

Bren-Tronics Defense LLC

U.S. Government Contract Provisions and Clauses from the Federal Acquisition Regulation ("FAR") the Department of Defense Federal Acquisition Regulation Supplement ("DFARS") and National Aeronautics and Space Administration Federal Acquisition Regulation Supplement ("NFARS")

Provisions and Clauses Incorporated By Reference

When the materials or products furnished are for use in connection with a U.S. Government contract or subcontract, in addition to the Additional Terms And Conditions For The Purchase Of Goods And Services, the following provisions shall apply, as required by the terms of the prime contract, or by operation of law or regulation. Clauses not applicable for these reasons shall be removed from this document and will be considered by all parties to be without force and effect. In the event of a conflict between the Additional Terms And Conditions For The Purchase Of Goods And Services, the FAR, DFARS or NFARS provisions shall control.

The following provisions and clauses in effect as of the date of the contract are incorporated herein, unless made inapplicable in the purchase order or subcontract, with the same force and effect as if they were given in full text. Upon request, the full text will be made available. The full text of the clauses may be accessed electronically at:

https://www.acquisition.gov/browsefar

https://www.acq.osd.mil/dpap/dars/dfarspgi/current/

https://www.hq.nasa.gov/office/procurement/regs/nfstoc.htm.

In all clauses listed herein, the terms "Government," "Contracting Officer," and "Contractor" shall be revised to suitably identify the contracting parties under this purchase order and effect the proper intent of the provision except where further clarified or modified below. "Subcontractor", however, shall mean "Seller's Subcontractor" under the applicable purchase order. The Seller, by signing its offer or contract, hereby certifies compliance with the following clauses and is, therefore, eligible for award of the contract.

A. When the items furnished under a contract or purchase order are for use in connection with a U.S. Government prime contract or subcontract.

FAR CLAUSES APPLICABLE TO SUBCONTRACTS AND PURCHASE ORDERS

(UNLESS A LIMITATION OR EXEMPTION IN THE CLAUSE APPLIES):

| Definitions (2020) Gratuities (1984) Covenant Against Contingent Fees (2014) Restrictions on Subcontractor Sales to the Government (2020) Anti-Kickback Procedures (Except paragraph (c)(1)) (2020) Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (2007) Limitation on Payments to Influence Certain Federal Transactions (2020) Contractor Code of Business Ethics and Conduct (2021) Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (2010) | 52.202-1 52.203-3 52.203-5 52.203-6 52.203-7 52.203-11 52.203-12 52.203-13 52.203-15 |
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| Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (2023) | 52.203-17 |
| Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements-Representation (2017) | 52.203-18 |
| Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (2017) Security Requirements (2021) Printing on Double Sided on Recycled Paper (2011) Personal Identity Verification of Contractor Personnel (2011) Reporting Executive Compensation and First-Tier Subcontract Awards (2020) Basic Safeguarding of Contractor Information Systems (2021) Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky | 52.203-19 52.204-2 52.204-4 52.204-9 52.204-10 52.204-21 52.204-23 |
| Lab and Other Covered Entities (2023) Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (2021) | 52.204-24 |

| Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or | 52.204-25 |
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| Equipment (2021) | |
| Prohibition on a ByteDance Covered Application (2023) | 52.204-27 |
| Federal Acquisition Supply Chain Security Act Orders – Representation and Disclosures (2023) | 52.204-29 |
| Federal Acquisition Supply Chain Security Act Orders – Prohibition (2023) | 52.204-30 |
| Certification Regarding Responsibility Matters (2020) | 52.209-5 |
| Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or | 52.209-6 |
| Proposed for Debarment (2021) | |
| Material Requirements (2000) | 52.211-5 |
| Defense Priorities and Allocation Requirements (2008) | 52.211-15 |
| Offer Representations and Certifications, Commercial Items (2024) | 52.212-3 |
| Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Items | 52.212-5 |
| (2024) | |
| Audit and Records – Negotiation (2020) | 52.215-2 |
| Price Reduction for Defective Certified Cost or Pricing data (2011) | 52.215-10 |
| Price Reduction for Defective Certified Cost or Pricing Data – Mod (2020) | 52.215-11 |
| Subcontractor Certified Cost or Pricing Data (2020) | 52.215-12 |
| Subcontractor Certified Cost or Pricing Data – Modifications (2020) | 52.215-13 |
| Integrity of Unit Prices (2021) | 52.215-14 |
| Notification of Ownership Changes (1997) | 52.215-19 |
| Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data | 52.215-20 |
| (2021) | |
| Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data – | 52.215-21 |
| Modifications (2021) | |
| Utilization of Small Business Concerns (2023) | 52.219-8 |
| Small Business Subcontracting Plan (2023) | 52.219-9 |
| Liquidated Damages - Subcontracting Plan (2021) | 52.219-16 |
| Convict Labor (2003) | 52.222-3 |
| Contract Work Hours and Safety Standards - Overtime Compensation (2018) | 52.222-4 |
| Child Labor - Cooperation with Authorities and Remedies (2024) | 52.222-19 |
| Contracts for Materials, Supplies, Articles, and Equipment Exceeding \$15,000 (2020) | 52.222-20 |
| Prohibition of Segregated Facilities (2023) | 52.222-21 |
| Previous Contracts and Compliance Reports (1999) | 52.222-22 |
| Affirmative Action Compliance (1984) | 52.222-25 |
| Equal Opportunity (2016) | 52.222-26 |
| Equal Opportunity for Veterans (2020) | 52.222-35 |
| Affirmative Action for Workers with Disabilities (2020) | 52.222-36 |
| Employments Reporting on Veterans (2020) | 52.222-37 |
| Notification of Employee Rights Under the National Labor Relations Act (2010) | 52.222-40 |
| Service Contract Labor Standards (2018) | 52.222-41 |
| Combating Trafficking in Persons (2021) | 52.222-50 |
| Employment Eligibility Verification (2022) | 52.222-54 |
| Minimum Wages Under Executive Order 13658 (2022) | 52.222-55 |
| Paid Sick Leave Under Executive Order 13706 (2022) | 52.222-62 |
| Hazardous Material Identification and Material Safety Data (2021) | 52.223-3 |
| Drug-Free Workplace (2001) | 52.223-6 |
| Notice of radioactive materials (1997) | 52.223-7 |
| Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (2016) | 52.223-11 |
| Encouraging Contractor Policies to Ban Text Messaging While Driving (2024) | 52.223-18 |
| Privacy Training (2017) | 52.224-3 |
| Buy American – Supplies (2022) | 52.225-1 |
| Trade Agreements (2023) | 52.225-5 |
| Restrictions on Certain Foreign Purchases (2021) | 52.225-13 |
| Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran— | 52.225-25 |
| Representation and Certifications (2020) | |

| Authorization and Consent (2020) | 52.227-1 |
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| Commercial Computer Software-Restricted Rights (2007) | 52.227-19 |
| Cost Accounting Standards (2020) | 52.230-2 |
| Disclosure and Consistency of Cost Accounting (2020) | 52.230-3 |
| Administration of Cost Accounting Standards (2010) | 52.230-6 |
| Interest (1984) | 52.232-9 |
| Unenforceability of Unauthorized Obligations (2013) | 52.232-39 |
| Providing Accelerated Payments to Small Business Subcontractors (2023) | 52.232-40 |
| Applicable Law for Breach of Contract Claim (2004) | 52.233-4 |
| Stop-Work Order (1989) | 52.242-15 |
| Competition in Subcontracting (1996) | 52.244-5 |
| Subcontracts for Commercial Items (2023) | 52.244-6 |
| Government Property (2021) | 52.245-1 |
| Inspection of Supplies - Fixed-Price (1984) | 52.246-2 |
| Preference for U.SFlag Air Carriers (2003) | 52.247-63 |
| Preference for Privately Owned U.SFlag Commercial Vessels ALT II (2021) | 52.247-64 |
| Termination for Convenience of the Government (Fixed-Price) (2012) | 52.249-2 |
| Default (Fixed-Price) (1984) | 52.249-8 |

B. When the items furnished under a contract or purchase order are for use in connection with a U.S. Department of Defense prime contract or subcontract.

