



# Terms and Conditions of Purchase Supplement 1 (FAR) Revision: 3 (23 Sep 2020)

1. When the materials or products furnished are for use in connection with a U.S. Government prime contract or subcontract, in addition to Diamond's Terms and Conditions of Purchase the following provisions shall apply. The effective version of each Federal Acquisition Regulation ("FAR") provision shall be the same version as that in effect at the time the order is placed. In the event of a conflict between these provisions and Diamond's Terms and Conditions of Purchase, the applicable FAR provisions shall control.
2. In all clauses listed, the term "Government", "Contracting Officer", and "Contractor" shall be revised to suitably identify the parties herein and affect the proper intent of the clause or provision.
3. Seller shall include the following clauses in its lower-tier purchase orders, as required. If any of the following FAR clauses do not apply to a particular purchase order, such clauses are considered to be self-deleting.

## A. APPLICABLE TO ALL ORDERS:

52.203-3	Gratuities
52.203-5	Covenant Against Contingent Fees
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity
52.204-2	Security Requirements
52.204-9	Personal Identity Verification of Contractor Personnel
52.204-21	Basic Safeguarding of Covered Contractor Information Systems
52.204-23	Prohibition on Contracting with Kaspersky Lab and Other Covered Entities
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment
52.209-10	Prohibition on Contracting with Inverted Domestic Corporations
52.211-5	Material Requirements
52.211-15	Defense Priority and Allocation Requirements
52.215-15	Pension Adjustments and Asset Reversions
52.215-18	Reversion or Adjustment of Plans for Post-Retirement Benefits (PRB) Other than Pensions
52.215-19	Notification of Ownership Changes
52.219-8	Utilization of Small Business Concerns
52.222-3	Convict Labor
52.222-4	Contract Work Hours and Safety Standards - Overtime Compensation
52.222-41	Service Contract Labor Standards
52.222-50	Combating Trafficking in Persons
52.222-55	Minimum Wages Under Executive Order 13658
52.223-3	Hazardous Material Identification and Material Safety Data
52.223-6	Drug-Free Workplace
52.223-7	Notice of Radioactive Materials
52.223-11	Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving
52.225-1	Buy American Act - Supplies
52.225-13	Restrictions on Certain Foreign Purchases
52.227-10	Filing of Patent Applications - Classified Subject Matter
52.227-11	Patent Rights - Ownership by the Contractor
52.227-14	Rights in Data - General
52.232-40	Providing Accelerated Payments to Small Business Subcontractors
52.233-3	Protest After Award
52.236-13	Accident Prevention
52.244-5	Competition in Subcontracting
52.244-6	Subcontracts for Commercial Items

52.245-1	Government Property
52.245-9	Use and Charges
52.246-2	Inspection of Supplies - Fixed Price
52.246-16	Responsibility for Supplies
52.247-63	Preference for U.S.-Flag Air Carriers
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels
52.248-1	Value Engineering
52.249-2	Termination for Convenience of the Government (Fixed Price)
52.249-8	Default (Fixed-Price Supply & Services)

## B. ORDERS OVER \$3,500 ALSO INCLUDE:

52.222-54	Employment Eligibility Verification
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## C. ORDERS OVER \$10,000 ALSO INCLUDE:

52.222-21	Prohibition of Segregated Facilities
52.222-26	Equal Opportunity
52.222-40	Notification of Employee Rights Under the National Labor Relations Act

## D. ORDERS OVER \$15,000 ALSO INCLUDE:

52.222-20	Contracts for Materials, Supplies, Articles, and Equipment Exceeding \$15,000
52.222-36	Equal Opportunity for Workers with Disabilities

## E. ORDERS OVER \$30,000 ALSO INCLUDE:

52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards
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## F. ORDERS OVER \$35,000 ALSO INCLUDE:

52.209-6	Protecting the Government's Interests When Contracting with Contractors Debarred, Suspended, or Proposed for Debarment
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## G. ORDERS OVER \$150,000 ALSO INCLUDE:

52.203-7	Anti-Kickback Procedures
52.203-12	Limitation on Payments to Influence Certain Federal Transactions
52.203-16	Preventing Personal Conflicts of Interest
52.222-35	Equal Opportunity for Veterans
52.222-37	Employment Reports on Veterans

## H. ORDERS OVER \$500,000 ALSO INCLUDE:

52.222-60	Paycheck Transparency
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## I. ORDERS OVER \$5,500,000 ALSO INCLUDE:

52.203-13	Contractor Code of Business Ethics and Conduct
52.203-14	Display of Hotline Poster(s)

## J. ORDERS EXCEEDING THE SIMPLIFIED ACQUISITION THRESHOLD ALSO INCLUDE:

52.203-6	Restrictions on Subcontractor Sales to the Government
52.203-17	Contractor Employee Whistleblower Rights
52.215-2	Audit and Records Negotiation
52.215-14	Integrity of Unit Prices (less paragraph b)
52.215-22	Limitations on Pass-Through Charges - Identification of Subcontract Effort
52.215-23	Limitations on Pass-Through Charges
52.222-17	Nondisplacement of Qualified Workers
52.227-1	Authorization and Consent
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement



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**K. UNLESS OTHERWISE EXEMPT ALSO INCLUDE:**

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| 52.215-10 | Price Reduction for Defective Certified Cost or Pricing Data   | 52.230-3  | Disclosure and Consistency of Cost Accounting Practices                                   |
| 52.215-11 | Price Reduction for Defective Certified Cost or Pricing Data Modifications   | 52.230-6  | Administration of Cost Accounting Standards   |
| 52.215-12 | Subcontractor Certified Cost or Pricing Data   |           |   |
| 52.215-13 | Subcontractor Certified Cost or Pricing Data - Modifications   | 4.        | The Seller, by accepting this Order, hereby certifies compliance to the below.            |
| 52.215-20 | Requirements for Certified Cost or Pricing Data and Data Other than Certified Cost or Pricing Data                 | 52.203-11 | Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions |
| 52.215-21 | Requirements for Certified Cost or Pricing Data and Data Other than Certified Cost or Pricing Data - Modifications | 52.209-5  | Certification Regarding Responsibility Matters  |
| 52.219-9  | Small Business Subcontracting Plan   | 52.222-18 | Certification Regarding Knowledge of Child Labor  |
| 52.230-2  | Cost Accounting Standards  |           |   |