



Toray Advanced Composites

ADDITIONAL TERMS AND CONDITIONS FOR COMMERCIAL ITEMS PURCHASED UNDER GOVERNMENT CONTRACTS

In addition to the terms and conditions of Toray Advanced Composites, **“Vendor Terms and Conditions”**, the following clauses in Part 52 of the Federal Acquisition Regulation (FAR), Chapter 1 of Title 48, Code of Federal Regulations, and Part 252 of the Defense Federal Acquisition Regulation Supplement (DFARS), Chapter 2 of Title 48, Code of Federal Regulations, are incorporated herein by this reference and made a part of the Order. In the clauses listed below, the term “Contractor” shall mean “Seller;” the term “Contract” shall mean “Order;” and the term “Government Contracting Officer” (or equivalent phrases) shall mean “Buyer.” It is intended that the FAR and DFARS clauses referenced below shall apply to Seller and its lower-tier subcontractors, as applicable, in such manner as necessary to reflect the position of Seller as a subcontractor to Buyer to ensure Seller’s obligations to Buyer and to the U.S. Government; and to enable Buyer to meet its obligations under its contracts funded by the U.S. Government.

The following FAR Clauses apply regardless of dollar value of the Order:

52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements
52.204-21	Basic Safeguarding of Covered Contractor Information Systems
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment
52.204-27	Prohibition on a ByteDance Covered Application
52.204-30	Federal Acquisition Supply Chain Security Act Orders - Prohibition
52.209-10	Prohibition on Contracting with Inverted Domestic Corporations
52.212-5	Contract Terms and Conditions Required to Implement Statutes or Executive Orders Commercial Items
52.219-8	Utilization of Small Business Concerns <i>(applies to Orders that offer further subcontracting opportunities)</i>
52.222-50	Combating Trafficking in Persons
52.222-62	Paid Sick Leave Under Executive Order 13706
52.225-13	Restriction on Certain Foreign Purchases
52.232-40	Providing Accelerated Payments to Small Business Subcontractors
52.244-6	Subcontracts for Commercial Items
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels

The following FAR Clauses apply if the value of the Order equals or exceeds \$3,500:

52.222-54	Employment Eligibility Verification
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The following FAR Clause applies if the value of the Order equals or exceeds \$10,000:

52.222-19	Child Labor – Cooperation with Authorities and Remedies
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

The following FAR Clause applies if the value of the Order equals or exceeds \$15,000:

52.222-36	Equal Opportunity for Workers with Disabilities
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The following FAR Clause applies if the value of the Order equals or exceeds \$30,000:

52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards
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The following FAR Clause applies if the value of the Order equals or exceeds \$35,000:

52.209-6	Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment
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The following FAR Clauses apply if the value of the Order equals or exceeds \$150,000:

52.203-11	Certification and Disclosure Regarding Payment to Influence Certain Federal Transactions
52.203-12	Limitation on Payments to Influence Certain Federal Transactions of Qualified Workers
52.222-35	Equal Opportunity for Veterans
52.222-37	Employment Reports on Veterans

The following FAR clauses apply if the value of the order exceeds \$250,000:

52.203-3	Gratuities
52.203-6	Restrictions on Subcontractor Sales to the Government – Alt 1
52.203-17	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights
52.219-8	Utilization of Small Business Concerns
52.222-17	Non-displacement of Qualified Workers



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The following FAR Clauses apply if the value of the Order equals or exceeds \$700,000:

- 52.219-9 Small Business Subcontracting Plan
- 52.219-16 Liquidated Damages – Subcontracting Plan

The following FAR Clause applies if the value of the Order equals or exceeds \$5,500,000:

- 52.203-13 Contractor Code of Business Ethics and Conduct

The following DFARS Clauses apply to Orders Funded by the Department of Defense (DoD):

The following DFARS Clauses apply regardless of dollar value of the Order:

- 252.203-7000 Requirements Relating to Compensation of Former DoD Officials
- 252.203-7002 Requirement to Inform Employees of Whistleblower Rights
- 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting
- 252.204-7019 Notice of NISTSP 800-171 DoD Assessment Requirements
- 252.204-7020 NISTSP 800-171 DoD Assessment Requirements
- 252.204-7021 Cybersecurity Maturity Model Certification Requirements
- 252.211-7003 Item Unique Identification and Valuation
- 252.223-7008 Prohibition of Hexavalent Chromium
- 252.225-7001 Buy American Act and Balance of Payments Program
- 252.225-7007 Prohibition on Acquisition of Certain Items from Communist Chinese Military Companies
- 252.225-7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals
- 252.225-7015 Restriction on Acquisition of Hand or Measuring Tools
- 252.225-7021 Trade Agreements
- 252.225-7052 Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten
- 252.227-7015 Technical Data-Commercial Items
- 252.227-7037 Validation of Restrictive Markings on Technical Data
- 252.236-7013 Requirement for Competition Opportunity for American Steel Producers
- 252.244-7000 Subcontracts for Commercial Items and Commercial Components
- 252.246-7003 Notification of Potential Safety Issues
- 252.246-7007 Contractor Counterfeit Electronic Part Detection and Avoidance System
- 252.246-7008 Sources of Electronic Parts
- 252.247-7003 Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer
- 252.247-7024 Notification of Transportation of Supplies by Sea

The following DFARS Clause applies if the value of the Order equals or exceeds \$25,000:

- 252.225-7036 Buy American Act – Free Trade Agreements

The following DFARS Clause applies if the value of the Order equals or exceeds \$250,000:

- 252.215-7010 Requirements for Certified Cost or Pricing Data and Data Other than Certified Cost or Pricing Data
- 252.225-7008 Restriction on Acquisition of Specialty Metals
- 252.247-7023 Transportation of Supplies by Sea

The following DFARS Clause applies if the value of the Order equals or exceeds \$500,000:

- 252.226-7001 Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns

The following DFARS Clause applies if the value of the Order equals or exceeds \$750,000:

- 252.219-7003 Small Business Subcontracting Plan (DoD Contracts)