<u>DFARS CLAUSES APPLICABLE TO SUBCONTRACTS AND PURCHASE ORDERS</u> (UNLESS A LIMITATION OR EXEMPTION IN THE CLAUSE APPLIES):

| Requirements Relating to Compensation of Former DoD Officials (2011) Prohibition on persons convicted of fraud or other defense-contract-related felonies (2023) Requirement to Inform Employees of Whistleblower (2022) | 252.203-7000 252.203-7001 252.203-7002 |
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| Agency Office of the Inspector General (2019) | 252.203-7002 |
| Disclosure of Information (2016) | 252.204-7000 |
| Control of Government Personnel Work Product (1992) | 252.204-7003 |
| Compliance with Safeguarding Covered Defense Information Controls (2016) | 252.204-7008 |
| Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information | |
| (2023) | 252.204-7009 |
| Safeguarding Covered Defense Information (CDI) and Cyber Incident Reporting (for operational | |
| critical support or where performance involves a covered contractor information system and CD be flowed down to or processed) (2023) | I will |
| Disclosure of Information to Litigation Support Contractors (2023) | 252.204-7015 |
| Covered Defense Telecommunications Equipment or Services—Representation (2019) | 252.204-7016 |
| Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services- | — 252.204-7017 |
| Representation (2021) | |
| Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services | 252.204-7018 |
| (2021) | |
| Notice of NIST SP 800-171 DoD Assessment Requirements (2023) | 252.204-7019 |
| NIST SP 800-171 DoD Assessment Requirements (2023) | 252.204-7020 |
| Provision of Information to Cooperative Agreement Holders (2023) | 252.205-7000 |
| Disclosure of ownership or control by a foreign government (2022) | 252.209-7002 |
| Subcontracting With Firms That Are Owned Or Controlled By The Government Of A Country Th | at Is 252.209-7004 |
| A State Sponsor Of Terrorism (2019) | |
| Item Identification and Valuation (2023) | 252.211-7003 |
| Cost Estimating System Requirements (2012) | 252.215-7002 |
| Requirement for Submission of Data Other Than Certified Cost or Pricing Data - Modifications- | 252.215-7004 |
| Canadian Commercial Corporation (2013) | |
| Requirements for Certified Cost or Pricing Data and Other Data than Certified Cost and Pricing (2023) | Data 252.215-7010 |
| Small Business Subcontracting Plan (DoD Contracts) – Basic (2019) | 252.219-7003 |
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| Restrictions on the Use of Mandatory Arbitration Agreements (2023) 252.222-7008 | Restrictions on employment of personnel (2000) | 252.222-7000 |
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| Hazard warning labels (1991) 252.223-7002 25224-7002 25224-7002 25223-7003 25223-7003 25223-7003 25223-7004 25223-700 | | |
| Safety precautions for ammunition and explosives (2023) 252.237-002 Change in Place of Performance – Ammunition and Explosives (1991) 252.237-004 Change in Place of Performance – Ammunition and Explosives (1991) 252.237-004 Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials (2014) 252.237-007 Prohibition on Storage, Treatment (2023) 252.237-008 Buy American and Balance of Payments Program (2023) 252.225-7002 Qualifying Country Sources and Subcontractors (2022) 252.225-7002 Companies (2018) 252.225-7002 Restriction on Acquisition of United States Munitions List Items from Communist Chinese Military 252.225-7008 Restriction on Acquisition of Specialty Metals (2013) 252.225-7008 Restriction on Acquisition of Certain Articles Containing Specialty Metals (2023) 252.225-7002 Restriction on acquisition of forgings (2009) 252.225-7002 Restriction on acquisition of forgings (2009) 252.225-703 Restriction on acquisition of forgings (2009) 252.255-703 Restriction on acquisition of forgings (2009) 252.255-703 Restriction on the Acquisition of Certain Magnets and Tungsten (2023) 252.255-703 Post-Award Disclosure of Employment of Individuals | | |
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| Technical data or computer software previously delivered to the government (1995) Technical data - withholding of payment (2000) Rights in shop drawings (1966) Validation of Restrictive Markings on Technical Data (2023) Patent Rights - Ownership by the Contractor (2012) Patents - reporting of subject inventions (1990) Cloud Computing Services (2023) Supply Chain Risk (2022) Requests for Equitable Adjustment (2022) Subcontracts for Commercial Items (2023) Notification of Potential Safety Issues (2023) Contractor Counterfeit Electronic Part Detection and Avoidance System (2023) Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) Transportation of Supplies by Sea (2023) | | |
