR 2003) (Does not apply for Commercial Items as defined in FAR 2.101).

DFARS 252.225-7994 (DEVIATION 2015) ACCESS TO CONTRACTOR & SUBCONTRACTOR RECORDS IN THE UNITED STATES CENTRAL COMMAND THEATER OF OPERATIONS (MAR 2015) (Applicable to all subcontracts in excess of \$100,000.).

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. Does not apply for Commercial Items as defined in FAR 2.101.)

DFARS 252.237-7010 PROHIBITION ON INTERROGATION OF DETAINEES BY CONTRACTOR PERSONNEL (JUN 2013). (Applies if subcontract requires subcontractor personnel to interact with detainees in the course of their duties.)

DFARS 252.243-7002 REQUESTS FOR EQUITABLE ADJUSTMENT (DEC 2012). (Applies if subcontract is over \$150,000. "Government" means "Lockheed Martin." Does not apply for Commercial Items as defined in FAR 2.101).

DFARS 252.246-7001 WARRANTY OF DATA (MAR 2014). (Applies if Seller is required to provide data. "Government" means "Lockheed Martin or the Government." "Contracting Officer" means "Lockheed Martin." The last sentence in paragraph (b) is changed to read as follows: "The warranty period shall extend for three years after completion of delivery of the data to Lockheed Martin, or if the data is delivered to the Government, either by Lockheed Martin or Seller, the warranty period shall extend

for three years after delivery to the Government." Does not apply for Commercial Items as defined in FAR 2.101).

DFARS 252.247-7003 PASS-THROUGH OF MOTOR CARRIER FUEL SURCHARGE ADJUSTMENT TO THE COST BEARER (JUN 2013). (Communication with the Contracting Officer shall be made through Lockheed Martin.)

Section III: Modify the following FAR and DFARS clauses as directed below:

Replace **FAR 52.222-37 EMPLOYMENT REPORTS ON VETERANS (OCT 2015)**, with **FAR 52.222-37 EMPLOYMENT REPORTS ON VETERAN (FEB 2016)**.

Replace **FAR 52.223-11 OZONE-DEPLETING SUBSTANCES AND HIGH GLOBAL WARMING POTENTIAL HYDROFLUOROCARBONS (MAY 2001)**, with **FAR 52.223-11 OZONE-DEPLETING SUBSTANCES AND HIGH GLOBAL WARMING POTENTIAL HYDROFLUOROCARBONS (JUN 2016)**.

Replace **FAR 52.244-6 SUBCONTRACTS FOR COMMERCIAL ITEMS (DEC 2015)** with **FAR 52.244-6 SUBCONTRACTS FOR COMMERCIAL ITEMS (FEB 2016)**.

Replace **DFARS 252.211-7003 ITEM UNIQUE IDENTIFICATION AND VALUATION (DEC 2013)**, with **DFARS 252.211-7003 ITEM UNIQUE IDENTIFICATION AND VALUATION (MAR 2016)**.

Replace **DFARS 252.225-7013 DUTY-FREE ENTRY (NOV 2014)** with **DFARS 252.225-7013 DUTY-FREE ENTRY (MAY 2016)**.

Replace **DFARS 252.225-7021 TRADE AGREEMENTS (OCT 2015)** with **DFARS 252.225-7021 TRADE AGREEMENTS (JUN 2016)**