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FORT WAYNE METALS
Turning knowledge into solutions.

Government Contract Flowdown & Additional Requirements

For purposes of this document, “Supplier” means the supplier identified in the applicable purchase order (“Purchase Order”). Supplier shall comply with all applicable Federal Acquisition Regulation (FAR), Defense Federal Acquisition Regulation Supplement (DFARS), Export Administration Regulations (EAR), and related requirements identified in the applicable Purchase Order when supporting government contracts. These requirements are incorporated by reference and have the same force and effect as if stated in full. Unless otherwise specified, the version in effect on the Purchase Order’s effective date applies.

Important: *The clauses below apply when required by the Purchase Order, contract, product, service, or Supplier status. Supplier shall review the Purchase Order and flow down applicable requirements to its sub-tier suppliers.*

Government Contract Flowdown Clauses

Ethics and Compliance

- 52.203-13 Contractor Code of Business Ethics and Conduct
- 52.203-15 Whistleblower Protections Under ARRA
- 52.203-17 Whistleblower Rights
- 52.203-18 Internal Confidentiality Agreements
- 52.203-19 Internal Confidentiality Agreements or Statements
- 52.203-3 Gratuities
- 52.203-6 Restrictions on Subcontractor Sales to the Government

- 52.203-7 Anti-Kickback Procedures

Cybersecurity and Information Security

- 52.204-21 Basic Safeguarding of Covered Contractor Information Systems
- 52.204-23 Kaspersky Prohibition
- 52.204-25 Prohibition on Certain Telecommunications Equipment
- 52.204-30 Federal Acquisition Supply Chain Security Act Orders—Prohibition
- 252.204-7000 Disclosure of Information
- 252.204-7012 Safeguarding Covered Defense Information

Labor and Employment

- 52.222-21 Prohibition of Segregated Facilities
- 52.222-26 Equal Opportunity
- 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 Employee Rights Under NLRA
- 52.222-50 Combating Trafficking in Persons
- 52.222-54 Employment Eligibility Verification (E-Verify)

Small Business Requirements

- 52.219-8 Utilization of Small Business Concerns
- 52.219-9 Small Business Subcontracting Plan

Trade Compliance and Country of Origin

- 52.225-1 Buy American
- 52.225-3 Buy American Free Trade Agreements
- 52.225-5 Trade Agreements
- 52.225-13 Restriction on Certain Foreign Purchases
- 52.225-26 Contractors Performing Private Security Functions Outside U.S.

Quality and Product Compliance

- 252.246-7003 Notification of Potential Safety Issues
- 252.246-7007 Contractor Counterfeit Electronic Part Detection and Avoidance
- 252.246-7008 Sources of Electronic Parts
- 252.225-7008 Restriction on Specialty Metals
- 252.225-7009 Specialty Metals
- 252.225-7052 Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten.

Commercial Item Requirements

- 52.244-6 Subcontracts for Commercial Items
- 252.244-7000 Subcontracts for Commercial Products or Commercial Services

Additional Supplier Requirements

Defense Priority Ratings

- This Purchase Order may be subject to the Defense Priorities and Allocations System (DPAS), 15 C.F.R. Part 700. When a priority rating is identified on this Purchase Order, Supplier shall comply with all applicable DPAS requirements and shall appropriately flow down the priority rating and applicable requirements to its suppliers and subcontractors.

Manufacturer CAGE Code

- When a product is manufactured to Supplier's specification, original equipment manufacturers and authorized distributors shall identify the manufacturer's Commercial and Government Entity (CAGE) code on the certificate of compliance. If the manufacturer does not have a CAGE code, Supplier shall indicate this on the certificate of compliance or contact the FWM buyer or Quality Engineering representative.

Export Compliance

- Products, software, technology, and other activities associated with this Purchase Order may be subject to the Export Administration Regulations (EAR), 15 C.F.R. Parts

730–774, and other U.S. export control requirements. Supplier shall comply with all applicable export control requirements and, upon request, shall provide Fort Wayne Metals with applicable export classification information, including the Export Control Classification Number (ECCN) or EAR99 designation, as applicable. Supplier shall promptly notify Fort Wayne Metals of any known change to previously provided export classification information or if any applicable export control restriction may affect its performance of this Purchase Order.

- Products, including defense articles, technical data, defense services, and other activities associated with this Purchase Order may be subject to the International Traffic in Arms Regulations (ITAR), 22 C.F.R. Parts 120–130. Supplier shall comply with all applicable ITAR requirements, including the restrictions of 22 C.F.R. § 126.1 concerning certain countries, areas, and persons. Supplier shall promptly notify Fort Wayne Metals if any applicable restriction under § 126.1 may affect the supply of products or services or Supplier's performance under this Purchase Order

Supplier Responsibilities

- Supplier shall review every Purchase Order for contract-specific clauses and supplemental requirements.
- Supplier shall maintain objective evidence demonstrating compliance.
- Supplier shall flow down applicable requirements to sub-tier suppliers.
- Supplier shall notify the buyer or Quality Engineering representative promptly when a requirement is unclear or cannot be met.