| Technical data - withholding of payment (2000) Rights in shop drawings (1966) Validation of Restrictive Markings on Technical Data (2023) Patent Rights - Ownership by the Contractor (2012) Patents - reporting of subject inventions (1990) Cloud Computing Services (2023) Supply Chain Risk (2022) Requests for Equitable Adjustment (2022) Subcontracts for Commercial Items (2023) Notification of Potential Safety Issues (2023) Contractor Counterfeit Electronic Part Detection and Avoidance System (2023) Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) Transportation of Supplies by Sea (2023) 252.247-7023 | | |
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| Validation of Restrictive Markings on Technical Data (2023) Patent Rights - Ownership by the Contractor (2012) Patents - reporting of subject inventions (1990) Cloud Computing Services (2023) Supply Chain Risk (2022) Requests for Equitable Adjustment (2022) Subcontracts for Commercial Items (2023) Notification of Potential Safety Issues (2023) Contractor Counterfeit Electronic Part Detection and Avoidance System (2023) Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) Transportation of Supplies by Sea (2023) | | |
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| Patents - reporting of subject inventions (1990) Cloud Computing Services (2023) Supply Chain Risk (2022) Requests for Equitable Adjustment (2022) Subcontracts for Commercial Items (2023) Notification of Potential Safety Issues (2023) Contractor Counterfeit Electronic Part Detection and Avoidance System (2023) Sources of Electronic Parts (2023) Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) Transportation of Supplies by Sea (2023) 252.247-7023 | | |
| Cloud Computing Services (2023) 252.239-7010 Supply Chain Risk (2022) 252.239-7018 Requests for Equitable Adjustment (2022) 252.243-7002 Subcontracts for Commercial Items (2023) 252.244-7000 Notification of Potential Safety Issues (2023) 252.246-7003 Contractor Counterfeit Electronic Part Detection and Avoidance System (2023) 252.246-7007 Sources of Electronic Parts (2023) 252.246-7008 Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) 252.247-7003 Transportation of Supplies by Sea (2023) 252.247-7023 | | |
| Supply Chain Risk (2022) Requests for Equitable Adjustment (2022) Subcontracts for Commercial Items (2023) Notification of Potential Safety Issues (2023) Contractor Counterfeit Electronic Part Detection and Avoidance System (2023) Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) Transportation of Supplies by Sea (2023) 252.247-7023 | | |
| Requests for Equitable Adjustment (2022) Subcontracts for Commercial Items (2023) Notification of Potential Safety Issues (2023) Contractor Counterfeit Electronic Part Detection and Avoidance System (2023) Sources of Electronic Parts (2023) Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) Transportation of Supplies by Sea (2023) 252.247-7023 | | |
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| Notification of Potential Safety Issues (2023) Contractor Counterfeit Electronic Part Detection and Avoidance System (2023) Sources of Electronic Parts (2023) Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) Transportation of Supplies by Sea (2023) 252.246-7008 252.247-7003 252.247-7023 | | |
| Contractor Counterfeit Electronic Part Detection and Avoidance System (2023) Sources of Electronic Parts (2023) Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) Transportation of Supplies by Sea (2023) 252.246-7008 252.247-7003 252.247-7023 | | |
| Sources of Electronic Parts (2023) Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) Transportation of Supplies by Sea (2023) 252.247-7023 | | |
| Pass-Through of Motor Carrier Fuel Surcharge Adjustment To The Cost Bearer (2023) 252.247-7003 Transportation of Supplies by Sea (2023) 252.247-7023 | | |
| Transportation of Supplies by Sea (2023) 252.247-7023 | | |
| | | |
| Notification of Anticipated Contract Termination of Reduction (2022) 252.249-7002 | | |
| | nouncation of Anticipated Contract Termination of Reduction (2022) | 252.249-7002 |

C. When the items furnished under a contract or purchase order are for use in connection with a U.S. National Aeronautics and Space Administration (NASA) prime contract or subcontract.

NFARS CLAUSES APPLICABLE TO SUBCONTRACTS AND PURCHASE ORDERS

(UNLESS A LIMITATION OR EXEMPTION IN THE CLAUSE APPLIES):

| Security Requirement for Unclassified Information Technology Resources | 1852.204-76 1852.208-81 |
|---|----------------------------|
| Restrictions on Printing and Duplicating | 1852.211-70 |
| Packaging, Handling, and Transportation Use of Rural Area Small Businesses | 1852.219-74 |
| NASA 8 Percent Goal | 1852.219-74 |
| | 1852.223-70 |
| Safety and Health | 1852.223-71 |
| Frequency Authorization | 1852.223-71 |
| Safety and Health (Short Form) | |
| Drug and Alcohol Free Workforce | 1852.223-74 1852.223-75 |
| Major breach of safety or security Export Licenses | 1852.225-70 |
| Restriction on Funding Activity with China | 1852.225-70 |
| Patent Rights - Retention by the Contractor | 1852.227-11 |
| | 1852.227-14 |
| Rights in Data – General New Technology | 1852.227-70 |
| Requests for Waiver of Rights to Inventions | 1852.227-71 |
| Designation of New Technology Representative and Patent Representative | 1852.227-72 |
| Commercial Computer Software - Licensing | 1852.227-86 |
| Cross-Waiver of Liability for Space Station Activities | 1852.228-76 |
| Cross-Waiver of Liability for NASA Expendable Launch Vehicle (ELV) Launches | 1852.228-78 |
| Pension Portability | 1852.237-71 |
| Access to Sensitive Information | 1852.237-71 |
| Release of Sensitive Information | 1852.237-73 |
| Denied Access to NASA Facilities | 1852.242-72 |
| | 1852.242-73 |
| NASA Contractor Financial Management Reporting | 1852.245-73 |
| Liability for Government Property Furnished for Repair or Other Services | 1852.245-72 |
| Financial Reporting Of NASA Property in the Custody of Contractors | 1852.245-73 |
| Identification and Marking of Government Equipment | 1852.246-72 |
| Material inspection and receiving report Counterfeit Electronic Part Detection and Avoidance | 1852.246-74 |
| Counteries Electronic Fart Detection and Avoidance | 1002.240-74 |

The applicable U.S. Government contract clauses and provisions shall be incorporated in each lower-tier subcontract placed in support of the contract or purchase order.

Seller shall indemnify and hold Bren-Tronics Defense LLC harmless from and against any cost, price reduction, withholding, offset, penalty, interest, claim, demand, determination of unallowability or unallocability, or any other civil, criminal, or administrative liability, whether arising under statute, regulation, contract or common law, and shall reimburse Bren-Tronics Defense LLC for all of its damages and associated costs, including reasonable attorney fees and other expenses, if said liability is attributable to the Seller or Seller's subcontractors' failure to comply with the applicable U.S. Government contract clauses and provisions.

The clauses listed above may require the submission of certifications and representations. When requested by Bren-Tronics Defense LLC, Seller shall furnish any certification or representation that is necessary for compliance with such requirements.